



Property of  
M. L. A. Lounge

# The Yukon Legislative Assembly

---

Number 8

3rd Session

23rd Legislature

---

## Debates & Proceedings

**Tuesday, May 20, 1975**

Speaker: The Honourable Donald Taylor



## The Yukon Legislative Assembly

May 20, 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.

### ROUTINE PROCEEDINGS

**Mr. Speaker:** We will proceed to the Order Paper at this time. Are there any documents or correspondence for tabling this morning?

Are there any documents or correspondence for tabling?

Are there any Reports of Committees?

Introduction of Bills? Are there any Notices of Motion or Resolution?

The Honourable Member from Whitehorse Porter Creek?

**Mr. Lang:** Yes, Mr. Speaker, I have Notice of Motion re Livestock Feed Assistance Act.

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

**Mr. Phelps:** Mr. Speaker, I have Notice of Motion re Yukon Territorial Water Board.

**Mr. Speaker:** Are there any further Notices of Motion or Resolution?

The Honourable Member from Whitehorse Riverdale?

**Mr. Phelps:** Mr. Speaker, I have Notice of Motion re regulation of Interprovincial trucking.

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

There being no Motion for the Production of Papers, we will now proceed under Orders of the Day to Motion Number 8. Is the Honourable Member from Whitehorse Riverdale prepared at this time to deal with Motion Number 8?

### ORDERS OF THE DAY

#### *Motion Number 8*

**Mr. Phelps:** Yes I am, Mr. Speaker. It has been moved by myself, and seconded by the Honourable Member from Ogilvie, that it is the opinion of this House that the Consumers' Protection Ordinance

should be repealed and replaced by a more workable and enforceable Ordinance.

Mr. Speaker, briefly the main concern I have with the present legislation is simply that the wording is at best tortuous, at least or best, at least confusing. It's very, very difficult for a lawyer to read this Bill and be able to readily understand the language, and I submit that it must be impossible for most lay people to understand their rights under this particular Consumers' Protection Ordinance.

Further, the consumer people in Yukon have expressed concern because there is no real teeth in the Ordinance. Their concern that there has been virtually no enforcement of the provisions protecting consumers in that Ordinance, and it's my respectful submission that we ought to have a new Ordinance which lay people can understand, and which has some real teeth in it.

I've had a look at some of the statutes in B.C., Alberta, and Saskatchewan, and it seems to me that this government ought to come forth with a new Ordinance which is fairly easy to understand and similar in content to the legislation presently in force in B.C.

Again, I take the stand that laws that can't be understood by the people are not desirable, and this is the main reason that I would like to see our present legislation repealed and replaced by new workable legislation.

Thank you, Mr. Speaker.

**Mr. Speaker:** Any further debate? The Honourable Member from Whitehorse North Centre?

**Hon. Mr. McKinnon:** Certainly a refreshing bit of candor from the Honourable Member from Whitehorse Riverdale, because generally when one is in debate at this table about the language of the Ordinances, we always find Mr. Legal Advisor, and if there happens to be any other legal minds present at the moment, stating that the reason why it can't be written in terms that everybody can understand, is that because it has a very distinct meaning under the law and this is the way that it has to be written. And over and over again, when Members interject that nobody can understand what is written, this is the answer that we get. If this is going to be the direction, not Members of the legal profession and Mr. Legal Advisor are going to take now, that we are actually going to make legislation that is readable and understandable, then I commend the Honourable Member from Whitehorse Riverdale for bringing this to our attention. I think the rest of us who just happen to be lay members will certainly appreciate this, if in fact is the direction that legislation is going to take



from here on in.

Mr. Speaker, there are some problems with the amendments to the Consumers' Protection Ordinance that I think should be brought out. I would have no problem supporting the Motion as it reads at this time. The question is in the enforcement.

We found that most of the complaints from people who thought that they had been wrong under the Consumers' Protection Ordinance and wanted to bring some kind of action against the body who they felt had wronged them, fell into the area of where a person actually needed some redress along civil lines or some availability of legal advice along civil lines where they could go and receive such advice.

We were hopeful that with the early introduction of a civil legal aid scheme in the Yukon Territory, that most of these complaints against the Consumer Protection Ordinance would be resolved, as people would have legal advice and would be able to take legal action without suffering in the pocket book under areas of the Consumer Protection Ordinance where they felt they had been wronged.

The other problem is in the small jurisdiction of the Yukon. If we set up a separate enforcing agency under the Consumers' Protection Ordinance, then of course we are going into the area where we have to hire further inspectors and further legal people to be able to enforce the protection of the CoConsumers' Protection Ordinance.

It's my indication and my feeling from travelling around the Territory, that the Territory needs more enforcing officers and more inspectors at about this time in their evolution of government, as they need a lot more holes in their head. It's just an untenable position for a government responsible at this time, to put out the policy that we need further inspection staff and further enforcing officers on the employ of the Government of the Yukon Territory at this time.

So, if the Consumers' Protection Ordinance could be redrafted, (1) So that it would be understandable; (2) That it would be enforceable under officers that are presently in existence and on the employees' payroll of the Government of the Yukon Territory, then I think we could have the ideal situation. I think that with the introduction of a civil legal aid program, and with the Ordinance being brought up to date and put into language people could understand, then probably we could have an enforceable Ordinance without increasing the public service of the Territories, particularly in the inspectorial and enforcement area, without any added personnel, Mr. Speaker.

Mr. Speaker: Is there any further debate?

It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Ogilvie, that it is the opinion of this House that the Consumers' Protection Ordinance should be repealed and replaced by a more workable and enforceable Ordinance.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

*Motion Carried*

*Motion Number 9*

Mr. Speaker: Under Motion Number 9 would the Honourable Member from Whitehorse South Centre be prepared to discuss Motion Number 9 at this time?

Mr. Hibberd: Yes, Mr. Speaker. Moved by myself, seconded by the Honourable Member from Whitehorse West, that this Legislative Assembly express its support for the Yukon Nurses during their current negotiations and strike action.

Mr. Speaker, I am sure that the Members are aware of the present situation. The nurses were on strike for 10 days, and then elected to return to work until the final National vote is in, and at that time will likely proceed with further strike action.

Several members have already demonstrated their support for the nurses in terms of joining them on the picket line.

The primary demands that the nurses are after -- it is really very simple, and it sounds rather ludicrous that their basic demand is that they are trying to gain parity with nurses in B.C., which certainly doesn't allow for the increased cost of living that they have to face in the Yukon.

As the present negotiations have been taking place their increase for the first year of the suggested contract would bring them to parity with the B.C. nurses, but unfortunately the B.C. nurses are at this time about to enter negotiations for a new contract. Immediately the Yukon nurses are just as far behind again. They are requesting that they have parity with B.C. nurses for the duration of their contract.

These same nurses have been in a difficult position for many years as regards to salary. In view of their professional situation they have been very reluctant to strike, and they have taken this on with a good deal of difficulty.

Despite the problems that are now existant, they have certainly done a highly creditable job while the negotiations are going on. I had a good instance of this last night, Mr. Speaker, when I have to stay up all night working on a seriously ill patient and I have never known, in all my years of practice, such co-operation and such effort beyond what was necessary to accomplish what we all had to do, and doing it cheerfully.

There is one other point that should be considered, Mr. Speaker, the situation of a strike action of the Yukon nurses, and in particular with the Whitehorse Hospital, would put patients into the position where the facilities would not be considered available during a strike action.

It would, therefore, mean that these patients would have to be evacuated to the nearest centre, i.e. Vancouver or Edmonton. Mr. Speaker, this would mean a great number of patients would be so inconvenienced in that only emergency surgery would be done under those circumstances.

Urgent surgery, elective surgery would either be delayed or would have to go outside.

Now the evacuation program that we operate under, the Territorial Government has to foot the bill for



these evacuations if the facilities are not available here. It would mean a tremendously increased cost to the Medi-care program, and therefore to the Territorial Government, so indirectly, we as the Territorial Council, are involved in this strike action.

I would therefore urge the Council to support this motion, Mr. Speaker.

**Mr. Speaker:** Any further debate? It has been moved by the Honourable Member from Whitehorse South Centre, seconded by the Honourable Member from Whitehorse West, that this Legislative Assembly express its support for the Yukon Nurses during their current negotiations and strike action.

Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

**Mr. Speaker:** I shall declare the Motion as Carried.

**Motion Carried**

**Mr. Speaker:** This now brings us to the Question Period, and you will note on your Order Paper beginning at written Question 13, this should read 14, and all the numbering down through written number 20 should be 21, so you could probably change your Order Paper if you so choose.

Madam Clerk, could you see if Mr. Commissioner would be available to the House this morning?

(Madam Clerk leaves Chamber)

**Mr. Speaker:** At this time I will declare a brief recess.

**Recess**

**QUESTION PERIOD**

**Mr. Speaker:** At this time we will call the House to order, and we have with us Mr. Commissioner to assist us with our Question Period.

Any questions? The Honourable Member from Whitehorse Porter Creek?

**Question Re: Fuel Oil Costs, Sessional Paper Number 6**

**Mr. Lang:** Yes, Mr. Speaker. I have a question for Mr. Commissioner. It has to do with Sessional Paper Number 6, which is in relation to fuel oil costs and at the end of the Sessional Paper it stated, "In response to the conclusion expressed in the paper, I have asked Mr. A.D. Hunt to initiate discussions with officials of the Standard Oil Company of British Columbia, to determine what action can be taken to reduce the price of heating fuel in the Territory".

In other words, looking into the price at the source. Has there been any work done in that respect?

**Mr. Commissioner:** Mr. Speaker, the answer is yes. There has been no definitive report made to me yet by

Mr. Hunt and his officials in connection with these discussions, but they are actively underway at the present time.

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

**Question Re: Residential and Commercial Land in Watson Lake**

**Mr. Lang:** Yes, Mr. Speaker. On behalf of the Member from Watson Lake, I have an oral question for the Minister of Local Government.

In view of the deep concern expressed by the residents of Watson Lake over the current lack of residential and commercial land within the subdivision, would the Honourable Minister of Local Government advise the House what steps are being taken to make such lots immediately available to the residents of Watson Lake, and could the Honourable Member assure the House that no capital costs in respect of sewer and water installation, other than those agreed upon by the Local Improvement District will be considered in lot pricing.

**Hon. Mr. McKinnon:** Mr. Speaker, there will be 55 single family residential lots placed on sale in Watson Lake on approximately June 15th, 1975. Mr. Speaker, we feel that in the area of single family residential lots that this will suffice for at least the current building year.

My offices are presently looking into areas available for further commercial lots in the Watson Lake area, and they are also looking at the area of the costing of the single family residential lots in the Watson Lake area.

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

**Question Re: Study Concerning Fuel Oil Costs**

**Mr. Lang:** Mr. Speaker, in relation to the question that I asked Mr. Commissioner, I would like to know, does he have any idea when we will have an answer to the study that is presently going on?

**Mr. Commissioner:** Well, Mr. Speaker, I'm sorry that I can't give you, you know, a firm answer to that, but I would like to assure Honourable Members that as a consequence of a Motion that was passed at a prior time -- I'm sorry, I don't know exactly when that is, probably one of the most exhaustive investigations ever undertaken on the actual basis of heating fuel costs and in fact all petroleum products here in the Territory, has been undertaken with the cooperation of the suppliers, I may say. They have been very cooperative in this. I'm very hopeful that once we have these things completed, at least we will know once and for all what the basis of the pricing is, what it costs at the suppliers' place of delivery, what the transportation factors are, what the local distribution costs are throughout the Yukon.

Very obviously we are dealing with private enterprise, and many of the things that we are seeking from these people are what would normally be looked upon as trade matters that are privy or confidential to



the parties involved. And the cooperation that we have had has been very good, Mr. Speaker, and while I can't give any date as to when we will be able to bring back something definitive to you, we are certainly an awful lot closer to that than we ever have been in the history of transportation or selling of petroleum products here in the Yukon.

**Mr. Speaker:** Are there any further questions?

I would like to thank Mr. Commissioner for assisting us in the Question Period this morning. As there are no Public Bills and Orders, may I have your further pleasure?

The Honourable Member from Whitehorse Porter Creek?

**Mr. Lang:** Yes, Mr. Speaker. I would like to move that Mr. Speaker do now leave the Chair and the House resolve in Committee of the Whole for the purpose of considering Bills, Sessional Papers and Motions.

**Mr. McCall:** I second that.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Pelly River, that Mr. Speaker do now leave the Chair and the House resolve in Committee of the Whole for the purpose of considering Bills, Sessional Papers and Motions. Are you prepared for the question?

**Some Members:** question.

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

**Some Members:** Agreed.

**Mr. Speaker:** I shall declare the Motion is Carried.

**Motion Carried**

**Mr. Speaker:** The Honourable Member from Whitehorse Riverdale will take the chair in Committee of the Whole.  
(Mr. Phelps takes Chair)

**COMMITTEE OF THE WHOLE**

**Mr. Chairman:** I will now call Committee to order and declare a 10 minute recess.

**Recess**

**Mr. Chairman:** I will now call Committee to order. I understand that Mr. Miller is available to attend as witness. Madam Clerk, could you --

(Madam Clerk leaves chambers)

When Mr. Miller arrives, we will be looking once again at Bill Number 12. There was some questions with respect to propane raised by Mr. Berger. My understanding is that it's a general type question, is that right, Mr. Berger?

**Mr. Berger:** Yes.

**Mr. Chairman:** While we are waiting, Mr. Legal Advisor, when can we expect Bill 8 to come back before this House?

**Mr. Legal Advisor:** Bill 8. The changes have been done on it, Mr. Chairman. There were a couple of points that arose during the reconsideration of the Bill, and one of them was raised by the Minister for Health, Welfare and Rehabilitation in her capacity as a private member as she then was, in relation to the word "person". That necessitated a re-examination, and about ten sections had to be changed by transferring the word -- or changing the word "resident" to the word "person", so that necessitated the retyping of a number of sections.

