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# The Yukon Legislative Assembly

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Number 2

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23rd Legislature

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## Debates & Proceedings

**Friday, May 9, 1975**

Speaker: The Honourable Donald Taylor



# THE YUKON LEGISLATIVE ASSEMBLY

Friday, May 9, 1975

(Mr. Speaker reads Daily Prayer)

**Mr. Speaker:** Madam Clerk, is there a quorum present?

**Madam Clerk:** There is, Mr. Speaker.

**Mr. Speaker:** I will now call the House to order.

## DAILY ROUTINE

**Mr. Speaker:** We will proceed with the Order Paper. Are there any documents or correspondence for tabling?

**Hon. Mr. McIntyre:** Mr. Speaker, I have for tabling today the Transport Public Utilities Board report pursuant to Section 19 of the Transport Public Utilities Ordinance.

I also have for tabling, Sessional Paper Number 2, Nominee to Executive Committee.

**Hon. Mr. McKinnon:** Mr. Speaker, I have for tabling today the Regulations Report pursuant to Section 31 of the Interpretations Ordinance; the Health Care Insurance Plan Annual Report, and I also have for tabling, Mr. Speaker, Sessional Paper Number 3, Appointment to the Yukon Water Board.

**Mr. Speaker:** Is there any further tabling of documents or correspondence? Are there any reports of Committees? Introduction of Bills?

The Honourable Member from Mayo?

### Bill No. 1 Introduced

**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre, for leave to introduce a Bill entitled, "Credit Unions Ordinance Amendments". Maybe I had better read the title off here, "An Ordinance to Amend the Credit Union Ordinance".

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, and seconded by the Honourable Member from Whitehorse North Centre, for leave to introduce a bill entitled "An Ordinance to Amend the Credit Unions Ordinance". Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you agreed?

**Some Members:** Agreed.

### Bill No. 3 Introduced

**Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre, for leave to introduce a Bill entitled, "An Ordinance to Amend the Cooperative Associations Ordinance"

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, and seconded by the Honourable Member from Whitehorse North Centre, for leave to introduce a bill entitled "An Ordinance to Amend the Cooperative Associations Ordinance". Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

### Motion Carried

### Bill No. 4 Introduced

**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre, for leave to introduce a Bill entitled an Ordinance to Amend the Housing Development Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled An Ordinance to Amend the Housing Development Ordinance. Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Motion Carried.

### Motion Carried

### Bill No. 5 Introduced



**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled An Ordinance to Amend the Territorial Employees Superannuation Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a bill entitled An Ordinance to Amend the Territorial Employees Superannuation Ordinance. Are you agreed?

**Some Members:** Agreed.

**Bill No. 6 Introduced**

**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled An Ordinance to Amend the Judicature Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre, for leave to introduce a Bill entitled An Ordinance to Amend the Judicature Ordinance. Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 7 Introduced**

**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled An Ordinance to Amend the Historic Sites and Monuments Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled An Ordinance to Amend the Historic Sites and Monuments Ordinance. Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you Agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 8 Introduced**

**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move,

seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled Travel for Medical Treatment Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled Travel for Medical Treatment Ordinance. Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 9 Introduced**

**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled Travel Industry Development Agreement Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled Travel Industry Development Agreement Ordinance. Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 10 Introduced**

**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill, An Ordinance to repeal the Students Grant Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre that — for leave to introduce a Bill entitled an Ordinance to Repeal the Students Grant Ordinance. Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**



**Bill No. 11 Introduced**

**Hon. Mr. McIntyre:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled Students Financial Assistance Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre for leave to introduce a Bill entitled Students Financial Assistance Ordinance. Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** I shall declare the motion carried.

**Motion Carried**

**Bill No. 12 Introduced**

**Mr. McKinnon:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Mayo, for leave to introduce Bill No. 12, An Ordinance to Amend the Fuel Tax Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, for leave to introduce an Ordinance to Amend the Fuel Oil Tax Ordinance. Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 13 Introduced**

**Mr. McKinnon:** Mr. Speaker, I beg to move seconded by the Honourable Member from Mayo, for leave to introduce Bill No. 13, An Ordinance to Amend the Municipal Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, for leave to introduce a Bill entitled An Ordinance to Amend the Municipal Ordinance. Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 14 Introduced**

**Mr. McKinnon:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Mayo for leave to introduce Bill No. 14, An Ordinance to Amend the Taxation Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, for leave to in-

roduce a Bill entitled An Ordinance to Amend the Taxation Ordinance. Are you prepared for the question?

