

Property of  
M. L. A. Lounge



# The Yukon Legislative Assembly

---

Number 9

3rd Session

23rd Legislature

---

Debates & Proceedings

Wednesday, May 21, 1975

Speaker: The Honourable Donald Taylor



The Yukon Legislative Assembly

Minutes & Proceedings

Volume 1, 1979

## The Yukon Legislative Assembly

May 21, 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:** Prior to calling Daily Routine this morning, I would like to remind the House of the resignation of the Deputy Chairman of Committees of the Whole House, and I wonder if I could have your pleasure in this matter?

The Honourable Member from Whitehorse Porter Creek?

**Mr. Lang:** Mr. Speaker, moved by myself, seconded by the Honourable Member from Riverdale, that Stu McCall, the Honourable Member from Pelly River be appointed Deputy Chairman of Committee of the Whole.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Whitehorse Riverdale that Stu McCall, the Honourable Member from Pelly River, be appointed Deputy Chairman of Committees of the Whole. 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:** Are there any documents or correspondence for tabling this morning?

**Hon. Mr. McKinnon:** Mr. Speaker, I have for tabling today, Sessional Paper Number 5, Television to Yukon Communities. I also have for tabling today, Legislative Returns Number 18 and Number 17.

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

**Hon. Mrs. Whyard:** I have for tabling today, Legislative Return Number 19.

**Mr. Speaker:** Are there any further documents for tabling or correspondence this morning?

Are there any Reports of Committees?  
Introduction of Bills?

Are there any Notices of Motion or Resolution? The Honourable Member from Pelly River? Notice of Motion re Executive Committee.

**Mr. McCall:** Yes, Mr. Speaker, I would like to give Notice of Motion in respect of the Executive Committee.

**Mr. Speaker:** Are there any further Notices of Motion? The Honourable Member from Klondike.

### Notice of Motion Re Appointment To Advisory Committee On Finance

**Mr. Berger:** Yes, Mr. Speaker, I would like to give Notice of Motion in respect of the appointment to the Advisory Committee on Finance.

**Mr. Speaker:** Are there any further Notices of Motion? The Honourable Member from Ogilvie?

### Notice Of Motion Re Sessional Paper Number 5

**Ms. Millard:** Yes, Mr. Speaker, I would like to give Notice of Motion concerning Sessional Paper Number 5.

**Mr. Speaker:** In respect of these Motions, several Members have indicated to the Chair prior to our sitting today, that they wished to suspend Standing Order 41 in order to proceed with these Motions. Would the House agree?

**Some Members:** Agreed.

**Mr. Speaker:** Are there any disagreed?

We will then proceed with the three Motions which have just been stated. The Honourable Member from Pelly River?

**Mr. McCall:** Thank you, Mr. Speaker. I move, seconded by the Honourable Member from Klondike, that this House respectfully request that the Commissioner of the Yukon Territory appoint to the Executive Committee of the Government of the Yukon Territory, Dan Lang, Honourable Member for Whitehorse Porter Creek.

**Mr. Speaker:** Is there any debate?

It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member



from Klondike, that this House respectfully request that the Commissioner of the Yukon Territory appoint to the Executive Committee of the Government of the Yukon Territory, Dan Lang, the Honourable Member for Whitehorse Porter Creek. are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

*Motion Carried*

Mr. Speaker: The Honourable Member from Klondike?

Mr. Berger: Yes, Mr. Speaker. I move, seconded by the Honourable Member from Pelly River, that this House respectfully request the Commissioner that the Yukon Territory appoint to the Advisory Committee on Finances, Dan Lang, the Honourable Member from Whitehorse Porter Creek.

Mr. Speaker: Is there any debate?

It has been moved by the Honourable Member from Klondike, seconded by the Honourable Member from Pelly River, that this House respectfully request that the Commissioner of the Yukon Territory appoint to the Advisory Committee on Finance, Dan Lang, the Honourable Member for Porter Creek. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the Motion carried.

*Motion Carried*

Mr. Speaker: The Honourable Member from Ogilvie?

Ms. Millard: Mr. Speaker, I beg to move, seconded by the Honourable Member from Hootalinqua, that Sessional Paper Number 5 entitled "Television to Yukon Communities" be referred to Committee of the Whole for discussion.

Mr. Speaker: It has been moved by the Honourable Member from Ogilvie, seconded by the Honourable Member from Hootalinqua, that Sessional Paper Number 5 be discussed in Committee of the Whole. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

*Motion Carried*

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

Are there any Notices of Motion for the production of papers?

We will then proceed to Orders of the Day. Motion Number 10, the Honourable Member from Whitehorse Porter Creek?

Mr. Lang: Mr. Speaker, I have Motion Number 10, moved by myself and seconded by the Honourable Member from Whitehorse Riverdale, that the Honourable Judd Buchanan, Minister of Northern Affairs, be respectfully requested to consult with the Minister for Agriculture for the purpose of introducing amendments to the Livestock Feed Assistance Act, 1966 to '67, c.52, S.1, for the purpose of including the Yukon Territory in the appropriate definition so that the grain subsidies provided for in that Act may be granted in respect of the purchase of feed grain by livestock farmers in the Yukon Territory.

I have some notes here, Mr. Speaker, and if I may read them, I think it maybe it best that I do, so that I do not miss anything, with your permission, thank you.

The governing body dealing with grain subsidy is a corporation established under the Livestock Feed Assistance Act called the Canadian Livestock Feed Board. Basically, except for the Northwest Territories and Yukon which are not mentioned in the Act, Canada is divided into two portions. The designated area, which includes Manitoba, Saskatchewan, Alberta and the Peace River and the Creston-Wynndel areas of Western Canada.

The Board arranges for subsidies to be paid to grain which is shipped from the designated areas to either eastern Canada or British Columbia. This subsidy is approximately half of the cost of transportation and handling charges including elevator storage.

For an example, on average in eastern Canada, it amounts to \$7.30 per ton on all grain exported to eastern Canada, including eastern Quebec, the Maritimes and Newfoundland. Specific examples are that the subsidy rises to a high of \$17.48 per ton in Newfoundland and is lowest in Ontario at \$4.57. The subsidy in British Columbia at present, outside of the Peace River area, is \$8.81 per ton.

Here in the Yukon at the present time, I was speaking to some people here over the last couple of days that are involved in the freight charges of grain, and apparently on a back-haul it costs approximately \$50.00 per ton, so if the Yukon is taken under this Act they would save approximately \$25.00 per ton as far as their freight charges are concerned, or what the Livestock Board comes to agreement with.

It is understood in the scheme that the livestock feeders are able to recoup a proportion only of these charges. The balance of costs on average in this regard being paid by feeders in eastern Canada, varies from place to place and in 1974 varied from \$5.00 or \$6.00 a ton to \$8.00 a ton. And maybe when the Act was introduced in 1966, no one thought there were any people feeding livestock north of the 60th. This is not true



Motion # 11  
Water

today, as everyone is well aware, with the Peake Report and what not, and the people becoming interested in farming in the Yukon.

The nearest grain area from which feed can be economically brought to the North is from the Peace River area, included as a designated area for the purpose of fixing point of origin costs as a designated area. Effectively, if the Act was amended to provide for parity of treatment by livestock feeders, as by defining livestock feeder as a person who raises livestock in eastern Canada, British Columbia or the Yukon Territory, a feeder here would be able to purchase grain at the elevator price in Peace River plus transport and handling costs from Peace River.

Of this cost, he would, on the Canadian average, only be required to pay \$7.00 per ton, and any excess above that would be paid by the Canadian Livestock Feed Board.

After consulting appropriate officials, it's been my understanding that there is no particular objection, philosophically or economically, to including the changed definitions in the Act to provide for assistance of this nature and the cost, especially having regard to the subsidy of \$17.48 being paid to Newfoundland, we would well be within the compass of the operations of the Board, and I think it would be well for this House to pass this Motion so we can encourage farming in the Yukon, because it's a reality now and I think it's going to get much greater once we do come up with a firm agricultural policy.

Thank you, Mr. Speaker.

**Mr. Speaker:** Is there any further discussion? The Honourable Member from Hootalinqua?

**Mr. Fleming:** Yes, I would like to support the Honourable Member's motion as far as myself is concerned. I have had letters from many, many people in the Yukon in the last few months, especially since I have been in Council here, and they have all indicated to me that to bring a little feed into the country is one of their main costs if they are trying to farm up here.

I don't have any of those letters here today with me, I left them at home because I didn't realize that we were going to bring this up. There is no doubt, if they could get some assistance, it matters not what, any assistance at all is going to help them, so therefore I am prepared to go along with the Motion.

**Mr. Speaker:** Is there any further discussion? The Honourable Member from Whitehorse West?

**Hon. Mrs. Whyard:** Mr. Speaker, I think this is just one more example of omission of northern areas of Canada from Federal Statutes, which provide benefits for other parts of the country. I commend the Honourable Member for bringing for this omission at this time, and sincerely hope that it is going to be remedied. It might be worth while, Mr. Speaker to suggest that some research student could apply himself to such Federal Statutes with the hope that they would come up with further loop holes that we can fill.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Whitehorse Riverdale that the Honourable Judd Buchanan, Minister of

Northern Affairs be respectfully requested to consult with the Minister for Agriculture for the purpose of introducing amendments to the Livestock Feed Assistance Act, 1966-67, Chapter 52, Section 1, for the purpose of including the Yukon Territory in the appropriate definition so that the grain subsidies provided for in that Act may be granted in respect of the purchase of feed grain by livestock farmers in the Yukon Territory.

Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

**Motion Carried**

**Motion Number 11**

**Mr. Speaker:** Next call, Motion Number 11. The Honourable Member from Whitehorse Riverdale.

**Mr. Phelps:** Thank you, Mr. Speaker. I move, seconded by the Honourable Member from Mayo, that the Minister be requested to implement provisions for tenure of office with respect to membership of the Yukon Territory Water Board to provide for continuity of membership on the Board as follows:

1. That Mr. Cliff Geddes be appointed to hold office for a period of three years and be eligible for reappointment.
2. That Mr. H.E. Boyd be continued in office for a period of two years and be eligible for reappointment.
3. That Mr. A. Wright be continued in office for a period of one year and be eligible for reappointment.
4. That in the event of the resignation or termination of the office of any member that his successor be appointed in the first instance for the unexpired term of his predecessor but be eligible on the expiry thereof for a three year appointment.
5. That the person to be appointed on the recommendation of the Commissioner-in-Council consult and report to this House through the Executive Committee of the Territory.
6. That the Annual Report of the Yukon Territory Water Board be furnished to this House annually within a reasonable time after the report is made to the Minister.

Thank you.

**Mr. Speaker:** Is there any discussion?

It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Mayo, that the Minister be requested to implement provisions for tenure of office with respect to membership of the Yukon Territory Water Board to provide for continuity of membership on the Board as follows:

1. That Mr. Cliff Geddes be appointed to hold office for a period of three years and be eligible for reappointment.
2. That Mr. H.E. Boyd be continued in office for a period of two years and be eligible for reappointment
3. That Mr. A. Wright be continued in office for a



period of one year and be eligible for reappointment.

4. That in the event of the resignation or termination of the office of any member that his successor be appointed in the first instance for the unexpired term of his predecessor but be eligible on the expiry thereof for a three year appointment.

5. That the persons to be appointed on the recommendation of the Commissioner-in-Council consult and report to this House through the Executive Committee of the Territory.

6. That the Annual Report of the Yukon Territory Water Board be furnished to this House annually within a reasonable time after the report is made to the Minister.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: I shall declare that the motion is carried.

**Motion Carried**

This now brings us to the Question Period. Madam Clerk, could you ascertain if Mr. Commissioner could join with us 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 I will call the House to order, and we have arrived at the Question Period, and we have with us Mr. Commissioner to assist us in this endeavour this morning. Any questions? The Honourable Member from Klondike?

**Question Re Maintenance Of Federal Buildings**

Mr. Berger: Thank you, Mr. Speaker. I have a written question to Mr. Commissioner. When is the Federal Government going to take over the maintenance of R.C.M.P. and other Federal buildings? When this is the case, what will happen to the present maintenance personnel?

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

Mr. Commissioner: Mr. Speaker, I understand that council have nominated Councillor Lang to be a Member of the Advisory Committee on Finance and of the Executive Committee, and I would like to extend an invitation to yourself and all Members of Council to attend the swearing in of Mr. Lang to these positions in my office at 1:15 today, Mr. Speaker.

Mr. Speaker: Thank you, Mr. Commissioner.  
Are there any further questions? Well, we would like to thank Mr. Commissioner for his attendance this

morning, and we'll now proceed to Public Bills.

**PUBLIC BILLS**

Mr. Speaker: The Honourable Member from Whitehorse North Centre?

**Bill Number 12, Third Reading**

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West, that Bill Number 12 be now read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 12 be now read a third time. 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: Are you prepared to adopt the Title to the Bill?

Hon. Mr. McKinnon: Yes, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse West, that Bill Number 12 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 12 do now pass and that the title be as on the Order Paper. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

**Motion Carried**

Mr. Speaker: Bill number 12 has passed this house.

**Bill Number 17, Third Reading**

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West, that Bill Number 17 be now read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 17 be now read a third time. Are you prepared for the question?



Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

*Motion Carried*

Mr. Speaker: Are you prepared to adopt the Title to the Bill?

Hon. Mr. McKinnon: Yes, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse West that Bill Number 17 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 17 do now pass and that the title be as on the Order Paper. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

*Motion Carried*

Mr. Speaker: Bill number 17 has passed this House.

*Bill Number 18, Third Reading*

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West, that Bill Number 18 be now read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 18 be now read a third time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

*Motion Carried*

Mr. Speaker: Are you prepared to adopt the title to the Bill?

Hon. Mr. McKinnon: Yes, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse West that Bill Number 18 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 18 do now pass and that the title be as on the Order Paper. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Question.

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

*Motion Carried*

*Bill Number 14, Third Reading*

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West, that Bill Number 14 be now read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 14 be now read a third time. 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. Are you prepared to adopt the Title to the Bill?

*Motion Carried*

Hon. Mr. McKinnon: Yes, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse West, that Bill Number 14 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 14 do now pass and the title be as on the Order Paper. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare that the Motion is carried and that Bill Number 14 has passed this house.

