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Tuesday, November 25, 1975

Speaker: The Honourable Donald Taylor

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THE THIRD SESSION OF THE LEGISLATIVE ASSEMBLY FOR THE YEAR 1975, BEING THE FOURTH SESSION OF THE TWENTY-THIRD WHOLLY ELECTED COUNCIL OF THE YUKON TERRITORY, WAS CONVENED IN THE ASSEMBLY CHAMBERS AT 3:00 P.M. ON TUESDAY, NOVEMBER 25th, 1975.

The members present were:

The Hon. J.K. McKinnon
The Hon. D. Lang
The Hon. F. Whyard
Mr. G. McIntyre
Mr. A. Berger
Mr. B. Fleming
Dr. J. Hibberd
Ms. E. Millard
Mr. S. McCall
Mr. W. Lengerke
The Hon. D. Taylor, Speaker
Mrs. H.P. Watson

MR. SPEAKER: At this time, I would like to call to order the Fourth Session of the Twenty-Third Legislature of the Yukon Territory.

Members, during our last session, the seat for the Kluane riding became vacant and further, since prorogation of the House last May 22nd, another vacancy was created in the Whitehorse Riverdale riding. I beg to inform the House that the Clerk of the Legislative Assembly has received from the Chief Electoral Officer, return Writs of Election for Mr. Walter Lengerke, a member for the constituency of Whitehorse Riverdale, and for Hilda Watson as the member for the constituency of Kluane.

HON. MRS. WHYARD: Mr. Speaker, I have the honour to present to you Hilda P. Watson, member for the constituency of Kluane. She has taken the oath and signed the roll, and now claims the right to take her seat.

MR. HIBBERD: Mr. Speaker, I have the honour to present to you Mr. Lengerke, member for the constituency for Whitehorse Riverdale. He has taken the oath and signed the roll, and now claims the right to take his seat.

MR. SPEAKER: May I bid you welcome to the legislature, and may I ask you now to take your seats.

(APPLAUSE)

MR. SPEAKER: At this time, I am informed that the Commissioner of the Yukon Territory, in his dual role as quasi-Lieutenant Governor, is now prepared to give the speech from the throne, and so accordingly at this time, I will at this time adjourn the House for this purpose.

Recess

(COMMISSIONER READS SPEECH FROM THE THRONE)

MR. SPEAKER: At this time I would call the house to order.

I would like to advise the House that I'm now in possession of a copy of the speech from the throne. May I have your pleasure. The honourable member from Porter Creek.

MR. LANG: Mr. Speaker I now move that the speech from the throne be considered on a day following. This has been seconded by the Honourable Member from Whitehorse West.

MR. SPEAKER: It has been moved from the Honourable Member from Riverdale, seconded by the honourable member from Whitehorse West that the speech from the throne be considered on a day following. Are you prepared for the question?

MR. LANG: Question.

MR. SPEAKER: Are you agreed? I shall declare that the motion is carried.

Motion Carried

MR. SPEAKER: May I have your further pleasure.

Bill No. 1 Introduced.

MR. MCKINNON: Mr. Speaker I beg to move seconded by the Honourable Member of Whitehorse West for leave to introduce Bill number 1 a bill entitled Highways Ordinance.

MR. SPEAKER: It has been moved by the Honourable Member from Whitehorse North Centre seconded by the Honourable Member from Whitehorse West, for leave to introduce a bill entitled Highways Ordinance, the Highways Ordinance. Are you prepared for the question?

MR. MCKINNON: Question.

MR. SPEAKER: Are you agreed?

MR. MCKINNON: Agreed.

MR. SPEAKER: I declare the motion is carried. May I have your further pleasure.

Motion Carried

MR. MCINTYRE: I move the house should now adjourn.

MR. SPEAKER: Is there a seconder.

MR. MCCALL: It has been moved by the Honourable Member from Mayo seconded by the Honourable Member from Pelly River that this House do now adjourn. Are you prepared for the question. Are you agreed.