**Some Members:** Question.

**Mr. Speaker:** Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 15 Introduced**

**Mr. McKinnon:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Mayo, for leave to introduce Bill No. 15, An Ordinance entitled Municipal Employees Benefits Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, for leave to introduce a Bill entitled Municipal Employees Benefits Ordinance. Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 16 Introduced**

**Mr. McKinnon:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Mayo, for leave to introduce Bill No. 16, an Ordinance to Amend the Legal Professions Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, for leave to introduce a Bill entitled An Ordinance to Amend the Legal Professions Ordinance. Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 17 Introduced**

**Mr. McKinnon:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Mayo for leave to introduce Bill No. 17 entitled Society of Industrial Accountants Ordinance.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, for leave to introduce a Bill entitled Society of Industrial Accounts Ordinance. Are you agreed?

**Some Members:** Agreed.



**Mr. Speaker:** Carried.

**Motion Carried**

**Bill No. 18 Introduced**

**Mr. McKinnon:** Mr. Speaker, I beg to move, seconded by the Honourable Member from Mayo, for leave to introduce Bill No. 18, entitled Second Appropriation Ordinance 1975-76.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Mayo, for leave to introduce a Bill entitled Second Appropriation Ordinance 1975-76. Are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** And so carried.

**Motion Carried**

**Mr. Speaker:** Is there any further introduction of Bills?

Is there any Notice of Motion or Resolution? The Honourable Member from Whitehorse--

**Mrs. Whyard:** Mr. Speaker, I beg leave to give Notice of Motion, seconded by the Honourable Member from Whitehorse Porter Creek, regarding a geological survey of coal resources in the Yukon Territories.

**Mr. Speaker:** I have another Notice of Motion.

**Mr. Speaker:** Proceed.

**Mrs. Whyard:** Seconded by the Honourable Member from Whitehorse Porter Creek, regarding an amendment to the Motor Vehicles Ordinance. Mr. Speaker, I have another Notice of Motion seconded by the Member from Whitehorse Porter Creek regarding traffic signs at school bus stops.

**Mr. Speaker:** Are there any further Notices of Motion or Resolution? Are there any Notices of Motion for the Production of Papers?

There being no Notices of Motion for the Production of Papers, we will proceed to the Question Period.

**QUESTION PERIOD**

**Mr. Speaker:** Madam Clerk, would you ascertain if Mr. Commissioner would be available at this time? At this time I will declare a brief recess.

**Recess**

**Mr. Speaker:** At this time We will call the House to order, and would you now proceed with the Question Period. Are there any questions?

The Honourable Member from Whitehorse West?

**Question Re Emergency Phones**

**Mrs. Whyard:** Mr. Speaker, I have a written question for the administration. Will the Commissioner

ascertain what changes in policy of the Ministry of Transport have resulted in recent withdrawal of the subsidy for emergency phones on Yukon Territorial Highways?

**Mr. Speaker:** Are there any further questions? The Honourable Member from Whitehorse Porter Creek?

**Question Re Industrial Lots - Porter Creek**

**Mr. Lang:** Yes Mr. Speaker, I have a written question for the Minister of Local Government. (a) In what stages is the extension of industrial lots to the Porter Creek Industrial area at; (b) When will these industrial lots be made available for public sale; and (c) How many lots will be made available?

**Mr. Speaker:** The Honourable Member from Pelly River?

**Question Re Vangorda School**

**Mr. McCall:** Yes, Mr. Speaker, I have a question--a written question to ask the Minister of Education. Does the Department have any plans to build a gym for the Vangorda School in Faro, and if not, why not?

**Hon. Mr. McIntyre:** Is that a written question?

**Mr. McCall:** Yes, it is.

**Mr. Speaker:** The Honourable Member from Ogilvie.

**Question Re Territorial Employees Public Debate**

**Ms. Millard:** Mr. Speaker, I have a question for Mr. Commissioner. Recently there was an article in the newspapers stating that Y.T.G. employees are told to avoid public debate. The question is, how does this affect the Territorial employees in Old Crow and Whitehorse who may wish to speak at the Berger Inquiry here or in Yellowknife?