*Motion Carried*

*Bill Number 15, Third Reading*

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West, that Bill Number 15 be now read a third time.



**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 15 be now read a third time. 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:** Are you prepared to adopt the title to the Bill?

**Hon. Mr. McKinnon:** Yes, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse West, that Bill Number 15 do now pass and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West that Bill Number 15 do now pass and that the title be as on the Order Paper. Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

**Mr. Speaker:** I shall declare that the motion is carried and that Bill Number 15 has passed this House.

**Motion Carried**

**Mr. Speaker:** May I have your further pleasure?

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

**Mr. McCall:** I second the motion.

**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 into 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. Speaker Leaves Chair**

#### COMMITTEE OF THE WHOLE

**Mr. Chairman:** I now call the Committee to order. We will probably need Mr. Fleming as a witness for Sessional Paper -- pardon me, Mr. Miller, for Sessional Paper Number 5. Madam Clerk, could you arrange that?

I will now declare a 10 minute recess.

#### Recess

**Mr. Chairman:** I will now call Committee to order, and is it the wish of committee that we start off with Sessional Paper Number 5 and Mr. Miller?

**Some Members:** Agreed.

**Mr. Chairman:** Mr. Miller, we are about to discuss Sessional Paper Number 5, and I understand that the person who wishes to ask the first question is Miss Millard.

**Ms. Millard:** Thank you, Mr. Chairman.

As I understand Sessional Paper Number 5, it says that the Territorial Government has been doing a lot of research on television and they came up with a system which sounded pretty good. It was investigated and was found to cost too much, and presumably it's supposed to be costing \$19,000.00 per annum to have Telesat install it and maintain it, I presume.

I wonder if Mr. Miller could give us more details on what's happened?

**Mr. Miller:** Yes, Mr. Chairman, I'll be glad to go back into a little bit of the history just so all Members can refresh their minds.

Back in the Spring Session in 1974, there was a proposal for a terrestrial mountain top repeater system put to one of the Councillors. From that proposal, there was a Motion of the Council of the day, asking the Administration to undertake to do what they could to install this television system.

We had the original proposal evaluated. We determined that it would work, there's no question about it working. It's a question of how well it works, because it's subject to the elements more so than the other method that we subsequently found, and the maintenance cost could be considerable, to run the terrestrial type system.

We then entered into a contract with Lopianowski & Associates to design, assemble, test an earth receiving station, a low cost earth receiver. This was done, the tests were completed in December, in Ottawa, or just outside of Ottawa.

Now, this package is not unique in itself. It's basically using hardware that was available at that time, either on the shelf that people could buy. There was some lab equipment involved in it, stuff that was still in various companies' labs, primarily in Northern Electric labs.



We put the thing together, tested it under the watchful eye of C.B.C. and Telesat who were party to the test. All of the tests indicated a quality of service superior to that which we had anticipated.

It appeared to us then that there was no point, our original concept was to bring the thing to the Yukon to test it here, there was no point in doing that, it would have just cost us extra money to prove nothing. We knew the thing worked. The engineers tell me they can adjust the antenna for angle and this type of thing, so that we would get the same quality here as they got in Ottawa.

Subsequent to that we started talking to Telesat and C.B.C. about putting this service into the Yukon. The initial problems, of course, were in getting licences from C.R.T.C. and D.O.C., for both the initial earth receiving station and the subsequent rebroadcast station, that would tie into it. C.B.C. finally relented and said they would allow us to use their programming, without any hang-ups at all. In fact, they would support us in a hearing before C.R.T.C. that we could use their programming and that they really didn't want to be party to this at all, except in the sense of agreement to allow us to use the programming that they put on the air.

Telesat have, under the Telesat Canada Act, apparently the exclusive right in Canada, for satellite communications systems, which includes, by definition, the earth receiving station.

We have been dealing with Telesat since December 6th and we have had a number of meetings. We have got all the agreements in principle worked out to an addendum to the original Telesat-C.B.C. agreement. We have got the principles worked out regarding an agreement regarding Telesat and ourselves.

The Telesat people indicated that they would give us a price of April 11th, after they had gone to the suppliers for various quotations. They did that, not on April 11th, but shortly thereafter. The original price they quoted was \$22,500.00 per station per annum. Now we are taling roughly eight stations in the Yukon.

Since that time we have managed to convince Telesat that that is too high. They have come up with a fixed cost now of \$19,000.00 per station per annum. On my trip last week to Ottawa I had, what I considered to be my final shot at Telesat I couldn't get them to budge from that position. They feel that they can support to themselves and to their Board of Directors nineteen thousand per station per annum.

So that is where we are at. I don't think that we can afford that. I don't think the communities can afford it, and that is why this paper is here.

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

**Ms. Milalrd:** Mr. Chairman, I would like to ask Mr. Miller if any consideration has been made of the old northern package system where smaller communities had their own system. It was canned television, but it was still T.V.

**Mr. Miller:** - Well the old canned system, I think what you are referring to is probably the old C.B.C. system of 4 hours per day. C.B.C., of course, will not provide that type of service any longer. We have not investigated all the things that would have to take place to even get the tapes. I don't know that C.B.C. is

providing that type of service anywhere in Canada today.

The biggest problem you have got with canned T.V. is getting programs, getting taped programs.

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

**Hon. Mr. Taylor:** Yes, Mr. Chairman. I would first like to say that I am extremely annoyed and disturbed by the results that the Administration have presented to us today. I would also, at the outset, like to say, and pay compliment to the Executive Committee Member who is with us as witness today, Mr. Miller. I know that he has worked very, very hard, put in many hours, much time, much concern and lost a lot of sleep over this one. I know he has worked very, very strenuously on our behalf.

I think that we have reached a point though, where as suggested in the Sessional Paper, where the luxury of the program and the basis of the cost could not be afforded by the Yukon. Certainly this program, we can not afford. There is no question about that.

I don't think that we stop it there. The Sessional Paper, which we are now discussing, suggests that we relieve the Administration of any further responsibility in relation to this question of television. That I don't agree with. I think that we should, as a Legislature, attempt to add more weight more support, to possibly an alternate program.

As you are aware, last year, the old Council endeavoured and passed two Motions, of which I have copies here, asking the Administration through the Minister of Northern Affairs, to investigate programs to see what they could find in order to give us television. At that time we were looking more specifically, as Mr. Miller has pointed out, at a mountain top relay system using translators on mountain tops and conveying the signals to some Yukon communities where it was practical and feasible to do so, and economically feasible to do so on this basis, and this is what we call timber-line television. This concept was first put into use at Ross River in the Yukon, and C.B.C. will come and they'll tell you, "Well that signal isn't worth a hoot, it shouldn't even work," but I can guarantee you, and I'm sure all Members that have visited the community and seen the picture, you will find that it may not be good enough for C.B.C., but it's certainly a swell, clear colour picture that I can't see beat anywhere else in the Yukon Territory anywhere, and I live right underneath the tower in Watson Lake, and the signal is just as good there at Ross River as it is there.

Now, it seems to me, we've got a very limited amount of funds to work with in terms of implementing this program. It seems to me that Telesat Canada have come up with a figure of approximately between 45 and \$50,000.00 as a capital, actual capital cost for this equipment involved in their program. Now they are coming back to us with, as I understand, an exclusive right or franchise on earth receiving stations or their use in Canada or in the north or wherever this is, and they're saying to us, "We'll recover from you good people in the Yukon Territory, in order that you can have television, we will recover our capital cost in three years and the rest is gravy and you folks, you want the facility, you just keep paying us". Well that, I certainly don't agree with, and I condemn personally,



Telesat Canada for this approach, and for their inflexibility in negotiations, because there is no earthly reason why they should recover their capital costs of say \$48,000.00 in less than three years.

I think very, very strongly, that some representation should be made to the C.R.T.C., possibly the Honourable Gerard Pelletier, the Minister of Communications in this regard, and I think that franchise in Canada should be broken.

It also occurs to me that somewhere there must be an alternate system. I have personally heard of one, which could provide on an earth receiving station basis, these facilities to Yukon communities at a more reasonable lease fee basis, and I really feel strongly about this, and if that is not possible, then I feel that we have no alternative but to immediately embark, where possible, and where feasible and economically feasible, on a program of mountain top relay television transmission.

Just to start off the debate, Mr. Chairman, those are my remarks, and perhaps, I know that when I embarked on the Timberline Television Program, I was working in very close conjunction with the technicians of Total North Communications, and I see in the public gallery a representative of that Total North people, who I'm sure could enlighten us on the further practicalities—it's been a year now, of course, since I have been that deeply involved in it, but I would perhaps ask at some point in this debate that we ask Mr. Dunn to come in and answer questions in relation to that program, or any other alternate program he may be able to offer.

But let us not drop this subject at this time. Let's do war with these people and straighten this mess out, including Telesat.

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

**Mr. Berger:** Thank you, Mr. Chairman. I have a very short question, but I consider it a very important question. Could we possibly have a breakdown of who Telesat is? How much government involvement is in there, and how much private involvement is in there?

**Mr. Miller:** Mr. Chairman, as I understand the thing, Telesat Canada was created by the Parliament of Canada, to offer or to provide satellite communication systems, primarily for the north. It is presently owned on a share basis, and these are approximate figures, 50 per cent of the shares are held by Canada, with the other 50 per cent held by Members of the Trans-Canada Telephone System. They have not gone public in the sense of listing on the exchange.

**Mr. Chairman:** Any further questions? Is it the wish—Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman, I would like to ask, is the capital cost of the situation still the same as it was when you started to look into it?

**Mr. Miller:** Mr. Chairman, as I understand it, Telesat Canada have a firm, fixed bid offered to them of \$37,000.00 per station, which does capital cost of a station, f.o.b. site in the Yukon. Now, that does not

include Federal Sales Tax which would have to be added to that, it does not include spare parts which they would have to carry, a certain number of spares, or test gear. That's just the basic station.

**Mr. Chairman:** Mr. Miller, do you have a breakdown of this \$19,000.00 per station per annum? How much of that goes to capital, how much of that is maintenance?

**Mr. Miller:** Mr. Chairman, communication companies don't give breakdowns of annual lease costs. As a general rule of thumb, the normal communication company uses, at least for budgetary purposes, one third of the capital cost as being an annual charge. Now, that's a general rule of thumb.

The annual charge is calculated on the basis of one-third of their capital investment.

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

**Mr. McCall:** Thank you, Mr. Chairman. I would like to ask Mr. Miller one question here. Northwest Territories, are they having the same difficulties with Telesat as we are?

**Mr. Miller:** Mr. Chairman, to my knowledge, this is the first time that any government has approached Telesat Canada for this type of service. Telesat's prime customer at the moment is C.B.C., their secondary customer is Bell Canada, and the Trans-Canada Telephone System.

Very few governments or individuals deal with Telesat, they are just entering into that market now.

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

**Hon. Mr. McKinnon:** Mr. Chairman, it's interesting to note in the Revised Statutes of Canada, 1970, that Chapter T-4 which is the act cited as the Telesat Canada Act, comes just before T-5, which is the Canada Temperance Act. I wish that they were in reverse, Mr. Chairman, because possibly the Members of Telesat would have had a guilty conscience if they had of have had their decision to make coming after the terms and recommendations of the Canada Temperance Act.

I'm a little, you know, disturbed, particularly as a person who has made his living in the communications industry as a private broadcaster, and when one thinks of the rules and the regulations that a private broadcaster comes under, the access of the public in every area of broadcasting if they disagree or take exception, to any charge or anything that is stated in anything that a private broadcaster does, they have access to, in prices through every consumer group, access through the C.R.T.C., access through the C.R.T.C. on any statement that is made on any television channel or any radio airwave that private broadcasting has, and here we have, by legislation, the Parliament of Canada has created what I would think is a legalized age of the new robber baron to prey upon the people of Canada.

Imagine a person in private communication having the gall to ask that his capital cost be amortized over two and a half years and everything else be gravy perpetuity. Can you imagine the hue and the cry of the consumers and the public of Canada if that was to come about?



Can you imagine the involvement, the interventions filed with C.R.T.C., and the total community plus every government agency coming down on the head of anybody in private industry who has so intemperate to ask for this kind of deal. Yet, Telesat Canada can do it, protected by Statute of Canada without any interference, without any intervention, by anybody. And we originally put in \$96,000.00 in the estimates. We thought eight probably with ground receiving stations at \$12,000.00 a year maximum, which would give the capital cost of the ground receiving stations back, in four years, to the person who owned it, and everything else being gravy. We even thought that that would be so generous that we would have money left over in the estimates. And what do we find, that they are not even willing to come down to that level where they would recoup the cost of their capital investments in a four year basis, and then have the gravy train for the rest of the time. What do the people of the Yukon do? These great Wise Men from the East come down, none of them -- I hear there's one of them in the public gallery. Really, we should take the old Yukon law in our hands, and should capture him and have him going around from month to month to Old Crow, to Burwash Landing, to Teslin, to Haines Junction, just keep him, on the move for the next year, you know. That guy, when he got back to Foggy Bottom there in Ottawa, he would know what northern alienation is, not western alienation, northern alienation, where the people from Eastern Canada come up and constantly rip us off in every way, shape and form, our resources, then try by Statute to disallow us to have the ability of the Northern residents who make their homes here, of having a little bit of the same amenities that the rest of the people of Canada take for granted.

I think there is only one way for this Assembly to go, and that's a unanimous Motion to go to the Minister of Communications, who was approached when he was here on his two day swing through the north. He would be an instant expert on everything in Northern Canada, like the rest of them who come. At least ask him if there is any chance that the poor yokels in the Yukon getting ripped off once again by the Wise Men in the East, if he could possibly intervene and bring this down to some rationale and some common sense. Mr. Chairman, what a farce to put this kind of cost and charge upon the people of the Government of the Yukon Territory, and to do it legally and do it by Statute, where nobody can have any input into what they are attempting to do. How ridiculous!

