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# The Yukon Legislative Assembly

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Number 10

3rd Session

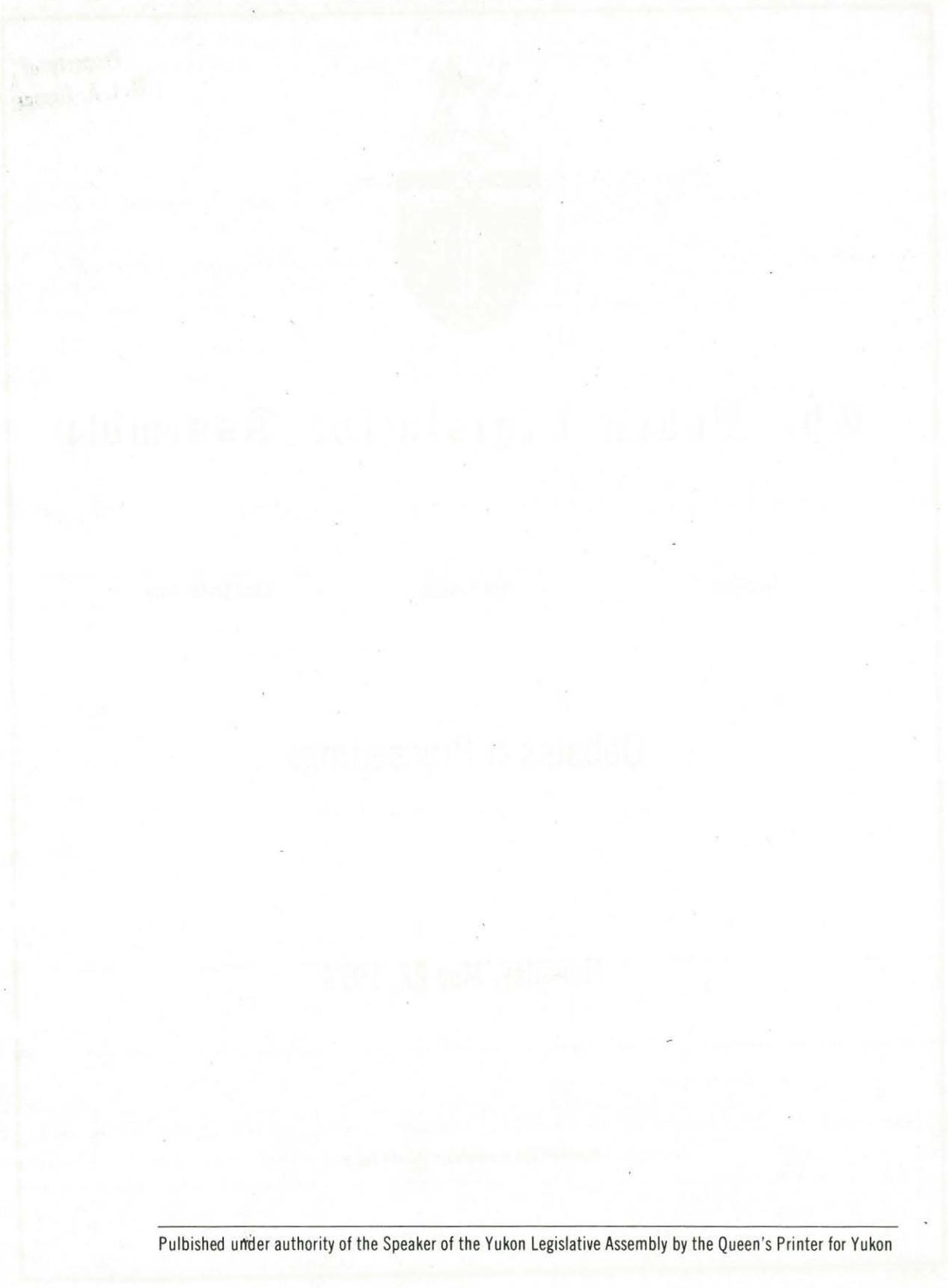
23rd Legislature

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## Debates & Proceedings

Thursday, May 22, 1975

Speaker: The Honourable Donald Taylor



## The Yukon Legislative Assembly

Thursday, May 22, 1975

Mr. Speaker reads Daily Prayer

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

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

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

### ROUTINE PROCEEDINGS

**Mr. Speaker:** We will proceed to the Order Paper. Are there any documents or correspondence for tabling this morning? The Honourable Member from Whitehorse North Centre?

**Hon. Mr. McKinnon:** Mr. Speaker, I have for tabling today, Legislative Returns Number 20 to 24 inclusive, and also a report entitled "The Community Plan for Dawson City" prepared by Synergy West Limited.

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

Are there any reports of committees? Introduction of Bills? Notices of Motion or Resolution? Notices of Motion for the Production of Papers?

We will then proceed to Orders of the Day.

### ORDERS OF THE DAY

**Mr. Speaker:** Madam Clerk, could you ascertain if Mr. Commissioner would be available to the House for Question Period this morning?

(Madam Clerk leaves Chambers)

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

### Recess

### QUESTION PERIOD

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

Would you proceed with your questions please?

**Mr. Commissioner:** did you have anything this morning?

**Mr. Commissioner:** No, Mr. Speaker.

**Mr. Speaker:** Are there any questions? Then we would thank Mr. Commissioner for his

attendance this morning and proceed on the Order Paper to Public Bills.

### PUBLIC BILLS

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

#### *Amendments to Bill Number 8, First Reading*

**Hon. Mrs. Whyard:** Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse North Centre, that Amendments to Bill Number 8 be now read a first time.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Whitehorse North Centre, that the Amendments to Bill Number 8 be now read a first time. Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

#### *Motion Carried*

**Mr. Speaker:** When shall the Amendments be read for the second time?

#### *Amendments to Bill Number 8, Second Reading*

**Hon. Mrs. Whyard:** Now, Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse North Centre, that the Amendments to Bill Number 8 be now read for the second time.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Whitehorse North Centre, that the Amendments to Bill Number 8 be now read a second time. Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

*Motion Carried*

*Amendments to Bill Number 8, Third Reading*

Hon. Mrs. Whyard: Mr. Speaker, I move that Bill Number 8 be now read for the third time.

Mr. Speaker: Is this seconded?

Hon. Mrs. Whyard: Seconded by the Honourable Member from Whitehorse North Centre, Mr. Speaker.

Mr. Speaker: I thank the Honourable Member.

It has been moved by the Honourable Member for Whitehorse West, and seconded by the Honourable Member from Whitehorse North Centre, that Bill Number 8 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. Mrs. Whyard: Yes, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse North Centre, that Bill Number 8 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 West, seconded by the Honourable Member from Whitehorse North Centre, that Bill Number 8 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 has carried and that Bill Number 8 has passed this House.

*Motion Carried*

Mr. Speaker: May I have your further pleasure?

Mr. McCall: Yes, 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. Speaker: Is there a seconder?

Mr. Fleming: I second that, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable

Member from Pelly River, seconded by the Honourable Member from Hootalinqua, that Mr. Speaker do now leave the Chair and that the House resolve into Committee of the Whole for the purpose of discussing 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 that the Motion is carried and 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 will now call Committee to order. We have just received, minutes ago, proposed amendments to the Municipal Ordinance. My feeling is we ought to adjourn for sufficient time or recess for a sufficient time for Members to be able to read through these amendments and consider them.

Hon. Mr. McKinnon: I think only probably only a short recess is necessary. All of the amendments, save -- all of the amendments before Committee were discussed in Committee of the Whole when the representative of the Yukon Association of Municipalities were present, and every one of them has been acceded to, Mr. Chairman, save one, and I don't think there should be in any difficulty in members being able to recognize the amendments.

Mr. Chairman: Well, my concern, with respect, Mr. McKinnon, is that Members may wish to have some time to consider them anyway. What is the wish of the Members?

Some Members: Agreed.

Mr. Chairman: I propose a 15 minute recess, and so call.

**Recess**

Mr. Chairman: I will now call Committee to order, and the first item on the agenda is to look at the amendments as proposed by the administration, to Bill 13. What I intend to do is to read through the proposed amendments and then entertain a Motion as we did with Bill Number 8 yesterday.