**Mr. Speaker:** Mr. Commissioner? Is this a written question or an oral question?

**Ms. Millard:** An oral question, Mr. Speaker.

**Mr. Speaker:** Mr. Commissioner?

**Mr. Commissioner:** No effect at all.

**Ms. Millard:** A supplementary, Mr. Speaker? No effect whatsoever, is that how I understand it?

**Mr. Speaker:** The Honourable Member from Pelly River?

**Question Re Rent For Gymnasium**

**Mr. McCall:** Yes, Mr. Speaker, I have another written question for the Minister of Education. How much rent does the Department of Education pay to Cyprus Anvil for the use of their gymnasium?



**Mr. Speaker:** The Honourable Member from Whitehorse West?

**Question Re Studies And Reports**

**Mrs. Whyard:** Mr. Speaker, I have a written question for the Administration.

In view of the proliferation of studies and reports commissioned by the Y.T.G. in recent months, would the administration provide the following information?

- (1) Are the surveys and studies put out to tender?
- (2) If not, how are they allocated?
- (3) Are local professionals considered for these assignments?
- (4) Are professional engineers from outside the Territory required to meet the standards of such organizations as the Yukon Association of Professional Engineers prior to embarking on a professional study in the Yukon?
- (5) Are such research companies required to be registered and licenced in the Yukon Territory?
- (6) Is every effort made by the Y.T.G. Department involved to utilize the professional expertise of their own staff members prior to spending more tax dollars on imported experts?

**Mr. Speaker:** The Honourable Member from Pelly River.

**Question Re Outside Recreation Area Bangora School**

**Mr. McCall:** Yes, Mr. Speaker. I have a written question for the Minister of Education. Why is the outside school recreation area not been completed at Bangora School? There is no track or anything for the outside sports.

**Mr. Speaker:** The Honourable Member from Olgivie.

**Question Re Air Rates To Old Crow**

**Ms. Millard:** Mr. Speaker, an oral question for Mr. Commissioner. At present Northward Airlines charges \$15 more to travel to Old Crow than to Inuvik although I understand the mileage is less. Also there is 10 cents a pound more for freight to Old Crow than to Inuvik. Could this be looked into?

**Mr. Commissioner:** Well, Mr. Speaker, certainly I would be happy to look into it. But these rates are approved by federal regulatory bodies, Mr. Speaker, and the very best that I could hope in the way of an answer would be to possibly come up with some justification from the federal regulatory body as to why they have agreed to the rates. I wouldn't want to convey the impression that we, as the Territorial Government have any jurisdiction over this particular facet of this airlines activity.

**Mr. Speaker:** Yes, I would just perhaps to assist the Honourable Member, advise that it is not competent for a Member to give a direction in the question period.

**Ms. Millard:** The question, Mr. Speaker, if I might reiterate was simply could this be looked into. Cer-

tainly that could be done, couldn't it?

**Mr. Speaker:** The Honourable Member from Olgivie.

**Question Re Transfer Of Prisoners**

**Ms. Millard:** An additional question for Mr. Commissioner. In the last session we passed an Ordinance of the Transfer of Prisoners. At that time I was left with the view that regulations would be instituted to assure that an appeal could be heard through the administration for any prisoner who wishes not to be transferred. Are these regulations now in effect? Can we have a copy?

**Mr. Speaker:** Mr. Commissioner?

**Mr. Commissioner:** Mr. Speaker, I don't know whether they're in effect or not but all councillors are on the distribution list as far as all regulations are concerned. Perhaps, that would answer the second part of your question, but I wonder if the first part could be referred to the Legal Advisor, who I think would be in a position to say whether or not these regulations referred to are in effect at this time.

**Mr. Speaker:** Mr. Legal Advisor?

**Mr. Legal Advisor:** Mr. Speaker, I am not sure whether they were actually signed or not. They were prepared, they were ready for signature and distribution. They may be at some stage in the mill on their way to the Territorial Council.