The other two points were resolved fairly easy by minor changes in drafting, so at the moment, it's in the clerk's office being retyped, and they estimated they could have it ready in approximately half an hour, but they can't be sure.

**Mr. Chairman:** So we might have it before us by this afternoon?

**Mr. Legal Advisor:** Yes, almost certainly this afternoon.

**Mr. Chairman:** Thank you.  
I will declare a short recess while Mr. Miller --

**Recess**

**Mr. Chairman:** I will call Committee to order again. Mr. Miller is now with us.

Mr. Miller, we were doing a clause by clause on Bill Number 12, and some questions came up about propane, whether or not propane is covered under this Ordinance.

Mr. Berger, do you have some questions of the witness?

**Mr. Gerger:** Thank you, Mr. Chairman. I asked the question why it was specifically fuel oil. There are other fuels used for propelling engines and one of them I mentioned was propane.

**Mr. Miller:** Mr. Chairman, the definition of fuel oil contained in the current Ordinance is very broad and it covers what is normally referred to as gasoline or any product derived from fuel oil coming out of the ground in the crude state, plus derivatives of coal, which includes propane, butane, all of these types of things. So the intent is to tax propane except for certain purposes, and those purposes would apply to the same exemptions as all other fuel oils.

**Mr. Chairman:** Anything further, Mr. Berger?  
Miss Millard?

**Ms. Millard:** Mr. Chairman, I would like to ask then, does the equalization plan for fuel oil, does that include propane?

**Mr. Miller:** Yes, Mr. Chairman, that would be the intent again. At the present time, maybe I can just give a little bit of history, when the original fuel oil tax ordinance was put to the Council at I guess this was



1972, we had agreed with the Council that we would not tax propane, because at that time there was very little use of it, other than for heating and cooking purposes.

We have not taxed, and we have not allowed the heating oil equalization plan to follow on propane users. The intent now is to tax it and also to let the heating fuel equalization plan carry through, so that the users get the benefit of it.

**Mr. Chairman:** Thank you. Mr. Taylor?

**Hon. Mr. Taylor:** Yes, Mr. Chairman. If it is not intended that propane used for cooking purposes be taxed, how is this -- how does one differentiate when he buys, for instance, a 100 pound cylinder of propane?

My second question is, just how big a tax will now apply on propane?

**Mr. Miller:** Mr. Chairman, the tax on propane would be the same as would apply to all other fuel oils. If it's used for heating purposes, it would be one cent.

The question of how to segregate that which is used for cooking versus heating is one that we face with all types of fuel oil, because there are many houses in the Yukon that heat and cook using a common stove. The old oil burner stove, and it's a very difficult question and we have to rationalize each particular case. But without getting into any strong, hard formulas we are prepared to rationalize each and every case as it comes forward, and generally speaking, we would tend to favour the homeowner, his opinion on this.

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Noting the way propane is dispensed, and more particularly I'm thinking in areas along the highway where many campers and this type of thing come along, and also for mining exploration companies, who aren't heating with the stuff, but they are cooking with it, and indeed running fridges; I'm just wondering if this isn't another method of collecting taxes with little hope of people getting a rebate.

It seems to me it would be so unworkable if someone goes and buys a 25 pound, or reloads a 25 pound tank of a cylinder of propane, or a hundred pound for that matter, having to, I assume, write letters to the government and try and get his tax back. I don't know, it just seems to me that people won't bother and it would be, in part, unfair to collect the tax in this manner.

**Mr. Miller:** Mr. Chairman, it's not our intention to try to be unfair in this thing. The 25 pound cylinder is like the quart of oil, we are probably not going to bother with it, because it's so small. What we are talking about is the commercial delivery vehicle that goes around and fills up a person's 500 pound tank or a thousand pound tank, that's the type of thing that we're dealing with.

The little, you know, today we don't impose a tax on two or three gallons of kerosene, because it's just too small to worry about, and yet we know a lot of people are heating or lighting with that type of thing. So it's not our intent to be overbearing on this. You know, we'll just use good common sense, if you will allow us to do that, and I think we won't really have any problems. The major reason for adding propane was

because of Whitehorse Copper now using propane or butane to heat all of their facilities. They've converted from fuel oil to propane.

**Mr. Chairman:** Thank you. Miss Millard?

**Ms. Millard:** Mr. Miller has mentioned one cent, but he doesn't say if it's one cent per pound or gallon or what.

**Mr. Miller:** Mr. Chairman, it's one cent per gallon, and I don't have the conversion factors, but there is a method of converting from pounds to gallons of propane.

**Mr. Chairman:** Thank you. Anything further? Mr. Lang?

**Mr. Lang:** Who's going to be in charge of differentiating whether or not one has to pay the tax?

**Mr. Miller:** Well, Mr. Chairman, the same mechanism follows with this as follows with all other fuel oil. The normal purchaser will apply for a permit, if he wants it for an exempt purpose, otherwise he pays the tax.

The same thing applies now to somebody going in to buy fuel oil for generating of his own electricity. He applies for a permit. The thing is looked at in the Treasurer's Office; if there's need for inspection, there's an inspection done, but normally it's just based on the application for a permit.

A permit is issued, the guy goes in the next time to buy his fuel oil. He quotes the permit number and that's the end of the question.

**Mr. Lang:** Mr. Chairman?

**Mr. Chairman:** Mr. Lang?

**Mr. Lang:** I take it that the ordinary home owner would have to apply for a permit?

**Mr. Miller:** Only if he is using it for an exempt purpose.

**Mr. Lang:** Yes, well this --

**Mr. Miller:** If it's for a tax purpose regardless of what that purpose is, then he pays tax on it, there's no question, but if he's using it for an exempt purpose, he must apply for a permit once, and then he uses that permit number from then on.

**Mr. Chairman:** Thank you. Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman. I take it, Mr. Miller, then -- a few moments ago you said that, you know, you weren't bothering with the smaller quantities, but on the other hand, do you not feel that you may get into trouble due to the fact that most homeowners will probably ask for the permit, showing their number, and then feasibly they could go and buy a hundred bottle or a 25 pound bottle, and they would be eligible, would they not? If they were using it for cooking?



**Mr. Miller:** That's right, if they were just using it for cooking and you know, they used a small container to purchase it in, we wouldn't normally even hear about it, but if they wanted to come in and ask for a permit, fine, we would issue the permit and then they wouldn't have any problems from then on.

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Just for further clarification, this would include the use of a fridge, cooking would expand into that, would it?

**Mr. Miller:** I would have to go back and check the Ordinance, Mr. Chairman. But I think that's correct, I think it extends to refrigeration and it's not our intent also to charge for heating of domestic water, anybody that is using fuel for that purpose.

Now, I am not talking about a heating system, I am talking about domestic water.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman. I would more or less like to have some clarification between residents -- in other words residents and people which are in the business, let's say restaurant business and motel business and such as this, they are still exempt under the Ordinance, are they not?

**Mr. Miller:** They would still be exempt if it was used for cooking.

**Mr. Chairman:** Miss Millard?

**Ms. Millard:** Mr. Chairman, I would just like to comment that it seems to me that the fuel equalization plan is working only then for Whitehorse Copper, because they seem to be the only ones who are going to be eligible for propane anyway. In Dawson, we are paying an exorbitant amount for propane. If we are using it for any domestic use we can't get any -- because there's no tax, we can't get any equalization. I can't see the point in including propane unless it's helping the small individual.

**Mr. Miller:** Mr. Chairman, at the moment, the people -- there's three people in Dawson using propane to heat their houses. They are not subject to the tax, they are not eligible under the heating fuel equalization plan to recover the excess costs of the propane over and above the Whitehorse price, so they are the people who are going to benefit by this.

That's all there is, there's three people in the Territory heating their houses by propane. Now, you know, that's -- I have to qualify that, that's the best information I can get, but to my knowledge there are only the three families in Dawson that are heating their house using propane.

**Mr. Chairman:** Thank you. Anything further?

**Ms. Millard:** Yes, Mr. Chairman. That just emphasizes my point, as far as I am concerned.

**Mr. Chairman:** Thank you. Any further questions of the witness on this Bill?

**Some Members:** Clear.

**Mr. Chairman:** I'll read the Preamble.

(Reads Preamble)

**Mr. Chairman:** The title, "An Ordinance to Amend the Fuel Oil Tax Ordinance". Clear?

**Some Members:** Clear.

**Mr. Chairman:** I'll entertain a Motion.

**Hon. Mr. McKinnon:** Mr. Chairman, I would move, seconded by the Honourable Member from Whitehorse West, that Bill Number 12 be reported out of Committee without amendment.

**Mr. Chairman:** Do we have a seconder?

**Hon. Mrs. Whyard:** Mr. Chairman, I second that motion.

**Mr. Chairman:** Thank you. It's been moved by Mr. McKinnon, seconded by Mrs. Whyard, that Bill Number 12, entitled "An Ordinance to Amend The Fuel Oil Tax Ordinance", be reported out of Committee without amendment. Are you ready for the question?

**Some Members:** Question.

**Mr. Chairman:** Are we agreed?

**Some Members:** Agreed.

**Mr. Chairman:** I declare the Motion carried.

**Motion Carried**

**Mr. Chairman:** Next, we come to Bill Number 17, the "Society of Industrial Accountants Ordinance", and some of the Honourable Members wished a background explanation of this proposed Ordinance. I believe it was Dr. Hibberd. Did you have some questions of Mr. Miller?

**Mr. Hibberd:**

**Mr. Hibberd:** Mr. Chairman, I was inquiring if we were going to pass this Ordinance, what the actual standard would be for these Industrial Accountants.

**Mr. Chairman:** Thank you. Mr. Miller?

**Mr. Miller:** Mr. Chairman, maybe for all members' benefit, I could just give you a little bit of background general knowledge about the society.

Generally speaking, the Society is incorporated in each province in Canada, primarily because of the educational qualifications, and the granting of degrees that goes on.

The Society does maintain, in Hamilton, Ontario, a national office which has a fairly large staff -- I don't know what the actual numbers are now, probably something in the neighbourhood of 60 or 70 staff members, who deal with such things as the content of accounting courses, the degree of proficiency required and the general administration of the society in Canada.



By agreement all provinces, for all the provincial societies, have come to the realization over the years, I suppose is the way to put it, that they are better to have a national standard and that is what has been adopted. There is a national standard. All of the prospective members in the society, the students have to write an examination, which is set on a national scale. It is marked on a national scale, so the proficiency is transferable and the degrees are transferrable from province to province without any problem at all. Much like the surgeons and physicians, if I can put it that way, with some minor changes.

**The Chairman:** Mr. Hibberd?

**Mr. Hibberd:** Except in Quebec, Mr. Chairman.

**Mr. Chairman:** Any further questions?

**Hon. Mrs. Whyard?** Mr. Chairman I am just wondering what the particular point was of having a separate Ordinance rather than registering under the Societies Ordinance.

**Mr. Miller:** Mr. Chairman, the Societies Ordinance prohibits an organization from issuing a degree of proficiency, an educational degree of proficiency, and that is the same prohibition in every province in Canada.

Normally these Bills incorporating organizations of this nature in the provinces are handled as Private Members' Bills. Because this government, over the years, has not encouraged Private Members' Bills the government undertook to present this as a government Bill.

**The Chairman:** Anything arising ?

I have already read the preamble and the title. I will now entertain a motion.

**Hon. Mr. McKinnon:** Having already made an agreement, Mr. Chairman, with the Assistant Commissioner, it gives me great pleasure to move Bill Number 17--report Bill Number 17 out of Committee without amendment.

**The Chairman:** thank you. Is there a seconder?

**Hon. Mrs. Whyard:** Mr. Chairman I will second that motion.

**The Chairman:** It has been moved by Mr. McKinnon, seconded by Mrs. Whyard that Bill Number 17 entitled Society of Industrial Accountants Ordinance be reported out of committee without amendments. Question?

**Some Members:** Question.

**The Chairman:** Are we agreed?

**Some Members:** Agreed.

**The Chairman:** I decalre the motion carried.

**Motion Carried**

**The Chairman:** Thank you, Mr. Miller, for attending.

I understand this afternoon at two o'clock we will be having witnesses from the Municipalities with respect to Bills 13, 14 and 15.

We have no business that we can deal with at this time so I will declare a recess until two o'clock this afternoon.

#### **Recess**

**Mr. Chairman:** I will now call Committee to Order, and we have with us today, as witnesses, the Mayors of our three cities, Lucier, Mayes and Mitchell, and we have four Bills that these witnesses can give us assistance on. They are Bills 13, 14, 15 and 18. It seems to me that possibly we could deal with 18 first of all, Mr. McKinnon.

The understanding with respect to Bill Number 18 was that Mr. McKinnon had asked that we wait until -- waited until the City of Whitehorse saw the legal description of the lands in the schedule to that Bill.

Is there any questions that you would like to ask of Mr. Lucier?

**Hon. Mr. McKinnon:** Mr. Chairman, I think it would probably be vice-versa.

**Mr. Chairman:** Mr. Lucier, have you got a copy of that Bill?

**Mayor Lucier:** Yes I have, Mr. Chairman. We've gone through the Bill and quite frankly, we're satisfied that it does what it set out to do, concerning Takhini and Valleyview. You know, we might be requiring the same type of legislation in the future for different areas, but for the area that the Bill is dealing with, we're satisfied with it as it's written.