**Mr. Chairman:** Thank you. Any further questions of Mr. Miller?  
Mr. Taylor?

**Hon. Mr. Taylor:** Yes, Mr. Chairman, I'm still concerned, and I must say I wholeheartedly agree with the comments that have just been made by the Honourable Member from Whitehorse North Centre. And I again concur that we should compose a very, very strongly worded Motion which would have the effect of communicating these philosophies to, directly and immediately, to the Minister of Communications.

My next concern, of course, is alternate systems, alternate programs, probably that we should be looking at. I would like to know if Committee would agree, if we could for a moment, if I could ask some questions of Mr. Dunn.

**Mr. Chairman:** Is that agreed?

**Some Members:** Agreed.

**Mr. Chairman:** Madam Clerk, would you invite Mr. Dunn into Chambers?

**Hon. Mr. Taylor:** Thanks, Mr. Chairman. I thank the Chair and thank Mr. Dunn for joining with us.

I would just first off like to ask, Mr. Chairman, in relation to Timberline Television, the original concept, there was a great amount of study done by Mr. Dunn's company, Mr. Chairman, last spring, in conjunction with some Members of the House. I'm wondering, have there been any changes to that program in terms of costs or in terms of the basic engineering? Is that program still feasible?

**Mr. Dunn:** I don't -- I can't answer that a hundred percent, since there has been discussion of C.B.C. moving its present location, transmitter location from Grey Mountain over to Echo Hill, and this is to give better coverage in the Porter Creek area and out towards the Hot Springs, where the transmit facility is shaded due to its location.

Now, if they moved that facility, there would have to be a re-engineering process gone through. I think you would have to check first with C.B.C. what the permanent location of their transmitter is going to be in Whitehorse. To answer the second part of your question, costs would probably have to be re-evaluated, but I don't think there would be any substantial increases in the cost, Mr. Chairman.

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

**Hon. Mr. Taylor:** The other question is, it was pointed out this morning that Telesat Canada have exclusive rights to earth receiving stations. Is anyone else in Canada in the business of earth receiving stations, were they to, for instance, if they -- if the Minister of Communications were, in his wisdom, to break any franchise that existed in terms of earth receiving stations, as far as Telesat are concerned, are there suppliers of this type of system or potential suppliers of this type of system available that we could participate in?

**Mr. Dunn:** Yes, Mr. Chairman. Assuming that the communities were licenced to go ahead on their own, in other words, without going through the Telesat arrangement. We were the bidder that offered to supply these stations at approximately \$37,000.00 to the Territorial Government directly. I believe there is a letter on file to that, and we could lease them to the communities, approximately \$10,000.00 a year, and they would own them after five years.

Now, however, that's if you did not have to work through the Telesat arrangement, but I think you asked me two questions there. I don't think anybody has yet applied to own a station of their own at this point in time. So if you did send an application in to the Minister, it would be a first in Canada, and how he would deal with that, of course, I have no way of knowing.

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



**Hon. Mr. Taylor:** This just raises one question in terms of, you say, Mr. Chairman, Mr. Dunn suggested that no stations had been applied for licencing, I presume. This franchise, I am just wondering what the relationship is between this franchise that Telesat Canada would have and the ability of someone else to licence?

**Mr. Dunn:** Well, Mr. Chairman, I would think that an application would be in the name of a community, which is the way it is done under C.R.T.C., now. In other words you would have to fulfill D.O.C. and C.R.T.C. requirements. I believe the Minister is the authority that governs, that is his responsibility, Telesat, so he would be the person that would have to make up his mind as to whether or not he would allow communities to own stations independently of Telesat. This is a receive function only, so it might be a possibility.

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

**Hon. Mr. Taylor:** Well that just gives rise to another question. The facility that you are speaking of, or that Mr. Dunn is speaking of Mr. Chairman, is this only a receive facility or does this re-transmit 5 watts of 1 watt or something like that.

**Mr. Dunn:** As far as the satellite itself is concerned, no, it just receives. It doesn't transmit back into a satellite. It just receives and then it re-transmits the signal around the local community.

**Hon. Mr. Taylor:** Right, that is what I was getting at.

**Mr. Chairman:** Mr. Dunn, you have mentioned \$10,000.00 a year as a lease and purchase after approximately 5 years, what would the maintenance costs be?

**Mr. Dunn:** A lot lower than the repeater system since -- they would probably be about \$500.00 per station per year, maximum.

**Mr. Chairman:** Anything arising?

**Mr. Miller:** Mr. Chairman, just for a point of clarification, if I might. When we are talking earth receivers here at ten thousand per annum, that is what we are talking about. In addition to that we would have to find the money to put in the transmit facilities, and that is another capital costs of somewhere between four and seven thousand dollars in the average community.

So they are two distinct things. I just wanted to make that clear so that everybody understands.

**Mr. Dunn:** The Telesat offer does not include the transmitter, is this correct, Mr. Miller?

**Mr. Miller:** That is correct.

**Mr. Chairman:** The Telesat offer does not include the --

**Mr. Miller:** Does not include the transmitter it only includes the receiver.

**Mr. Chairman:** For nineteen thousand a year they can't afford the -- to give us the transmitter as well, eh?

**Mr. Miller:** They have no mandate to provide transmitters.

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

**Hon. Mr. Taylor:** Well I am again confused Mr. Chairman. The package that Mr. Dunn was referring to, does this include the transmit facilities?

**Mr. Dunn:** No it is the same offer that we made to Telesat. They just provide the receiving facility in that community and it can be distributed either by rebroadcasting through a transmitter or it can be put on a cable. Their function is just strictly to provide a signal at the community level.

**Mr. Chairman:** So, Mr. Dunn, we are looking at possibly an additional two thousand a year for five years for the transmission facilities?

**Mr. Dunn:** I would estimate off the top of my head, in talking of terms of lease, for five years, Mr. Chairman, that you would probably, with a fully operating station transmitting, maybe twelve thousand dollars per annum would be a reasonable figure to look at, yes.

**Mr. Chairman:** Would that include the maintenance costs?

**Mr. Dunn:** Very likely, I would think it would include an annual maintenance cost as well.

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

**Mr. Fleming:** Mr. Dunn, I think that you have been working some in the Yukon on one station that has already been put in at Ross River?

**Mr. Dunn:** Yes.

**Mr. Fleming:** I wonder if you could remember just approximately what that cost at that time? Which I know was a few years back so it will be definitely more now, but would you remember any of those figures now?

**Mr. Dunn:** Yes, I do remember the figures. You must remember there was a lot of input from the local community there. They build their own building. In terms of hardware, setting it up and providing the licencing, I think the figure was between seven and eight thousand dollars.

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

**Mr. McCall:** Yes, I would like to ask Mr. Dunn one question. What is the life span of one of those receivers like we have in Ross River?

**Mr. Dunn:** Well, I would think at least five to seven years in terms of -- would be a good figure to look at.

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



**Hon. Mrs. Whyard:** Mr. Chairman, would it be feasible to having small communities to adopt that particular system, the one you use at Ross?

**Mr. Dunn:** No there is snags in using the repeater system, this is why the satellite system is much more advisable. You have to repeat and as you repeat the program it degenerates and you can only maybe do three hops. To maintain a quality that you would have at Ross you wouldn't maybe -- by the time you got to Destruction Bay with a signal, which would be a three hop arrangement, you would have lost quality.

**Mr. Chairman:** Mr. Dunn how many hops would be required to service Carcross?

**Mr. Dunn:** If the C.B.C. leave their station where it is, then one hop would service Carcross adequately.

**Mr. Chairman:** Anything arising? Mr. Fleming?

**Mr. Fleming:** Would you have an idea of just about what it would be for that one hop just to Carcross?

**Mr. Dunn:** Maybe five to six thousand dollars, assuming that there was some input by the Carcross residents in supplying power, the building and so on and so forth.

**Mr. Chairman:** Mr. Miller, have you received any communication from the residents of Carcross with respect to television?

**Mr. Miller:** Yes, Mr. Chairman. There was a letter in from the secretary or the president of the community club which we responded that we were still looking at this system as being the advantageous system, but in view of this, I will have to now respond in another manner.

**Mr. Chairman:** What manner do you anticipate responding in, Mr. Miller?

**Mr. Miller:** Well, Number 1, we have got to find out where C.B.C.'s going to locate that transmitter, because if they move it, any investment we put into the thing is shot. It's got to be recycled, the whole thing, so we have got to find that out, before we can do anything with any other type of system.

**Mr. Chairman:** I'm confused, Mr. Miller. You say you responded saying that the other system would be more advantageous to the residents of Carcross, and yet the other system would cost \$19,000.00 per annum.

**Mr. Miller:** Well, that was before we found out what it was going to cost.

**Mr. Chairman:** That's the only reason, is it?

**Mr. Miller:** Oh yes. There's no question, you know, the repeater system works with limitations. If you get a heavy snowfall you get problems. You get a maintenance problem. If your translator isn't located where you get power, you are going to have problems, or you get easy access, you can have problems.

The ideal situation is the earth receiving station, there's no question about it. The big question that's got

to be solved there is money.

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

**Hon. Mr. Taylor:** Mr. Chairman, I have a couple of questions, one I would like to ask Mr. Miller. It's a budgetary question. We have allocated for, in the community development fund, I believe it's \$96,000.00, something in that amount this year. If that amount is not expended, does it suddenly just drop into general revenues or can it be ongoing and join an equal amount the following year?

**Mr. Miller:** Well, Mr. Chairman, the same thing would happen to that as happens with all lapsing balances. It ends up in the consolidated revenue fund. That doesn't mean that we can't come back and revote it for another year.

**Hon. Mr. Taylor:** Well, Mr. Chairman, it seems to me that our pathway is becoming fairly clear. First of all, I'd say again and repeat that we must make a presentation by resolution to the Minister of Communications, and I think that having had a moment or two to consider the discussions that have gone on here this morning, that we should offer some instruction to the administration to look into the various possibilities, for instance, the program that Mr. Dunn has suggested, to take a look at that and see how economically feasible that would be in relation to how many communities could be served this year. And working within the budget we have of \$96,000.00, and that seems the only course that I could see to follow at this time.

**Mr. Miller:** Mr. Chairman, I think I must caution all members on the question of the exclusive right of Telesat to own earth receiving stations in Canada. That's a very sound principle that's accepted in the total communication field, and unless somebody's prepared to spend a lot of money to test that principle in the courts, I'm just cautioning you that I think you are running up a blind alley.

**Hon. Mr. McKinnon:** Well, Mr. Chariman, its a very sound principle unless when somebody is holding a loaded gun to your head but I would like to suggest, Mr. Chairman, that perhaps if we went and tried to have the Minister of Communication intervene on our behalf and that process didn't work, that if we purchase the ground receiving equipment and put it in Old Crow to receive the ground receiving satellite, I would like to see Telesat Canada go to Old Crow and move it out, Mr. Chairman.

**Some Members:** Hear, hear.

**Mr. Chairman:** Are there any further questions of these witnesses?

**Mr. Lang?**

**Mr. Lang:** Mr. Chairman, we have been talking about the C.B.C. moving their station. Is this planned for this coming summer, or?

**Mr. Dunn:** Mr. Chairman, I think it was two years ago we had a C.B.C engineer up here to look at the Ross River situation, and at the same time I took him out



and showed him the problem of why television wasn't received out in the corners, certain corners of Porter Creek and the Hot Springs, and this was two years ago. I was told at that time that they were going to relocate the transmitter over on the opposite side of the valley so it would look into--now, that's been going on for two years.

When they may do it, I don't know, it may be two years from now or it may be next week, I have no idea.

**Mr. Chairman:** Or possibly never.  
**Mrs. Whyard?**

**Hon. Mrs. Whyard:** Mr. Chairman, I was going to give the representative from Telesat an opportunity to reply on his own behalf. I know that he is here in the Territory on other official business, but it would be interesting to have a few words with him if it's possible.

**Mr. Chairman:** Is that the wish of the Members?

**Some Members:** Agreed.

**Mr. Chairman:** Madam Clerk, would you invite the official from Telesat?

**Mr. Dunn:** Am I relieved, Mr. Chairman?

**Mr. Chairman:** Yes. I think we can excuse these witnesses. Thank you for attending.  
Yes, Mr. John Underhill, am I correct?

**Mr. Underhill:** That's correct.

**Mr. Chairman:** I guess you've heard the discussion thus far on Telesat and T.V. in the Yukon, Mr. Underhill. I would like to thank you for attending.  
Are there any questions of Mr. Underhill?

**Mr. Underhill:** Maybe I could start off with a couple of comments. We are not really the bad guys that some might believe we are. I guess when we look at these earth stations, we can simulate them to a telephone. You can go out probably and buy a telephone, you can dig around for it, I guess, you can go to Vancouver and find a pawn shop and buy one maybe for 40 bucks, I don't know, 30, \$40.00 I guess it's worth, and you can take it on home, and it can sit there and maybe you've got your money's worth, but it's no good unless you connect it up with something.

So really, when you're talking about buying a satellite earth station, you are talking about doing just that, really. You are talking about buying an earth station and paying for that earth station, and that's the extent of it.

But to make it work, it's got to be connected to something, so if that telephone you bought, if you want to get your money out of it, you would have to connect it up to the telephone system. So, -- and therein lies all the cost. The cost is not just with that one earth station, that one piece of hardware, but it's the whole complex behind it.

For instance, we just launched our third Satellite, Anik 3; it was launched on the 7th, and we're just nursing it into position right now, and it should be in position by Thursday, this coming Thursday in

geostationary orbit over the Equator. That costs us about roughly 20 million dollars which we could have lost, because as you may have heard, the International Satellite that was launched just before us, it went in the ocean, and that was a big bang, it was an expensive bang, it was 20 million dollars. When we look at this earth station business, we've got to look at it in the overall context. Maybe the piece of hardware is worth, I think I heard a figure of \$37,000.00, less spare parts, less the engineering that we would normally do. For instance, we have an engineering staff that go in there as the thing is being built, and examine each stage of its construction, and when it comes off we test it again, and then when it comes onto site, we send people up and test it again.

And then we maintain it, or we have an agent -- we contract with an agent to maintain it.

So, okay, you can go out and buy an earth station, and you may be able to challenge the regulatory authorities on this point, because maybe it does need challenging. Maybe there should be various ways of doing things, and certainly that is your prerogative and maybe you should exercise it, but don't look at the cost in isolation, because it's just not realistic. The earth station sitting there by itself won't work. It needs the rest of the costly complex behind it to make it work, and you know, in a telephone system it's illegal to buy your own telephone system and hook it up to the cable, that runs near your house.