**Mr. Speaker:** The Honourable Member from Hootalinqua.

**Question Re Swimming Instructors**

**Mr. Fleming:** Mr. Speaker, in the absence of our Minister of Health and Welfare, I will probably have to put this question to the Commissioner.

It has been the practice of the government in the last few years in a swimming program to send out a young instructor, usually a girl in this case in Teslin it has been a girl for many years, to come out approximately the 24th of May, and they are told or moved into one of the teacherages. Now, those teacherages are rented of course by the teacher, and she has her own dishes and so forth in there and they are more or less just told that this person is going there and they have no choice, what to do about it. She moves in and uses everything in the place and they're finding it very unacceptable and I would like to ask this question and I'd to have a written question.

Is that practice going to continue in the future?

**Mr. Commissioner:** Mr. Speaker, if I may, it would be right that this be, you know, referred to the Member for Education because that program comes under the Recreation Branch of the Department of Education.

**Mr. Speaker:** The Honourable Member from Mayo.

**Hon. Mr. McIntyre:** I'll have to take this as a written question and I'll have an answer prepared for



you.

**Mr. Speaker:** Perhaps in this case it may be beneficial to take notice rather than submit a written question. If that would be a solution to the problem.

**Mr. McIntyre:** He asked for a written.

**Mr. Speaker:** The Honourable Member from Whitehorse Porter Creek.

**Question Re Local Hire**

**Mr. Lang:** Yes, I have an oral question for the Commissioner.

Will the contractor of the N.C.P.C. Lewes River Dam follow the practice of local hire wherever possible?

**Mr. Commissioner:** Mr. Speaker, the Northern Canada Power Commission is required to operate under the Federal Contract Regulations. I'm not familiar enough with them to be able to quote you the section concerning local hire but there is a local hire section in those federal contract regulations which is a part of the contract.

**Mr. Speaker:** The Honourable Member from Pelly River.

**Question Re Electricity Rates At Ross River**

**Mr. McCall:** Yes, Mr. Speaker, I'd like to ask the Commissioner a written question. Are the people in the community of Ross River going to pay a higher rate than other communities for the use of electricity, and is it because Yukon Electric Company has a franchise covering that community?

**Mr. Speaker:** Are there any further questions?  
The Honourable Member from Hootalinqua.

**Question Re L.I.D.**

**Mr. Fleming:** Yes, Mr. Speaker, I would like to ask a question of the Commissioner. Would it be possible for the L.I.D.'s, the communities in other words that are L.I.D.'s--are forming their own government have some say in the powers of opening and closing of the liquor outlets possibly in that field or in the field of whether you can drink on people's porches or on the steps or wherever you wish. Is there a possibility that they may be able to have some say in this regard themselves? Especially in these two fields?

**Mr. Commissioner:** Mr. Speaker, I wonder if I could have the opportunity of giving a written reply to that, because we are involved with the Liquor Ordinance here, and likewise the licencing authority of the Liquor Board, so if I could have that opportunity, we will get you an answer for that.

**Mr. Speaker:** Are there any further questions?  
The Honourable Member from Whitehorse West?

**Question Re Government Housing**

**Mrs. Whyard:** Mr. Speaker, I think this is an oral question for the Commissioner, Mr. Speaker.

As the employees of the Yukon Territorial Government have recently been notified that they are to vacate government housing as of September of this year, in view of the fact that the two year time limit of tenancy for such housing was not made known to all of these employees at the time of their employment, nor has there been any indication that the two year limit would be enforced until last week, will the Commissioner assure Council that present conditions of land and housing available and time required for construction in the north be taken into consideration in their cases?

**Mr. Commissioner:** Well, Mr. Speaker, I want to be very careful in my answer to this, that what I say doesn't detract from or would tend to be used as a means of nullifying or destroying this policy of the government, because this is a firm policy and I want to make this clearly understood, Mr. Speaker. This firm policy has come about as a consequence of many conversations that have taken place here and many commitments that I have personally made to this Council.

What I have to say is to be in no way construed by anybody or anyone, either the people here in Council or the affected employees, as to be used as a means of subverting this particular policy.