**Mr. Chairman:** Thank you. Are there any questions?

**Some Members:** Clear.

**Mr. Chairman:** I will read the Preamble:  
(Reads Preamble)

**Mr. Chairman:** The title to Bill Number 18, "Whitehorse (Takhini and Valleyview) Lands Ordinance". Clear?

**Some Members:** Clear.

**Mr. Chairman:** I will entertain a Motion then.

**Hon. Mr. McKinnon:** Mr. Chairman, I would move that Bill Number 18 be reported out of Committee without amendment.

Perhaps, Mr. Chairman, His Worship, the Mayor of Whitehorse, could second the Motion.

**Mr. Chairman:** It's been moved by Mr. McKinnon, seconded by Mr. McCall that Bill Number 18 entitled "Whitehorse (Takhini and Valleyview) Lands Ordinance" be reported out of Committee without amendment. Question?



Some Members: Question.

Mr. Chairman: Are we agreed?

Some Members: Agreed.

Mr. Chairman: I will declare the Motion carried.

*Motion Carried*

Mr. Chairman: It seems to me that going back to the other three Bills, we might best look at Bill Number 14 at this time, and leave -- then 15 and leave Bill Number 13 to the end.

Bill Number 14 is an Ordinance to Amend the Taxation Ordinance. Any questions of these witnesses with respect to that Bill? Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, perhaps, the Municipalities have had an opportunity now to review the Bill, perhaps we could ask the spokesmen of the Municipalities to give us their impressions and their thoughts in respect of it.

Mr. Chairman: Very well.

Mayor Mitchell: Mr. Chairman, we're generally agreed with the Bill, with the exception of one point, which the Mayor of Dawson would like to speak on.

Mr. Chairman: Thank you. Mr. Mayes?

Mayor Mayes: Yes, Section 55 of the said Ordinance is repealed and the following substituted therefor:

Number 1: It states, except as provided in this Section where the taxes payable in any year in respect of real property on which there are improvements. Why the word "improvements"? If you have an empty lot with a shack on it, and the total taxes payable is less than \$25.00, still it's actually an empty lot, it's got an outhouse on it or a shack or something, why put the word "improvements"? Why not just leave it as in Section 2, and this --

Mr. Chairman: As in sub-section 2?

Mayor Mayes: Yes, sub-section 2, where it states there are no improvements, to leave the words "no improvements" out and have the minimum as determined by the municipality and not less than twenty-five dollars.

I think this was the resolution by the Association and it was just re-worded, and I was wondering what the reason for the rewording was.

Mr. Chairman: Thank you. This has to do with Section 5 of this Bill. Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, I defer to Mr. Legal Advisor on that point.

Mr. Legal Advisor: Mr. Chairman, as I understand it, the instructions which were given to me to draft it are reproduced here, and that is one deal for lots with improvements, and another deal for lots without improvements, and this is what has been done.

Now, it's a new ball game to start talking about what kind of improvements are wanted to be covered, it's a separate ball game.

Mayor Mayes: Mr. Chairman--

Mr. Chairman: Mr. Mayes?

Mayor Mayes: -- we are looking at the minimum tax, rather than the fact that there is a building on it or that it's empty. It didn't make much difference, the fact was that the minimum tax was \$25.00 and the Association, to my understanding, that -- thought that that wasn't enough.

To my knowledge, I don't think we differentiated between the improvements on the lot or no improvements on the lot minimum tax. This was by Local Government.

I had no knowledge, is that not right?

Hon. Mr. McKinnon: Mr. Chairman, I wonder if to satisfy the witnesses, the Taxation Ordinance -- it is Mr. Miller's Ordinance, and I would have no objection at all if we wanted to go onto the Municipal and the Municipal Employees' benefits, which are Ordinances which are sponsored by myself, and ask Mr. Miller if he is available for questions from the witnesses on the Taxation Ordinance.

Mr. Chairman: Thank you. Is that agreed?

Some Members: Agreed.

Mr. Chairman: I'm just wondering, in looking at the two sub-sections, it seems to me that sub-section (1) of 5 doesn't apply to municipalities, that's the difference. Is that not right?

Mr. Legal Advisor: It does, yes, Mr. Chairman.

Basically, Mr. Chairman, the word "improvement" is intended to be as all-encompassing as possible, so that anything which is put on a lot which can be deemed to be permanent, or attached to soil in any way is taxable. What the Municipalities were attempting to do was, as I understand it, to get the power to deal with vacant lots. A vacant lot is a lot with no improvements on it.

Now, the minimum tax payable on respect of land on which there is anything, is \$25.00, but as I think may have been explained earlier, the land assessor goes and he assesses the land as land, and then assesses the value of the improvements which are on it, and they carry a taxation rate equivalent to what other property in that area carries.

So if there's a shack on it, the --he will in his mind assess the lot at a certain price, having regard to the value of land in the area, and then assess the improvement, having regard to the cost of the improvement as it was put there.

Now, then what the municipalities asked for was, notwithstanding that there are no improvements on a lot, the vacant lot, they should have the right to assess any rate they like in respect to the land, and go above the minimum to any level, and that's what this Section does.

Mr. Chairman: Well just for my clarification then, I



take it then, Mr. Mayes, that the Municipalities would like to have the same power to set a fairly high tax in a situation where there was an empty property, except there was a chicken coop or something on it, but that should apply to the same--the same law should apply to a property with minimal improvements on it as to property with nothing on it--

**Mayor Mayes:** That's right, yes.

**Mr. Chairman:** --and you're just worried that if somebody puts a garden on his lot, you can't do anything to him, whereas you can if there's nothing at all under sub-section (2)?

**Mayor Mayes:** That's right.

**Mr. Chairman:** I understand. Anything arising from that?

**Mr. Legal Advisor:** Mr. Chairman, that particular thing is not possible, because what this Section says is, in effect, if the assessor goes to a lot in Dawson and finds a shack on it, and he was going to assess that lot with the shack at \$20.00, he must bring that assessment up to \$25.00, That's what the Section says. It doesn't give the power to the assessor to arbitrarily put a thousand dollars on it. He has to do it having regard to the value of it and the value of the improvements.

Now, what this does is, it tells the assessor that there must be a minimum tax of \$25.00 on the plot, regardless of what's on it. It says nothing about the power to impose a minimum by the Municipality or by the assessor at all.

**Mr. Chairman:** Well perhaps we then, Mr. Legal Advisor, the quarrel is really with the wording in sub-section (2). To my mind, what I can see is this, that there's an empty--a vacant lot really somewhere in the city, but there is some kind of improvement on it. Sub-section (2) doesn't allow the city to deal with a property with a small garden or any kind of improvement, a fence on it, as they would if it were totally vacant. I think that's the gist of what the complaint is.

**Mr. Legal Advisor:** Yes, that's the gist of it, Mr. Chairman.

**Mr. Chairman:** I guess we should wait then for Mr. Miller, and I'll declare a short recess.

#### Recess

**Mr. Chairman:** I'll call the committee back to order. Mr. Miller is now joined our august body.

Mr. Miller, we're discussing the amendments to the Taxation Ordinance, and some questions have been raised with respect to Section 5, sub-section (2), and the gist of the problem seems to be that in a municipality where there is vacant property, if the Municipality decides that they want to enforce the minimum tax of more than \$25.00 in order to I gather, encourage development, then the way around that, because of the wording of that Section would be to grow a garden, or put a fence or put a shack on the property, and then you wouldn't come within the ambit of sub-section (2).

The problem words are starting with the second line after "property", "On which there are no improvements", and the question has been raised, why are those words in that section?

**Mr. Miller:** Mr. Chairman, the basic principle that we try to follow in our Taxation Ordinance is that you have an assessment manual, which is followed on a consistent basis.

Now, certainly you can change this and say "no improvements", or delete the "no improvements"; you can do anything you like in the senior law, but the basic principle of taxation is based on an assessment manual, where everybody pays an equal amount equated to that manual, in other words, to the improvements or the value of the property.

In this particular case, what we are trying to do is to relieve a situation in some Municipalities, where there are large blocks of vacant property, that the Municipalities want to get back on the market.

Now, you can go to the nth degree you know, you can take that "no improvements" out, and destroy your whole taxation system, if you want to. My suggestion is don't do it, let's attack this problem now, if the other problem continues into the future, then let's look at it in the future.

**Mr. Chairman:** But Mr. Miller, the problem, as I see it anyway, is that you're protected--your point is protected because they can't only do this in respect of real property where the taxes are less than \$25.00. The problem really is that if the municipality raises the minimum tax payable on property with no improvements, then the owners of the real property can simply put a fence on the property or grow a garden on the property and get around the law.

**Hon. Mr. McKinnon:** Mr. Chairman, I remember where this ties in with the Municipal Ordinance and there was some problem prior, which was met, particularly in the Faro Hotel section where Section 120 really allows the City to move, if there were unsightly buildings, or buildings that were a public hazard, or buildings that were not safe.

Now under the new Section 120 in the Municipal Ordinance, the Municipal authorities has it absolutely clear that they have the authority, under the section, if any building is a nuisance, in the Council's opinion, if it dangerous to the public safety or health, if it starts to depreciate the value of other property in the vicinity, or is substantially detrimental to the amenities of the neighbourhood, the municipality may order that building be demolished, or removed, fill in the open spaces of the excavation.

I am saying is that it is double pronged tie in with the Taxation and the Municipal Ordinance because if that situation does exist now, the City, very clearly, the municipal authority, very clearly, has the right to get rid of that unsightly chicken-coop, out-house, or whatever it is, from the property and then start taxing whatever they feel is the tax on vacant property, to the owner of that property.

They also have the Building Permit availability and strength under the amended sections of the Municipal Ordinance to make sure that no one can circumvent the law by putting that kind of an improvement up to be able to get around the minimum, or the tax minimums



that are set by the municipalities on vacant property.

**Mr. Chairman:** With respect, the only problem with that, Mr. McKinnon, is that somebody with vacant property, to circumvent the law could put up something quite sightly and quite nice but only costing about \$25 or \$30 and there is an improvement on the property.

**Hon. Mr. McKinnon:** The Municipal Council has full control over that through their building permit whether they want, or consider that to be an improvement that they will accept.

**Mr. Chairman:** Mr. Lang?

**Mr. Lang:** Mr. Chairman, I would like to know where do the gardens fit in under the Municipal Ordinance in this respect?

**Mr. Miller:** Mr. Chairman, the garden, if it is vacant property, the garden isn't an improvement, it is a use of vacant property. If the person wants to operate a garden they pay the minimum tax that the City has levied. It is just vacant property, that is all it is.

**Mr. Legal Advisor:** Mr. Chairman, the definition of improvement says, buildings, fixtures, machinery, structures and similar things, affixed to the land. It includes fixtures and machinery and similar things of a commercial or industrial nature and affixed to the land as mentioned and includes trailers or mobile homes. At first glance this doesn't appear to include a garden. A garden fountain, maybe, a statue, but not a garden.

**Mr. Chairman:** Well what is to prevent a person from putting a nice statue on his property then and circumvent the law.

**Mr. Miller:** Only the building permit. If the city wants him -- allows him, under a building permit, to put a statue on it, I guess, they will allow him to put a statue on it.

My point is this, Mr. Chairman. In the Taxation Ordinance you should not destroy the basic principles of taxation, which is, assessment based on a standard and a common mill rate applied to the improvement. You shouldn't destroy that. In this case, we are prepared to destroy that a little bit to capture this vacant land and get that back into useable form, in some way or another.

That is all we are prepared to do at this point in time.

**Mr. Chairman:** Mr. Mayes?

**Mayor Mayes:** Mr. Chairman, do you think you are not doubling up your enforcement problems where you have to look at the enforcement of your building applications, whereas if it was stipulated in the Taxation Ordinance where there was a minimum tax on properties, then you wouldn't have to worry about it -- making sure that nobody puts an unsightly building on there. They wouldn't do it unless they were serious, they were going to put something serious on the property.

I can't see where it breaks down the structure of the way assessment is done right now. That is all we are asking for is a minimum tax on property. The minimum tax has nothing to do with the assessment, as far as I can see. The assessment is taken and the City is not assessing, they are setting the tax. We are setting the mill rate on the assessment and we want a minimum. We don't tell the Tax Assessor he can only assess a building and then set a minimum of what the assessment should be. The City is doing that, as far as I understand it. This is not correct?

**Mr. Chairman:** Mr. Miller?

**Mr. Miller:** It is correct, Mr. Chairman, the Tax Assessor, the Territorial Tax Assessor assess every property in the Yukon based on common assessment manual, which is accepted, and that is it.

As I say, if you want to go beyond that, the City sets the mill rate, we are now giving the City the opportunity to set the minimum tax on vacant property. I don't think you want to destroy, as I say, the basis of taxation.

That is what I think you would be doing if you allowed the City to set a minimum tax, with no ceiling, on all properties, including those vacant and those with improvements.

**Mr. Chairman:** Mr. Lucier?

**Mayor Lucier:** Mr. Chairman, could you not in effect here have two lots side by side, one vacant, where you are charging him \$150.00, and I'm just using figures, \$150.00 taxes under the minimum, this could be set by the City of Dawson, and the lot next to it could have a building on it and his taxes could be \$35.00?

**Mr. Legal Advisor:** Yes, Mr. Chairman, that's possible. That's what the Section is designed to do.

**Mayor Mayes:** Do you think you wouldn't be taken to court for discriminating against a vacant lot?

**Mr. Miller:** No, because it's in the law.

**Mr. Chairman:** But I can't understand why, if a lot has a fixture, which isn't worth very much on it, why that lot shouldn't be treated just like a --

**Mr. Miller:** That lot may have a fixture which doesn't mean very much to you or to I, but it may mean a lot to the individual living on it. Everybody doesn't want to live in a \$50,000.00 mansion, some people are quite prepared to live in smaller, you know, if you want to call them "shacks" fine, whatever you want to attach to it.