MR. MCINTYRE: Question. Yes.

MR. SPEAKER: I should declare the motion as carried. The house now stands adjourned until 10:00 a.m. tomorrow morning.

Adjourned

SPEECH FROM THE THRONE

MR. SPEAKER,
MEMBERS OF COUNCIL

I have the honour to welcome you to the fourth session of the 23rd wholly-elected Council of the Yukon Territory.

At this time, I would like to congratulate Councillor Hilda Watson and Councillor Walter Lengerke on their recent electoral success. Councillor Watson served with distinction as a member of this body and also as one of the first elected nominees to the Executive Committee and it is my pleasure to welcome her back to Council. Councillor Lengerke is in these chambers as an elected person for the first time and I trust he will find it to be a fruitful and satisfying experience representing the electors of Riverdale constituency.

All levels of government are currently focusing their attentions on the allocation of limited resources in a climate of escalating demands. While giving increasing attention on the formulation of policies which will lead to economic stability in our territory, we must be ever mindful to see they are not only compatible with the federal government's anti-inflation measures, but with our own economic planning activities which have been initiated in past years.

The federal government's program for dealing with inflation has four main components:

1. Fiscal and monetary policies as announced in the June budget aimed at increasing total demand and production at a rate consistent with the declining rate of inflation.

2. Government expenditure policies aimed at limiting the growth of public expenditures and the rate of increase in the public service.

3. Structural policies which deal with special problems such as energy, food and housing. These programs will continue to be implemented separately through federal programs.

4. The prices and incomes policy announced by the Prime Minister. It establishes mandatory guidelines for determining prices and incomes and machinery for administering compliance.

Of all these programs, the one that will have the most immediate direct impact in Yukon is the prices and incomes policy as announced by the Prime Minister on October 14, 1975.

The new program establishes guidelines for responsible economic behaviour by all groups in determining their prices and incomes. Guidelines on income set outer limits of 8 per cent to 12 per cent on future wage and salary increases. Guidelines on profits and prices specify that a firm may not increase prices by anymore than is needed to cover increased costs of production. All other forms of income such as rent, dividends and professional fees would also be covered by this program. The federal government has placed all its operations under the guidelines. The ten provincial governments and the two territories have been asked to do the same, either jointly with the federal authority or by enacting similar anti-inflation programs of their own.

The immediate impact of the anti-inflation measures on Yukon operations appear to be clear in two areas:

1. The present contract as negotiated with the public service group is exempt from the guideliens because the contract was finalized before October 14.

2. Up-coming contract negotiations with both teachers and doctors will fall under the federal guidelines.

However, we must wait until the guidelines are specifically delineated with respect to this territory before we can ascertain their full impact.

Perhaps of more concern should be the federal expenditures policies which are aimed at limiting the growth of public expenditures and slowing the rate of increase in the public service. In carrying out the expenditure policies of the federal government, the Treasury Board will wield considerable influence on Yukon.

Presently, we are pursuing economic planning activities initiated some time ago which we believe are essential to the economic health of the territory. One area of immediate interest to this government is the feasibility study of a zinc-lead smelter in the Van Gorder Creek region. This report has now been published and is available to the public through the library system. The conclusion reached is that a smelter project is uneconomical at this time.

This government is determined to keep the proposal alive and in the forefront of planning considerations at the Department of Indian and Northern Affairs. At present, there is an inter-governmental study group pursuing the possibility of a smelter and in conjunction with this study, we are participating in joint federal-territorial consultations established to examine mineral production and its potential in Yukon.

This fall a tripartite committee was struck including representatives from the governments of Alaska, Yukon and British Columbia. The purpose of this committee is to deal with concerns of mutual interest to the three jurisdictions. This is a project that has been in the works for many years and now appears to be finalized.