Clause 2 is deleted. Clear?

Some Members: Clear.

Mr. Chairman: Three is amended to read:

(Reads Clause 3(30)(1))

**Mr. Chairman:** Clear?

**Some Members:** Clear.

**Mr. Chairman:** Seven, there is no change recommended in these amendments.

**Hon. Mr. McKinnon:** Mr. Chairman, if I could rise to question, sub-section 82(1) of the Municipal Ordinance, there was a suggestion, particularly from the Municipality of the City of Dawson, that there be a fixed sum included in the Municipal Ordinance above which the public had to go to plebiscite and below which they didn't.

Mr. Chairman, this means a major change in the philosophy behind the Municipal Ordinance where the mill rate on taxable assessment has always been used to judge whether a community had to go to plebiscite or not. The change to the five mills on taxable assessment rather than three mills puts the Dawson City up to approximately \$6,000.00 of expenditure prior to having to go to plebiscite from 4,000 which it was prior to that, 10 percent was to be \$60,000.00, Mr. Chairman.

We would like to see this in operation for approximately -- well for a time period, because even with the three mills on assessment, there weren't that many plebiscites on monetary expenditures in Dawson City. We think with the increase up to five mills that probably it could work out and if it doesn't, we're prepared to look at the philosophy of changing it to a fixed rate, rather than a mill rate which has been the experience with the Municipal Ordinance in the past.

**Mr. Chairman:** Thank you. Any further discussion? Eleven, amended to read as follows:  
(Reads 11 (120.1 (1))

**Mr. Chairman:** Anything arising?

**Some Members:** Clear.

**Mr. Chairman:** Thirteen is amended by eliminating paragraph (a) and changing (b) and (c) to (a) and (b) respectively. Are there any questions on the amendments? Miss Millard?

**Ms. Millard:** Yes, Mr. Chairman. I argued about this when it was first before us quite awhile ago, that the restrictions were very narrow and that someone who might be just trying to fix their own car in the back yard might have some problems, and it's even been further changed now to substitute "or" for "and" after section (a) and (b), which is in the old one, (b) and (c), which means that a car which is partly dismantled or a car that is not located in a building, and I find that very--narrowing down the whole thing so much that there is no real definition.

**Mr. Chairman:** Thank you, Miss Millard. Perhaps we could have an explanation from Mr. Legal Advisor as to--

**Mr. Legal Advisor:** Mr. Chairman, this is a misprint, it should have been "and".

**Mr. Chairman:** So we will substitute "and" for "or" there. Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman. It's a good thing it's not a partly misprint. I don't agree with the word "partly" in any case. In anything that you're going to have--if it's a wrecked vehicle, it's a wrecked vehicle; if it's a dismantled vehicle, it would be, I think a dismantled vehicle. I don't agree that "partly wrecked" gives them a chance to come in and say, "look, your headlight's out, you're got a partly wrecked vehicle". I don't agree, I believe it gives them a little too much authority to walk in and just anything at all that has something wrong with it, all of a sudden the vehicle must be towed away.

Not necessarily if they are good people, which is not always the case, and as for a rusted vehicle, I don't know, but you will find if they continue to put the stuff on our roads they are today, that we will all have rusty vehicles, and they will still only have a very few miles on them. We will be running them for a long time. It's the same as the salt water, if you have a car in Vancouver anywhere, you'll find the bottom is rusted out but it's still a good car, but it is a rusted vehicle, in many, many cases.

**Mr. Chairman:** Thank you, Mr. Fleming. Any response to that from the--

**Mr. Legal Advisor:** No, Mr. Chairman. The definition has not been changed from what it was, other than by the elimination of paragraph (a), and it's what the Municipalities asked for and it's what they are satisfied with, and they will be operating the Section by means of by-laws. This is an enabling section, enabling them to make by-laws dealing with this particular subject. This is merely the definition for that purpose.

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

**Mr. Berger:** Thank you, Mr. Chairman. Well I have the same objection as I had before, as giving too much power to the Municipalities in this respect of setting standards of what vehicle should be on the road and what shouldn't be on the road, and I think we already have the standard in our Motor Vehicle Ordinance, and I would have to object to the same thing as the Honourable Member from Hootalinqua, especially in the rusted thing. I don't think it should be in there.

I think we had a good thing before when it says in paragraph (a) that have not current licence plates and so on, I think we should have left that in there.

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

**Hon. Mr. Taylor:** Mr. Chairman, it occurs to me that perhaps some Members may wish to obviously oppose this amendment, perhaps you could have by show of hands an acceptance or rejection of this particular amendment.

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

**Hon. Mr. McKinnon:** Mr. Chairman, I think that we shouldn't get away from the philosophy of the Municipal Ordinances as I see it. All of the municipalities in the Yukon are duly elected bodies that are supposed to, under certain powers granted to them by the senior

government, conduct the affairs in the municipality as an independent and responsible duly elected body.

The Yukon Association of Municipalities representing approximately eighty percent of the people of the Yukon who live in municipalities have stated that they would like restrictions that were even more stringent than were in the last Municipal Ordinance in an effort to be able to control and clean up their municipalities.

Their mandate, Mr. Chairman, as far as I am concerned, comes from the people who elect them. If they feel that it is the people's wishes that these are the policies that they want to be enabled to put into effect, then I find it rather repugnant for this body, under the terms of the Municipal Ordinance to restrict those powers.

I think the restriction of those powers should come from the people of the municipalities who vote them out of office at the next election, if they don't like the way they are, by by-law, exercising those powers that the senior government gives them.

I have always found it rather hypocritical in this body for us, who are always crying and demanding from the senior government, the responsibilities that I think are due to the people of the Yukon Territory, through its territorial representatives to be restricting those powers under the Municipal Ordinance that most municipalities have as duly elected bodies throughout the Dominion of Canada.

They are going to, if they apply this enabling legislation in such a restrictive manner that it makes it impossible for a person to be able to fix a vehicle in his back yard. They are going to hear from the public. Let me tell you, municipal governments react to public opinion and to public pressure very quickly.

Mr. Chairman: Thank you. Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, as you know, I have very strong feelings on this section, but I have to agree with the Honourable Minister from Local Government, it is going to be up to the City fathers to see how they enforce it. We will have a chance to say, next December, to say decide whether or not we can do it properly.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I may just add a word in answer to the Honourable Member for the Local Government. It is very fine to say that people can, if you don't make proper regulations, vote you out of office in four years. In four years time many people can have a lot of problems and if you do make legislation that can leave loop-holes for problems you are going to find them in there.

Mr. Chairman: Thank you.

Is it the wish of the two Members concerned to vote on the amendment? I think possibly the best way to handle it would be for a Motion of some sort. I think we are looking at an amendment to the section, the proposed section. I think part of their concern isn't over the amendment, as such, but the parent section, or the original section itself.

Is it the wish of those Members to propose a Motion?

Mr. Fleming: Mr. Chairman, I only have a couple of things I didn't like was the partly wrecked, something that is not definite is the only thing I am opposed to, and I am quite willing for it to go to a vote and accept the majority.

Mr. Chairman: No, my difficulty, Mr. Fleming, with respect, is that we ought to have your Motion, so we know exactly what we are going about. Are you opposed to this amendment, is it that simple, or is it something else you are looking for.

Mr. Fleming: Yes, Mr. Chairman, I'm opposed to the wording, and if I may make a Motion, I suppose to remove that word, I am not too good at this type of thing, and I don't want to cause any problems one way or the other, and it can be decided, I suppose, quickly anyway, but--I just don't like the word "partly".

Mr. Chairman: Maybe--

Mr. Fleming: In this place, I don't agree with the word "partly".

Mr. Chairman: Thank you, Mr. Fleming. Possibly we should adjourn for five minutes and you can consider what you want us to vote on. Is that agreed?

Some Members: Agreed.

Mr. Chairman: I will declare a 5 minute recess.

#### Recess

Mr. Chairman: I will now call Committee to order, and I understand that Mr. Fleming has a motion.

Mr. Fleming: Yes, I move that the words "rusted", "partly wrecked" and "partly dismantled" be deleted from Section 13 (121) (6) of Bill Number 13, seconded by Miss Millard.