I would say this, Mr. Speaker, that where it could be clearly shown that an action or an inaction of one Department of this government made it impossible for an individual to comply with another directive or another action of that same government, that particular employee concerned could possibly make a case to the Housing Authority who have the -- are charged with the responsibility of implementing this particular function, but it's going to have to be a hard and fast situation, Mr. Speaker. It isn't going to be just a verbal commitment -- "Well, I'm sorry, you know, there's no lots to buy in Riverdale, therefore, I can't comply with your wishes." It's going to have to be a pretty firm situation.

If it can be a firm situation, I would be inclined to believe that the Housing Corporation is going to, with some kind of proper commitments from that employee concerned, is going to use, what I would consider to be, prudent judgment in dealing with that particular situation.

We have been faced with many situations over the years, Mr. Speaker, in which the appropriate authority was charged with the administration of these policies has been given to believe that certain things or certain actions were being conducted by the employee to comply with this, and in some instances, these commitments, if you wish to call them that, were simply not met.

So it's a two-sided situation, and I do believe, Mr. Speaker, that that is about as far as I would care to go. I think that that would be up to the employee to make that firm commitment or firm understanding in a manner which would be acceptable by the Housing Corporation.

**Mr. Speaker:** The Honourable Member from Hootalinqua?



**Question Re Banking At Teslin****Question Re Delinquent Taxes**

**Mr. Fleming:** Mr. Speaker, I have a couple of questions, to Mr. Commissioner, both of them. One is very simple: When will we be receiving some kind of banking facilities in Teslin, and that could be a written if Mr. Commissioner wishes.

The other one deals with delinquent taxes advertising in the paper. I may have to explain this a little so that the Honourable Members will understand why I asked the question later.

Last year, I think it was possibly the first year, it doesn't really matter, but the taxes were all listed in the paper and people who received the paper naturally read it, and said we owe three hundred and some dollars, four hundred and some dollars, five hundred and some dollars, and many of these people came and paid those taxes according to the figures in the paper, and maybe so they didn't look carefully enough at their own bills, because they may have checked back and seen that their taxes are up-to-date of course, on their bills, but not in the paper. They are merely arrears in the paper, but this was never stated clearly, and the arrears only came up last year to 1973.

Consequently these people this year received another tax notice with two year taxes on it, '74 and '75, and not really knowing just what they're doing sometimes, as happens to all of us --

**Mr. Speaker:** Perhaps the Member could get to the question.

**Mr. Fleming:** -- and many of them came to me and they said "Well we don't owe these taxes", so they had to find out, they do.

Now, could this advertising in the paper -- this is my question -- could this advertising in the paper not list more clearly that these are merely delinquent taxes, and not for the year 1975, this year, when they are put out, or be listed as taxes to date, so that they will know actually what they are paying.

**Mr. Commissioner:** Mr. Speaker, this advertising is done under the authority of an Ordinance that is passed in this Council, and the title of it, Mr. Legal Advisor, please? Well it's done under the Taxation Ordinance, and then this follows into another Ordinance--what is the--?

**Mr. Legal Advisor:** Part of the Taxation Ordinance.

**Mr. Commissioner:** Excuse me, I thought we had--excuse me, I thought, Mr. Speaker, we had a second Ordinance that had another name to this in connection with it, but I think really the question that is raised by the Honourable Member is, is it the government's responsibility to do everyone's personal bookkeeping?

Now, I'm prepared to take a look at this, because if there's something that we are not showing properly, you know, as per the requirements of the Ordinance, why you know government has to pull up its socks and do it accordingly.

So if I could have the opportunity of relating the advertisement to the requirements of the Ordinance and bringing it back here, then we will see whether there is a further step involved, Mr. Speaker. Is that a

satisfactory arrangement?

**Mr. Speaker:** Are there any further questions? I would like to thank Mr. Commissioner for attending our Question Period today.  
We will now proceed to Public Bills.

**Mr. Fleming:** I did have a question, but I wasn't quite fast enough, but it's all right, I can leave it.

**Mr. Speaker:** I could, with the agreement of the House, could revert to the Question Period for the Honourable Member's question. Is that agreed?