But in this instance, we can't prevent you from picking a signal off the air, because it's in the air and available to anybody that aims an antenna up there and picks it off, so we are at a disadvantage in that regard. But I'm not saying that you shouldn't own your own earth station, I'm just saying that existing policies are that all earth stations should be owned by Telesat, because the whole thing should be within their control. Maybe you should debate that issue; maybe there's reason for considering other alternatives, but that's our position at this moment.

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

**Hon. Mr. Taylor:** Well, Mr. Chairman, I appreciate the remarks of Mr. Underhill, but I would like to have clarification on one point first. When C.B.C. lease the Telesat facilities for transmission of signal, who does that signal belong to? What are they paying for it? Does that belong to C.B.C. or does that belong exclusively to Telesat Canada, that's my first question?

**Mr. Underhill:** We're contracted to transport the C.B.C. signal from one point to another point, so the signal really does belong to us and we are providing a service for C.B.C., so the signal is ours until such time as it is delivered to C.B.C.

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

**Hon. Mrs. Whyard:** Mr. Chairman, Mr. Underhill used a couple of key words there, "isolated" and "unrealistic", and that's what we are, I guess in the Yukon.

The point that concerns me as an old WASP type, is that the people of Canada own 50 percent of Telesat. I cannot understand why 20 million Canadians, who own half of Telesat, can't dump a little bit of that for 20,000



northerners who need the services of Telesat. I cannot understand, for example, why a resident of Alaska could quite legally pick the signal out of the sky, whereas it's illegal to do this in the Yukon.

**Mr. Underhill:** I don't know if it's quite legal for them to do so.

**Hon. Mrs. Whyard:** There are no international regulations, I understand.

**Mr. Underhill:** Well, there's nothing on the books that allows them to receive that kind of information across international borders.

**Hon. Mrs. Whyard:** But, Mr. Chairman, there's nothing on the books that says they can't.

**Mr. Underhill:** There is, though. Yes. There's two types of signals that we're concerned with here, one is off-air and the other is directed by a microwave. Like it's illegal for you to go to a microwave system such as C.N. run and stick something up in the middle of two towers so you can get all the signals. That would be illegal.

But if a radio station is transmitting from some point in Alaska and it's splashing over into Canada, certainly you can pick that up because that's the retailing end of it, that's the consumer consumption end of it, and it's free for anybody that wants to use it. But the microwave signal is just like a telephone line, it's private, and it's classified as that, and unless it's -- unless it goes through C.O.T.C. or some international body, it can't be used internationally.

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

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

**Hon. Mrs. Whyard:** If I could just pursue this a little further, I'm not a technician and there's a great deal about this I don't understand. What I do understand is that Telesat apparently has projects and project money for experiments in medical fields, for example, which is great, which is fine, and the whole of Canada will probably benefit from this eventually. But as I understand it at this particular stage, this kind of project is available to the north.

Now, if you want to go into the world of fantasy a little farther with me, I would state strongly that it's just as important to the medical health and mental health factor of many northern residents to have the everyday services of Telesat for television, rather than going into possible medical, scientific future use of such services.

If there is money available in one area for the north from Telesat, why couldn't these same funds be applied to our present day needs in the north from Telesat?

**Mr. Chairman:** Thank you, Mrs. Whyard. I must caution the Honourable Members, I don't want the Members to enter into a debate with the witness. We are sort of getting into that situation. If you have a response, feel free to give it, but --

**Mr. Underhill:** I think that is an excellent point, one that we hadn't, I don't believe considered, and I think

that's an excellent point, and you know, maybe we should try and do something with it.

But there's a few other things too that we should look at and that is, I don't know if you have approached the C.B.C. about -- you know, they have a cut-off point, and they say, as I understand it, that a community with less than 500 don't get television, and above that they do. I don't know if you've discussed that point in special considerations around that point, and if they are reluctant to provide television service for smaller communities, I wonder if you've talked to them about investing whatever money you previously planned to invest with C.B.C. to encourage them to do it, or defray their costs.

In other words, if you are going to put out \$10,000.00 a year for your own equipment, have you talked to C.B.C. about instead forming some arrangement where that money would be spent with them to provide the whole ball of wax?

I don't know. I think there's a few things that need to be kicked around yet, but I think your point that you earlier made is excellent.

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

**Mr. Underhill:** I will carry that back.

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

**Hon. Mr. Taylor:** Mr. Chairman, the interesting part of this is that the witness, Mr. Underhill, has said, "No, we're not the bad guys at Telesat, certainly not". Well I say they still are the bad guys at Telesat, because you are making suggestions now that we should throw our money, perhaps, into -- with C.B.C. and that C.B.C. should change their policy, so instead of 2,000 people they will put stations in for 200 people, which is all irrelevant. It means that Telesat Canada are still going to have to rent the earth receiving station, and they are still looking for the profits, possibly even greater profits than what they are prepared to offer the Government of the Yukon Territory.

I don't consider that Telesat Canada is a good guy, on this basis.

The other question that occurs to me, is that the satellite, and we have talked about the great costs, the 20 million dollar launch and this type of thing. This is all well and good, but the addition of say eight satellite earth receiving stations, Mr. Chairman, is going to put no more stress or strain on the electronic components in that satellite than anything. It occurs to me that there is no rational reason yet given by Telesat Canada or anybody else, for that matter, on why they must recover their capital investment on this type of equipment in two and a half years. It's just got to be feasible to provide each earth station with a signal for somewhere in the area of \$5,000.00 a year on a lease fee of 5 to \$10,000.00 a year, and until Telesat Canada can agree to that, they are the bad guys, and they remain as such.

**Mr. Chairman:** Thank you, Mr. Taylor. Any questions of the witness? Mr. McKinnon?

**Hon. Mr. McKinnon:** Mr. Chairman, I met Mr. Underhill's boss, Mr. Golden. I was very impressed with him as a hard nosed businessman who tried to run



Telesat as a private corporation. I didn't quite realize how hardnosed he was until we received an answer back from Telesat Canada. With his background in private industry, I'm sure that he wouldn't go for the launching of the third satellite unless Telesat Canada was proving to be a successful business venture, and that there were many channels in demand, so that they could be rented with the three satellites now up in the sky.

As far as I understand, and I think that this is a positive statement, that the government of the Yukon will not require the renting of any of those extra channels through receiving the C.B.C. signal, which is already going to rented channels. It would seem to me that whatever they could get from the Government of the Yukon in these earth receiving stations would be just a little bit of extra gravy for Mr. Golden and the people at Telesat Canada, without any of the extra channels, through the three satellites now available, being directly assigned to the Government of the Yukon.

I wonder if this is a factual statement, Mr. Chairman.

Mr. Chairman: Thank you. Mr. Underhill?

Mr. Underhill: Well, you know, I heard the word "rip-off" here earlier, and I really take exception to that, and I think if anybody looked at our financial statement, they would realize that we are not ripping anybody off. You know, we haven't been in the black very long, and our return on investment is much, much smaller than a comparable industry. We are just a new company, relatively small in the field of giant communications organizations.

Look at our financial statement, we are not ripping anybody off. The point of the fact is that, if you want to have service provided, it's hard for us to understand how you can pay for just part of that service and not your share of the whole thing. Like, for instance, when somebody -- when C.N. goes and installs a telephone at a remote community --

Hon. Mrs. Whyard: They are taking them out, Mr. Chairman.

Mr. Underhill: --no, but when C.N. Does put in a new service, that service may cost them considerable, but that one community doesn't bear the brunt of the whole thing. It gets spread out over the whole tariff base, so that everybody helps pay for it. And the same thing goes here, the amount in annual charges for an earth station is not just a capital, but rather it's to help run the whole company to provide the whole service.

So when you're saying that you just want to pay for the hardware, you're not supporting the service behind it to make it possible in the first place.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, I have a question to direct to the bad guys. I would like to ask them if all this is so wonderful would Telesat Canada agree, if we set up our own earth receiving system, to allow us the use of their communications just like C.N. and Bell Telephone and all these people that we have referred to for a nominal fee per receiver station, say five hundred dollars a year or a thousand dollars a year, just for the

use of the signal, gravy, is that possible?

Mr. Chairman: Mr. Underhill?

Mr. Underhill: Well we assume some responsibilities for the quality of whatever signal is delivered from our satellites, and I guess we would have to break that policy--you are asking us to break that policy down so that we transmit and have no responsibility for what is coming out at the other end. You know that is--

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, this is a field that is all new to me, so I hope you will excuse my asking this question. Where else in Canada, are there such earth stations being used for small communities, or are there any anywhere else in Canada?

Mr. Underhill: There is about fifty--we have about fifty earth stations scattered throughout the whole of the country. Yes, we have--we call them RTV stations, remote television stations, golly, I don't know, thirty roughly throughout the north, throughout the northern part of the provinces and the territories. I guess we have about that.

Hon. Mrs. Whyard: Mr. Chairman, are they paying the same amount?

Mr. Underhill: These earth stations are leased to the C.B.C.

Hon. Mrs. Whyard: So, Mr. Chairman, the C.B.C. is paying the cost for the residents of those communities? Say that again Mr. Chairman, please?

Mr. Chairman: I didn't say anything Mrs. Whyard.

Hon. Mrs. Whyard: There are similar stations in small communities throughout Canada where the residents of those communities do not have to pay nineteen thousand dollars a year for it?

Mr. Underhill: Oh absolutely, but I don't know what population they have to reach before they are eligible for that service. You would have to ask C.B.C. about that, and really should ask them about the number of earth stations. I just haven't got the figure at the top of my head.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, perhaps I could give a bit of background for Members who weren't here when this whole thing started.

The C.B.C. had a policy of providing an earth receiving station to communities over five hundred. The problem is that we are looking at about eight communities under five hundred in the Yukon Territory. If the C.B.C. were to change their policy as it applies everywhere north of 60, in the Northwest Territories they would be looking at, I would dare say, hundreds of communities under five hundred where they should receive the same benefits as all the people in the Northwest Territories over five hundred if the policy was changed.



We had seen over the years that earth receiving stations were available to communities over five hundred in the Yukon, but there was a very marked increase in both the social and mental well being of the residents of the Yukon Territory in those communities where earth receiving stations were supplied.

We felt that it was a responsibility of government, this government, if we could supply the funds in any way, shape or form, to bring the same social well being, particularly towards the very long winter months in the Yukon to all the residents of the Yukon, so embarked on a plan of our own, which we thought was feasible and that we would get the co-operation from all elements of the Crown, C.B.C. and Telesat Canada to be able to bring to all residents of the Yukon Territory.

That is why we embarked on this venture. We still think it is sound. We still, I think should hope that probably through intervention or through some other methods of getting around what seems an impasse now, to see this policy that this government has made, and has agreed to by passage of the budget, initiated in the Yukon Territory.

That is a short background of where we come to now in our deliberations.

**Mr. Chairman:** Thank you, Mr. McKinnon. Any further questions of this witness?

**Hon. Mr. Taylor:** Mr. Chairman, just to finally again sum up and say the course seems clear with one addition. I think in addition to having the Honourable Gerard Pelletier talk to Telesat as not only a government investor, but as the Minister in terms of policy, I think that also the C.R.T.C. should be communicated, Mr. Pierre Juneau, as the regulatory body, and I think we should attempt to licence one--get a licence for one community in the Yukon Territory and throw the fat right into the fire and see what happens.

**Mr. Chairman:** Mr. Taylor I will excuse the witness. Thank you for attending.

I propose that we adjourn for five minutes to see whether or not you can come up with a motion.

Agreed?

**Some Members:** Agreed.

**Mr. Chairman:** I declare a five minute recess.

#### Recess

**Mr. Chairman:** I call Committee back to order and declare a recess until two o'clock this afternoon in order to give Members more time to consider a motion.

#### Recess

**Mr. Chairman:** I will now call Committee to Order. We've been discussing Sessional Paper Number 5. I understand that there may be a Motion forthcoming. Mr. Taylor?

**Hon. Mr. Taylor:** Yes, Mr. Chairman. Over the noon recess and considering the subject of debate this morning, I would like to propose two Motions, which I think in part, at least, embody the -- what I felt to be or what I hoped to be a consensus of the House. I would

therefore, at this time, Mr. Chairman, like to move, seconded by the Honourable Member from Hootalinqua, that this House respectfully request the Honourable Gerard Pelletier, Minister of Communications, to intervene with Telesat Canada:

(1) To obtain a modification to the lease proposal for miniature earth receiving stations serving rural communities in the Yukon Territory, with the intent that the lease charges be arranged so as to repay to Telesat Canada, the capital cost of their installations over a minimum period of eight years, and so bring the expenditure within the reach of the communities concerned; or,

(2) That the necessary authority be granted to the Territory to use the C.B.C. television signals and distribute such signals by the use of alternate equipment, acceptable to C.R.T.C. and under their control.

Mr. Chairman, it occurs to me at this point that with all this hard work having been done, and all this research having shown that indeed these facilities are within our grasp, it only remains that an intervention must take place between the Minister of Communication, who led me to believe, on his last visit to the Yukon, that he was very much interested in the Yukon and very concerned with problems related to communications.

I think that acceptance, hopefully with unanimity, by this House, and the presentation of the content of this Motion to the Minister, in Ottawa, I am confident that he will intervene with Telesat Canada and make it possible for us to have this signal and have these facilities within the smaller communities within the framework of a budget that the people of the Yukon Territory can afford. I would ask for full support by all Members of the House, Mr. Chairman, for this Motion.

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

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

Mr. Chairman, I concur with the Honourable Member, but there is one question that I would like to ask at this time. Under the sub-section (1) of this Motion, he mentioned cost of installations over a minimum period of eight years. Have you worked out the cost per year on this?

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

**Hon. Mr. Taylor:** Mr. Chairman, yes, I should have explained that. The reason I said eight years is that it allows the flexibility of negotiations. Telesat Canada are currently in their proposals, trying -- attempting, in the price they've offered the Government of the Yukon Territory, to recover their capital costs over a period of two and a half years. It was explained to us by I believe, Mr. Dunn this morning, that with his equipment, that it should function for a minimum of five years, and so I used the arbitrary figure of eight years in order to give latitude to the Minister in his negotiations with Telesat Canada.