Mr. McCall: Mr. Chairman?

Mr. Chairman: Mr. McCall?

Mr. McCall: Thank you, Mr. Chairman.

I would like to ask the Honourable Member why the work "wrecked" is being deleted.

Mr. Fleming: Due to the fact that it is "partly" wrecked. A wreck is definitely a wreck there, I don't think you would need that for the Municipality to know that a wreck is a wreck when they go up there. But "partly wrecked" means nothing at all, possibly a broken headlight, and that's why I propose to delete it.

Mr. McCall: Mr. Chairman?

Mr. Chairman: Mr. McCall?

Mr. McCall: I would like to ask Mr. Fleming, in particular "partly wrecked", I would agree with you, but to delete both the wordings here is defeating the purpose. I would suggest you leave the "wrecked" in.

**Mr. Chairman:** With respect, Mr. McCall--

**Mr. Fleming:** Yes, Mr. Chairman--

**Mr. Chairman:**--the word "wrecked" is left in.

**Mr. McCall:** It is?

**Mr. Chairman:** It's the Motion--I'll read it again. It's moved by Mr. Fleming, seconded by Miss Millard, that the words "ruined", "partly" wrecked, and "partly" dismantled be deleted from Section 13.

**Mr. McCall:** Thank you.

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

**Some Members:** Question.

**Mr. Chairman:** Question. It has been moved by Mr. Fleming, seconded by Miss Millard, that the words "ruined", "partly" wrecked and "partly" dismantled be deleted from Section 13 of Bill 13. Agreed?

**Some Members:** Agreed.

**Some Members:** Disagreed.

**Mr. Chairman:** May I have a show of hands. Those agreed please raise your hands? And disagreed? I declare the Motion defeated.

Any further discussion on this amendment?

Section 14 in the Bill is proposed it be amended to read as follows: Fourteen:  
(Reads 14 (129.1 (1)))

**Mr. Chairman:** Clear?

**Some Members:** Clear.

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

**Mr. McCall:** I was under the distinct impression that the witnesses wished "for building purposes" to be deleted. Am I correct in that?

**Hon. Mr. McKinnon:** If you recall, Mr. Chairman, the witnesses were concerned that perhaps if they wanted to subdivide the land for recreational purposes or for other purposes, then just express "building", that they felt 129.1 (1) was a bit narrow, so to clarify it for sure, we put in the words "subdivide and develop the land" and took out "subdivide the land for building purposes."

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

**Mr. Fleming:** Yes, I would like to -- I wonder if Mr. Legal Advisor could clarify this. If they buy or any way acquire a large section of land and they have to subdivide that land, do they in this case, have to return one-third of it back to the Crown as individuals usually do?

**Mr. Legal Advisor:** I don't really know, they're not a railway company so they're not covered by the

railway provisions. I don't know what power would require them to return one-third to the Crown.

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

**Some Members:** Clear.

**Mr. Chairman:** Sub-section (2)(1) of 129, proposed amendment as follows:

(Reads 129.2(1))

**Mr. Chairman:** Anything arising?

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

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

**Mr. Legal Advisor:** There's a typing error here. It should have read in the final phrase, "...the disposition is to the Commissioner or the Crown".

**Hon. Mr. McKinnon:** We are not up to that yet, Mr. Legal Advisor.

**Mr. Legal Advisor:** I'm sorry.

**Hon. Mr. McKinnon:** You went ahead of us.

**Mr. Legal Advisor:** I beg your pardon.

**Mr. Chairman:** Any discussion about this proposed amendment?

The proposed amendment to 129.2, sub-section (2):

(Reads Clause 129.2(2))

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

**Mr. Legal Advisor:** Mr. Chairman, the words "or the Crown" were in the original typing, and they have been omitted in the transfer to this particular typing.

**Mr. Chairman:** Crown instead of Commissioner, Mr. Legal Advisor?

**Mr. Legal Advisor:** No, the Commissioner or the Crown should be the way the last line reads, Mr. Chairman.

**Hon. Mr. McKinnon:** Mr. Chairman, the City wanted land to be able to be turned back to the Commissioner without going to plebiscite. We thought that perhaps it should go one step further, say in the case of a Historic Site the City wanted to turn over, that they should be able to do that through the Crown.

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

**Some Members:** Clear.

**Mr. Chairman:** I have one question of the administration, and that is, I was concerned when we did the clause by clause about Section 6(2). It was my opinion that the words "or suing on behalf of himself and all other electors of the Municipality" ought to be

deleted, and Mr. Legal Advisor said he would think about.

**Mr. Legal Advisor:** Yes, Mr. Chairman, I've discussed this and it appears to be a standard phrase which is used in the circumstances of this particular sub-section.

**Mr. Chairman:** But does it not, Mr. Legal Advisor, entitle citizens to recover damages directly from an alderman, even though the city has gone ahead and spent large sums because of the ultra vires use of their powers?

**Mr. Legal Advisor:** The phrase reads, "any sums due to the Municipality under this Section may be recovered by the Municipality or by the elector". It's a sum due by the Municipality, accrued to the Municipality, rather, so he cannot collect it for himself. It's a sum which is due to the Municipality, the opening phrase controls the balance of the Section, Mr. Chairman.

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

**Some Members:** Clear.

**Mr. Chairman:** I will entertain a Motion on the amendments as read.

**Hon. Mr. Taylor:** Mr. Chairman, I would move that the amendments to Bill Number 13 as read from the Chair be now agreed to.

**Mr. Chairman:** Thank you. A seconder?

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

**Mr. Chairman:** It has been moved by Mr. Taylor, seconded by Mr. McCall, that the amendments to Bill Number 13 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:

(Reads Preamble)

**Mr. Chairman:** And the title of Bill Number 13, "An Ordinance to Amend the Municipal Ordinance". Clear?

**Some Members:** Clear.

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

**Hon. Mr. McKinnon:** Mr. Chairman, I would move

that Bill Number 13 be reported out of Committee as amended.

**Mr. Chairman:** Thank you. A seconder?

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

**Mr. Chairman:** It has been moved by Mr. McKinnon, seconded by Mrs. Whyard, that Bill Number 13 entitled "An Ordinance to Amend the Municipal 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:** Mr. Taylor?

**Hon. Mr. Taylor:** Mr. Chairman, yesterday we had some difficulty in dealing with Bill Number 16 and it would be necessary for the House to report -- for the Committee, I should say, to report back to the House with respect to the Bill.

Perhpas, I would like to propose at this time that Bill Number 16 be left to die in Committee.

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

**Mr. Hibberd:** I second that.

**Mr. Chairman:** Any discussion?

It has been moved by Mr. Taylor, seconded by Mr. Hibberd that Bill Number 16 be allowed to die in Committee. Question?

**Some Members:** Question.

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

**Hon. Mrs. Whyard:** Mr. Chairman, am I to understand that this also implies that it to be brought forward at the next session?

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

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

**Hon. Mr. Taylor:** Perhaps I could explain. There was a Motion in Committee yesterday, with respect of Bill Number 16, which moved that the Bill be discussed again at the next Session. It is still necessary to report back to the House the status of the Bill.

The Committee must deal with all submitted to it and report back to the House what they have done with them.

The Motion now, to allow it to die in Committee would simply allow us to report that we have done something with it, we have carried it, we have moved it

out of Committee, or we have left it die in Committee.

It has no effect in nullifying the Motion that it was made yesterday that it will be discussed at the next sitting.

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

**Some Members:** Question.

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

**Some Members:** Agreed.

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

**Motion Carried**

**Mr. Chairman:** Any further business? Mr. Berger?

**Mr. Berger:** Thank you Mr. Chairman. I don't know if my request would be in order now to ask this Committee to, if it is possible to discuss Legislative Return Number 22.

**Mr. Chairman:** Is it agreed by the Honourable Members that Legislative Return Number 22 be now discussed in Committee?

**Some Members:** Agreed.

**Hon. Mr. McKinnon:** Mr. Chairman, I wonder, I am just worried about the procedure.

I have no difficulty at all in acceding to the Honourable Member's request, but I would like some direction whether or not we are actually waiving a Standing Order in this instance, and that direction has to come from the House rather than the Committee.