During the initial meeting, several areas of mutual concern were discussed, including transportation systems which are common to the three jurisdictions, the problem of providing social services in the North

and the common probelms of serving populations of native and non-native origin with their obvious diversity of needs. This agency is envisioned as a forum where problems may be dealt with directly or routed to the appropriate departments within each jurisdiction. Hopefully, it will act as a clearing agency for information relative to growth and development in the Northwest.

The territorial government has entered into negotiations with the federal government regarding the sharing of resource revenues. While these discussions are at a preliminary stage, the outlook is optimistic. Yukon needs to obtain a sizeable portion of the federal revenues gained from resources in the territory, to provide a revenue base for new programs or a more consolidated base for existing ones. It will require that a high degree of fiscal responsibility be exercised by decision makers in this government.

The territory has reached a stage of political and economic maturity where specific territorial policies on energy and transportation are feasible and necessary. The Executive Committee is involved in formulating position papers on these concerns. Once satisfactory papers have been drafted, they will be tabled in the legislature for comment and public scrutiny. One aspect of the largertransportation issue is the extension of the rail system in the territory.

A study commissioned by this government, the Department of Indian and Northern Affairs and the Ministry of Transport is now in the final stages of completion. This government is optimistic that the final report will show that there are benefits which would accrue to Yukon residents as a result of the proposed extension, and will continue to make every effort to bring this project to a satisfactory conclusion.

It is our hope to be able to pursue such ventures in developing Yukon's economy. However, it must be remembered by all of us that as a nation and we, as part of the nation, are engaged in a crucial struggle to bring inflation under control and stabilize the economy. In the near future, we may have to realign our spending priorities to cope with the economic realities surrounding us.

Reviewing the first six months of this fiscal year, it appears that the government will exceed its estimates for 1975 - 76. The greatest portion of the excess spending arose from the recently negotiated settlement with the Public Service Staff Association. In addition, the impact of other rising costs will cause some departments to exceed their estimates. The exact amount of excess spending is difficult to predict since we anticipate some increase in revenues.

The government will exercise diligent scrutiny of all expenditures for the remainder of the fiscal year to minimize the effects of unanticipated cost increase.

Since compilation of the Yukon Territorial Government's Analysis and Position Paper on Yukon Indian Land Claims in October of 1974, the question of the public release of this document has been raised on several occasions. Various factors delaying such a release have now been resolved and the document is available for tabling at this session.

It would appear appropriate to discuss briefly the history of its preparation since it is apparent that the original purpose of the document has become obscured.

In February of 1973, the Yukon Native Brotherhood presented to the Government of Canada its brief entitled, "Together Today For Our Children Tomorrow". Subsequent to that presentation, the Prime Minister of Canada agreed that a claim of native interest may exist in Yukon and stated that the Canadian government was prepared to negotiate this interest with Yukon Indian people.

Following these announcements, this government commenced research on the subject which involved an analysis of the native peoples' brief, and its relationship to Indian land claims. This policy, the related recommendations, and the background information was compiled in the form of an analysis and position paper in October, 1974.

While representing the official position of the government of the Yukon Territory on Yukon Indian land claims as of October, 1974, the document was primarily intended as a basis for further discussion between this government and the federal government in the promotion of a fair, reasonable, and expeditious settlement of Indian land claims in Yukon.

As the tempo of land claims negotiations quickens with continuous sessions here in Whitehorse, this government expresses its sincere desire to be a positive force in bringing about a just and expeditious settlement which Yukoners of both today and of the future, will look upon as an advancement of their own well-being and that of the Yukon as a whole.

The government has a long-standing commitment to the people of Yukon to provide services which will enrich the quality of their lives and to increase their participation in the decision-making process. Services which were given priority status by Council were legal aid and the extension of communications. Legislation will be introduced this session to provide these services.

