



Property of
M. L. A. Lounge

The Yukon Legislative Assembly

Number 8

4th Session

23rd Legislature

Debates & Proceedings

Thursday, December 4, 1975

Speaker: The Honourable Donald Taylor



Faint, illegible text covering most of the page, possibly bleed-through from the reverse side.

The Yukon Legislative Assembly

December 4, 1975

December 4, 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 this House to order.

ROUTINE PROCEEDINGS

Mr. Speaker: We will proceed with the Order Paper this morning. Are there any Documents or Correspondence for tabling?

The Honourable Member from Whitehorse Porter Creek?

Legislative Returns Nos. 6 and 7

Hon. Mr. Lang: Yes, Mr. Speaker, I have for tabling today, Legislative Returns Numbers 6 and Number 7.

Mr. Speaker: The Honourable Member from Whitehorse West?

Legislative Returns Nos. 4 and 5.

Hon. Mrs. Whyard: Mr. Speaker, I have for tabling today, Legislative Returns Number 4 and Number 5.

Mr. Speaker: Are there any further Correspondence or Documents for tabling? Are there any Reports of Committees? Introduction of Bills? Are there any Notices of Motion or Resolution?
The Honourable from Hootalinqua?

Mr. Fleming: Yes, Mr. Speaker. I would like to give Notice of Motion, seconded by the Honourable Member from Kluane, that Legislation Return Number 5 be moved into Committee for discussion.

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

Mr. Berger: Yes, Mr. Speaker, I would like to give Notice of Motion concerning the radio coverage under the Canadian Broadcasting Corporation. That's seconded by the Honourable Member from Mayo.

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

for the Production of Papers?

We will then proceed to the Question Period.

ORDERS OF THE DAY

QUESTION PERIOD

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

(Madam Clerk Leaves Room)

Mr. Speaker: I will declare a brief recess.

Recess

(Madam Clerk returns followed by Commissioner)

Mr. Speaker: At this time I will call the House back to order. Have you any questions this morning? The Honourable Member from Klondike?

Question Re: Environmental Impact Study on Dempster Highway

Mr. Berger: Yes, Mr. Speaker, a written question to the Commissioner. In May, 1972, the federal government contracted with Schultz International Limited, an ecological and environmental impact study on the Dempster Highway, and I am wondering if this report could be made available to this House?

Mr. Speaker: The Honourable Member from Ogilvie?

Question Re: Rent Control

Ms. Millard: A verbal question for Mr. Commissioner, concerning Sessional Paper Number 7, Rent Control Amendments, it states that rent control legislation will not be introduced in the Yukon until it can be determined whether it is in fact needed. Could the administration tell us how they are going to determine whether it is needed?

Mr. Commissioner: Mr. Speaker, I think that we have attempted to answer that in the last paragraph. The Territorial Government will monitor rental rates by registering complaints made to the Territorial Secretary's office. Rent control legislation will be introduced if the government finds that landlords are not remaining within the spirit of legislation adopted by the federal government, and neighbouring in

provincial jurisdictions. I would like to suggest, Mr. Speaker, that we would be happy to enlist the assistance of members of this House and their constituencies and their ridings, that if they do have complaints that are being brought to their attention, that they would get them registered directly, telephone call or otherwise, with the Territorial Secretary's office, and this is the means that we will use to monitor this particular situation.

Mr. Speaker: The Honourable Member from Ogilvie?

Ms. Millard: Mr. Speaker, I was hoping for something more specific than what it does say in Sessional Paper Number 7.

For instance, are you accepting collect calls from outside the Whitehorse area? What — are you going to have an advertising campaign? Are you going to do anything through the mails?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, certainly as far as the telephone call situation is concerned, why, we would be most happy to accommodate that. Insofar as any kind of an advertising campaign is concerned, I don't believe that one has been contemplated, but if it is the feeling of the House that we should embark on something of this nature, why I'm sure that every consideration will be given to it.

We would be very hopeful that members in their normal constituency duties would be the ones that would prompt complaints or information of this nature, to come to our attention.

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

Hon. Mr. Lang: Yes, Mr. Speaker, I would like to add something to what the Commissioner has said. There was an advertising campaign in Whitehorse, in the Municipality of Whitehorse here about approximately a week ago, and I think I should read this press release from the Consumers' Association.

It states, "The Consumers' Association has just completed a survey in an attempt to determine the need for rent price control in the Yukon. The results will be submitted to the Territorial Council. From the results of this survey, only three phone calls, we can only assume that the majority of Yukoners in rental situations are satisfied with things as they are, and we are not convinced that rent price controls are necessary at this time or that there is a need for a rentalsman.

"The survey was publicized in the air and in the newspapers. The following two questions were put to the public: (1) Do you feel a rentalsman is needed in the Yukon? (2) Do you feel rent price control is necessary in the Yukon? Two phone numbers were listed to monitor a yes or now answer to the question."