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

**Mr. McCall:** Thank you, Mr. Chairman. I don't think you quite answered my question. The question I asked, is have you worked out the cost per year, over an eight year period?



**Hon. Mr. Taylor:** Not really, Mr. Chairman, because of the fact that I cannot put together, at this time, the actual cost, because I haven't got the actual figures of cost and maintenance, plus I'm also considering the provision of the transmitter facility in addition to these costs.

**Mr. Chairman:** Mr. Hibberd?

**Mr. Hibberd:** Mr. Chairman, I am in favour of this Motion, but I wonder if it would not be also useful to make direct representation to the C.B.C., or to the appropriate Minister.

If it would be possible for them to alter their own regulations in terms of what type of community can be serviced by them. The arbitrary figure that is used is 500 people, I believe there are other requirements as well as that, but I think these are within the jurisdiction of the C.B.C. itself, without external reference, and they themselves might be amenable to alterations to the needs we have here in the Territory.

But that would be a different representation, and I'm wondering if we should have a Motion to that effect, rather than through Telesat? Or rather, not even the Minister of Communications in this instance, it should be through the Secretary of State and C.B.C.

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

**Hon. Mr. Taylor:** Mr. Chairman, I had considered that question and it was indicated to the House this morning that C.B.C. are quite amenable to allowing us the use of their signal. It's Telesat Canada that we are having the problem with.

However, you will notice in Part (2) of the Motion, that we are stating that the necessary authority be granted to the Territory to use the C.B.C. signals and distribute such signals by the use of alternate equipment, acceptable to the Canadian Radio Television Commission, and under their control, and what I'm attempting to infer in the Motion is that the Minister be granted that authority to go to C.B.C....to go to see C.R.T.C. to go to C.B.C., using C.R.T.C. as the controlling body and negotiating the whole thing.

**Mr. Chairman:** Mr. Hibberd?

**Mr. Hibberd:** Mr. Chairman, I think that's a good presentation, but I don't think our negotiations should necessarily entirely have to go through Telesat. I don't think we have to involve ourselves in that direction, merely in that direction. I think that we should make representation to the Secretary of State regarding C.B.C. to alter their regulations.

Now, we don't have to involve—that could be an additional presentation that we could make. It's a different Ministry.

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

**Hon. Mr. Taylor:** Perhaps my second Motion, Mr. Chairman, only concerns a direction to the administration. Perhaps the Honourable Member has a very wise idea in mind, and perhaps we could have a third Motion along that line.

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

**Hon. Mr. Lang:** As you know, I was late. The thing that I question here is the minimum period of eight years. How did we come to the conclusion of eight years? Maybe this answer has been asked, maybe it's been answered already, but I was late so...

**Hon. Mr. Taylor:** Mr. Chairman, just to re-explain, it's a matter of giving the Minister some latitude, rather than binding ourselves to a specific time and giving them eight years, some latitude in which to negotiate.

**Mr. Chairman:** Thank you. Mr. McCall is next.

**Mr. McCall:** No, no.

**Mr. Chairman:** Mr. McIntyre?

**Hon. Mr. McIntyre:** Mr. Chairman, pinning down even a minimum period to eight years seems to me to be something that we may tie ourselves into, and I would prefer to see the phrase "over an extended period", and so bring the expenditure, because it may take seven years, it might take ten years, and I don't think that we should pin ourselves down, even to suggesting eight years. If we just say over an extended period, this could be anything, anything that's suitable to us, of course.

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

**Hon. Mr. Taylor:** I'm certainly agreeable if I could restate the Motion embodying those words without requiring an amendment.

**Some Members:** Agreed.

**Hon. Mr. Taylor:** Perhaps the Chair in reading the Motion then from the Chair could make that correction.

**Mr. Chairman:** yes. Any further debate?

**Hon. Mr. McKinnon:** Mr. Chairman, I would just like to make one further point, and I would hope that all Members of this Assembly would take into account.

After quite a few years at the table, one really wonders at the strength and the extent that these Motions have once they leave the Commissioner's office on telex or however they are delivered to the appropriate authorities, and I would like, in this instance, because I think it is such an important matter, I think that it's one that all Members of the Assembly are very involved in. I would think that each one of us would communicate with the Minister of Communications, the Honourable Gerard Pelletier, and put into our own words and thoughts, as to why we really feel that this service is necessary in the smaller communities.

I know, having talked to many Honourable Members, that many of the reasons why we feel that this is such a priority program, are reasons that really can't be expounded and debated and communicated on the



floor of this Assembly, and I think that it is incumbent upon each one of us who really believes that this program has some priority to the well being of all Yukon citizens, that we take the time and put those thoughts into writing, and really barrage the Minister of Communications with a carbon copy to the Minister of Indian Affairs and Northern Development, of why we feel that we just have to get the price of Telesat Canada down into a reasonable ball park, so the Territorial Government can embark on this program, which we all know is so very necessary, and believe me, fellows, they just don't know in Eastern Canada the problems that are faced in every one of these communities over a Yukon winter, and we have a program here which is feasible, one that we shouldn't give up on now because we just have to see it go into effect, the sooner the better, and I think that we should use all weapons in our arsenal to really try and get the Minister of Communications, who said that he was willing to go to bat for us if we reached an impasse with Telesat Canada. Well, let's get him to fulfill that promise now, Mr. Chairman.

**Some Members:** Hear, hear.

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

**Mr. Fleming:** Yes, Mr. Chairman, I would like to rise as a seconder of this Motion. I would like to also support Mr. McKinnon in his idea that we should try to write to the Ministers ourselves, do everything we possibly could. After a period of, I would say at least 10 years now of trying to get some sort of television to the outside communities, I find it very frustrating, and I think there's probably 6 or 7,000 other people in the Yukon who found it very frustrating this morning, when they hear the news, that we are no farther ahead than we were ten years ago.

And the Territorial Government itself has spent a lot of money and many of us here have probably spent some travelling throughout the Territory, I know myself I have, in checking at Ross River to see how that community's television was working, and by the way, I find that it is working fairly good, and I think that there is no other way but to go this way now and try to make some other arrangements if Telesat won't go along with us, which they have indicated they will not definitely. So, as I say, I will be supporting the Motion as it stands.

**Mr. Chairman:** Thank you. Any further debate? Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, it's not debate, I just want to underline what my associates have been saying, and as I see it, this is a communications problem, and our problem is trying to communicate with the people who are not communicating.

I think if you give the Minister an out on this one, if you open the door in a new direction which he can take and everybody can save face on this thing, and we can end up with what we want, I would recommend following up the lead we got this morning and proposing it as a mental health requisite. There are funds for things like that, where there may not be funds for television as entertainment.

I think any child in a small community has every right to all the background they would receive on the

C.B.C. programs, and they should not be handicapped when they are competing later on with students from large centres, who have all that educational background, aside from mental health. It's a matter of education, it's a matter of all kinds of factors which are going to affect them for years and years.

You cannot expect to penalize those people and have them continue to stay in the small settlements which are the backbone of the Territory. They are naturally going to say "Okay, if we haven't got these things for our children, we are going to leave", and none of us want to see that happen. This is a particularly valuable way of life, which people in the south say they yearn for. They envy us because we have freedom to make a choice of this kind. At the same time that they are stacking the cards against the probability of anyone being able to accept that choice. It's just one more log in the structure we are trying to build here for our own way of life, and we are trying to build it -- the people who are trying to build it are the people who know what they want and what's valuable here. I feel that the Honourable Member's suggestion that each one should write an individual letter to the Minister is another good approach.

I think it's also important, as I said, to provide a suggestion for a new course of action, so that they don't have to go back down the same lane again and in fact they won't, of course, because it's just a waste of time for everyone concerned. Give them a new opening, open a gate to a new avenue and see if they won't try that.

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

**Mr. Berger:** Thank you, Mr. Chairman. I hope nobody gets me wrong here. I am rising in full support, but I do have to object to a certain educational value, and I'm going to have to be the devil's advocate and --

**Hon. Mrs. Whyard:** What station are you watching?

**Mr. Berger:** -- because I personally have a feeling that small communities don't know what they don't miss -- what they get, because the small community without television, I think, is a much better community life than with television, but I think it's the wish of the people, and I'm not saying that I'm going to talk against it, but I do object to the educational value and all sorts of things, but one thing I'm thinking in particular of, there was a movie on about a year ago about kidnapping, bank people's employees, exactly the same thing is happening right now in Quebec, where a gang of thieves kidnapping banker's wives and children, and having an extortion plan going. This comes directly from television as far as I can see.

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

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

In view of what Mr. Berger just said, without disrespect for the Honourable Minister, I also on the other side of it, I would not like to see our children in the outlying districts subjected to political brainwashing by C.B.C.



**Mr. Chairman:** Mr. Lang, did you have --

**Hon. Mr. Lang:** Yes, Mr. Chairman, I have to agree to a certain extent that there are some of the programs that could be left out, there is no two ways about this, but on the other hand, there is many programs that are valuable to the children, I think more in relation to children in, say, Sesame Street in this respect, because for example, a lot of the people are in different financial straits and their environment at home isn't as good as in other homes, and the thing is that a program like Sesame Street teaches them a lot of things, like, for an example, if you have read any books -- it's okay, Mr. McKinnon -- if you have read any books like the Ghetto in New York, the child doesn't know what a bathtub is, because all he knows is the basin, so when he gets into Grade 1, he has that much more area to catch up in to the child that is in the middle class.

I think this is the valuable asset to it, I think a person could shut off the T.V., say during Police Story and that's up to the prerogative of the parent.

**Mr. Chairman:** Thank you. Anybody else want to speak on this can of worms?

**Hon. Mrs. Whyard:** Mr. Chairman --

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

**Hon. Mrs. Whyard:** -- I'm not going to go into the content or programming of the C.B.C., but we've all heard intimations recently, you know, that it is the ultimate hope that there will be material beamed back from this country some day, and there will be northern content.

As the Minister of Education, my Honourable friend should be looking ahead to the day when we can utilize this kind of service. I'm certainly not going to start any poll around this table about your favourite late night movie, but --

**Hon. Mr. Lang:** You don't have a choice.

**Hon. Mrs. Whyard:** -- but I certainly feel that it's greatly valuable to me to watch programs beamed to the north in other dialects of the north. All this is part of our fabric, and I just think that everybody in the north should have access to it.

Thank you, Mr. Chairman.

**Mr. Chairman:** Thank you, Mrs. Whyard.

It has been moved by Mr. Taylor, seconded by Mr. Fleming, that this House respectfully request the Honourable Gerard Pelletier, Minister of Communications to intervene with Telsat Canada;

1. to obtain a modification to the lease proposal for miniature earth receiving stations serving rural communities in the Yukon Territory with the intent that the lease charges be arranged so as to repay to Telsat Canada the capital cost of their installations over an extended period and so to bring the expenditure within reach of the communities concerned, or;

2. that the necessary authority be granted to the Territory to use the C.B.C. television signals and distribute such signals by the use of alternate equip-

ment, acceptable to C.R.T.C. and under their control. Question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

**Motion Carried**

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

**Hon. Mr. Taylor:** Mr. Chairman, my second Motion arises out of the recommendation found on page 2 of Sessional Paper Number 5. More specifically it states, "I would therefore recommend that my Administration be relieved of any further obligations in regard to the Motion passed by the Territorial Council in 1974", which bears reference to the Motion that put this whole matter into gear a year ago.

It seems to me that during our discussions this morning, Mr. Chairman, that we were made aware that there are, at least, two alternatives to Telsat, if this doesn't work out.

One being an earth receiving system by someone other than Telsat, and the other being the mountain top type television. I don't think that we should lose sight on any of this.

I think it is incumbent upon the House, if we are going to keep this ball rolling, to offer some direction to the Administration.

I would therefore, Mr. Chairman, like to move that this House, and this is seconded by the Honourable Member from Hootalinqua, that this House requests the Commissioner of the Yukon Territory to continue research and investigation into current and alternate systems for the provision of television services to Yukon communities.

**Mr. Chairman:** Thank you, Mr. Taylor. Any discussion?

It has been moved by Mr. Taylor, seconded by Mr. Fleming that this House request the Commissioner of the Yukon Territory to continue research and investigation into current and alternate systems for the provision of television services to Yukon communities. Question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

**Motion Carried**

**Mr. Chairman:** Anything further on Sessional Paper Number 5?  
Mr. Hibberd?

**Mr. Hibberd:** I would like to make a further



resolution, but it is not ready at this time. May I have a few minutes to get it ready.

**Mr. Chairman:** I will declare a ten minute recess.

**Recess**

**Mr. Chairman:** I will now call Committee to order. I understand that Mr. Hibberd would like to move something?

**Mr. Hibberd:** Mr. Chairman, moved by myself, seconded by the Honourable Member from Klondike, that this House request the Commissioner to make representation to the C.B.C. to make adjustments to its regulations so that all communities within the Yukon can obtain a benefit of their television earth receiving facilities.

**Mr. Chairman:** Thank you, is there any discussion on this Motion -- pardon me, is there a seconder?

**Mr. Berger:** I second that Motion, Mr. Chairman.

**Mr. Chairman:** Is there any discussion on the Motion.  
Question?

**Some Members:** Question.

**Mr. Chairman:** It has been moved by Mr. Hibberd, seconded by Mr. Berger, that this House request the Commissioner to make representation to the C.B.C. to make adjustments to its regulations so that all communities within the Yukon can obtain the benefits of their television earth receiving facilities.  
Are we agreed?

**Some Members:** Agreed.

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

**Motion Carried**

**Mr. Chairman:** That would seem to end the discussion of Sessional Paper Number 5.

Next, we will be once again looking at Bill Number 16.

We have some witnesses that are ready to appear. Madam Clerk will you invite the witnesses in?

**Madam Clerk Leaves the Chamber**

**Mr. Chairman:** We have with us, Mr. Nielsen, the senior member of the Yukon Bar, and the senior partner of Nielsen Anton and McBride. Mr. Yeale, who is a senior partner in the firm Cable, Veale and Kosky. Mr. Christensen, of Messrs, Regehr and Christensen, and Mr. Walters of Phelps, Ewart and Walters.