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

**Hon. Mr. Taylor:** Yes, Mr. Chairman, in truth this is correct. Legislative Return Number 22, I don't believe, has been tabled in the House as yet.

**Hon. Mr. McKinnon:** It was tabled this morning, Mr. Chairman.

**Hon. Mr. Taylor:** In any event, Mr. Chairman, although it has not been referred to the House it could only be that the general subject matter could be discussed, I would say, in Committee, but only with the concurrence of all Members. If there is one dissenter, it would not be possible.

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

**Hon. Mr. McKinnon:** That is the procedure that we can use to get around the Rules. Mr. Chairman, I certainly won't be dissenting.

**Mr. Chairman:** Thank you.  
Is it agreed by all Members then that we discuss Legislative Return Number 22?

**All Members:** Agreed.

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Thank you Mr. Chairman. As all members are aware I brought four questions about the contracts in existence between the RCMP and Historic Sites at present. I strongly object to those contracts because they are directly competing with private enterprise, and private enterprise never had a chance to bid on any of those contracts.

The other concern I have, especially in smaller outlying communities, is what will happen to existing facilities, like garages in the winter time? The main business in those communities is federal government business, like RCMP and like in Dawson, especially Historic Sites.

I can see it possibly coming where there is no service stations available for local residents. Will the Territorial government consider also servicing my vehicle and everybody else's vehicle in Dawson City?

I find it very curious to see the answer I received that one of the basic policies which this government has always followed is to cooperate with all federal government. I think this co-operation should be first to all citizens of this Territory.

I think it should be the concern of all members here that this government is definitely not cooperating with its people in this Territory.

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

**Mr. McCall:** Thank you, Mr. Chairman. I agree with what Mr. Berger has just stated, considering we live in the 20th Century and we are trying to encourage secondary industry to come into the Yukon, in many, many aspects and here we are once again, the government is sticking its big foot in its own mouth by encouraging this sort of procedure. I disagree with the intended attitude of policy of the government in allowing this to go on, and I would strongly suggest we consider encouraging the government to change its policy.

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

**Mr. Fleming:** Yes, Mr. Chairman, I have to agree with the Honourable Members. It is our intention to reconsider our basic policy, unless we therefore will not attempt to cancel these agreements unless we are forced to by the Federal Department, which means they won't do anything.

But on the other hand here when they say, "When discussing third party services as part of 1975-76 estimates, the explanation given was that this included work done for private individuals, federal agencies and municipalities".

Now private individuals, I will agree with the wording because of what they say here, to a certain extent, that if there is no other facilities in that area, even the Department of Public Works will help in some cases by renting machinery which we have spoken about here before in this legislation, and so forth, but only if there are no other facilities, or no other machinery to rent, so forth and so on. So that private individuals is just something that if it's a necessity, yes, and I can see in some cases where the RCMP may be a necessity if there is not any other services

available to them, but if there is other services and people that are paying licences in this Territory, then I see no need for them to go anywhere except for their major repairs, which they do now at any time.

As for Historical Sites, I don't think they are an emergency very often, and when they start taking over this type of thing, I think they are going just a little bit too far, and they are imposing upon the business people who are paying licences in this Territory just a little too far.

**Mr. Chairman:** Miss Millard?

**Ms. Millard:** Yes, I must rise in support of the other Members who object very strongly to this legislative decision, and I'm wondering if Mr. Miller can come to us and try to explain it in some way. It certainly doesn't make sense to me. I've always heard that the Territorial Government will not interfere with private enterprise, and that there was a definite policy to support private enterprise, where at all possible.

I would certainly like some answer to this question.

**Mr. Chairman:** Is it agreed by Members that we invite Mr. Miller as a witness?

**Some Members:** Agreed.

**Mr. Chairman:** Madam Clerk, would you --

(Madam Clerk leaves Chambers)

**Mr. Chairman:** I will declare a 5 minute recess at this time.

**Recess**

**Mr. Chairman:** I will now call Committee to order, and we have with us as a witness, Mr. Miller, and Mr. Miller, we are discussing legislative Return Number 22. Are there any questions of the witness? Mr. McCall?

**Mr. McCall:** Yes, thank you, Mr. Chairman. The first question I would like to ask Mr. Miller is an explanation to this paragraph, "It is not our intention to reconsider our basic policy and we, therefor, will not attempt to cancel these agreements unless requested to do so by the originating federal department".

Would you mind explaining that paragraph to me, please?

**Mr. Miller:** Mr. Chairman, we don't find anything wrong with our basic policy. Maybe just for a bit more background information, the Treasury Board in Ottawa some number of years ago, and if my memory serves me correct, it's about eight or ten, signed a Minute which indicated that all Federal Departments would follow the basic principle that if there was a service available by one department in a community, that all other departments would take advantage of that same service, and not create duplicate type services. We still have to live with that basic principle, because we still get a lot of our money from the Treasury Board.

So we adopted the policy of cooperation and of providing these services, wherever possible, providing

it doesn't cost us any additional money, to federal agencies, and we intend to continue that.

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

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

**Mr. McCall:** Thank you, Mr. Chairman. In view of what Mr. Miller has stated, in accepting and living with the policies of a federal government, don't you feel that it's a direct insult to private enterprise in the Yukon?

**Mr. Miller:** Mr. Chairman, it's not our intention to interfere with private enterprise. We didn't ask the R.C.M.P. or National Historic Sites for this work, they asked us to do it for them.

Now, I won't try to answer for either of those parties as to why they asked us. I know the reasons, but I won't answer for them, they can answer for themselves, but having been asked, and having the capability to fulfill that service, I think we have an obligation to do so.

**Mr. Chairman:** Miss Millard?

**Ms. Millard:** Mr. Chairman, am I to understand Mr. Miller to say that the federal government was intending to have their own garage to look after their own vehicles, when you said not to create duplication of services; was this their intention, rather than to go to small garages in the towns?

**Mr. Miller:** No, Mr. Chairman, I don't believe that was the intention in these particular cases, but one of the basic principles as I've expounded, is that where there is a facility operated by government, for servicing vehicles in Whitehorse, for example, going back to when D.P.W. ran the Alsaka Highway here in Whitehorse, they maintained all federal government vehicles in that garage.

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

**Mr. Chairman:** Miss Millard?

**Ms. Millard:** Excuse me, I'm still not quite clear on what Mr. Miller means by duplication of services then?

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

**Mr. Miller:** Well I'm suggesting that we operate garages in these communities, for example, in Dawson, we operate a garage for our own equipment. The federal government have approached us to maintain their equipment in our garage. I believe that we are obligated to do just that.

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

**Mr. McCall:** Thank you, Mr. Chairman. In view of what Mr. Miller is saying, I am being left with the distinct impression that we are looking at a fantastically federally owned Crown corporation here. This is the first step at getting it off the ground, as far as I'm concerned.

The other impression I'm being left with is

private enterprise might just as well pack their bags and leave, because they are not being considered at all by our government, and I think this is a very selfish attitude, to have an administration here in the Yukon allowing the federal government to just move in like this, and do their thing. I totally think this is out of order and out of line.

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

**Mr. Fleming:** Yes, Mr. Chairman. It appears to me, due to the bottom paragraph here, "We will continue to apply our policy towards the servicing and repair of any federal government departments' vehicles providing that it does not increase our costs".

Now, there is no way in this world that it is not going to increase the Territorial Government's costs. There's an explanation, I'm sure, that's right, because at any time that there is more work, there is going to be more cost, and I would like to ask Mr. Miller, do we get paid for any of these extra costs? Are they willing to pay for it to the Territorial government, for the work that's done?

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

**Mr. Miller:** Mr. Chairman, I believe there was tabled in Council the other day, the agreements with respect to vehicle equipment repairs for both Parks Canada and the RCMP, which lay out the costs that they are paying us any time we service their vehicles.

**Mr. Chairman:** Miss Millard?

**Ms. Millard:** Just to continue on that question, are the costs different from what they would be for an individual citizen of the town? Are they different for the federal government, are they less?