We will be taking a very hard look at this in the future, but this is the result of one advertising campaign.

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

Question Re: Paving of Haines Road & Alaska Highway

Mrs. Watson: Mr. Speaker, I have a question for the Commissioner this morning, and he can take it as a written or oral question, dependent upon what information he has available, and it's regarding the news release on the paving of the Haines Road and the Alaska Highway from the Haines Junction to the border.

Part of the news release stated that the U.S. hopes to complete the agreement with Canada regarding the paving of this portion of Northern Canada, and they hope to begin the reconstruction of the cut-off by next spring. Now, my question is, does the Commissioner have any idea of the terms and conditions of that agreement that the U.S. is negotiating with Canada, and the specific effects this agreement will have upon the Yukon Territory?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, a certain amount of information is available, nowhere near the amount of detail, I'm sure, that would completely satisfy the question that has been raised by the Honourable Member, but I would be very happy to bring forward a detailed list of such information as we have, for the benefit of the House.

Mr. Speaker: The Honourable Member from Ogilvie?

Question Re: Yukon Exit Survey

Ms. Millard: A verbal question to Mr. Commissioner. Will the results of the Yukon exit survey which was done this summer be tabled in this House?

Mr. Commissioner: Mr. Speaker, under present weather conditions, we may have to revise the whole summary, but how about if we say that we will get it forward here to the House just as quickly as it has been compiled?

Mr. Speaker: The Honourable Member from Kluane?

Question Re: Areas of cut backs in Health Service

Mrs. Watson: Mr. Speaker, I have a question for the Minister of Health and Welfare, and she may take this as a written question, and it's regarding the Yukon Region of Northern Health Services, and I think we all recall the notice that cut-backs, it was necessary to make cut-backs within their budget, and their proposal at one time was to close the surgical ward.

I would like to know in what specific areas they are proposing to make the cut-backs for the rest of the year?

Mr. Speaker: The Honourable from — oh, this is a written question, is this correct?

The Honourable Member from Ogilvie?

Question Re: Mileage Rates

Ms. Millard: A question for the Minister of Health, Welfare and Rehabilitation.

While the Executive Committee was in Dawson, the subject of mileage for people attending medical appointments outside of their home town was brought up, and it is now currently 10 cents a mile for someone driving their own car to come to Whitehorse.

Is the Honourable Minister's Department investigating this, and is there a possibility of a raise?

Hon. Mrs. Whyard: Mr. Speaker, we investigated the rate which is paid for people who drive to Whitehorse to receive medical assessments. There is an alternative, of course; if you come by bus, your transportation is covered.

If you prefer to come by private vehicle, the rate that is paid is the same rate as public servants are paid when using their own vehicles. If the Member wishes to have any other action implemented, I would certainly entertain that request.

Mr. Speaker: Are there any — the Honourable Member from Whitehorse Riverdale?

Question Re: New Subdivisions

Mr. Lengerke: I have a question this morning to the Honourable Minister of Local Government, and he may either take this as a written one or an oral one.

What consideration, if any, has been given to allowing municipalities, and specifically the City of Whitehorse, for developing new subdivisions under their sole direction and standards, set by the Municipality, but still within the financial assistance of the Territorial Government?

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

Hon. Mr. McKinnon: Mr. Speaker, the Municipality of the City of Whitehorse now has land transferred to them under their complete control and jurisdiction, in the Takhini and Valleyview areas, and they are, of course, completely and absolutely within their prerogative to that land as they see fit.

I can only say, Mr. Speaker, that if they do a competent job in developing that land, then this government has no objections to other areas being designated that they can also develop. This might interest members to know that the Planning Board of the City of Whitehorse has passed a resolution saying that they would rather at this time, the Territorial Government continue to develop subdivisions and the City not be in the business of developing land. They have the land, and they are welcome to go ahead and try it.

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

Mr. Commissioner: Mr. Speaker, a question yesterday from Councillor Millard, if I may answer at this time?

Mr. Speaker: Proceed.

Mr. Commissioner: And the question inquired about the number of Yukoners who had been involved in the Arctic Gas training program for native northerners, and asked whether there was any government control or involvement in this program.

The answer, Mr. Speaker, Nortran, the Northern Petroleum Industry Training Program, was instituted by Canadian Arctic Gas to develop a nucleus of trained northern residents who would be available to work on a gas pipeline.

To date, 13 Yukon residents have been enrolled in this program but have left. A further four are currently in the program. The primary involvement of government has been through Canada Manpower who have assisted in the recruitment program and provided mobility assistance to applicants as well as establishing industrial training contracts for some northerners which provide for on-the-job training.

Mr. Speaker: We will then proceed to — on the Order Paper to Public Bills.

PUBLIC BILLS

Mr. Speaker: May I have your pleasure?
The Honourable Member from Whitehorse West?