I will now turn the Chair over to Mr. McCall.

**Mr. McCall Resumes the Chair**

**Mr. Chairman:** I don't know if any of the witnesses wish to say anything at this point to start off before we enter into debate on this particular Ordinance.

**Mr. Nielsen:** Yes, we do, Mr. Chairman.

**Hon. Mr. Taylor:** Before we start, it is going to be extremely difficult to the stenographic staff to identify the names and voices. Perhaps we can have the witnesses identified before they speak.

**Mr. Chairman:** If that is the wish of the House, yes. Please identify yourselves before you speak.

**Mr. Nielsen:** I, with my colleagues, are appearing on behalf of the Yukon Law Society to make representations to you with respect to Bill 16.

May I first, on behalf of my colleagues, extend our thanks for this opportunity of appearing before you and exposing the views of the Society to you. Views, which I might say, are held unanimously in the Yukon Bar. We believe that the legislation before you, in the form of Bill 16, is a very important piece of legislation to begin with, and has very far reaching implications.

Neither myself, nor indeed, any members of the Yukon Law Society, have had the opportunity of providing any in depth study to the legislation, simply because it came upon us so suddenly. From a personal point of view, the first that I heard of it, was reading about it in one of the local newspapers, last Friday. Immediately after the week-end obtained a copy of the Bill, which I have now completed reading and a copy of your proceedings for last Thursday, May 15th.

The Bar has been active since the introduction of Bill 16 in communicating with the Law Society and the officials of that Society in the Province of British Columbia. It is our understanding that the ultimate intention of the Council is to be making the request of the British Columbia Law Society to undertake the responsibility for implementing one of the more important features of the Bill, namely, the administration of discipline of members within the Yukon Law Society.

Because of the far reaching consequences, and rather than dealing with those piece-meal, which we could well do, but we feel that it would be wasting your time so to do, we believe, and we are making the suggestion to you in the form of a request, that perhaps you might under your rules suspend further consideration of the Bill until such time as the Yukon Law Society can get together with Members of the British Columbia Law Society, and provide you with legislative proposals which might accomplish what we feel to be the objective of the Council. The British Columbia Law Society and their officials, have indicated their willingness to embark immediately upon the discussions with us. They have also indicated their willingness to participate fully in assuming the responsibilities that you, as the Legislative Assembly in the Yukon, want to ask them to assume, but they don't even have a copy of the Bill in front of them. They had no foreknowledge of the introduction of the legislation or the requests that were likely to be made of them in the form in which they appear in Bill 16. They would like the opportunity of examining the legislation more closely, and to co-operate with the Yukon Law Society in bringing forward some concrete proposals to you in your fall session.

We are also, as a Society, authorized to undertake now to, if it be your desire, to have before you this fall, if you agree to the suggestion that the legislation be put over to your fall session, to have before you an



official or officials of the British Columbia Law Society, should you wish to have their views and to first hand have their acquiescence with respect to the responsibilities you're going to be asking them to assume with respect to the administration of discipline.

We are also authorized to undertake to have before you, if it be your wish, a representative of the Canadian Bar Association, to give you first hand views as to how the National Association views the legislation that you are being asked to consider.

Now, it would be unreasonable to expect within the time that this Bill was introduced and now, to have these individuals before the Council forthwith. Indeed, if we can get away without having to pay the expenses, as a society, of the representative of the Canadian Bar Association who would have to travel here from the East, we would prefer it. But because of the importance of the legislation and its far reaching implications, we are prepared to assume that expense so that members of the Legislature will be fully informed as to the manner in which disciplinary matters are treated, informed first hand I might say, as to how disciplinary matters are treated elsewhere in the various jurisdictions in Canada. And more importantly, how they are treated in the Province of British Columbia, whose law society, the Council will be asking to assume the responsibility of administering discipline with the Bar.

So, having made those preliminary remarks, we are prepared, as a Society, to discuss and to take the time to do so with you, each of the clauses of the Bill and our observations which we hope will be constructive relative thereto. We think, and we sincerely suggest to you, that it really would be a waste of your time to do it now, for if you accede to our suggestion that it's reasonable to expect that the Members of the B.C. Law Society and the Canadian Bar Association, as well as ourselves, should appear before you in the fall with concrete proposals as to the form of legislation which we feel you should be adopting, then it would be superfluous embarking on such a discussion at this time.

So, in a nutshell, what we are proposing to you, I don't know what Section it is under your Rules, but in effect, what I'm proposing to you is that you give this Bill the hoist until the fall, on our undertaking as a Society, and on the undertaking, which we are authorized to give you of the officials of the B.C. Law Society, that we will in concert, place before you for your consideration at your fall session, a complete and comprehensive legislative proposal, which will be acceptable to the British Columbia Law Society, who are after all being asked to assume a large portion of the responsibility with respect to the administration of the legislation, and acceptable to ourselves, and we would hope, acceptable to you as a Legislative Council.

So that, in effect, is our proposal to you.

Thank you very much, Mr. Chairman. If I have omitted anything, and if it meets with your approval, Mr. Chairman, perhaps my colleagues might be asked to contribute.

**Mr. Chairman:** Thank you, Mr. Nielsen. Do any of the other witnesses wish to add to Mr. Nielsen's statement? Have you a question, Mr. Berger?

**Mr. Berger:** Yes, thank you, Mr. Chairman. I find it curious that the Law Society asked us to shelve this Bill again. If I may quote from the Hansard May 15th, page 115, and Mr. Legal Advisor stated to us "the first approach that was made requesting the Bar to come forward with a proposal was made to my knowledge, in November, 1967." And surely it wouldn't take eight years to come up with a proposal, a Bill like this. I mean, could I have -- could we have the reason why it took that long in getting here before us?

**Mr. Nielsen:** Yes, Mr. Chairman. With respect to the views that have been advanced by your Legal Advisor, I can inform you that in my experience, which has been just short of 24 years at the Bar in the Yukon in active practice, that it is by far the first request that has been made by the Bar in the Yukon for legislation of this kind.

Indeed, requests have been made as far back as 20 years ago for legislation of this nature, but more recently there have been -- there have been consultations between the Bar in the Yukon, and the Bar in B.C., and it was as a result of those efforts last year that the British Columbia Law Society finally agreed, and willingly, to accept the responsibilities for discipline, which is an extremely difficult problem in administration of the Law Society in the Yukon.

They at that time had a discussion, the representative of the B.C. Law Society and the Canadian Bar Association, with the Commissioner in his office, and at that time they indicated their willingness, but since that time there has been no communication with the B.C. Law Society, notwithstanding their willingness to participate. So we have reached a stage now, and perhaps with this prodding, it will come to a complete and final head, we hope this fall, when the combined Bars will make their submission to you.

I hope that answers your question. If not, perhaps an indication could be had and I'll try to be more specific.

**Mr. Chairman:** Thank you, Mr. Nielsen. Do you have a supplementary, Mr. Berger?

**Mr. Berger:** Yes, I would like to get Mr. Legal Advisor to comment on the same subject, if possible.

**Mr. Legal Advisor:** Mr. Chairman, I checked back after informing the House that the first knowledge of an approach that was made was in November of 1967. The first approach that we have on file was an approach made by Mr. Nielsen by correspondence with the Commissioner in the summer of 1967.

Now, the matter was kicked around and back and forward; basically it was a question of the administration asking the Bar for proposals. In June of 1974, that's a year ago, there was an interview in the Commissioner's office with the Chairman of the Canadian Bar Association, the Vice-President of the B.C. Benchers, and the Commissioner, and at that time they asked for two things. They wanted a transfer of the disciplinary procedures, and they wanted statutory recognition for the Law Society itself. And the Commissioner's answer, which was confirmed by correspondence, both to Mr. McAlvey, and Mr. Barry Vogel, and was repeated to the Law Society in Whitehorse itself, was to the effect that he would foster



any move made for a transfer of disciplinary procedures or statutory provisions for the Law Society itself, but the proposal must come from the Law Society in the first instance.

It would then come to the government, the government would consider it and introduce the appropriate legislation to make this law, but this was subject to the wishes of this particular House, because all the government can do is introduce legislation.

There was correspondence between the Law Society and me in my capacity as Director of Legal Affairs, and we wrote to the Bar on this and other matters, and we've had no proposal. I have had knowledge that Mr. Christensen was appointed to the drafting committee. He informed me about two weeks ago to prepare some form of legislation, but as I say, that's the factual position.

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

**Mr. Hibberd:** Thank you, Mr. Chairman. I don't think that it is our responsibility to enter into recriminations onto which side is responsible for delays, et cetera. I think we have before us legislation which we are supposed to make some judgement on now, so at this time, and with review to the witnesses' remarks, would it not be possible, as a suggestion, that the members of the Yukon Bar, as well as representations from the B.C. Bar get together with the legislators in the Yukon and over the summer draw up legislation which is acceptable to all parties concerned, and then at that time, in the fall session, we can again approach the matter and perhaps have the witnesses there at that as well. But I think if the legislation were to meet the needs of all the people involved, this could be done over the summer, and then we could judge on it at that time.

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

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

**Mr. Fleming:** Mr. Chairman, due to the fact that we are here just to either pass or not pass this legislation, I would like to ask the witnesses, or any one of the witnesses, do you have specific reasons for objecting to this Ordinance now, as the government has gone to a lot of trouble to make it and everything, and without knowing just exactly why you are against it, it's a little hard to vote yes or no.

I would like to have you say if you have had some specific parts of this document that you don't agree with?

**Mr. Nielsen:** Well, Mr. Chairman, if I might answer Mr. Fleming, let me say first that the legislation was prepared without any consultation with the Yukon Law Society.

Let me say also that it was prepared without any consultation with the B.C. Law Society, which is being expected to assume the full responsibilities of the administration of discipline of the Bar. If we get into specific criticisms which we believe would be constructive of the various parts of the Bill, which we are prepared to do, I don't think that it would help at this stage. I think that our case must rest on the reasonableness of convincing you of the

reasonableness of the request that consultations should be had between the profession vitally affected here in the Yukon, and between the profession in B.C. which is going to be expected to assume the major portion of the responsibilities of the legislation before the vital decision -- any decision is reached by this legislature.

If that position is not acceptable by Council and if you wish us to go into the nitty-gritty of our criticisms of the legislation, it's going to take some time, and we believe wasteful time, if you accept our suggestion that you delay the passage now on our undertaking, and that has a special meaning in the profession at law, on our undertaking on behalf of our own Society, on behalf of the B.C. Society, and on behalf of the National Law Society, that we will place before you positive legislative proposals this fall for your consideration.

**Mr. Chairman:** Thank you, Mr. Nielsen. Supplementary, Mr. Berger? Mr. Fleming? Mr. Lang?

**Hon. Mr. Lang:** Yes, Mr. Chairman. I would like to ask the, I think the main point in this legislation to me is the discipline. I would like to ask the Legal Advisor, it has been said that there is a backlog of lawyers in the Yukon that are up for discipline, what is the number of the lawyers in town that are up for discipline? The reason I ask this is that I think that we have to keep in mind that we are representing the public, and I think this is a very important part of the legislation, and I would like to know how many lawyers are actually up for discipline.

**Mr. Chairman:** Mr. Lang, I don't see where this has any bearing on Bill 16.

**Hon. Mr. Lang:** Well, I think it does, because if there is a back-log--a so-called back-log of discipline in the Yukon Territory here, it's going to be offset another six months, seven, eight months maybe.

**Mr. Nielsen:** Mr. Chairman, if I might help there, of course I don't have access to the government files, but as far as I'm aware, there is no urgent request for disciplinary measure. I may be wrong on that, but if there is some urgent matters before the Legal Advisor who is responsible for discipline now, I'm unaware of them.

**Mr. Chairman:** Mr. Legal Advisor, do you wish to answer the question?

**Mr. Legal Advisor:** It's not a question of wishing to answer, Mr. Chairman. When you talk about discipline, you're talking about a very wide range. You are talking about things which are, in the opinion of the person who makes the complaint, or comes into see me and makes a complaint, he thinks it's important, but it may not be an ethical problem. It may be that a lawyer has not taken advantage of an appeal process, but on telephoning the lawyer concerned, to will find out what happened, it may be that the individual was asked to deposit a fee of \$100.00 in the lawyer's office to cover the cost of the appeal and had not done so. That would not be an ethical matter.

It might be that a person dies in an accident, and his widow wishes to take an action, and goes in and consults the lawyer and the lawyer agrees to take the action, but doesn't take it until two or three years after



the event, and then does not take it, and the widow feels that she has been ethically wronged, when in fact it's a question of negligence, and an action would lie against the lawyer for it.

It may be that a person is involved in a law case, and finds in the middle of the law case, that the lawyer whom he has consulted and is acting for him, has acted on the other side of that law case at an earlier stage of the proceedings. So we get a large number of cases, but taking the big and the small at one time, I would say about 50 per cent of the lawyers.

**Mr. Chairman:** Thankyou, Mr. Legal Advisor. Mrs. Whyard, do you have a question.

**Hon. Mrs. Whyard:** Yes, Mr. Chairman. I've had an opportunity to scan very quickly the submission by the Yukon Law Society, which was provided all Members earlier, and I may be misunderstanding the submissions in the summary on page 7, but to me it looks like a question of the chicken and the egg.

Mr. Chairman, we have here the Yukon Bar Society saying, "Our past discussions with British Columbia have been favourably received, but inconclusive due to our inability to make any commitments, or even to know exactly what we were requesting. If we are able to indicate to British Columbia that an Association having legal status will be formed, we are sure that all the details can be worked out", et cetera, etcetera.

Well now, Mr. Chairman, we've just heard a proposal that we should wait until fall when after they have become part of the British Columbia Association, they will provide the backbones of an Ordinance. It seems to me that we are saying here, you've got to have an Ordinance to establish the Association before you can become part of B.C. Could we have clarification on that, please, Mr. Chairman?

**Mr. Nielsen:** Mr. Chairman the paper before Council is, perhaps more properly described as a discussion paper, which was prepared for the purpose of seeing whether or not there could be a consensus among the members of the Yukon Law Society.