**Some Members:** Agreed.

**QUESTION PERIOD**

**Mr. Speaker:** Proceed, the Honourable Member from Hootalinqua.

**Mr. Fleming:** Mr. Speaker, I have a question for the --Mr. Commissioner.

**Question Re Recreational Road**

Is there going to be a recreational road from Lewes Bridge, in that vicinity, through to Tagish in the near future? Is it proposed, or will it be -- let's say, will it be done in the future?

**Mr. Commissioner:** Well, if the question didn't contain those words "in the near future", Mr. Speaker, I could answer, so when they contain those three words I'll have to take notice.

**Mr. Speaker:** The Honourable Member from Whitehorse West.

**Question Re Government Housing**

**Mrs. Whyard:** Well, Mr. Speaker, if the Question Period is still open, I have a supplementary to the housing question, Mr. Commissioner.

What is going to happen to the vacant government houses as of next September? Will they be made available to the public? If so, can government employees then buy them?

**Mr. Commissioner:** Well, Mr. Speaker, all I can do is reiterate what I have said before, and that if it was left to me as an individual, all the government houses in Whitehorse would have been up for sale years ago.

And the whole test of this thing, in order to get government houses up for sale, is very obviously to have a vacancy factor which will clearly indicate to the government housing authority, namely the Federal Department of Public Works, that the number of houses that they have in their housing pool is in excess of their needs, and this is part of the routine is to try to get a vacancy factor in the Department of Public Works' housing, which will encourage them to surplus a group of their houses and put them up for sale in the normal manner.

Now, as far as them being--I think the next part of the question is, will they be available to government employees? There may be circumstances, Mr.



Speaker, that this would be appropriate, but I would be hopeful that if they are to be put up for sale, that they are going to be for sale to everybody.

Mrs. Whyard: Thank you.

Mr. Speaker: Are there any further questions?

**ORDERS OF THE DAY**

**PUBLIC BILLS**

Mr. Speaker: May we then proceed to, under Orders of the Day, to Public Bills? What is your pleasure? The Honourable Member from Mayo? Bill No. 2 First Reading.

Hon. Mr. McIntyre: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse North Centre, that Bill Number 2 be now read a first time.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Whitehorse North Centre, that Bill Number 2 be now read a first time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: Carried.

**Motion Carried**

Mr. Speaker: When should the Bill be read for the second time?  
Bill No. 2, Second Reading

Hon. Mr. McIntyre: Now, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse North Centre, that Bill Number 2 be now read a second time.

Mr. Speaker: It has been moved by the Honourable

Member from Whitehorse North Centre, that Bill Number 2 be now read a second time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I declare the Motion as carried.

**Motion Carried**

Mr. Speaker: May I have your further pleasure at this time?

The Honourable Member from Whitehorse Porter Creek?

Mr. Lang: Mr. Speaker, I move that we call it twelve o'clock.

Mr. Speaker: Is there a seconder?

Mr. McCall: I will second that, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Pelly River that we now call it twelve o'clock.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I declare that the Motion is carried.

**Motion Carried**

Mr. Speaker: This House now stands adjourned until 10:00 a.m. Monday morning.

**Adjourned**



*Just tabled  
no debate*

**SESSIONAL PAPER NO. 3 [1975 FIRST SESSION]  
Second Session]**

**Mr. Speaker  
Members of Council**

Appointments to

Yukon Territory Water Board

**Introduction**

The Northern Inland Waters Act provides for its regional administration by Territorial water boards. These boards are given the responsibility to approve applications for use of water. In so doing, the board plays an important role in the equitable distribution or sharing of surface and ground water resources among persons and private and public corporations with legitimate, but often conflicting, claims to the use of water. Moreover, the board is instrumental in controlling the pollution of our water resources by establishing, and maintaining in principle, that rights to the use of water for beneficial purposes are dependent on users accepting the responsibility for maintaining the quality of the water or restoring its quality, after use, to acceptable standards before discharging the water back to its natural environment.

The Yukon Territory Water Board members are appointed by the Minister of Indian Affairs and Northern Development from among nominees of Federal Government departments which have water management responsibilities in the Yukon and from nominees named by the Commissioner-in-Council. An extract from the Act (Section 7) is attached which outlines the method for establishing the board, (Item A). Particulars on the Board are attached as Item B.

Three seats on the Board are currently allocated for membership on the recommendation of the Commissioner-in-Council.