Some people are quite happy to live in them. Now, the only object of this whole exercise was to get the vacant property back on the market, not force people who are living in houses, however inadequate in our minds those houses might be. We don't want to force them out of the Yukon, we don't want to force them out of the city.

**Mr. Chairman:** Well, Mr. Miller, I'd just like one question answered, and that is that a person with a



\$10.00 improvement on his lot does not come under sub-section (2), is that correct?

**Mr. Miller:** Well, I doubt that you would get a case with a \$10.00 improvement, but if you could, that's correct, he would not come under it, because an improvement has to be some type of a building in the normal sense, or machinery on the land or whatever.

**Mr. Chairman:** Or a fence?

**Mr. Miller:** No, a fence is not an improvement. It's got to be something other than a fence.

**Hon. Mr. McKinnon:** Mr. Chairman, I'm curious to know and I would like his Worship, Mr. Mayes, to let me know; how much real property is there in Dawson City on which there are improvements that are paying the \$25.00 minimum? I am just trying to put out my thinking cap on the City of Whitehorse, and I can't think offhand of where a property would have improvements that would be less than \$25.00 minimum.

**Mayor Mayes:** I can't give you a figure right now. I don't suppose it would amount to over 25 that I could think of at the moment.

Something that springs to mind is the fact, as Mr. Miller has stated, that one person would be paying \$150.00 minimum tax on a vacant lot, and another one would be paying \$35.00 with an improvement on it. The cost of servicing that lot is the same, those two lots, and to decide, you know that one is paying more for the service than the one that has the improvement on it, which I think that you're discriminating. Laws are made to be tested in courts, and if that was tested in court, I think that it would be discriminating against the vacant lot owner.

**Mr. Legal Advisor:** Mr. Chairman, the basic position is that so far as I understand it, this particular section, as the Honourable Minister said, doesn't particularly reproduce the policy of the government of the Territory. It's produced here in response to a request from the Association of Municipalities.

It's hard in an afternoon, to draft a new section or revise policy and to do it in time to allow the Council to finish their business. So perhaps the thing might be to come back again and discuss it and arrive at another stab at producing a policy in response to a further request from the Association of Municipalities. Because it's hard sitting in open forum here to discuss the legal details of this, that or the other thing.

**Mr. Chairman:** Thank you. Mr. Berger?

**Mr. Berger:** Thank you, Mr. Chairman. I see this section as a safeguard to present property owners in Dawson. I think it is a safeguard to the legal assessor assessing a piece of property, say at a tax rate of \$50.00. It is a safeguard to the title-holder that the City wouldn't get out of hand and tax that property away above the assessed value. I think that is all it is.

I think it is up to the City, to the municipality to use common sense and not let it get out of hand to have a difference like Mr. Lucier says, of one property only assessed at \$50.00 and a piece of property with nothing on it is paying \$150.00. I think it is up to the municipality to use common sense in this.

**Mr. Chairman:** Thank you.

**Hon. Mr. McKinnon:** I wonder if I could just add that when we were looking at these Taxation and Municipal Ordinances, that I went through the Minutes of the meetings I attended, both with the Executive and the general meeting of the Yukon Association of Municipalities, and there's no doubt in my mind that we were attacking one thing at that time. We were attacking vacant property.

I have no objection at all if the Yukon Association of Municipalities wants to go a step further and come up with an attack on property with minimal improvements, that they think that there should be some form of minimum taxation or some other system developed where the municipalities have the right or the prerogative to set some sort of minimum taxation on improvements which are minimal on that property.

But I think that -- I know that we can't do it now, at this Session, and I would be prepared if they wanted to seek further amendments to the Taxation Ordinance, that we would be prepared to look at those amendments, that they would see fit to bring to our attention.

**Mr. Chairman:** Thank you. Any response to that, gentlemen?

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman. I would like to ask the Municipalities what they would feel. I think first I should say that I think this Ordinance is, and especially (2) is very much needed in the Territory, and I might give you a real example today, and -- it wasn't me in this case, but, where you have a property that is a hundred by two hundred in your city now, and it is being taxed say \$150.00, \$200.00. You have another area where you have maybe 10 or 12, or 13, 14, 15, any amount of acres somewhere that is property that is titled property, before this city was made, this gives you the opportunity to say that property with no buildings on it is now worth, in taxes to us, a hundred dollars instead of \$25.00. I don't think, up until now, there has been an Ordinance to allow you to do this, and you'll find maybe right in your City of Whitehorse in the outlying, or some places, where there is large tracts of land which you are receiving \$25.00 for today. I hope they don't receive any more on one or two of them, but this is why I feel that this (2) especially is needed in the Ordinance.

And the only thing -- I myself don't quite understand is the 5(1). "Unless the -- are less than \$25.00, the amount payable in respect thereof for that year shall be \$25.00."

Now, I'm a little confused as to that one, due to the fact that if you go now into the country or not into the country, but into your outlying districts somewhere and you find where you haven't taxed somebody the right amount, which has happened in the Yukon, and I think I can show you a few places. They should be taxed more for their improvements and they aren't today. Under this Section here is sounds like for that year, the best they can be charged is \$25.00, even though they maybe should be charged more. I'm not quite clear on that one.

**Mr. Miller:** Mr. Chairman, this sub-section (1) deals with the basic premise of minimum tax being



\$25.00 on all property throughout the Yukon, except in municipalities where they want to levy a higher rate of minimum tax on, only land, which has no improvements.

But throughout the rest of the Yukon, the minimum tax will be \$25.00. That's what (1) is saying.

**Mr. Chairman:** Thank you, Mr. Miller. Anything further? Are there any other sections in this Ordinance that are of concern?

**Mayor Mitchell:** No, Mr. Chairman.

**Mr. Chairman:** Thank you, Mr. Mitchell.

**Mr. Chairman:** Preamble:

(Reads Preamble)

**Mr. Chairman:** The title of Bill Number 14, "An Ordinance to Amend the Taxation Ordinance". Clear?

**Some Members:** Clear.

**Mr. Chairman:** I'll entertain a Motion.

**Hon. Mr. McKinnon:** Mr. Chairman, I move Bill Number 14 be reported out of Committee without amendment.

**Mr. Chairman:** Seconder?

**Hon. Mrs. Whyard:** Mr. Chairman, I'll second it.

**Mr. Chairman:** It's been moved by Mr. McKinnon, seconded by Mrs. Whyard, that Bill Number 14, entitled "An Ordinance to Amend the Taxation Ordinance", be reported out of Committee without amendment. Question?

**Some Members:** Question.

**Mr. Chairman:** Are we agreed?

**Some Members:** Agreed.

**Mr. Chairman:** I will declare the Motion carried.

**Motion Carried**

**Mr. Chairman:** Next --

**Hon. Mr. McKinnon:** Mr. Chairman, I wonder if Mr. Assistant Commissioner could be excused?

**Mr. Chairman:** Are we going to require Mr. Miller for Bill Number 15? No? If not, certainly.

Thank you, Mr. Miller.

With respect to Bill Number 15, perhaps we could invite comments from the witnesses?

**Mayor Mitchell:** We are in agreement with this Bill, Mr. Chairman, but with the exception of under Item 7, we would request representation of the A.Y.M. on this Municipal Employee Benefits' Board.

**Mr. Chairman:** Thank you. Any questions about --

Mr. McKinnon? Mr. Legal Advisor?

**Mr. Legal Advisor:** Mr. Chairman, I would just like to point out that the representation on the board is not described in the Ordinance. It just gives the power to the Commissioner to set up a board, and it's basically a matter for discussion between the administration, the Minister and the Association, whether or not representation would or would not be required or whether it would be helpful. Because there's a risk in discussing a thing like this that if the employers wanted representation, common justice dictates that there are other people who might require representation as well, and you might be getting a board which is bigger and bigger and bigger, and it might be possible to agree that this board should only meet once or twice a year, to keep it small and cheap, but effective.

**Mr. McCall:** Mr. Chairman?

**Mr. Chairman:** Thank you. Mr. McCall?

**Mr. McCall:** Thank you, Mr. Chairman. I question the last remarks of the Legal Advisor, about the employer. Are you saying he should not be on a board like this?

**Mr. Legal Advisor:** No, Mr. Chairman, it's a specialist board which will be headed by a technician. There will be representation from each Territory. It has not been finally decided who or what that representation will be. All that Section 8 will do is it will set up a Chairman appointed by both Commissioners, and a board which will consist of representatives from each Territory.

Now, as part of the normal on-going putting into force of the Ordinance, discussions will be had with the parties concerned as to who shall form that representation. It's not part of the actual legislation itself, it's merely the power of the Commissioner to make the appointment.

**Mr. Chairman:** Thank you.

**Hon. Mr. McKinnon:** Mr. Chairman, we would like to get away, if at all possible, with a board of three members with the technician who is managing the plan being the chairman and then one from the Yukon and one from the Northwest Territories.

If it happens that that can't be agreed upon by the employees of the plan who are supposedly benefitting and the employer, that they can't come up with a name which they can agree on, then perhaps the representation of the Board may have to be increased. We would like to see this as being as efficient and as small a board as possible, so that monies which should be going to the Employees' Benefits under the plan will not be going to administration.

That is why there is great flexibility, which I questioned, when this was brought back from the meeting with the Northwest Territories and the Yukon Territory in Edmonton, and questions which have been raised in this House also. The only answer that I've been using is saying "Let's try it out. We think that it can work, we know that there's a great degree of discretion given to the Commissioners in both



Territories, the reason being that it is the first piece of legislation which has a commonality between the Yukon and the Northwest Territories, and people who devised the Ordinance from both the Northwest Territories and the Yukon, thought that there had to be this flexibility to get the thing working.

As has been stated before in the House, also the governments of the Yukon, and we have stated this as positively as possible, and we think that it's the feeling of the Government of the Northwest Territories, that we don't want involvement where it seems that the Commissioner comes over and over again. The Commissioner has indicated that he doesn't want involvement of the plan. All we want to do is act as the umbrella to get the plan in effect, and a class of employees who have never had benefits through the Yukon Territory and the Northwest Territories come under the protection of a plan finally. If there are items under this type of--maybe you could call it "Lucy Goosey" legislation, that has to be tightened up in the future, there's no doubt that we will be willing to tighten that up.

**Mr. Chairman:** Let's not call it "Lucy goosey" legislation.

Anything further?

**Mr. Lang:** Mr. Chairman?

**Mr. Lang:** Yes, I have a question here in relation to the people that are going to partake of this plan. I haven't it clear in my mind, are they going to have a say whether or not they are going to become a part of the plan, or is it up to the city fathers to decide that?

**Mr. Chairman:** Mr. Lucier?

**Mayor Lucier:** Mr. Chairman, I think the Bill--it is not compulsory, that the Municipality either can or cannot participate. I think it's up to the municipalities, not up to the--and as far as we're concerned, that will have to be done after polling the employees.

It's a very expensive plan for the Municipalities, Mr. Chairman. We are certainly not going to be trying to give them something that they don't want and paying a great deal of money for it.

**Mr. Lang:** So I --

**Mr. Chairman:** Mr. Lang?

**Mr. Lang:** -- take it that we are going to -- you will have a small plebiscite amongst your employees to see whether or not, because I noticed that reading the regulations that a member contributes seven percent of his salary, that's in combination with Canadian -- Canada Pension Plan, 7 percent. I personally believe that the individual should have the right to say whether or not he wants to become a member of that plan.

And another hypothetical case is what if you have a majority vote that want to go under this plan, what if you have some members that feel they do not want to go under. Would they have the option to stay out?

**Mayor Lucier:** That's when you get into democracy, Mr. Chairman, and if you go for the plan, everybody's going for it. I will say that much, at least for the City of Whitehorse, as long as I'm involved in it.

If the majority of the employees don't want it, it won't go in, but if the majority of them do want it, then it would go in.

**Mr. Chairman:** Thank you. Anything arising? Mr. Lang?

**Mr. Lang:** Well, all I would like to say is I am glad to hear that, because I know a few people that aren't really taken with the plan, and I feel that they should have the opportunity to speak out and say whether or not they are for or against.

Thank you.

**Mr. Chairman:** Thanks. Any further questions? Mr. Fleming?

**Mr. Gleming:** Yes, Mr. Chairman. Further to Mr. Lang's remarks on 9 (f), it gives the Commissioner the power of rejecting any employer, employee, class of employee, municipality or other persons affected by the regulations from the regulations, or any part thereof.

If it is not a compulsory plan, I fail to see what this is all about in here. If it is a compulsory plan, I fail to see it again, because if he can exempt anybody from it, it's not a compulsory plan. I just don't -- I would like to get that clarified.

**Hon. Mr. McKinnon:** It's not going to be compulsory from the terms of the Territorial Government. We're not here under this plan to impose the will of the Territorial Assemblies of the Northwest Territories -- I believe they are still a council -- or the Assembly of the Yukon Territory down the throats of the municipalities, so we've left it open, so that 3 (2) says that any municipality may apply to the Commissioner to bring its employees or any class of its employees under the benefits.

If the Municipality of the City of Whitehorse applies that they want certain members of their public service under the Ordinance and certain members excluded, we have to have the flexibility of allowing for that, which 9(f) does, which allows certain classes to be exempted under it. There is no possible method, that I know of, that we should be under this Municipal Employees' Benefits plan imposing what we may think is right upon the municipalities or the L.I.D.'s or any of the other areas in the Northwest Territories or the Yukon, so both sections are necessary as a part of this Ordinance. How the Municipality goes about applying it, whether they want to make it compulsory or not, is their prerogative and rightfully so, not ours.