In explanation of the portion that has been read by Councillor Whyard, the Law Society was unaware, until they saw the legislation that was introduced in this Assembly, as to what direction the government wanted to take. In effect, the Council has been advised, on page 119 of your proceedings last Thursday that it is the government that sets the policy. Until this legislation was introduced, we had no idea, as a Society, what policy lines the government wanted to follow.

We have some indication now in the form of the Bill that is before the Assembly. Having that guideline, now, we are in a much more capable position of sitting down with the officials of the B.C. Law Society and trying to design legislation that conforms to what is indicated as government policy. As well, legislation that will work in so far as the B.C. Law Society and our own is concerned.

I hope that answers the question, if not, I would be happy to expand.

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

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

**Hon. Mrs. Whyard:** I don't often have the opportunity to ask you a free question. I just want to do a little nit picking here, Mr. Chairman. Mr. Nielsen has said that until they saw the Ordinance last week they were not aware of the policy, but in this Position Paper, and I quote, "We now find there seems to be no major difference between the suggestions of the Bar and the Executive's Policy". If there is no major difference, what is it that we are worrying about today?

**Mr. Nielsen:** Well, the fundamental approach with respect to discipline. There is no quarrel between the Law Society and what appears to be the government intention, at all. It is a question of mechanics and the question of application of Rules and the question of the design of those Rules, the design of the Regulations which must be invoked in order to implement any kind of policy. With respect, surely, it would be the height of folly to pass in a vacuum legislation contemplating rules and regulations having no reference whatsoever to the body which this Assembly hopes will assume the responsibility of implementing them. That is what we mean by being on common ground. It is a question of working out the mechanics on that part of it.

There are other omissions in the legislation itself, for instance, I don't like getting into specifics, but one very glaring one is that there is no precedural method spelled out in the Bill for a lawyer, once disbarred, becoming reinstated.

When you take the livelihood away from any worker he is entitled to have some procedure to get back on the bread line.

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

**Hon. Mrs. Whyard:** I won't prolong this, Mr. Chairman, but, when you say there is no major difference between your philosophies and the policy of the Executive input into the Ordinance, this is not exactly what we inferred from earlier remarks, from a Member of this Assembly, who felt that there was serious policy differences and informed us. For example, the matter of interest on trusts and so on, were serious differences between the Bar Association's concept and this Ordinance.

**Mr. Nielsen:** This is a serious difference, but the main thrust of the government, what appears to be government policy is in keeping with the thoughts of the Law Society. We believe that what is not ethical for a lawyer to do now, could be made legislatively ethical, as has been the case in other jurisdictions.

The mechanics of achieving that we are miles apart on. With respect to the provisions in this Bill concerning interest of Trust accounts accruing to the government, we can't agree with that. I don't think the Canadian Bar or the B.C. Bar would agree with that. So we want the opportunity of placing before the Members of this Assembly our combined proposals as to how those trust monies should be treated.

I think it will be found, contrary, perhaps, to the impression that has been left when this Bill was discussed last Thursday, that on closer examination, that it is unethical, and against the Canons of Legal Ethics for a lawyer to place trust funds at interest bearing deposits, and to keep those interest monies. That is unethical.



In all of my experience at practice in the Yukon it has not been done by any lawyer in the Yukon. I have heard rumors, but they have been unsubstantiated rumors, as far as I am concerned, that any lawyer in the Yukon has made money at the expense of his client by depositing money to trust in a bank. That is unethical and it is not done, and we do not do it.

What is unethical now, could and should be made ethical, I submit, on behalf of the Law Society, by allowing lawyers to deposit funds so that they will earn interest, the same as any other deposit, but with certain restrictions on how those revenues raised by interest bearing accounts should be spent.

We disagree, fundamentally with those revenues flowing into government coffers. We hope to be able to convince you that -- to accept that point of view, in the fall, if you will delay the legislation that long, and to bolster that conviction with submissions made by officials of the Canadian Bar Association and the B.C. Law Society.

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

**Hon. Mr. McKinnon:** Mr. Chairman, I think that my record bears me out in the House since I've been here, that I believe in the consultative process, I believe in having the various interest groups before Committee, so that we end up with hopefully enforceable legislation, better legislation.

One thing that did disturb me, I think the record will bear me out, that there were terms, such as the Law Society of British Columbia and the Yukon Bar Association would design legislation. They would place before you positive legislative proposals. Perhaps I'm still rather naive in government, after being here for quite a few years, but I always understood that the right order of things, that the representatives of the people, in a duly elected democratic government designed the legislation and not the particular interest group. It seems to me that it's a rather "bass-ackwards". If that's the way the Law Society of Canada or the B.C. Law Society and the Yukon Bar Association thinks that we are so different in this part of Canada than other parts of Canada, I would like to think that with the development of responsible government, and hopefully, the elected representatives of the people taking more responsibility, that we, like other legislatures, will be designing the legislation, but hopefully that we will be responsible enough to listen to the various representative groups and the interest groups and come up with better legislation as a result of it.

I think that also it should be pointed out from the submission by the Yukon Law Society, that what I consider to be the three major points seem pretty well agreed upon; the disciplinary body to be the British Columbia Law Society. The Yukon Law Society agrees that that is the best alternative, so does the Government of the Yukon.

The other very important point with respect to interest on trust accounts, we agree with the government's position that it should be used to defray the expense of the new system, which I consider one of the most important points of the proposed legislation which we seem to be in agreement on. There seems to be no major difference between the suggestions of the Bar and the executive policy. So I don't think further,

Mr. Chairman, the Legal Advisor says at page 122, Votes and Proceedings for Thursday, the 15th of May, 1975, that the practical effect of the Bill before you is to allow a similar type of co-operation and that the Disciplinary Secretary position contained in the Bill before you would be the Executive Secretary of the British Columbia Law Society, or a member of the staff. This idea is enthusiastically endorsed.

It appears that all the main points between the government and the Yukon Law Society are pretty well in agreement. I have no objection at all, and I don't think that the government would, it being this close on agreement, that we would have any difficulty having had a very firm commitment from the Yukon Law Society, that they would be willing to bring their ideas to this Assembly in the fall session, and hopefully out of such a meeting with the government's proposal, and their reaction to it, that we would come up with a very sound piece of legislation.

I learned an old trick from my colleague, Mr. Neilsen, and this isn't in the legal end of things, it's in the political end of things, and that was when you do have an idea, or do have a concept, and you want to find out the reaction of the public, that you even go to a phone book and just pick out names at random and phone people up and find out what they think about it. I employed this political manoeuvre after this was introduced. I spent the entire weekend either phoning or talking to everybody I met over the weekend, asking what they thought about a disciplinary committee for the Yukon Law society. I have to tell you, without exception, that this was the first time I have ever conducted one of these polls where it was absolutely unanimous. There wasn't one vote in opposition, that they thought that this was one hell of a good thing, and that's your problem, of course, not mine, that the public does seem to have this reaction towards a legal disciplining committee, they think that one is needed.

So with those remarks, Mr. Chariman, that I think it would be irresponsible for this government not to be making the legislation, with all the input that we can possibly get, from the various affected groups concerned, that I don't think there would be any objection in the hope that we would have strong and good and workable legislation, also that we have a commitment that this, after all these years, will come to fruition this fall. Hopefully we could see fit to give this a six month hoist until that time period. Mr. Chairman.

**Mr. Chairman:** Thank you, Mr. McKinnon. Have you anything to add?

**Mr. Nielsen:** Yes, before making a decision and hopefully it will be in favour of our request, I would ask the Members of the Assembly to also indicate whether they would like, in the fall, to have, in addition to representatives of the Yukon Law Society, representatives from the B.C. Law Society and/ or the Canadian Bar Association before you.

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

**Hon. Mr. Taylor:** Well, Mr. Chairman, I don't know that it would be wise for us to make that decision. I think that's a decision that the Bar Association is going to have to make, is what type of presentation that they



may wish to give before Committee. I would hope that with the suggestion and accepting the suggestion that the witnesses have made today, Mr. Chairman, and if the House so agreed, to defer this matter and let the Bill die in Committee until the fall, that not only would this just be a dead on confrontation in the fall again, but that somewhere during the course of the summer, that consultation would go on between the two agencies.

But be that as it will, I don't think that we could or should properly decide who we want, I think it's up to the Bar Association to bring in their guns and make their point.

**Mr. Chairman:** I think you are quite correct, Mr. Taylor. Any further questions to the witnesses?

**Hon. Mrs. Whyard:** Mr. Chairman, not a question, but just for the record, I think it should be observed that the word is "undertaking", not "commitment".

**Mr. Nielsen:** It was the full implication of that term in the professional way, Mr. Chairman.

**Mr. Chairman:** Were you requesting a legal explanation of that word, Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, it's just that I've been accused of being unlettered and I am trying to learn.

**Mr. Chairman:** Any further questions?  
I would like to thank the witnesses for appearing.

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

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

**Hon. Mr. Taylor:** Mr. Chairman, in view of the remarks made from the Administration side of government, and as it would appear that it is the wish of, I would suggest, a majority of the Committee, perhaps a motion to allow Bill Number 16 to die in Committee would be in order at this time.

**Mr. Chairman:** Is that the wish?

**Mr. Fleming:** If that is a Motion, Mr. Chairman, I would second it. Is that a Motion, Mr. Taylor?

**Mr. Chairman:** Would you state that Motion again, Mr. Taylor?

**Hon. Mr. Taylor:** That Bill Number 16 be left to die in Committee.

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

**Hon. Mrs. Whyard:** I am not perfectly clear in my own mind whether the proposal we have had from Bar Association is that they will, in consultation with those who are preparing a substitute Ordinance, have legislation ready for our fall Session, or whether they are going to appear at a Fall Session with a view towards legislation being prepared?

**Mr. Chairman:** Well Mrs. Whyard, you are aware that the witnesses are now out of the House and you had the opportunity to ask the question at that time.

**Hon. Mr. Lang:** Well, Mr. Chairman, I think it is a very pertinent question and I think maybe you could call one witness back, if you wanted. I notice that they haven't left.

**Mr. Chairman:** Mr. Hibberd?

**Mr. Hibberd:** Mr. Chairman, that was my original proposal at the time the witnesses were here, that the various Law Societies do approach the government with a view to what amendments they might want to see and they present it as a fait accompli in the fall that we can deal with at that time.

I think this is what should happen over the -- rather than merely appearing in the fall and starting the ball rolling again, something should be done in the meantime. If they want to appear at that time, that is fine, but I think their representations could be made before then.

**Mr. Chairman:** Mr. Phelps?

**Mr. Phelps:** Mr. Chairman, I think that is their understanding that the witnesses appear.

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

**Hon. Mrs. Whyard:** Thank you, Mr. Chairman.

**Mr. Chairman:** There is a Motion on the floor. If I may, I will read out the Motion. It has been moved by Mr. Taylor, seconded by Mr. Fleming, that Bill Number 16 be left to die in Committee.

**Hon. Mr. McKinnon:** Well, Mr. Chairman, with respect, I am not going to accept that Motion. I am going to vote against that Motion because I think the Motion should be giving this Bill the six month's hoist. I think that the Motion should read that Bill Number 16 be discussed at the next session of the Yukon Legislative Assembly. I think we have finally come so close between what the Yukon Law Society has prepared and brought before this Assembly and the Bill that we have now introduced that we shouldn't just let it die without any -- without the reality upon the commitment that we have received today from the Yukon Law Association that it is going to come up again for discussion at the Fall session.

As I say, I think that we are going about it in the right order. The government has presented their side of the story, the legislation along the broad outlines of policy that they would like introduced, it appears that when we have representation that we can make better legislation out of it, though the Bar Society agrees on the broad policy commitments.

I think that we should be going on the premises that we are going to have Bill Number 16 discussed at the next sitting of this Assembly. That should be the Motion rather than just allowing the Bill to die in Committee.

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

**Hon. Mr. Taylor:** Mr. Chairman, that was my concern. I understood, and I think the record would show that this is an understanding, but, my concern was not to give it the six months' hoist, in case we don't



sit. We don't know when our next sitting is going to be and it is pretty hard to strike a day certain. The normal procedure, I only submitted it in that light, with that understanding that the normal procedure is simply to allow the Bill to die in Committee, but I am amenable to anything that you want to add to it.

**Mr. Chairman:** Mr. Taylor, would you consider the change as Mr. McKinnon has suggested in your original Motion?

**Hon. Mr. Taylor:** Yes, I would add the words, "and that the Bill be discussed at the next sitting of this House," "further discussed."

**Mr. Chairman:** Well, Mr. Taylor there is a slight discrepancy in your original Motion. Do you wish to let this go through or ask for an amendment or what, consider an amendment?

**Hon. Mr. Taylor:** Well, Mr. Chairman we are just going to get hung up on another procedural thing. If we can't let it die in Committee I will withdraw my Motion, and you can do anything you want, but let us not get bound up into another procedural situation.

**Some Members:** Agreed.

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

**Hon. Mr. McKinnon:** Mr. Chairman, I would move that Bill Number 16 be discussed at the next sitting of this House.

**Mr. Chairman:** Who seconded the Motion?

**Mr. Berger:** I did.

**Mr. Chairman:** I take the original Motion has now died in Committee, Mr. Taylor, and Mr. McKinnon has now put a Motion on the floor?

**Hon. Mr. Taylor:** I have withdrawn my motion.

**Mr. Chairman:** Just for the record.

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

**Mr. Chairman:** Yes.

**Mr. Fleming:** In all respect, could I withdraw my second too, or does this automatically happen?

**Mr. Chairman:** By all means, Mr. Fleming.

It has been moved by Mr. McKinnon, that Bill Number 16 be discussed in the next sitting of the House, seconded by Mr. Berger. Is this correct, Mr. McKinnon?