**Background - Northern Inland Waters Act**

The Yukon Territory Water Board was established in 1970. During the discussion of the appointments in Council (Fourth Session, 1970, November 10, 1970) the Commissioner was asked if any guidelines existed as to selection of members. It was the opinion of the Commissioner that members should not be employees of the Territorial Public Service nor members of the Council, although this was not impossible. It was also suggested that members should include:

1. Someone with technical qualifications, who would have knowledge of needs of the mining industry, but presumably would be independent of the industry;
2. Someone with an involvement in local government and knowledge of municipal water requirements;
3. Someone, from outside Whitehorse, who could represent the interests of the remoter areas of the Territory.

It was also suggested that the three members be selected entirely by Council. The motion nominating the three members, Mr. A. Wright, Mr. H.E. Boyd, and

Mr. J.D. Livesey was passed on November 13, 1970. No mention was made at any time of terms of membership or duration of membership. In accordance with the Council's recommendations, Messrs. Boyd, Livesey and Wright were appointed by the Minister on February 10, 1972.

On June 27, 1974 the last Territorial Council passed a motion recommending that Mr. George Shaw be appointed to the Water Board as a representative of placer mining interests at the "first possible opportunity". The motion also requested that the Water Board submit an annual report to the Territorial Council. (A copy of Motion 43 is attached, as item C).

Since this time, Mr. J.D. Livesey has resigned from the Water Board in order not to contravene Sections 9 and 10 of the Elections Ordinance. In this connection, it should be pointed out that neither a nominee for Territorial Council nor a member of Council may also serve as member of the Water Board. In other words, should a Council member be appointed to the Board, it would be necessary for him to resign his Council seat.

**Current Status of Yukon Representation**

The present Yukon representatives to the Water Board are Mr. H.E. Boyd and Mr. A. Wright, both of whom have now served on the Board for almost three years. One additional member must be named to complete Yukon representation.

The activities of the Water Board are reported annually to the Minister of Indian Affairs and Northern Development. The Minister has advised that his report is available to the Territorial Council on request. It is not possible for the Board, as an unit, to report directly to the Territorial Council since it is responsible to the Federal Government. Council may, however, request that Yukon representatives on the Board consult and report with Council through the Executive Committee.

**Options for Future Yukon Representation**

The Northern Inland Waters Act does not set-out any terms for membership on the Yukon Territory Water Board. The Minister has stated that changes in Yukon representation may be initiated at any time and that terms regarding membership may be requested as well.

There is no precedent for replacement or changes in Yukon representation on the Water Board. In view of the current vacancy on the Board, and the installation of a new Territorial Council, it seems advisable that some policy for appointment of Water Board members be adopted. There are two types of procedure which might be followed:

1. Ad hoc appointments can be made, determined by the resignation of a current member or the desire of Council to replace a member or appoint a new member. In the case of Council wishing to change membership, it would also be necessary to recommend that sitting members' membership be terminated.

2. Stipulated term appointments can be requested of the Minister which would provide for changes in



membership on a regular basis.

#### Discussion of the Options

1. Ad hoc appointments have the advantage of permitting membership changes at any time Council wishes to recommend them. They have the disadvantage of placing Council in the position of having to remove a member in order to appoint a new member (except in the case where a member should resign). This type of appointment also creates a situation where a member may continue on the Board for many years or, conversely, where a high turnover of membership may occur which would be detrimental to the functioning of the Board.

2. Stipulated term appointments would allow members to be changed on a regular basis. If the Minister were requested to make initial appointments for staggered terms, i.e. three years, two years, one year, to be followed by three year terms, some continuity of membership on the Board would be ensured.

#### COUNCIL IS ASKED TO RECOMMEND by Motion:

- i) one person to fill the current vacancy on the Water Board;
- ii) a policy on the terms of future appointments to the Board which would be proposed to the Minister;
- iii) that the Yukon representatives on the Board consult and report to Council through the Executive Committee;
- iv) a request that the annual report of the Water Board be made available to the Council on a routine basis.