**Mr. Chairman:** Thank you. Anything further?

**Mr. Lang:** Mr. Chairman?

**Mr. Chairman:** Mr. Lang?

**Mr. Lang:** I would like to ask another question that I don't have clear in my mind, is this money goes go towards a trust fund, is that correct?

**Mr. Legal Advisor:** Yes, Mr. Chairman.

**Mr. Lang:** Could I have just a brief --



Mr. Chairman: Mr. Lang?

Mr. Lang: -- explanation of how it works? Like, this money goes into the trust fund and who gets the interest from that plan?

Mr. Legal Advisor: Mr. Chairman, the plan gets all the interest, profits or anything else, and has to bear the burden of any expenses in connection with it.

Basically, the contribution by both the Municipalities and the employees goes into a trust fund. A portion of the monies is used for buying insurance for certain insurable benefits, which are part of the package deal. The balance goes into the pension fund, it's invested. The money is accumulated, and eventually, those who are asking for pensions, you know, when they hit the right age, they get pensions. That's basically what it is.

Mr. Chairman: Thank you. Anything arising?  
Mr. Lang?

Mr. Lang: Mr. Chairman, reading the regulations once again, I realize that of course the Minister of Local Government, I realize that this is going to be the responsibility of the Municipalities, but I'm curious, like, for an example in (b), Section 8(b) in the regulations, "Who has attained the age of 45 years and who has either 10 years of continuous service or 10 years of membership in the plan may not receive a refund of his account, but shall be considered to be a member of the plan and entitled to receive the benefits accrued to him under the plan".

Does this mean, in effect, that he will have to wait until he reaches the age of retirement? I can't understand why he can't get that refund if he wants it, because he's paid into it.

This is in the regulations.

Mr. Legal Advisor: It appears to say that, yes, Mr. Chairman.

Mr. Chairman: Mr. Lang?

Mr. Lang: Well, I would like to ask why he can't get the money if he wants it. Maybe he doesn't think he's going to attain the age of sixty-five.

Mr. Legal Advisor: This is a detailed question. This is not written to restrict a person getting his money back until he reaches the age of 45 years, it's primarily entitled to give him an option, and there are options available to him at the point of time when he resigns or retires, and this is one of the options. There are option clauses in a number of them in the plan. This is giving him an entitlement, not giving him a compulsory thing, as far as I understand it, but if you want to ask detailed questions about the regulations, we would have to have them all in front of us because they all interlap and have a series of related clauses of one as against the other, and of course you would need the administration manual which isn't part of this.

Mr. Chairman: Mr. Lang?

Mr. Lang: Okay, Mr. Chairman, maybe I will

confer with my Honourable Member.

Mr. Chairman: Anything further? Preamble -- oh sorry, Mr. Berger?

Mr. Berger: Just an explanation for the Honourable Member. I think this is exactly the same lines used in the Superannuation Ordinance.

Mr. Lang: I beg your pardon? I never quite heard that.

Mr. Berger: No, what I am saying is this is exactly the same regulation that's used right now in the Federal Superannuation Ordinance.

Mr. Chairman: Anything arising?

Some Members: Clear.

Mr. Chairman: Preamble:  
(Reads Preamble)

Mr. Chairman: The title is the "Municipal Employees' Benefits Ordinance". Clear?

Some Members: Clear.

Mr. Chairman: I will entertain a motion.

Hon. Mr. McKinnon: Mr. Chairman, I move that Bill Number 15 be reported out of Committee without amendment.

Mr. Chairman: Thank you. Is there a seconder?

Hon. Mrs. Whyard: Mr. Chairman, I will second that Motion.

Mr. Chairman: It has been moved by Mr. McKinnon, seconded by Mrs. Whyard, that Bill Number 15, entitled "Municipal Employees' Benefits Ordinance" be reported out of committee without amendment. Question?

Some Members: Question.

Mr. Chairman: Are we agreed?

Some Members: Agreed.

Mr. Chairman: I declare the Motion carried.

*Motion Carried*

Mr. Chairman: This leaves us with possibly the most controversial of the Bills, Bill Number 13. I wonder is it the desire of the Members to break now for coffee and then get into this?

I will declare a 10 minute recess.

*Recess*

Mr. Chairman: I shall now call the Committee to order. We are now looking at Bill Number 13 and I wonder if the witnesses could give us their comments, if any, on that Bill?



**Mayor Mitchell:** Mr. Chairman, we have several comments. The first one of which is number 2. I might say that we are here, Mr. Chairman, to be counted.

In view of the fact, Mr. Chairman, that none of the three Municipalities have experienced any problems in the past with sub-section 29 (2) of the Ordinance as it now reads, and we can see no instance in the changes where it would reflect a better service to the people, therefore we are quite content to leave the Ordinance as it now stands.

**Mr. Chairman:** Thank you. Anything arising? Mr. Taylor?

**Hon. Mr. Taylor:** Yes, Mr. Chairman. As you will recall when this subject arose in our first go over the Ordinance, it was my feeling as well that this was not necessary that members be forced to vote in a Municipal Council, and I would accordingly, Mr. Chairman, like to move at this time that Section 2 of Bill Number 13 be deleted.

**Mr. Chairman:** Do we have a seconder?

**Mr. Lang:** Could we, Mr. Chairman, would it be all right to have a little bit more discussion on this point?

**Mr. Chairman:** Well, we can't go ahead without a seconder.

**Mr. McKinnon?**

**Hon. Mr. McKinnon:** Mr. Chairman, there is no Motion because there is no seconder. I understand that, I think probably the Motion was premature because we didn't have any discussion prior to the Motion being put.

The administration has no hard and fast rule on this amendment as I said before, that it was put in because there had been much discussion on it in the original amendments to the Municipal Ordinance. I happen to be one of those who still think that it should be part of the Ordinance, but I don't have such strong feelings about it that I would say that it was a matter of government policy that this should be.

I'm a little surprised at the way that the Municipalities have rejected the concept, because if the theory is that they have had no problems the way it is, are we supposed to go from that they would have problems if the Mayors were all of a sudden required to vote on all matters before the Council?

I've been in attendance at the Municipal Council of the City of Whitehorse on many occasions, and watch it, and you know, if there were a vote by His Worship's actions and statements prior to it, I don't think there would be any doubt about it that we would know the way that he was voting, and I dare say that this is probably the way it is in the Municipality of Dawson and in the Town of Faro also, so I was surprised that there would be objections to it being included in the Ordinance, but that they would be required to give their "yea" or "nay" on every question, and as I say, with a rather dull ordinance prior to something - political being put into it, and I'm sure that we had a good discussion here and you did too, and I just don't feel that strongly about the point that I'd be willing to lose the amendments on this point.

**Mr. Chairman:** Mr. Lucier?

**Mayor Lucier:** Mr. Chairman, I think that when we talk about the problem, it's not really the problem of voting, and I don't think any of us are really concerned

with voting, other than we feel that we would lose some effectiveness as Chairman, and one of the things that we really gave some consideration to was the fact that every Council is made up presently with the Mayor being the person who can break a tie.

And as you know, in communities such as ours, it's very easy to have one member, in fact, you know, almost every Council meeting you have at least one member missing, and if that's the situation, you are now putting us in the position that you have a potential tie every time there is an alderman missing, and three people, or four and three are against, or two and two such as the other two councils, and the Motion is lost.

Now, you know you can have two people defeating something that presently just can't happen, and you know, we really feel it would be very difficult from that point of view, as far as voting. I don't think any one of the three of us were concerned at all about having to vote, you know, as Mr. McKinnon has stated, that we are not famous for sitting there keeping quiet and running meetings the way we should without giving opinions. We always seem to manage to do it one way or another anyhow.

**Mr. Chairman:** Thank you, Mr. Lucier. I myself am concerned about the aspect of the Mayor sitting as Chairman of the meetings, and in this House, the Chairman or the Speaker doesn't vote unless there's a tie and I think there is good reason for that.

I might add that if Mr. Taylor decides to attempt the Motion again, I'll be quite happy to turn the chair over to Mr. Lang and second it.

**Mr. McCall?**

**Mr. McCall:** Thank you, Mr. Chairman. I see no point in carrying on any further, if you have already said it.

I object to any exclusion of this particular part of the Ordinance for a simple reason; that the man that runs for any office, whether it is for Mayor, whether it's for any Council whatsoever, should stand up and be counted. I question the Mayor's thinking on this particular section, because they talk about tie votes and anything pertaining to this.

I myself am chairman of many, many committees, and I also have the opportunity to put in my vote at any opportunity. I question their thinking and their wisdom, because I don't think we are acting very mature when we look at the provinces and the municipalities in the provinces and as to their voting situation, I think they should investigate that before they stand up and say they should not be included in this Ordinance.

**Mr. Chairman:** Well there has been the statement made about what happens in the provinces. Mr. Legal Advisor, can you tell us what the situation is with respect to municipalities in B.C.?

**Mr. Legal Advisor:** Mr. Chairman, it's hard to give a general picture. It goes from province to province as to what the situation is in -- the particular province from which we took this model requires councillors to vote, and sometimes they do, sometimes they don't.

**Mr. Chairman:** Which province did we take this model from, Mr. Legal Advisor?



**Mr. Legal Advisor:** Without being sure, I think the Saskatchewan-Manitoba that we happened to use for this.

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Mr. Chairman, in addition to some of the comments that have been made in respect of this, I frankly quite find this section -- it offends what I think and what I personally feel is a civil and political right of a person who is elected by the people to serve people, and it's just another aspect, and that's probably the one I feel the strongest on, and I feel that to accept this premise, as now provided in Section 2, that you are infringing in at least one small way in the civil and political rights of an elected person. And for that very reason, I would again try my Motion that Section 2 of Bill Number 13 be deleted.

**Mr. Chairman:** Thank you, Mr. Taylor. I would like to turn the chair at this time over to Mr. Lang.

(Mr. Lang takes chair)

**Mr. Phelps:** Having done so, I rise to second that motion.

**Mr. Chairman:** It has been moved by the Honourable Member from Watson Lake, seconded by the Honourable Member from Riverdale, that Section 2 of Bill Number 13 be deleted.

Is there any discussion on this? Mr. Phelps?

**Mr. Phelps:** Mr. Chairman, I would like to add to what I have already said. I feel that I had to, I felt I had to second this Motion so that the Members here could stand up and be counted.

**Mr. Chairman:** Thank you, Mr. Phelps.

**Hon. Mr. McKinnon:** As it is, the three Members at the end of the table as witnesses do not have the right to vote on this as Mayors of the Municipalities.

I would just like to answer the query of the Honourable Member from Watson Lake. It would seem to me that it's rather the other way around, that the people who are denied the civil and political rights at this time, are the people of the Yukon Territory, who happen to live in Municipalities. Because under the present terms of the Municipal Ordinance, their elected representatives as the chief executive office of that municipality, namely the Mayor, is refused by law, the chance to vote unless it is in a tie position.

Now, I think that that's where the denial of civil and political rights come in, that this person, even if he wants to express his opinion, a "yea" or "nay" on any question, is absolutely forbidden by statutes that this government creates, to be able to do that, and I think that that's a major denial of the civil and political rights of the constituents which he is supposedly representing at that Mayor's table.

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Mr. Chairman, just in answer to the Honourable Member, this same would hold true of

any legislative body, in fact anywhere in the British Commonwealth. It's a fact, that you're not -- nowhere in the British Commonwealth that I know of, certainly in a legislature are you imposing by law any insistence that a Member must vote. A member has a right to abstain, and this is just the way it is and this is the way it's flowed down through the centuries, and I find that to deny this form would be a denial of a civil and political right.

**Hon. Mr. McKinnon:** Mr. Chairman, to add to that if I may --

**Mr. Chairman:** Mr. McKinnon.

**Hon. Mr. McKinnon:** -- that's exactly the reason why sub (4) of Section 2 was put in. "A member of the Council is not required to vote where he is disqualified from voting by reason of interest or otherwise", and the otherwise was put in at my insistence to exactly take care of the objection that the Honourable Member from Watson Lake raises.

**Mr. Chairman:** Ms. Millard?

**Ms. Millard:** Mr. Chairman, this is beginning to sound like a tape recording of the last time we went through this very same arguments, and I'll bring forth my very same argument that I did last time also.

I think the whole thing could be solved by changing, "including the Mayor shall vote", to say, "including the Mayor may vote", so that each city council can decide for itself whether they want their Mayor to vote. If there wasn't a motion before the floor, I would move that.

**Mr. Chairman:** Thank you, Miss Millard. Mr. McCall, you had something to say, I understand?

**Mr. McCall:** Thank you, Mr. Chairman.

In view of what the Honourable minister has stated and the Motion that is on the floor, I object to the Motion for a simple reason. I think we are defeating democracy in this line of thinking because if you look at the Election Ordinance, this man is duly elected as an individual to the council. I suggest we may take one step backwards by appointing him. It would solve your problem as far as this motion is concerned.

**Mr. Chairman:** Mr. Taylor?

**Hon. Mr. Taylor:** Mr. Chairman, what you're saying then is that in (2) that they must vote, and then you are saying in 4 that they don't really have to vote, so why do you need the section anyway?

**Hon. Mr. McKinnon:** They may abstain if they are chicken.

**Mr. Chairman:** I would like to give the Chair back to Mr. Phelps if I may.

Mr. Phelps --

**Mr. Phelps:** No, Mr. Lang, I think we had better --

**Mr. Lang:** I have something to say.



**Mr. Phelps:** I think possibly you can have your say and retain the chair for this important question.

**Mr. Chairman:** Okay, thank you, Mr. Phelps, I will retain the chair.

I would like to ask in relation to, Mayor Lucier brought up the point that if it's three and two and they vote, and he votes there could quite conceivably be a tie and be thrown out as far as the Motion is concerned.