**Mr. Miller:** Well number 1, we don't service individual vehicles, individuals' vehicles, we only service government vehicles, but as I understand it, the costs that we charge back to the federal government are less than what the federal government would pay if they went out and tried to arrange to get this done by a private garage. But these are our total out-of-pocket costs that we are charging back.

**Mr. Chairman:** Mr. Miller, in your opinion, is this kind of agreement harmful to private enterprise?

**Mr. Miller:** Mr. Chairman, I would suggest that private enterprise might be suffering in certain communities as a result of this.

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

**Hon. Mr. McKinnon:** Mr. Chairman, the impression that I get from this whole discussion, and the impression I get an awful lot around this table, is that it's another little piece of political blackmail, the Treasury Board holds the purse strings, Treasury Board has said now, "Look it fellows, you better come along and provide service to our federal government vehicles or perhaps the pot won't be as little bit as sweet as it was the last time around", and how do you answer this type of demand -- I guess I shouldn't go into

the stronger term from the federal government, without having the rights and responsibilities of an independent legislature, has been the age old problem around this table. Where the resolution isn't, comes a revolution. I just don't really know the answer.

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

**Mr. Fleming:** Yes, Mr. Chairman, it's not actually a question. I think that I would like to say that I sympathize with Mr. Miller too in his position, but I also feel as the Honourable Members did, and as I spoke before, and I think it's just a straight automatic rip-off, is what you could call it, because there's no need of them imposing that upon the Territorial Government, and I see no reason why we shouldn't request something done about it.

**Mr. Chairman:** Thank you, Mr. Fleming. Any further Questions? Mr. Berger?

**Mr. Berger:** Yes, Mr. Chairman, I understand then that on the tabled contracts that the rate charged by the Y.T. government is going to be \$14.00 an hour, and I believe most of the rates in private enterprise is around 16, \$18.00 an hour, and I understand from what Mr. Miller says that the RCMP and Historic Sites considered those rates too high, and what I'm wondering now, is that lots of times there is so-called emergency work especially RCMP vehicles, did they ever consider that most of the work is going to be done on overtime rates and the rates are going to be way higher than private enterprise would ever charge?

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

**Mr. Miller:** Mr. Chairman, if you read the agreement, it says "Rates, \$14.00 per hour straight time, overtime rates subject to change, 30 days' notice in writing".

I'm not suggesting, I did not suggest, Mr. Chairman, that these rates were any lower. I said I believed that they would, to my knowledge, the result -- this did not result from the costs that the RCMP or Parks Canada were having to pay private enterprise. This resulted from the fact that they couldn't get the service that they wanted from private enterprise.

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

**Mr. McCall:** Thank you, Mr. Chairman. I find that interesting, what Mr. Miller just stated. Thirty days' notice in case of emergency, how is that possible?

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

**Mr. Berger:** I find it curious on the last statement that Mr. Miller made, that he couldn't get the vehicles serviced. I mean there never was an attempt made by the RCMP or Historic Sites to try to get contract work done by the local garage, the garage owners were never approached by RCMP or Historic Sites that they would like to go into a contract.

I find it very curious to say that they -- I realize some of the things that were behind this thing but to come up and say that they couldn't get the work done.

**Mr. Chairman:** Thank you, Mr. Berger. I don't think that Mr. Miller can answer for those--

**Mr. Berger:** I was merely interested.

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

**Mr. Hibberd:** Mr. Chairman, I have a Motion to propose.

**Mr. Chairman:** Mr. Hibberd, perhaps we could have the witness excused and then we can enter into that field. If there is any other questions of Mr. Miller--

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

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

**Hon. Mrs. Whyard:** Mr. Chairman, I must admit that I'm not familiar with the terms of this contract, and I was prepared--and everyone here around this table has had opportunity to see it?

**Some Members:** Yes.

**Mr. Miller:** Yes, it was tabled the other day.

**Hon. Mrs. Whyard:** I apologize for not recalling the terms of this contract. My question is, does this contract apply anywhere except in Dawson City?

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

**Mr. Miller:** Except in Dawson City? No, the contract with the R.C.M.P., repairs and services will be effected at Whitehorse, Dawson and Watson Lake. Tune-ups and minor repairs at other locations in the Territory, where highway maintenance camps exist. Outboard motors to be repaired only in Whitehorse. In the case of Historic Sites, repairs and services will be effected at Whitehorse and Dawson City; tune-ups and minor repairs will be performed at Haines Junction.

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

**Mr. Chairman:** Thank you. Any further questions? Thank you for attending, Mr. Miller.

**Mr. Chairman:** Mr. Hibberd did you have a written Motion?

**Mr. Hibberd:** Yes, Mr. Chairman.

My motion is that the Territorial Government be encouraged to support private enterprise, whenever possible, by submitting any projects for bid by private industry when such facilities are available in the private sector.

**Mr. Chairman:** Is there a seconder of that Motion?

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

**Mr. Chairman:** Mr. Berger has seconded it. Mr. Taylor?

**Hon. Mr. Taylor:** Yes, Mr. Chairman, I am not sure

where this can be found, but it seems to me that that is the policy of government. This is a detraction, of course, from that policy, perhaps, at the insistence of the federal government. I understand, and it has always been my understanding it is the policy, under either the Financial Administration Ordinance or some Ordinance to support private enterprise.

Perhaps Mr. Legal Advisor can enlighten as to whether this is stated policy of not?

**Mr. Legal Advisor:** I don't know whether it is the policy or not, Mr. Chairman.

**Mr. Chairman:** Thank you. Is it the wish of the Members that we recess for five minutes to--no.

**Hon. Mr. McKinnon:** Mr. Chairman, I don't think that is necessary. I think this is a re affirmation of the thinking of this Assembly. What do we care about the Administrative policy, we are worried about the policy as reflected by the elected Members of this Assembly.

I am here to tell you I am standing as an elected Member of this Assembly on this point. Go ahead with it.

**Mr. Chairman:** Very well, could I have a copy of your Motion?

**Hon. Mrs. Whyard:** Mr. Chairman, while you are waiting the Motion, if I could just say it seems to me we have a very strong indication of how we could approach this federal department on this question because of their recent financing of a Task Force which travelled all across the north, at their invitation, and met in every community of any size to find out how the government could provide more work for private enterprise. How private enterprise could tool up, supply train, employees, whatever in order to have more access to government contracts, is that not your understanding Mr. Chairman?

Having done so, now we find with the other hand the federal department is saying we will use the Territorial Government's facilities rather than give this business to private enterprise.

You are either going to have it one way or the other. It seems to me that there is only one obvious way to go on this one. I would certainly suggest that this Council urge the federal department which sponsored that Task Force to take note that this is one way that private enterprise can become a little more thriving in the north.

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

**Mr. Fleming:** Mr. Chairman, I am thinking of one of the remarks in the contract. It states, for one thing, outboard motors may be fixed only in Whitehorse. I think this is very discriminating because there is no way that there isn't people than can do it just as good as Whitehorse ever did it, and at a lot less cost. Just as good, I am not saying better.

Also I find it very very strange that they have vehicles, you know, all these things can be done at Haines Junction but not in many of the other little centres. I think the answer to that is probably because they do have the Historic Park up there. I think this is very discriminating too, to pick out some little town

just because they have a few more vehicles running around there, and let them have the business, or even take the business away just because more or vice versa, it don't matter. They are definitely not even being fair with the communities in this case at all in any ways.

They are not playing fair with one or the other. I think they should have a guilty expression on their face.

**Mr. Chairman:** I would like to say that I am fully in support of this motion. My only reason for asking if the recess was required was to ensure that the wording be effective. I am quite with the wording now that I have had a chance to read it.

Any more debate?

It has been moved by Mr. Hibberd, seconded by Mr. Berger, that the Territorial Government be encouraged to support private enterprise, whenever possible, by submitting any projects for bid by private industry when such facilities are available in the private sector.

Question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

**Motion Carried**

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Thank you, Mr. Chairman. I have a further Motion. It is moved by myself that this House advises the Yukon Territorial Government Administration not to consider any new RCMP and Historic Sites contracts in the next fiscal year.