**James Smith**  
Commissioner

[A]

### NORTHERN INLAND WATERS ACT

#### Section 7 - Establishment of Water Boards

7. (1) There shall be two boards to be known as the Yukon Territory Water Board and the Northwest Territories Water Board, each consisting of not less than three and not more than nine members appointed by the Minister.
- (2) The membership of each board shall include:
- (a) at least one nominee of each of the departments of the Government of Canada that in the opinion of the Governor in Council, are most directly concerned with the management of water resources of the Territory and the Territories; and
  - (b) at least three persons named by the Commissioner-in-Council of the Yukon Territory in the case of the Yukon Territory Water Board and at least three persons named by the Commissioner-in-Council of the Northwest Territories in the case of the Northwest Territories Water Board
- (3) The Minister shall designate two of the members of

each of the boards to be chairman and vice-chairman respectively of the board of which the persons so designated are members.

(4) The main office of the Yukon Territory Water Board shall be at the seat of government of the Territory, and the main office of the Northwest Water Board shall be at the seat of government of the Territories.

[B]

### YUKON TERRITORY WATER BOARD

#### Terms of Reference:

Yukon Territory Water Board is established pursuant to section 7 of the Northern Inland Waters Act and is charged with the responsibility to provide for the conservation, development and utilization of the water resources of the Yukon for ultimate benefit for all Canadians and residents of the Territory.

#### Membership:

Membership on the Yukon Territory Water Board shall include at least one nominee of each of the Departments of the Government of Canada that in the opinion of the Governor in Council and at least three persons named by the Commissioner-in-Council. The Minister shall designate two of the members of the Board to be chairman and vice-chairman, respectively. The main office of the Yukon Territory Water Board shall be at the seat of Government.

#### Meetings Held:

Monthly, or at the call of the chairman.

#### Per Diem Expenses:

Members are entitled to be paid a per diem rate plus expenses.

#### Present Membership:

Chairman -Leo Brandon, Regional Manager  
of Water, Lands and Forest

Yukon Territorial Representatives-Bert Boyd,  
Whitehorse

-Al Wright, Whitehorse

Department of Public Works -R.K. Byram

Department of Environment -Mr. Wykes

Department of Energy, Mines and Resources  
-Mr. Humphreys

Ministry of Transport -E.D. Harris, Prince Rupert

Northern Health Services -Dr. M. Myers



[C]

MOTION NO. 43

Moved by: COUNCILLOR STUTTER

Seconded by: COUNCILLOR TAYLOR

WHEREAS:

THE NORTHERN INLAND WATERS ACT PERMITS THE TERRITORIAL COUNCIL TO RECOMMEND THE APPOINTMENT OF AT LEAST THREE MEMBERS TO SERVE ON THE YUKON TERRITORY WATER BOARD AND

WHEREAS:

A GROUP OF OVER FIFTY PLACER MINERS IN

THE KLONDIKE AREA HAVE PETITIONED COUNCIL TO NOMINATE A PLACER MINER TO SERVE ON THE YUKON TERRITORY WATER BOARD.

BE IT THEREFORE RESOLVED THAT:

THE COMMISSIONER RECOMMEND THE APPOINTMENT OF MR. GEORGE SHAW OF DAWSON CITY TO BE A MEMBER OF THE YUKON TERRITORY WATER BOARD AT THE FIRST POSSIBLE OPPORTUNITY.

BE IT FURTHER RESOLVED THAT:

THE YUKON TERRITORY WATER BOARD BE REQUESTED TO SUBMIT A REPORT OF ITS ACTIVITIES TO THE YUKON TERRITORIAL COUNCIL ON AN ANNUAL BASIS.

**SESSIONAL PAPER NO. 2 [1975 SECOND SESSION]**

**EXECUTIVE COMMITTEE APPOINTMENT**

**Mr. Speaker  
Members of Council**

A vacancy currently exists on the Executive Committee for a member designated by Council from among its members. The nominee to the Executive Committee will also serve as a Member of the Advisory Committee on Finance.

The Executive Committee represents an important

achievement of local responsibility in administering the affairs of the Territory. For the benefit of the government as a whole and of the Committee, I ask Council to regard this matter as a priority item of the session.

Council is asked to recommend by separate motions:  
(a) a member to be appointed to the Executive Committee; and

(b) the same member to be appointed to the Advisory Committee on Finance.

**James Smith  
Commissioner**





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