Now, what happens in the case that the Mayor feels very strongly that it should be thrown out and he can't vote? You know, I think this is -- the other side of looking at it is that if he's a duly elected person as has been stated earlier, that he should have the right to vote if he feels the Motion isn't what the people need.

Go ahead, Mr. Lucier?

**Mayor Lucier:** Mr. Chairman, I feel very strongly on a lot of things that I can't vote on, and you know, that's perfectly acceptable. That's why I'm the Chairman. I'm not allowed to vote and I have no problem with that. I can express an opinion, but they vote against what I want continuously, and that's their choice, that's why we have--that's why you have seven men on the Council. If you just wanted my opinion, you would have it, you know, without the rest of the council.

**Mr. Chairman:** Mr. McCall?

**Mr. McCall:** Mr. Chairman, maybe we should, in regard to what the Mayor has just said, maybe we could include restricting the opinion of a Mayor also.

**Mr. Chairman:** Mr. Mayes?

**Mayor Mayes:** Mr. Chairman, I think that we are getting fouled up with the duties of the Mayor. A Mayor is not supposed to express his opinions, he's supposed to report to Council and if he wishes to express his opinions, he leaves the Chair as you do when you do in your committee meetings, and I think the Mayor is the Chief Executive Officer, not a politician, and I think that it is a hard position to be in, and it is most often left to the discretion of the Mayor, but it would be like giving the Commissioner of the Yukon Territory, which is your chief administrative officer, the right to vote in your Legislative Assembly.

**Hon. Mr. McKinnon:** If he's elected we will, Mr. Chairman. No problem at all.

**Mr. Chairman:** Mr. Phelps, you had --

**Mr. Phelps:** Well I must harken back to the one problem, and that is that the Mayor must act as Chairman during the city council meetings, and I feel that for him to have to vote each time, opens the whole process to abuse by him. I think it's important that the members sitting at the council meeting feel that the mayor at all times, will act in an impartial and fair way, when he's deciding who's going to speak, when the question should be called and things of that nature, and I think that there's a very good reason why a speaker of any House of Parliament in the Commonwealth doesn't vote unless there's a tie, and there's a very good reason why Chairman of Committees never votes unless there's a tie, and I think that the

same kind of reasoning must apply to the meetings of the City Council; that the function of the Mayor as Chairman, is very, very important.

**Mr. Chairman:** Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, this is probably an academic question, but I was wondering if their Worships could assist me in estimating how many times this would actually change any situation which appeared before council. The Mayor is going to vote if it's a tie, as things are now, correct? If the Mayor votes on all questions from now on, and there is a tie, it's lost, correct? How much difference is it actually going to make to the outcome of those votes? How much unacceptance would there be? I'm just wondering.

**Mr. Chairman:** Mr. Lucier?

**Mayor Lucier:** Mr. Chairman, I think it would be a fantastic difference on the basis of each Council lacking one Member. You put yourself into a tie situation. Every time there's a Member of Council missing from any meeting you have set up a potential tie. For the whole meeting, Mr. Chairman, for the whole meeting. Every question that comes up at that meeting from that point on, you have set up the potential for a tie.

**Hon. Mrs. Whyard:** Unless the Mayor votes, Mr. Chairman?

**Mayor Lucier:** If the Mayor votes. If the Mayor votes -- every time you have an --

**Hon. Mrs. Whyard:** If there is an absent member, Mr. Chairman?

**Mayor Lucier:** Yes.

**Mr. Chairman:** If I may ask a question, how do your council members, the city fathers, feel about it?

**Mayor Lucier:** We are reflecting the Association's views, Mr. Chairman, not the Mayors' views, and the Association agreed with the stand.

Mr. Chairman, I would just like to make sure that we don't leave the impression here that we are afraid to vote, because this isn't the case. We discussed this amongst ourselves, and we are just not at all concerned, contrary to what Mr. -- it just isn't the case.

**Hon. Mrs. Whyard:** I am quite prepared to accept that statement, because it's tougher to have to stick your neck out when there is a tie and make this decision, than it is just to vote along with the majority on every question.

**Mayor Lucier:** That, Mr. Chairman, is a very good statement. When we do vote now, we decide the issue.

**Mr. Chairman:** Mr. Mayes, do you have something to say?

**Mayor Mayes:** No.



**Mr. Chairman:** Okay. Is there anything else arising?

**Some Members:** Question.

**Mr. Chairman:** Question?  
Agreed?

**Some Members:** Agreed.

**Some Members:** Disagreed.

**Mr. Chairman:** Could we have a show of hands please? Agreed? What is it, one, two, three -- six to four. The Motion is carried.

*Motion Carried*

**Mr. Chairman:** I will give the chair back to Mr. Phelps.

(Mr. Phelps resumes Chair)

**Mr. Chairman:** Thank you, Mr. Lang. I'm pleased that you took the chair, because I fear your sentiments weren't the same as mine.

For the record, -- I wonder if we could have a reading of the Motion for the record?

**Mr. Lang:** It was moved by the Honourable Member from Watson Lake, seconded by the Honourable Member from Whitehorse Riverdale, that Section 2 of Bill Number 13 be deleted.

**Mr. Chairman:** Very well. Witnesses, we will move on to your other comments on other parts of this Bill.

**Mayor Mitchell:** Section 3, Mr. Chairman. In order for the Municipalities to attract quality people to local government, and in order for those people, be they quality of otherwise, in order for them to perform to the best of their ability, we submit a change to the rate structure.

And really, the only ones that really concern us at this time are the first and last lines. For the first line, we would suggest a change of \$2,250.00 for an alderman, \$4,500.00 for a Mayor.

Now, in the case of Dawson City, \$3,000.00 certainly isn't enough. They do not have a city manager. The work load for the Mayor in Dawson is a great deal more than it is for the Mayor in Faro. The \$3,000.00 for the Mayor in Faro is sufficient, so the problem is more with Dawson than with Faro.

Now, the last line, we would suggest aldermen \$6,500.00, mayor \$12,000.00.

**Hon. Mr. McKinnon:** Mr. Chairman, am I to take it then the recommendation would be that up to \$4,000.00 it would be \$2,250.00 and \$4,500.00, so there would three categories?

**Mr. Chairman:** That might be the neat way of amending. Any further discussion on these points?

**Hon. Mr. McKinnon:** Mr. Chairman, I would add that the government has absolutely no objection to the recommendation of the Yukon Association of

Municipalities. We try to reflect their wishes by increasing to a much greater degree, the salaries at the lower end of the lower population scale, and I think that all members realize that these monies have to be found out of the municipal budget, the very maximum that they can work up to and if the aldermen and mayors think they are worth that much, the municipalities will let them prove it to the people who vote them in.

**Mr. Chairman:** Mr. McCall?

**Mr. McCall:** Thank you, Mr. Chairman.

I would like to ask His Worship, Mayor Mitchell, the top line; are you suggesting that there be a floater there to \$2,250.00 for aldermen, and a floater as far as \$3,000.00 to \$4,500.00 for Mayor?

**Mayor Mitchell:** Yes, yes.

**Mr. McCall:** Is this what you are suggesting, or is it just two straight figures?

**Mayor Mitchell:** That's maximum figures.

**Mr. McCall:** Up to \$4,500.00?

**Mayor Mitchell:** Up to that amount, yes.

**Mr. McCall:** Okay. Thank you.

**Mr. Chairman:** Any further discussion? Are we to take it that the administration is treating this as a typographical error?

**Hon. Mr. McKinnon:** No, Mr. Chairman, there are amendments that are quite substantial to the Bill already, and I think that that's stretching the point a bit, --

**Mr. Chairman:** Very well.

**Hon. Mr. McKinnon:** -- taking them as typographical errors.

**Mr. Legal Advisor:** There has to be precision on these figures, you know, so that the amendment can be precise because we are dealing with dollars.

Is it that aldermen outside Whitehorse get \$2,250.00, is it?

**Hon. Mr. McKinnon:** Aldermen up to a population of 4,000.

**Mr. Chairman:** Mr. Legal Advisor, I could just possibly read back what I've got. The amendment would delete the first line at the top.

**Mr. Legal Advisor:** Okay.

**Mr. Chairman:** And then going down one, would read "Up to 4,000", and leave the figures off that, \$2,250.00 and \$4,500.00.

**Mr. Legal Advisor:** And \$4,500.00?

**Mr. Chairman:** Yes, and then over 8,000, the \$4,000.00 figure would be deleted and \$6,500.00 would be



inserted in its place. The figure \$10,000.00 would be deleted and the figure \$12,000.00 inserted in its place.

Any discussion on that point? Mr. Fleming?

**Mr. Fleming:** Mr. Chairman, whatever the aldermen and the mayors think is fair is fair. I would like to ask this question. If you were dealing with 4,000 people and your alderman is worth \$5,000.00 and your mayor is worth \$10,000.00 and then you go up and you deal with twice that many people, does the mayor have more responsibilities than the aldermen all of a sudden. I fail to see why wages can't be raised accordingly. In other words, the mayor's wages went up \$5000.00 because there is so many more people, why don't the alderman's wages also go up \$5000.00 because there is that many people. In other words, an even scale. I don't know why--I find this so much in all negotiations the bigger the job the more money all of a sudden for the same job.

In other words you are evaluating the person, you know, to be worth more money, not the job.

I don't know whether I can get myself clear. If you start out at \$5.00 and \$10.00, then I think it should stay--I think the \$5.00 difference should stay there between the two people, if the job remains the same for both people. If the job gets to be worth more they both go up more.

I see here the same thing again, all of a sudden the mayor is getting twelve something, he is almost getting double what the alderman is?

**The Chairman:** Are there any comments from the witnesses? Mr. Lucier?

**Mayor Lucier:** Mr. Chairman, according to your proposal he was getting more than double, now he is getting double. I think it is just the straight case of the more--the larger group you have to work with you just end up putting more hours in and it is worth more time. I think that Whitehorse is proving--you know--up to eight thousand, I think, is a pretty good example, up to eight thousand it was a very part time job, and now it is getting to be to reaching the point where is not very part time. It is very difficult to get an alderman--I am not speaking of the mayor now, I am speaking of aldermen. It is becoming very very difficult. There is very seldom a day goes by that the aldermen aren't there for either a noon meeting, or an evening meeting, or there isn't some function that they have to attend.

It is becoming very time consuming.

**Mr. Chairman:** Thank you, Mr. Lucier. Mr. Fleming?

**Mr. Fleming:** This is exactly my point. I feel any of these jobs, everybody should go up equal. You say he is getting double now but in the meantime the mayor's wages is going up actually more than his, right?

**Mr. Chairman:** Mr. Lucier?

**Mayor Lucier:** Mr. Chairman in a meeting like that--you know, the more meetings that you have, the aldermen sit there and they say okay here is what we want done. The mayor is the person who has to see that

that happens. Everytime they create work they create a lot more for the mayor than they do for themselves. If you have a couple of meetings extra that the aldermen have to attend--I think these figures, you will find, Mr. Chairman, are very acceptable to the aldermen.

I think the split is fairly good.

**Mr. Chairman:** Thank you. Mr. Mayes?

**Mayor Mayes:** Mr. Chairman, I think if you read the Municipal Ordinance it spells out the duties of a mayor and it doesn't spell out the duties of each alderman. I think the mayor is an over looker of what the aldermen do. If they do not do their job it is up to the mayor to take up the slack.

I am not saying that there is any alderman that I have found that haven't done their job, but it is up to the mayor to overlook to make sure that he does do his job. He has to follow the aldermen to make sure they do their job, plus the administrative staff that he has working for him.

I think that it is a little more demanding than--especially with more people to say that the mayor of Dawson, because they don't have a City Manager, that the mayor of Dawson should be worth more. I understand that we have smaller problems than Whitehorse has because they have more problems. They have a larger population. Really I think that the mayor does spend more time, more hours in running a municipality than does an alderman, in most cases.

**Mr. Chairman:** Thank you, Mr. Mayes. Any further on that issue? Mr. Fleming?

**Mr. Fleming:** Yes I would have to agree that the mayor is worth more money. I hope you do get my point though in--let's say, the wages I like to keep them equal, but on the other hand possibly there is more work, the more people you get the more work the mayor gets.

**Mr. Chairman:** Thank you, Mr. Fleming. Is there anything further? Are there any further problems with the Bill as put forth?

**Mayor Mayes:** Mr. Chairman, if I am not mistaken, I don't know if the Association presented the problem properly. It was item 7, number 1 was to clarify the taxable assessment to read either that it was for the assessment on government property, which is not taxable, it is a grant in lieu of taxes that we receive.

The levy of five mills where it used to be three mills be changed. I think the problem with Dawson was the fact that if you exempted the government property, Territorial and Federal, that you would leave us with no tax base. Even a five mill rate on a taxable assessment leaves us with a very small sum. I think it was suggested at the Association meeting that this be set to a minimum amount, so that in the case of Dawson, if you set the minimum amount of twenty-five thousand dollars that we wouldn't have to go to plebiscite to buy a new pick-up truck.

This is what I understood would be printed into the Ordinance and as I read it now it doesn't really alleviate the problem of Dawson because the five mills, is, I think, one mill is seven hundred dollars in Dawson, on all property. It doesn't really make that much



difference, the two extra mills. What we are looking for is a minimum.

Mr. Chairman: Thank you.

Hon. Mr. McKinnon: We have recognized the problem, Mr. Chairman, and the figures that I have as of April the 7th from my officers, were that one mill in Dawson will raise \$970.34; that the existing three mills would only raise \$2,911.00, but the proposed five mills will raise \$4,852.00, which is almost a \$2,000.00 increase, so the problem of Dawson, which we recognize, of not being able to buy a pick-up, would hopefully be solved.