**Mr. Chairman:** Perhaps, Mr. Berger, you could get me a copy of that Motion. I didn't write it down.

The Motion reads, "That this House advises the Yukon Territorial Government administration not to consider any new RCMP and Parks Canada Historic Sites contracts in the next fiscal year". Clear?

**Some Members:** Clear.

**Hon. Mr. Taylor:** Mr. Chairman, while I agree with the philosophy that is contained in the Motion, I certainly couldn't vote for it, because it's too broad. I don't think in this particular instance I would lend my support to a Motion which would disallow the government of the Yukon Territory to consider anything, and that's in fact what this Motion proposes, and it is not specific to any particular subjects. The Motion says that the government can't consider any contracts with them in any respect, and consequently I could not support the Motion.

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

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

**Mr. McCall:** In view of what the Honourable Member has just stated, I second that Motion.

**Mr. Chairman:** Mr. Berger?

**Mr. Berger:** Mr. Chairman, I was in full agreement with a five minute recess before this. I'm quite willing to amend the Motion to just to specifically state repair work and third party work contracts.

**Mr. Chairman:** Well is it your wish, Mr. Berger, for a short recess to consider the wording of your Motion? Is that agreeable to Members?

**Some Members:** Agreed.

**Mr. Chairman:** I declare a short recess.

**Recess**

**Mr. Chairman:** I will now call Committee back to order, and I understand that Mr. Berger wishes to withdraw his Motion, and has a Motion to put forth in its place. Is that correct, Mr. Berger?

**Mr. Berger:** That is correct, Mr. Chairman.

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

**Mr. Berger:** If Mr. McCall is willing.

**Mr. Chairman:** Mr. McCall, you agree, do you?

**Mr. McCall:** Yes, Mr. Chairman.

**Mr. Chairman:** Very well, is that agreed?

**Some Members:** Agreed.

**Mr. Chairman:** Mr. Berger, have you a Motion?

**Mr. Berger:** You have my copy now.

**Mr. Chairman:** The Motion I have here, moved by Mr. Berger, that this House recommends that Yukon Territorial Government Administration change their policy in the next fiscal year concerning third party repair on vehicles' contracts with the RCMP and Parks Canada (Historic Sites). Do we have a seconder?

**Mr. McCall:** Yes, I will second that.

**Mr. Chairman:** Any discussion?

**Mr. McKinnon?**

**Hon. Mr. McKinnon:** I don't like the word "change", because they could change it to be even harsher, according to private enterprise. I would like the word "review" considered in that Motion, so that we could have the ability of going into the background and the debate could ensue at the fiscal agreement, come spring, where I think it should, as to whether there are reasons, after review, that the policy should be changed.

I'm not at all aware of the background and the reasons, other than that given by Mr. Assistant Commissioner Miller for the policy. I was wondering

whether while Mr. Commissioner was here, who must have knowledge of the total background of the contract, whether he would be prepared to shed any light on this subject for us?

**Mr. Chairman:** Before we hear from Mr. Commissioner, Mr. Berger, do you wish to accept that?

**Mr. Berger:** I would be willing to accept the change.

**Mr. Chairman:** You're saying your Motion will now read "review"?

**Mr. Berger:** Will now read "review".

**Mr. Chairman:** Thank you.

**Mr. McCall:** I have no objections, Mr. Chairman.

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

**Mr. Commissioner:** Well, Mr. Chairman, I wasn't present when Mr. Miller was speaking to you, and I'm sure that he gave you a considerable amount of background on this. But the basic premise that is involved here, is a provision of services to government agencies on a common basis, wherever it is practical and possible to do so. This is a policy which I personally am very, very involved in as the senior federal government representative here, and through the Federal Interdepartmental Co-ordinating Committee.

We have struggled for many years, and this is as a result of many recommendations and many Motions that have come from this House to endeavour, wherever it is practical and possible, to avoid the duplication of government services.

Now, you have happened to pick out one particular one here that you are suggesting that the policy should be reviewed on, but actually what is involved here is the total policy of the federal agencies that are represented here in the Yukon, in this particular instance, the Territorial Government is an agency of the Federal Government, and I want to make that very, very clear.

The Engineering Services' Agreement is the basic proviso of the facilities that are involved here, and are funded on an operating basis to the tune of 85 per cent federal government money and 15 per cent Territorial government money.

Now, one of the major complaints that has arisen over the years in this House, is where a Canadian National Telecommunications, the Ministry of Transport and the Territorial Government, all have a tradesman, or several tradesmen, in a community in the Territory on any one day, any given day in the week. Each one of those people having travelled from their base here in Whitehorse to a community, let us say Haines Junction or Mayo, where none of them have tradesmen present. Each one of these people is on travel status, goes to do, in most instances, less than a total day's work, and the taxpayers of Canada who would ultimately pay the bill for the whole thing, wind up paying for three tradesmen being present in a community at any given day.

Now, the same applies to the provision of say, office space or housing. At the behest of Council, and I think a

proper behest, we have done everything that we can to bring about one building in a community in which all government agencies will be tenants of that agency.

Now, as you know, the Federal Department of Public Works is the basic agency for that in the Territory, but by agreement with them, the Territorial Government has been able to go ahead and say build a government building in Watson Lake, and other federal agencies, such as the Post Office and other people such as this, participate in that building.

The same thing applies here--a question was raised at the last session of Council about the provision of public washrooms in government buildings at border crossing points. Now this matter has been taken care of in the new Customs Building that will be built at Beaver Creek, and other federal agencies will get into that building. For example, I believe the R.C.M.P. will be able to find quarters in that new Customs Building. There will be public washrooms provided in it. All I am saying to Honourable Members at this time, Mr. Chairman, is that this is a very, very fundamental policy of government here in the Yukon Territory at this time, which I think is absolutely vital as far as the taxpayers are concerned, that wherever possible, that one government agency, where they have a facility that can accommodate the needs of other government agencies, should be prepared to go ahead and obey the Treasury Board directive and provide that service.

For example, in this third floor of this building, we have a telex operation here. This is provided on a co-operative basis to all agencies of the Federal Government, or the Territorial Government, who wish to use it. The Telex itself is paid for by the Department of Indian Affairs and Northern Development. The Yukon Territorial Government provides the telex operator.

This commonality, this provision of commonality of services is something that we have striven for very, very hard over the years and is starting to bear some fruit. Certainly, there is nothing the matter with taking a review of the situation, but at the same time, there is an awful lot that is involved here and is a very, very deep rooted situation.

For example, you have the ability under this type of thing as a consequence of the facility provided by the federal government that Y.T.G. is the contractor that maintains the Alaska Highway within the Yukon Territory. It is the same basic policy and the same basic principle.

You wish to take over Health Services, it will be that same basic principle that is involved there. The Y.T.G. has got the ability and will be, hopefully, will contract with the federal governments responsibilities now carried on by Northern Health.

I simply, with those words to you, Mr. Chairman, I would just want to bring to Council's attention this is a very very deep seated policy that is being talked about here and one of which we have striven for very hard, at the Territorial level for a long number of years and now it is starting to bear some fruit.

**Mr. Chairman:** Thank you, Mr. Commissioner.  
Any further debate?

**Some Members:** Question.

**Mr. Chairman:** It has been moved by Mr. Berger,

seconded by Mr. McCall, that this House recommend that Yukon Territorial Government Administration review their policy in the next fiscal year concerning third party repair on vehicles contracts with the R.C.M.P. and Parks Canada Historic Sites.

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 Legislative Return Number 22?

Any further business before Committee?  
I will entertain a Motion.

Mr. McCall: Mr. Chairman.

Mr. Chairman: Mr. McCall?

Mr. McCall: I move that Mr. Speaker do now resume the Chair.

Mr. Chairman: Is there a seconder?

Ms. Millard: I second that.

Mr. Chairman: It has been moved by Mr. McCall, seconded by Ms. 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 the Chair.

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

Mr. Phelps: Yes, Mr. Speaker. The Committee convened at 10:15 a.m. to consider Bills, Papers and Motions. We had as a witness, Mr. Miller.

It was moved by Mr. Taylor, seconded by Mr. McCall and duly carried, that the Amendments to Bill number 13 as read from the Chair be now agreed to.