**Hon. Mr. McKinnon:** Thank you, Mr. Chairman.

**Hon. Mr. McKinnon:** The next session, Mr. Chairman.

**Mr. Chairman:** I heard you say "next sitting of the House."

**Hon. Mr. McKinnon:** I think it should be Session, Mr. Chairman, I am sorry.

**Mr. Chairman:** Question?

**Some Members:** Question.

**Mr. Chairman:** Agreed?

**Some Members:** Agreed.

**Mr. Chairman:** The motion is carried.

#### **Motion Carried**

**Mr. Chairman:** I am going to hand the chair over to Mr. Phelps.  
(Mr. Phelps resumes Chair)

**Mr. Chairman:** Thank you, Mr. McCall. I think--it's now 3:30, I guess we have time to recess for 10 minutes and then have a look at the amendments, the proposed Amendments to Bill Number 8, is that agreeable?

**Some Members:** Agreed.

**Mr. Chairman:** I will declare a 10 minute recess.

#### **Recess**

**Mr. Chairman:** I will now call Committee back to order.

#### **Amendments to Bill Number 8**

We are now going to look at the proposed Amendments to Bill Number 8, and each Member has been provided with copies thereof. My proposal to the Members is that we proceed through the clauses as amended, and if we're in agreement with them, we'll entertain a Motion having gone through the entire package as presented.

So what I would propose is that we go through the individual clauses and clear them, and then entertain a Motion for the amendments at the end. Mr. Taylor, do you feel that's in order?

Is that agreed by the Members?

**Some Members:** Agreed.

**Mr. Chairman:** Clause 2, sub-section (2) (b)  
(Reads Clause 2 (2) (b))

**Mr. Chairman:** Any questions or comments?

**Some Members:** Clear.

**Mr. Chairman:** Oh, I'm sorry, Miss Millard?

**Ms. Millard:** I don't think this really answers the question that was raised, whether a newborn child is being covered by Medicare or not. It seems to me that a person could come up to the Territory with a newborn child a few hours old, and as that child would be covered although the parents wouldn't be for three months under this consideration.



I would think that it should be further amended to read "other than a newborn child of Territorial residence."

**Mr. Chairman:** Thank you. Any further discussion?

**Hon. Mr. McKinnon:** Mr. Chairman, I think the point is correct that if parents, who are not residents, come up with a child within the first three months, that newborn child is eligible for medical evacuation, where the parents are not, I wonder whether something like other than a newborn child of residents or something of that nature could have been added to make the protection complete, or is it important enough to be worried about?

**Mr. Legal Advisor:** Mr. Chairman, I'm not sure that it's important enough to worry about. The design of the Section is that a resident means (a) a certain kind of person. People under (b) are excluded, but the exclusion is taken away from a newborn child, that's the way the section is designed. We can limit it further by saying a newborn child of a person who is covered by paragraph (a). We can make it more specific if it's thought to be important.

**Mr. Chairman:** Mr. Hibberd?

**Mr. Hibberd:** I'm not sure whether it's necessary, in order for the legislation to accomplish its purpose, but the definition of a newborn child in medical terminology, only refers to the first month of life, and it therefore creates further difficulties in the second and third months of life.

**Hon. Mr. McKinnon:** of three months of a resident.

**Mr. Legal Advisor:** Maybe the question is who is covered by paragraph (a). That is a person lawfully entitled to be in Canada, who will make his home here and who is ordinarily present here, that includes a baby. But paragraph (b) excludes certain people, and they are people who have not completed three months of residence, and the only people who will be excluded, that want to include, are newborn children.

**Mr. Chairman:** I'm certainly in agreement with what the Legal Advisor has to say. I think that covers it pretty well. Any other further discussion? Clear?

**Some Members:** Clear.

**Mr. Chairman:** Seven, sub-section (2) to be amended as follows:

(Reads Clause 7(2) )

**Some Members:** Clear

**Mr. Chairman:** Eight (1) as amended:  
(Reads Clause 8(1) )

**Mr. Chairman:** Clear?  
Nine, sub-section (2) (c) (iii), amended as follows:  
(Reads Clause 9(2) (c) (iii) )

**Mr. Legal Advisor:** Mr. Chairman the particular

point here is not immediately visible on the draft here. The introductory words are, "where specially authorized by the Chief Medical Officer of Health", so and so and so and so and so and so, and "an ambulance may be used to transport..." to an airport or hospital or vice-versa, so it's still subject to the qualification that you must get the authority of the Medical Officer to use an ambulance instead of a cab.

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

**Some Members:** Clear.

**Mr. Chairman:** Thirteen, sub-section (1) to be amended as follows:  
(Reads Clause 13(1) )

**Mr. Chairman:** Clear?

**Some Members:** Clear.

**Mr. Chairman:** Fourteen, to be amended as follows:

One:  
( Reads Clause 14 (1) )

**Mr. Chairman:** Sub-section (2):  
(Reads Clause 14 (2) )

**Mr. Chairman:** Sub-section (3):  
(Reads Clause 14 (3) )

**Mr. Chairman:** Clear?

**Some Members:** Clear.

**Mr. Chairman:** Fifteen (1) to be amended to read as follows:  
(Reads Clause 15(1) )

**Mr. Chairman:** Clear?

**Some Members:** Clear.

**Mr. Chairman:** Sixteen (2), amended to read as follows:  
(Reads Clause 16 (2) )

**Mr. Chairman:** Clear?

**Some Members:** Clear.

**Mr. Chairman:** Seventeen ( 1) to be amended to read as follows:  
(Reads Clause 17(1) )

**Mr. Chairman:** Clear?

**Some Members:** Clear.

**Mr. Chairman:** Yes, Mr. Taylor?

**Hon. Mr. Taylor:** Mr. Chairman, if there is no further discussion, I would at this time move that the Amendments to Bill Number 8 as read from the Chair be now agreed to.



Mr. Chairman: Do we have a seconder?

Mr. Hibberd: I second the Motion, Mr. Chairman.

Mr. Chairman: It has been moved by Mr. Taylor, seconded by Mr. Hibberd, that amendments -- that the Amendments to Bill Number 8 as read from the Chair be now agreed to. Question?

Some Members: Question.

Mr. Chairman: Are we agreed?

Some Members: Agreed.

Mr. Chairman: I declare the Motion carried.

**Motion Carried**

Mr. Chairman: Preamble to Bill Number 8:  
(Reads Preamble)

Mr. Chairman: I don't believe we read Clause 1. I will read that first, of this Bill. Clause 1, sub-section (1):  
(Reads Clause 1(1) )

Mr. Chairman: Clear?

Some Members: Clear.

Mr. Chairman: Preamble:  
(Reads Preamble)

Mr. Chairman: And the title to Bill Number 8, "Travel for Medical Treatment Ordinance". Clear?

Some Members: Clear. I will entertain a motion.

Hon. Mrs. Whyard: Mr. Chairman, I would move that Bill Number 8 be moved out of Committee as amended.

Mr. Chairman: Thank you. A seconder?

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

Mr. Chairman: It has been moved by Mrs. Whyard, seconded by Mr. McCall, that Bill Number 8, entitled "Travel for Medical Treatment Ordinance," be reported out of Committee as amended. Question?

Some Members: Question.

Mr. Chairman: Are we agreed?

Some Members: Agreed.

Mr. Chairman: I declare the motion carried.

**Motion Carried**

Mr. Chairman: That appears to be all the business before this Committee at this time. I will entertain a motion.

Mr. McCall: Mr. Chairman, I move that Mr. Speaker resume the Chair.

Ms. Millard: I will second that, Mr. Chairman.

Mr. Chairman: It has been moved by Mr. McCall, seconded by Mill Millard that Mr. Speaker do 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 Chair)

Mr. Speaker: I will now call the House to order. May we have a report from the Chairman of Committees?

Mr. Phelps: Thank you, Mr. Speaker.

Committee convened at 10:30 a.m. to consider Bills, Papers and Motions. In the morning we had as witnesses, Mr. Miller, Mr. Dunn and Mr. Underhill. Committee recessed at 11:50 a.m. and reconvened at 2:10 p.m.

In the afternoon we had as witnesses, Mr. Veale, Mr. Christensen, Mr. Nielsen and Mr. Walters. It was moved by Mr. Taylor, seconded by Mr. Fleming and duly carried, that this House respectfully request the Honourable Gerard Pelletier, Minister of Communications, to intervene with Telesat Canada, (1) To obtain a modification to the lease proposal for miniature earth receiving stations serving rural communities in the Yukon Territory, with the intent that the lease charges be arranged so as to repay to Telesat Canada, the capital costs of their installations over an extended period, and so to bring the expenditure within reach of communities concerned, or (2) That the necessary authority be granted to the Territory to use the C.B.C. television signals and distribute such signals by the use of alternate equipment acceptable to C.R.T.C. and under their control.

It was moved by Mr. Taylor, seconded by Mr. Fleming, and duly carried, that this House request the Commissioner of the Yukon Territory to continue research and investigation into current and alternate systems for the provisions of television services to Yukon communities.

It was moved by Mr. Hibberd, seconded by Mr. Berger and duly carried, that this House request the Commissioner to make representations to the C.B.C. to make adjustments to its regulations so that all communities within the Yukon can obtain the benefits of their television earth receiving facilities.

It was moved by Mr. McKinnon, seconded by Mr. Berger and duly carried, that Bill Number 16 be discussed at the next session of this House.

I can report progress on Bill Number 16.

It was moved by Mr. Taylor, seconded by Mr. Hibberd and duly carried, that the amendments to Bill Number 8 as read from the Chair be now agreed to.

It was moved by Mrs. Whyard, seconded by Mr. McCall, that Bill Number 8, entitled "Travel for Medical Treatment Ordinance" be reported out of



Committee as amended.

It was moved by Mr. McCall, seconded by Miss Millard and duly carried, that Mr. Speaker do now resume the chair.

Thank you.

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

**Some Members:** Agreed.

**Mr. Speaker:** What is 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 carried.

**Motion Carried**

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

**Adjourned**



SESSIONAL PAPER NO. 5  
[1975 SECOND SESSION]  
Television to Yukon Communities

Mr. Speaker  
Members of Council

As all members of Council are aware, my administration has been working for the past year in attempting to provide television to Yukon Communities, which do not come under the C.B.C. accelerated coverage plan, i.e. communities with populations of less than 500.

This project started with a motion of Council emanating from a terrestrial repeater proposal which would have provided television to communities within a 100-mile radius of Whitehorse.

A detailed examination of the original proposal determined that the service quality could not be assured and that annual maintenance costs would be considerable. It was recommended by our consultant that a low-cost earth receiver complemented by a low-power transmitter could be developed. The cost estimated at that time for a receiver transmitter package was approximately \$48,000 with annual maintenance costs of \$600 per year.

In September 1974, a contract was entered into between this government and N.M. Lopianowski & Associates Ltd. for the design, assembly, testing and integrating into a community of a satellite earth receiving station.

In December 1974, tests were carried out at Lucerne,

P.Q., of the earth receiver. These tests proved to be an unqualified success for the quality of service we had anticipated. Consistent with these tests, a series of meetings was started with Telesat, C.B.C. and Y.T.G. representation. These meetings have culminated with agreement in principle being reached whereby -

a) C.B.C. would allow any community under this system to be licensed using C.B.C. programming.

b) Telesat would provide the earth receiving stations and would be responsible for the licensing thereof.

c) Telesat would deal directly with Y.T.G. with regard to annual lease costs and the payment thereof.

In April 1975, Telesat advised this government that the annual lease cost for the earth receiving stations would be \$22,500 per station per annum. Since that time, negotiations have resulted in Telesat reducing their cost to \$19,000 per station per annum.

Mr. Speaker, it is my contention that the Yukon cannot afford the luxury of this program on the basis of the costs now presented to us by Telesat Canada. I would therefore, recommend that my administration be relieved of any further obligations in regard to the motion passed by the Territorial Council in 1974. We will, of course, continue to monitor the development of this service which we have pioneered and, should it become economically feasible to the citizens of the Yukon at some time in the future, we will again present to this Council appropriate measures whereby our citizens can benefit from our pioneering work.

J. Smith,  
Commissioner.



**LEGISLATIVE RETURN NO. 17**  
[1975 SECOND SESSION]  
May 16, 1975

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

On May 16, 1975, Mr. McCall asked the following question:

“What action is the Government taking against Cypress-Anvil Mining Corporation in relation to the recent tailings pond spillage? If action has been taken, could we see the results?”

The answer is as follows:

The tailings pond spillage at Cypress-Anvil Mine has been fully investigated by the Department of Environment and Department of Indian Affairs and Northern Development. This investigation is now completed and results are being examined with regard to the provisions of the Fisheries Act and the Northern Inland Waters Act.

Further information cannot be released at this time since such a release would jeopardize the government's position, should this case come before the courts.

**J. Smith,**  
**Commissioner.**

**LEGISLATIVE RETURN NO. 18**  
[1975 SECOND SESSION]  
May 15, 1975

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

On Friday, May 9th, 1975, Mr. McCall asked the following question:

Are the people in the community of Ross River going to pay higher rates than other communities for the use of electricity?

Is it because Yukon Electrical Company has a franchise covering the community?

The answer to this question is as follows:

The Yukon Electrical Company Limited has submitted nine proposed franchise agreements for Yukon communities including Ross River. The Electrical Public Utilities Board is reviewing these proposals. A franchise agreement is not presently in existence for the community of Ross River.

The rates for the supply of electrical energy in Yukon communities, as proposed by the Yukon Electrical Company Limited, do vary; however, the rates for residential service requested for Ross River are the same as those which would apply in Stewart Crossing, Beaver Creek, Destruction Bay, Burwash Landing, Pelly Crossing and Swift River.

**James Smith,**  
**Commissioner.**

**LEGISLATIVE RETURN NO. 19**  
[1975 SECOND SESSION]  
May 20th, 1975

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

On Friday, May 16th, Councillor Millard asked the following question:

“Concerning the amendments to the regulations on the Corrections Ordinance, which add sections 93, 94, 95, 96, 97 and 98: in section 98 it states that ‘at the termination of the enquiry the prisoner may be transferred prior to delivery by the inspector of the written report mentioned in section 96’. Since this appears only to negate the purpose of the amendments, what other purpose might it have?”

The answer is as follows:

The sole intent of section 98 is to authorize the Director of Corrections, in circumstances where there is a degree of urgency, to effect the transfer until such time as he, the Director of Corrections, is in physical possession of the institutional inspector's written report.

**Flo Whyard,**  
**Member,**  
**Executive Committee.**