We do have problems in applying specific terms to the different municipalities within the Ordinance, if it can be lived with for an amount of time to see what the five mills do, and this is what we are given indication it will do. If that can't be lived with, then we will just have to approach it from another angle, Mr. Chairman.

Mr. Chairman: Mr. Mayes?

Mayor Mayes: Well, Mr. Chairman, I think this would maybe cause hardships with the Capital Assistance Program, because 10 per cent of some sort of project in Dawson, we'd have to vote on almost any capital projects that we wished to participate in on the Capital Assistance Program.

I think that if there was a minimum we wouldn't have to go to a plebiscite; now we will have to almost go to a plebiscite to relocate our dump, which could run up to \$50,000.00 or so, which would be over the \$4,000.00 mark.

Mr. Chairman: I was just going to comment that not very many pick-ups cost less than \$5,000.00 these days.

Mayor Lucier: Mr. Chairman, couldn't this be solved by just setting a figure of 15 or \$25,000.00 in there, you know, the lesser of the two, or -- ?

Mr. Chairman: The greater of the two, you mean?

Mayor Lucier: Or the greater of the two? It wouldn't affect the other municipalities and it would certainly alleviate Dawson's problem.

Mr. Chairman: Mr. Berger?

Mr. Berger: I just want to suggest, why couldn't we do it the same way as we just set the per diem rates? Why couldn't we do that on a population basis, like some place up to 4,000 people, the rate would be maybe set at 15 or \$20,000.00, and so forth?

Mr. Chairman: Does the administration wish to --

Hon. Mr. McKinnon: We are prepared to look again at Dawson as an exception, because we have heard it, over and over again, you know, the problem with the three mills was that they could not even buy a pick-up without going to plebiscite. We thought that the proposal of the five mills would at least get it up into the \$5,000.00 area, which seemed to be a lot more sensible than the \$2,900.00 or \$3,000.00 area that it was before.

But if there was a minimum that Dawson asked for and that is \$20,000.00 I'm hearing now, is that the area that we're looking at?

Mayor Mayes: Really, Mr. Chairman, I haven't set a figure. You know, that's what I have suggested here.

Mr. Chairman: We take it then that the administration will come back with more legislation on that point?

Hon. Mr. McKinnon: Well, we said we were prepared to look at it, Mr. Chairman. I don't think the Honourable Chairman would try to put words in my mouth, would he?

Mr. Chairman: Only a few. Can we then pass on to any further comments of the witnesses?

Mayor Mitchell: Item 11, Mr. Lucier.

Mayor Lucier: Mr. Chairman, Item 11, 121, Section 1 says, "In this Section, building includes any fence, scaffolding, structure, or erection and owner means the person in whose name the title to the property is registered and includes the person whose name appears as owner in the Assessment Records of the Municipality".

Could we put as "owner of the building"? Would that be acceptable in there?

Because you now have people who own buildings on property that they don't own.

Mr. Legal Advisor: Could I have time to look at it, and if it's possible to do it without destroying the Section, we will try and do it Mr. Chairman.

Mr. Chairman: Thank you, Mr. Legal Advisor. Mr. Berger?

Mr. Berger: Mr. Chairman, just a question to Mr. Legal Advisor. We just discussed the minimum Tax Ordinance a little while ago, and as I see under this Section here, a fence is also included as a building in assessment in this particular section. Wouldn't it affect also the minimum Tax Ordinance?

Mr. Legal Advisor: No, Mr. Chairman, because this is a special definition for a particular section.

Mr. Chairman: Thank you. Any further debate? Any further comments, gentlemen?

Mayor Mitchell. Item -- did you want us to proceed, Mr. Chairman?

Mr. Chairman: Yes, please.

Mayor Mitchell: Item 13, we would like to delete at 13 (6) (a), we would like to delete (a). "...has no currently valid licence plates attached thereto".

Mr. Chairman, this would allow the owner of a piece of junk to slap a licence plate on it and keep it on the property, or he would be required to licence, say a skidoo in order to not have it classed as a piece of junk.

Mr. Chairman: Thank you. Mr. Berger?



**Mr. Berger:** I just wanted to take objection to taking this section out because again I think we come into that the municipality has the right to sort of set a certain standard of vehicle. If I am quite satisfied to have an old piece of clunker running around in, I mean, it should be my rightful means of running the thing and the municipality is going to tell me it is too old.

**Mr. Chairman:** Mr. McCall?

**Mr. McCall:** I would take exception to what the Honourable Member just stated. His Worship just mentioned, we can give you prime instances of examples, of literal junk lying around people's homes, and what His Worship the Mayor just pointed out could very much take place in the Town of Faro where we have junk vehicles around and if this was enforced with this sort of wording in there, all it would mean is spending a few dollars by individuals who have the junk, slap on the plates and there is no way that Council can touch it.

This is why I think the suggestion was brought up.

**Mr. Chairman:** Mr. Lang?

**Mr. Lang:** Yes, I question this because especially in the area that I represent, and some of the other Members, is that there's a lot of people, as we know in this inflationary times, that are trying to feed a family and what not, and maybe on a salary of \$12,000.00 to \$14,000.00 a year, and are trying to make some extra money by doing a little moonlighting as far as fixing vehicles is concerned.

I think that if this is an eyesore, these junk vehicles, I think that it should be mandatory -- I don't want to advise the municipalities what to do -- but I think that if a fence is brought up, what a person does in their own back yard is their own damn business. I mean, nobody -- whoever said that everybody needed a law? This is an accepted practice now, and I don't think that we should infringe upon people like that. I think people, if it's in a residential area like we've had a case some months back, if he wants to pursue that, I think that -- I realize it could be considered an eyesore, then the Municipality or whatever should take action as far as making him put a fence so that maybe people can't see it. But I think it's his titled property, he's got the right to do whatever he likes to it.

**Mr. Chairman:** Thank you. Mr. --

**Mr. Lang:** I know Mr. Lucier is not going to agree with me, but --

**Mayor Lucier:** Mr. Chairman, I take great exception to anyone saying that because it's a titled piece of property he can do anything he wants with it.

We have laws that regulate what you can do with your property, and you know, these laws have to be followed. You already have given us in Sections (b) and (c), the rights, if it is a wrecked or partly wrecked or dismantled or partly dismantled vehicle. I don't think that anyone has a right to turn their yard into a junk yard. There's no one that has to put up with that from their neighbours, and I think that this is a very acceptable practice in any community. There's not a municipality in Canada that allows this.

And what we are saying here simply is that Section A is something that licence plates should be the responsibility of the Motor Vehicles Ordinance. If (a) is left in, a person with a skidoo would have to have that skidoo licenced all summer to store it in his yard.

And what we are saying is that a licence plate should not be one of the -- should not, in any way be associated with junk vehicles or partly wrecked vehicles or whatever. We don't feel that whether it has a licence on it or does not have a licence, has anything to do with it. It's either a piece of junk or it isn't, and whether it's junk or not, is defined in the next two sections, and we just feel that the licence is not one of the criteria.

**Mr. Chairman:** Thank you. Mr. McKinnon?

**Hon. Mr. McKinnon:** Mr. Chairman, I am prepared to explain that to my colleagues.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman. I'm wondering if possibly this couldn't be dealt with with the word "and" in there. I see you have it in (b) and (c), and I see no reason why it couldn't be in (a) too.

Yes, Mr. Chairman, just say has "no currently valid licence plates attached thereto". That's all it says there, that's finished, but if it was "and", "and is either in a rusted wrecked or partly wrecked condition", and carries on from there, wouldn't it cover it?

**Mr. Legal Advisor:** The solution isn't as easy as that. I think either Section -- paragraph (a) must come out or it must stay in, and it depends on Mr. McKinnon's explaining it to his colleagues and overnight, looking to see is there any -- especially the reason why it has to have a licence for protection or not? If there's not, then it comes out. If it has, it remains in.

**Mr. Chairman:** Thank you, Mr. Legal Advisor. Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman. In that case, I would definitely say it must come out.

**Mr. Chairman:** Thank you, Mr. Fleming. I would just like to raise one point. I'm wondering whether the word "rusted" in (b) is necessary? A rusted vehicle.

**Hon. Mr. McKinnon:** I will take the out too. (Laughter)

**Mr. Legal Advisor:** Mr. Chairman, this section isn't really being amended, and it's not up really for detailed discussion. It's because someone was picky about the Section as it was, and wants to put in the word "either" in the middle of the Section. That's the reason why it comes for discussion, not because it was a rusted wreck or whatever.

**Mr. Chairman:** I thought it came up for discussion, Mr. Legal Advisor, because it was before us.

Anything arising from the -- any of the comments on that clause?



**Hon. Mr. Taylor:** Yes, Mr. Chairman. What decision is Committee going to make in the matter? I think that we should determine that.

**Hon. Mrs. Whyard:** Mr. Chairman, what was the original request of the people before us?

**Mayor Lucier:** That Section (a) be deleted -- paragraph (a) be deleted, Mr. Chairman.

**Hon. Mrs. Whyard:** Thank you.

**Mr. Chairman:** I take it the administration is going to come back on that one, is that situation?

**Hon. Mr. McKinnon:** Yes, Mr. Chairman.

**Mr. Chairman:** Thank you. Are there any comments on any other parts of this Bill, gentlemen?

**Mayor Mitchell:** Item 14, Mr. Chairman.

**Mayor Lucier:** Mr. Chairman, at the bottom -- well, "the Council may by either a by-law authorize the Municipality to acquire land within the Municipality for resale or lease for residential, industrial, commercial or any other purposes, and may, prior to disposing of the land, or any part thereof, subdivide the land", and then you have added "for building purposes".

Now, we might want to subdivide the land for any number of reasons. Why the restriction for building purposes?

**Mr. Legal Advisor:** This isn't, Mr. Chairman, meant to deal with the verb "subdivide", just as dividing a piece of land. We are talking about creating a subdivision for building purposes. It's the whole phrase, not just the word.

**Mayor Lucier:** But still, Mr. Chairman, why the restrictions for building purpose?

**Mr. Chairman:** Mr. Legal Advisor?

**Mr. Legal Advisor:** I think, Mr. Chairman, the two sections combined together are a whole. What we are talking about there is to create a subdivision, and a subdivision is to create a subdivision by servicing it and getting it ready for sale in building lots, and that's what that phrase is trying to do.

They are subdividing the land for building purposes. It's an extra power on subdivisions which is not normally found in the expression "subdivision".

**Mr. Chairman:** Does that clarify, Mr. Lucier?

**Mayor Lucier:** I'm afraid not, Mr. Chairman.

If we were just dealing with some parts of this, now the industrial for instance. That assumes then that it has to be, if you subdivide for industrial purposes, it has to be for building purposes? Do you have to build on it after you have subdivided it for industrial? Can you not have an industrial area that you wouldn't have any building?

**Mr. Legal Advisor:** This isn't a question of the municipalities, Mr. Chairman, building its own buildings. This is a question of what the Territorial Government, they take a block of land, subdivides it, services it and then puts it up for sale. That's creating a subdivision. That's what it is intended to do.

**Mayor Lucier:** Yes. But my point, Mr. Chairman, again is that once you have reached that stage, as Mr. Legal Advisor has discussed, this then commits you to doing that for building purposes.

Now, maybe as an industrial subdivision, for instance, you don't want any buildings on it. You might want it as a parking area for trucks or something, where there are no buildings. Why the restriction of "for building purposes"? I think that you would accomplish what the Bill set out to do before you added those three words.

**Mr. Legal Advisor:** I would have to think of it, Mr. Chairman so as to create a new phrase, if necessary.

**Hon. Mr. McKinnon:** Mr. Chairman, I think the point that is being attempted to make is, does for building purposes include recreational ground does it include parking area? If that is included in the words "for building purposes" which I thought it did, then the question is satisfied.

**Mr. Legal Advisor:** I would have thought so, Mr. Chairman, but what we are talking about is, they may, prior to disposing of the land, do something, that is create a subdivision. There is a whole raft of things that is involved in creating a sub-division. I don't want to lose the wideness of the phrase by merely saying "may subdivide it". To subdivide it may not be the same as to sub-divide it for building purposes. They may lose some power in the transferring. I prefer, if what we are thinking is changing other sections to have time to discuss this with the administrative people to find out exactly how to create a phrase which will meet the objection raised by Mr. Lucier.

**Mr. Chairman:** Thank you, Mr. Legal Advisor. Is that agreed?

**Some Member:** Agreed.

**Mr. Chairman:** Mr. Mayes will you carry on please? Mr. Lucier?

**Mayor Bucier:** Mr. Chairman, the next, 129. "The Council may by bylaw authorize the municipality to acquire and hold any real or personal property within the municipality for pleasure, recreation or community uses of the public, including but not restricted to public library, art gallery, museum, arenas, community halls, exhibition buildings, parking.." could we have protection of persons and property included in that? I am thinking specifically right now of the escarpment. Under this regulation, I don't believe, we would be able to hold that property. It certainly isn't for recreation or pleasure or community use.

If we could add the words, "for the protection of persons and property" If you have a dangerous



situation anywhere in town that you want to take over to protect it, You should be allowed to do so.

**Mr. Chairman:** Thank you Mr. Lucier.

**Mr. Legal Advisor:** Mr. Chairman, it would need a slightly wider change than that to reproduce that thought. We would need time to think of it. What is thought of in this section is to create something which the public will actually use.

What Mr. Lucier is talking about is to create something which the public would not use at all, they would be forbidden to walk in there, so we are on a different track when we are talking about that.