It was moved by Mr. McKinnon, seconded by Mrs. Whyard, that Bill number 13 entitled An Ordinance to Amend the Municipal Ordinance be reported out of Committee as amended. That was carried.

It was moved by Mr. Taylor, seconded by Mr. Hibberd, and carried that Bill Number 16 be allowed to die in Committee.

It was moved by Mr. Hibberd, seconded by Mr. Berger, that the Territorial Government be encouraged to support private enterprise wherever possible by submitting any projects for bid by private industry when such facilities are available in the private sector. That motion was carried.

It was moved by Mr. Berger, seconded by Mr. McCall that this House recommends that Yukon Territorial Government Administration review their policy in the next fiscal year concerning third party repair on vehicles contracts with the RCMP and Parks Canada Historic Sites. That motion was duly carried.

It was moved by Mr. McCall seconded by Ms. 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: I believe now it is the intention of the House to revert to Public Bills. What is your pleasure?

**Amendments to Bill Number 13: First Reading**

Hon. Mr. McKinnon: Mr. Speaker I move seconded by the Honourable Member from Whitehorse West that the Amendments to Bill Number 13 be now read for a first time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West that the Amendments to Bill Number 13 be now read a first time.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed.

Some Members: Agreed.

Mr. Speaker: I declare the motion as carried.

**Motion Carried**

Mr. Speaker: When shall the Amendment be read for a second time?

Amendments to Bill Number 13, Second reading.

Hon. Mr. McKinnon: Now, Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West that the Amendments to Bill Number 13 be now read a second time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West that the Amendments to Bill Number 13 be now read a second time. Are you prepared for the question?

Some Members: Question.

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

**Some Members:** Agreed.

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

**Motion Carried**

**Bill Number 13, Third Reading**

**Hon. Mr. McKinnon:** Mr. Speaker I move seconded by the Honourable Member from Whitehorse West that Bill Number 13 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 13 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 carried.

**Motion Carried**

**Mr. Speaker:** When 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 13 do now pass and 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 13 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.

**Motion Carried**

**Mr. Speaker:** Bill Number 13 has passed this House. This completes the Order Paper for the day and brings us to prorogation proceedings. Are there any Members who wish to, at this time make a reply to the

Speech from the Throne?

We will than proceed with prorogation proceedings.

**Mr. Commissioner,** the House has, at its present sitting thereof passed a number of Bills to which, in the name and on behalf of the said House I respectfully request you assent.

**Madam Clerk:** Bill Number 1, An Ordinance to Amend the Credit Unions' Ordinance; Bill 2, An Ordinance to Amend the Game Ordinance; Bill 3, An Ordinance to Amend the Cooperative Associations' Ordinance; Bill 4, An Ordinance to Amend the Housing Development Ordinance; Bill 5, An Ordinance to Amend the Territorial Employees' Superannuation Ordinance; Bill 6, An Ordinance to Amend the Judicature Ordinance; Bill 7, an Ordinance to Amend the Historic sites and Monuments Ordinance; Bill 8, Travel for Medical Treatment Ordinance; Bill 9, Travel Industry Development Agreement Ordinance; Bill 10, An Ordinance to Repeal the Students' Grants' Ordinance; Bill 11, Students' Financial Assistance Ordinance; Bill 12, An Ordinance to Amend the Fuel Oil Tax Ordinance; Bill 13, An Ordinance to Amend the Municipal Ordinance; Bill 14, An Ordinance to Amend the Taxation Ordinance; Bill 15, Municipal Employees' Benefits' Ordinance; Bill 17, Society of Industrial Accountants' Ordinance; Bill 18, Whitehorse (Takhini and Valleyview ) Land Ordinance; Bill 19, Second Appropriation Ordinance 1975-76.

**Mr. Commissioner:** Mr. Speaker I am pleased to give my assent, at this time, to the Bills as enumerated by the Clerk.

I would simply say in closing Mr. Speaker, I thank you, and all Members of the House for the consideration shown to myself and my staff during this Session of your deliberations, and wish yourself and all Members of Council a pleasant summer.

For those that have to work, I hope they find lots of it. For those who can vacation, I hope that they have good weather to enjoy their vacation.

As to a future Session of Council, Mr. Speaker, as per our custom, we will give as much notice to all Members as we possibly can.

**Mr. Speaker:** Thank you, Mr. Commissioner.

On behalf of the House I would like to express to you, and your officers and staff, as well as to, more particularly the staff of the House, our appreciation for the courtesies and the way in which they have assisted this Session, and wish all members of your administration, as well as all Members of the House, my personal wishes for a rewarding and enjoyable summer.

**Madam Clerk:** It is the Commissioner's will and pleasure that this House be now prorogued and this House is accordingly prorogued.

**LEGISLATIVE RETURN NO. 20**

May 20th, 1975

**Mr. Speaker,  
Members of Council**

On May 16th, 1975, Councillor McCall asked the following question:

"Mr. McKinnon, I would like to know if the roads in the Community of Ross River can be maintained in a better condition than at the present time?"

The answer is as follows:

"Due to the Spring Breakup, certain roads in Ross River were in poor condition, however, since that time, reasonably extensive road improvements were undertaken, and now all roads are in a satisfactory state."

**J.K. McKinnon,  
Minister of Local Government.**

**LEGISLATIVE RETURN NO. 21  
[1975 SECOND SESSION]**

MAY 21, 1975

**Mr. Speaker,  
Members of Council**

On Monday, May 12, Councillor Lang asked the following question:

"How much land has been set aside for natives, and where are these lands located?"

The answer is as follows:

A map prepared by the Department of IAND showing crown lands designated for the use of Indians is available through the Clerk of Council. If individual members wish a copy, it will be made available upon request.

**M.E. Miller,  
Member, Executive Committee**

**LEGISLATIVE RETURN NO. 22  
[1975 SECOND SESSION]  
May 21, 1975**

**Mr. Speaker,  
Members of Council**

On Friday, May 16, 1975, Councillor Berger asked the following question:

"Why did the Yukon Territorial Government Administration consider doing Third Party work for the RCMP and National Historic Sites, and in fact did sign contracts to repair these Federal Government Departments' vehicles, skidoos and outboard motors, thereby going into direct competition with private Yukon Enterprise which never had a chance to submit any tenders?"

"Why was this house not informed at Budget Session, when one member of this house queried budget item 905, Third Party Work of the pending contract and the one contract then already in existence since March 1, 1975?"

"When is the Yukon Territorial Government administration going to reconsider and try to seek release from both these contracts?"

"Is the servicing and repair of other Northern Affairs Departments' vehicles also under consideration?"

The answer is as follows:

One of the basic policies which this government has always followed is to cooperate with all Federal Departments in the provision of services to the public of the Yukon and, particularly, when requested to do so by a specific government department. Consistent with this basic policy, when we were approached by the RCMP and National Historic Sites for assistance in maintaining their equipment, we first endeavoured to ascertain whether this would require additional staff and space and failing that need, we then accepted the undertaking to do their equipment repairs.

When discussing Third Party Services as part of the 1975-76 estimates, the explanation given was that this included work done for private individuals, federal agencies and municipalities.

It is not our intention to reconsider our basic policy and we, therefore, will not attempt to cancel these agreements unless requested to do so by the originating federal department.

We will continue to apply our policy towards the servicing and repair of any federal government departments' vehicles providing that it does not increase our costs.

**M.E. Miller,  
Member, Executive Committee**

**LEGISLATIVE RETURN NO. 23  
(1975 SECOND SESSION]**

**MAY 21, 1975**

**Mr. Speaker,  
Members of Council**

On Friday, May 16, Councillor Fleming asked the following question:

“Lake water is washing on to the waterfront street in Carcross. Would the Commissioner look into this matter with Engineering?”

The answer is as follows:

An inspection of the waterfront street at Carcross took place on May 20. There was evidence found that lake waters were causing erosion. However, it may have been possible that the spring snow melt caused some erosion but little evidence of this was noticed.

**M.E. Miller,  
Member, Executive Committee.**

**LEGISLATIVE RETURN NO. 24  
(1975 SECOND SESSION)**

**MAY 21, 1975**

**Mr. Speaker,  
Members of Council**

On Wednesday, May 21, Councillor Berger asked the following question?