Each citizen's right to equal protection under law is often dependent on the accessibility of the judicial process. Geographical inconvenience of deficient financial resources should not impede anyone's access to justice. For the past few years, the government has been attempting to evolve a comprehensive legal aid system: comprehensive in its coverage of both civil and criminal complaints, and comprehensive in its availability to every person in Yukon. The plan proposed to you this session contains a unique feature, telephone consultation, to guarantee its availability to residents living away from the capitol region. This feature is an experiment in Canada and I'm sure many of the provinces will be watching its operation closely.

At the May session, Council spoke eloquently of the need for improved communications between Yukon

and Canada in the form of television. The amendments we are proposing to the community assistance ordinance will set up a cost-sharing system between the territorial government and participating communities by which the territorial government will assume 90 percent of the capital costs. The government believes this will be a workable plan enabling smaller communities to bring television to their residents once clearance has been received from the federal regulatory bodies.

New avenues of public participation in planning decisions are provided for in the highway ordinance and the amendment to the area development ordinance. The highway ordinance will establish legislative control over the construction and maintenance of all territorial roads and highways on public lands. Legislative control over the territorial road network is necessary if the government is to develop a comprehensive transportation policy.

The amendment to the area development ordinance will allow for the creation of a zoning appeals board. Community planning studies were conducted by the department of local government last year. To implement these studies, the department will be establishing zoning regulations for the communities. Appeals to zoning decisions can, of course, be actioned in the courts. The proposed board will give communities a more accessible and swifter recourse.

The government is seeking an amendment to the public health ordinance which would allow municipalities flexibility in the composition of health boards to ensure adequate representation from the communtiy.

The government has assumed responsibility for the provision of certain services to all Yukoners such as health care and legal assistance. In doing this, we accepted a share of the responsibility to ensure that these services are delivered according to the highest professional standards. Amendments are being sought to the legal professions ordinance and to the medical professions ordinance which will better safeguard the quality of these services.

In a like manner, the government recognizes that its control of liquor distribution entails a responsibility to prevent abuse of this commodity by our citizens.

Yukon has come a long way in the past twenty years in moving the consumption of alcohol from the backrooms of hotels and roadhouses out onto Main Street. Certainly, the situation is far less barbaric now than formerly existed, but in the process of making the consumption of alcohol a socially accepted practice, we have seen a general increase in consumption and are now witnessing its excessive use on a wide scale.

It is time to seek to decrease this consumption and prevent the continued growth of alcohol problems in Yukon. This is the task of government because government has seen fit to take absolute control of distribution of alcoholic beverages, and, so long as we hold ourselves up as the only agency that is going to have that control, we must then accept the responsibility to prevent abuse and the consequences thereof.

In this session of Council, the government will introduce a sessional paper putting forward a comprehensive policy and program on the prevention of alcohol problems. We would ask that council lend its continuing support to the pursuit and attainment of this paper's objectives.

Game is the one resource within council's jurisdiction. I think all Yukoners can take pride in our handling of this responsibility. The proposed amendments to the game ordinance you will deal with this session, serve to strengthen our aim of conservation in the management of Yukon's wildlife resources. This policy received general approval from Council last session with the establishment of game management zones.

In addition to these items, Council will be asked to approve a number of minor amendments to several ordinances. By minor, I do not mean short, though some are. These amendments are essential "house-keeping" changes to bring existing legislation into line with new circumstances.

Several other matters of considerable importance require Council's attention. The department of Indian and Northern Affairs is seeking Council's approval to amendments it has proposed to the territorial land use regulations. A vacancy on the Northern Canada Power Commission is awaiting Council's recommendations for a nominee. Sessional papers on these and other issues will be tabled for Council's deliberation.

A number of reports will be brought to Council on executive committee's recommendation, including the report of the task force on a tolerance standard for airborne asbestos in mining plants and operations in Yukon.

Mr. Speaker, my officers and I stand ready to assist Council in the course of the session.

J. Smith,
Commissioner.

November, 1975.