**Mr. Chairman:** Is it agreed that the administration take that under advisement.

**Hon. Mr. McKinnon:** Agreed.

**Mr. Chairman:** Is there anything further gentlemen?

**Mayor Lucier:** Number 2 of that on page 9 Mr. Chairman. "No real property acquired and held for any of the uses described in subsection (1) shall be disposed of without the assent of the taxpayers thereto". Which means that we have to go to the taxpayers to dispose of a piece of property. We agree with this clause as far as it goes, but we feel that there should be a clause in there allowing us to dispose of this land to the Commissioner without going to a referendum.

we were just caught with a piece of property behind City Hall where wanted to turn it over to the museum and we couldn't do so because we can't turn property over to them. It could create quite a problem. If we could just—I am sure that the public would still be protected if we can dispose back to the Commissioner.

**Hon. Mr. McKinnon:** Yes, Mr. Lucier, it is a good point.

**Mr. Chairman:** Anything further?

I would like to thank the witnesses for attending and assisting us with these Bills.

That leaves the infamous Bill 16, and Bill number 8, which we have been handed amendments for. I understand that the witnesses from the Bar Association will be prepared to appear before Committee at two o'clock tomorrow afternoon. That would leave Bill Number 8 for discussion in the morning. If it is agreeable to the Members I will entertain a Motion. Mr. Lang?

**Mr. Lang:** Mr. Chairman, I move that Mr. Speaker do now resume the Chair.

**Mr. Chairman:** Secunder to that motion?

**Mr. McCall:** I will second that Mr. Chairman.

**Mr. Chairman:** It has been moved by Mr. Lang, seconded by Mr. McCall that Mr. Speaker now resume the Chair. Question?

**Some Members:** Question.

**Mr. Chairman:** Are we agreed?

**Some Members:** Agreed?

**Mr. Chairman:** I declare the motion carried.

**Motion Carried**

Mr. Speaker Resumes the Chair.

**Mr. Speaker:** At this time I will call the House to order.

May we have a report from the Chairman of Committees?

**Mr. Phelps:** Yes, Mr. Speaker. The Committee convened at ten thirty a.m. to consider Bills, Papers and Motions.

We had for a witness in the morning, Mr. Miller.

It was moved by Mr. McKinnon, seconded by Mrs. Whyard that Bill Number 12, entitled An Ordinance to Amend the Fuel Oil Tax Ordinance be reported out of Committee without amendment and that Motion was carried.

It was moved by Mr. McKinnon, seconded by Mrs. Whyard that Bill Number 17, entitled Society of Industrial Accountants Ordinance be reported out of Committee without amendment and that was duly carried.

The Committee recessed at eleven ten a.m. and reconvened at two p.m.

We had as witnesses Mr. Lucier, Mr. Mayes, Mr. Mitchell and Mr. Miller.

It was moved by Mr. McKinnon, seconded by Mr. McCall and duly carried that Bill Number 18 entitled Whitehorse (Takhini and Valleyview) Lands Ordinance be reported out of Committee without amendment.

It was moved by Mr. McKinnon, seconded by Mrs. Whyard, and duly carried that Bill Number 14, entitled an Ordinance to Amend the Taxation Ordinance be reported out of Committee without amendment.

It was moved by Mr. McKinnon, seconded by Mrs. Whyard, and duly carried, that Bill Number 15, entitled Municipal Employees Benefits Ordinance be reported out of Committee without amendment.

I can report progress on Bill Number 13, Mr. Speaker.

It was moved by Mr. Lang, seconded by Mr. McCall and duly carried that Mr. Speaker do now resume the Chair.

**Mr. Speaker:** You have heard the report of the Chairman of Committees, are you agreed?

**Some Members:** Agreed.

**Mr. Speaker:** Prior to adjournment tonight I would like to advise the House, for the record, that I have received, today, a letter of resignation from our Deputy Chairman of Committees. I would just like on behalf of the House and from the Chair to thank the Honourable Member for the services that he has provided to the House and the very capable way he has handled those duties.

Perhaps Honourable Members may wish to con-



sider this question under Motions tomorrow. That is the question of re-appointment.

May I have your further pleasure?

**Mr. Fleming:** Mr. Speaker, I move that we call it five o'clock.

**Ms. Millard:** I second that motion.

**Mr. Speaker:** It has been moved by the Honourable Member from Hootalinqua, seconded by the Honourable Member from Ogilvie that we now call it five o'clock. Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

**Motion Carried**

**Mr. Speaker:** The House now stands adjourned until ten o'clock tomorrow morning.

**Adjourned**



**LEGISLATIVE RETURN NO. 16**  
**[1975 Third Session]**

May 15, 1975

**Mr. Speaker**  
**Members of Council**

On May 13, 1975, Mr. Lang asked the following questions:

"I understand Parks Canada is doing a survey of the southern portion of Yukon.

What is the purpose of this study?

Is there a possibility of another National Park?"

**THE ANSWERS ARE AS FOLLOWS:**

The Parks System Planning Division of Parks Canada (Ottawa) will be conducting an examination of the National Park Natural Regions 1, 3, 6 and 7 in northern B.C. and Yukon this summer (refer to attached map). This examination is part of a nation-wide survey by Parks Canada to establish an inventory of features or

areas having National Parks potential for systems planning purposes.

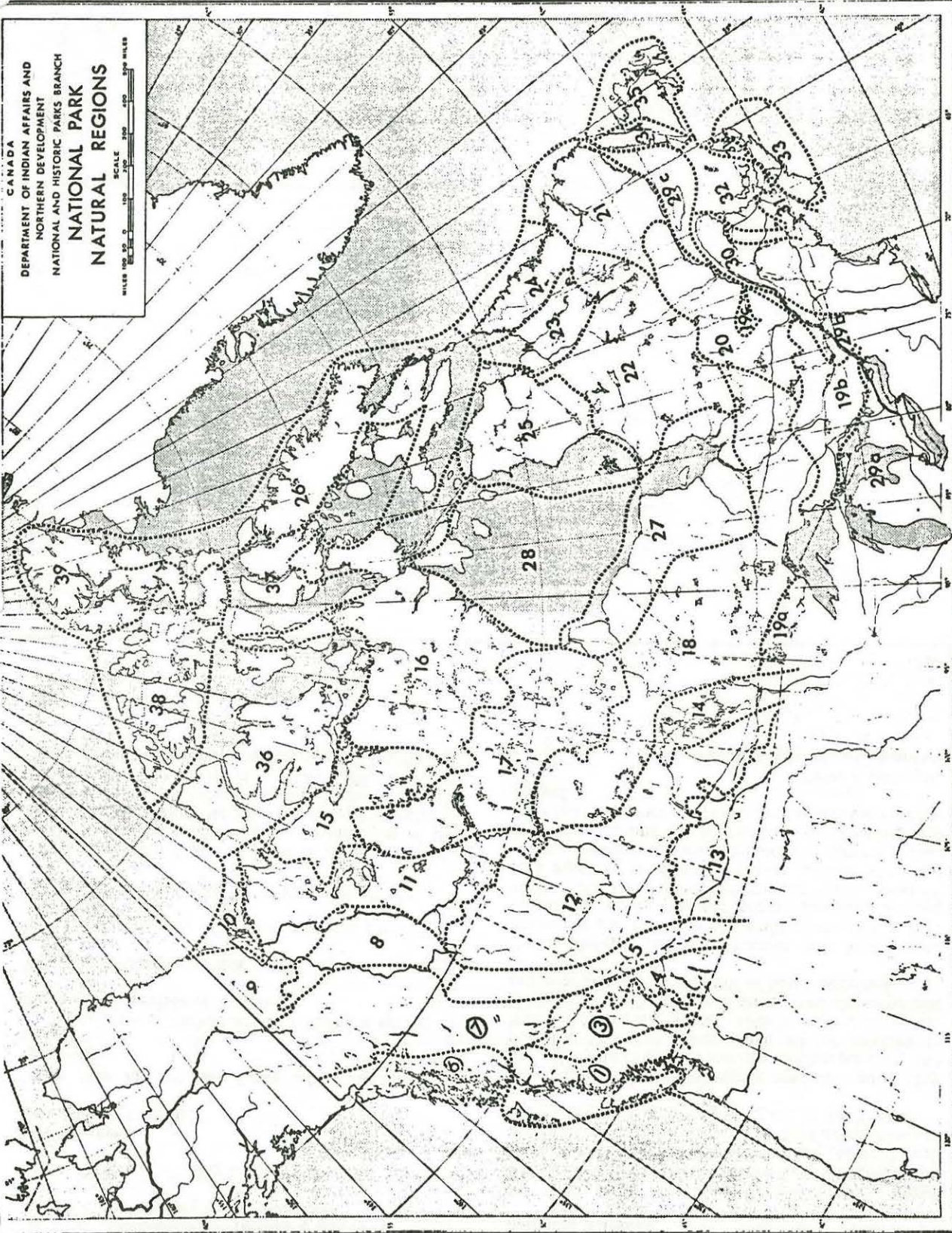
Mr. Ron Malis, Director, Prairie Region, Parks Canada has indicated that other than the Gold Rush Historic Park, which will commemorate the Gold Rush activities from Seattle to Dawson, there are no plans at this time for another Federal park in the Yukon.

Mr. Malis will be in Whitehorse near the end of May and will hold a press conference to outline planning and research that has taken place so far relative to National Parks and Historic Sites in the Yukon. At the same time he will indicate in some detail, the steps that are now planned as a result of these activities.

Parks Canada and the Tourism and Information Branch of the YTG are currently conducting a joint visitor exit survey to gather information about tourists visiting the Yukon. This information will be used by both agencies in planning parks, historic sites and tourism development and promotion programs. Parks Canada is funding the survey with the Tourism and Information Branch providing field supervision for the project.

**Peter J. Gillespie,**  
**Member, Executive Committee**





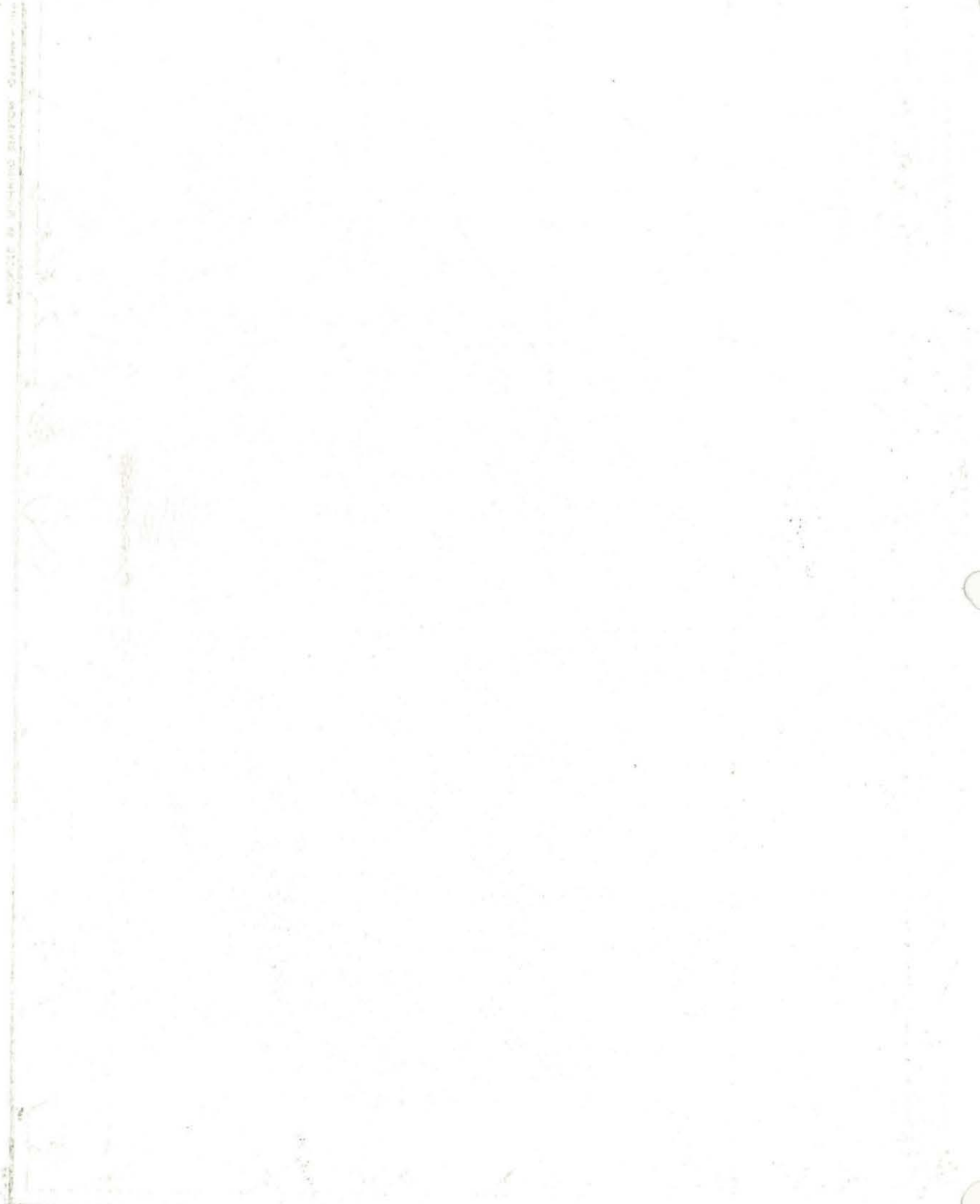
CANADA  
DEPARTMENT OF INDIAN AFFAIRS AND  
NORTHERN DEVELOPMENT  
NATIONAL AND HISTORIC PARKS BRANCH  
NATIONAL PARK  
NATURAL REGIONS

PRODUCED BY PLANNING DIVISION, OTTAWA - JULY 1971

MCR 23



ASSOCIATED BROS. MERCHANTS SERVICE COMPANY















47  
- 59  
72



50  
- 51