“When is the Territorial 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?”

The answer is as follows:

We were requested by the R.C.M.P. to takeover their building maintenance functions. We have agreed to do so wherever we have permanent building maintenance employees located in the communities. In those communities where we do not have permanent employees, we will undertake the work using Whitehorse staff as and when they are in these communities.

**M.E. Miller,  
Member, Executive Committee.**



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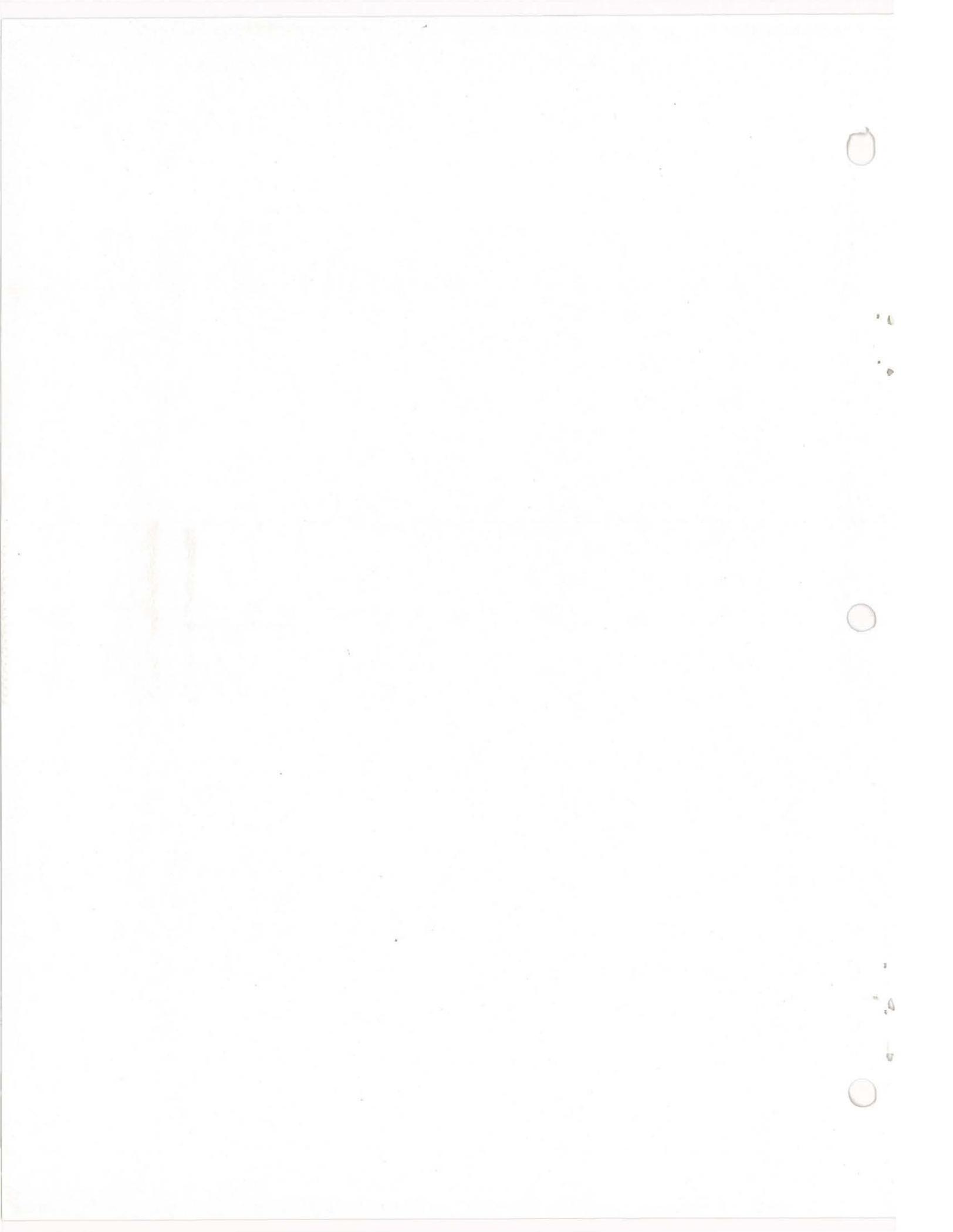


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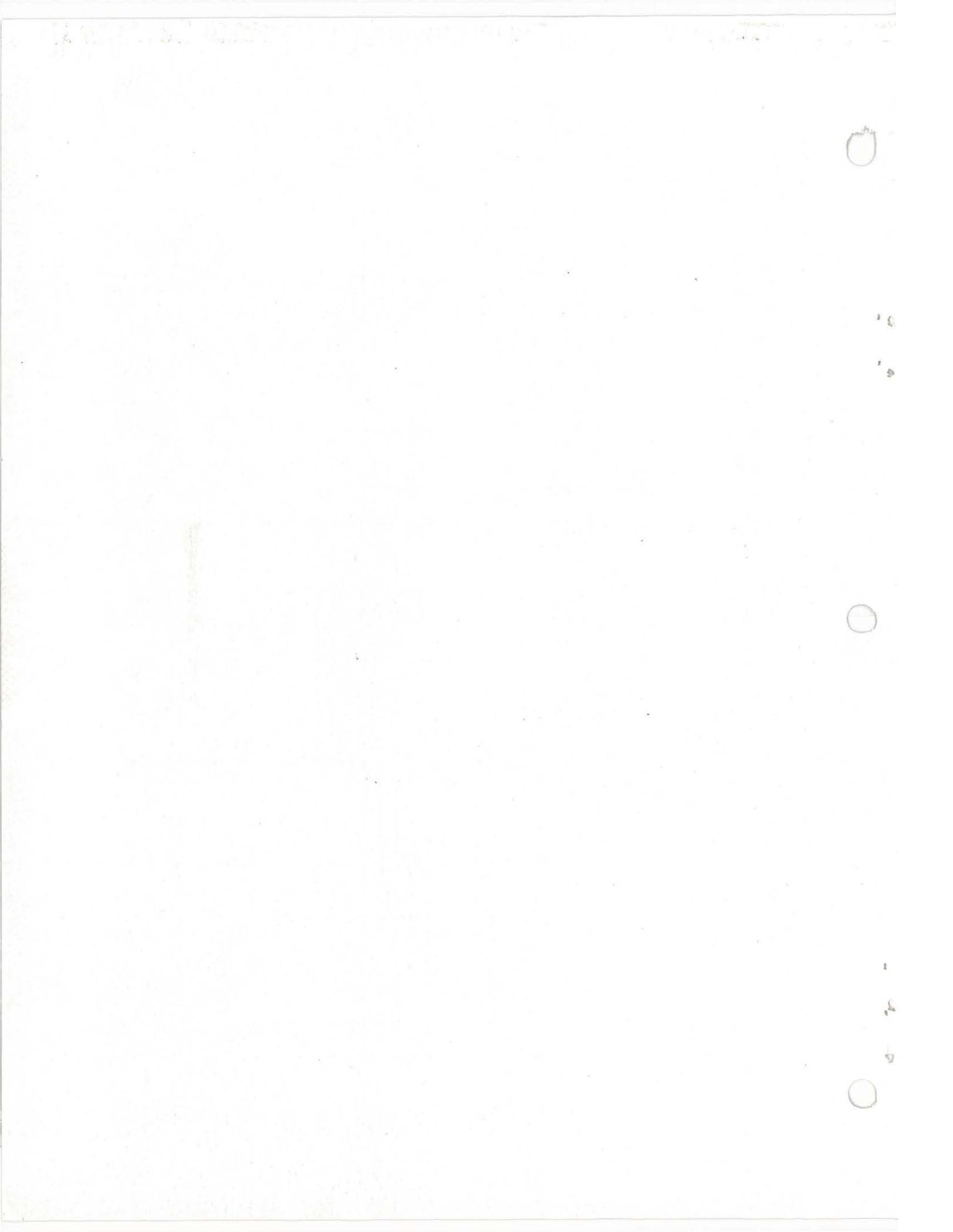


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