Bill No. 10, Amendments, first Reading

Hon. Mrs. Whyard: Mr. Speaker, I move, seconded by the Honourable Member from Mayo, that the amendments to Bill 10 be read a first time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Mayo, that the amendment to Bill Number 10 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 amendment be read for the second time?

Bill No. 10, Amendments, Second Reading

Hon. Mrs. Whyard: Mr. Speaker, I move, seconded by the Honourable Member from Mayo, that the amendments to Bill 10 be read a second time.

Mr. Speaker: It has been moved by the Honourable

Member from Whitehorse West, seconded by the Honourable Member from Mayo that the amendment to Bill Number 10 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 No. 10, Third Reading

Hon. Mrs. Whyard: Mr. Speaker, I move, seconded by the Honourable Member from Mayo, that Bill 10, "An Ordinance to Amend the Public Health Ordinance" be read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Mayo, that Bill Number 10 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. Mrs. Whyard: Yes, Mr. Speaker, I move, seconded by the Honourable Member from Mayo, that Bill Number 10 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 Mayo, that Bill Number 10 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 the Motion as carried, and that Bill Number 10 has passed this House.

Motion Carried

Bill No. 12, Third Reading

Hon. Mrs. Whyard: Mr. Speaker, I move, seconded by the Honourable Member from Mayo, that Bill Number 12, "An Ordinance to Amend the Pharmaceutical Chemists' Ordinance" be read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Mayo, 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. Mrs. Whyard: Yes, Mr. Speaker, I move, seconded by the Honourable Member from Mayo, that Bill Number 12 be now passed 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 West, seconded by the Honourable Member from Mayo, that Bill Number 12 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 12 has passed this House. May I have your further pleasure?

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

Mr. Speaker: Is there a seconder?

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

Mr. Speaker: It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Klondike, that Mr. Speaker do now leave the Chair and the House resolve in the 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 as carried, and the Honourable Member from Whitehorse South Centre will take the Chair in Committee of the Whole.

Motion Carried

(Mr. Speaker leaves Chair)

COMMITTEE OF THE WHOLE

Mr. Chairman: I call this Committee to order and declare a brief recess.

Recess

Mr. Chairman: I now call this Committee to order. We have for discussion this morning, Sessional Paper Number 4 entitled "A Comprehensive Alcohol Program — Problem Prevention Program". We have as a witness this morning, Mr. Bill Cline, Chief of Alcohol and Drug Services.

Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, it's a great privilege to introduce this Sessional Paper this morning to Committee. I would first like to pay tribute to a large number of people who have been working in the background for several years, whose combined efforts have resulted in this latest proposal now coming before you.

These include the membership in the sub-committee on Alcohol, as well as the Chief of Alcohol and Drug Services, and his staff, who actually prepared and would implement the program outlined here.

The establishment of our Alcohol and Drug Services Branch in the Department of Health and Welfare was a direct result of some of the recommendations which came from the sub-committee on Alcohol, and a number of others have also been implemented.

I would like to read into the record, Mr. Chairman, the names of some of the Committee members whose work has largely gone unrecognized. They included Inspector J. Hunter, William Milner, Edie Walter, William Woods, C. Helander, Ian Jones, R. Thibault, Win Gladman, Celia Asselin, J. Noble, Pat Harvey and W.J. Millar.

There were others from time to time, and appreciation from this Department is extended to them for their hours of work.

Alcoholism affects every level of our society socially and economically. Its effect on our health and rehabilitation costs is astronomical. National statistics tells us that in terms of health and social costs, alcohol related problems are responsible for 30 percent of all child welfare, 20 percent of all family welfare, 15 percent of mental hospital care and 10 percent of all general hospital cases.

In the situational analysis study of alcohol con-

sumption in the Yukon Territory, prepared recently by our Alcohol and Drug Services Branch, it was shown that approximately 13.5 percent of all consumers here are at a level of drinking which has been determined to be injurious to their health, and of that number, approximately half require health, welfare, social and law enforcement services at a rate that is disproportionately higher than others.

The problem of alcoholism has become the number one priority in this Department of Government. There is a growing public awareness of its severity and the need for a change in direction, which encourages us to bring this program before you at this time. The public climate as we have found it in every part of the Yukon in recent months, is most receptive to any practical steps we can take to combat the increases in abuse of alcohol.

On my recent Ex-Com tour of the Yukon, Mr. Chairman, I found that in every settlement, band councils, municipal officers, public health nurses, doctors and social workers had one main problem they wanted to discuss, how to help the growing number of alcoholics in their community.

The one encouraging factor in the present situation, Mr. Chairman, is that these communities are asking for help, and so are many individuals. Yukoners are at last admitting, openly, the extent and gravity of this problem, and because of this support, we can and must take firm steps to combat and control the excessive use of alcohol.

We can help only if our staff workers are invited into the communities. We are not a law enforcement group, but rather a counselling and treatment oriented arm of this government.

In this Sessional Paper, we are asking for the support needed to extend this arm into every area where help is needed and asked for. One such extension will be the detoxification centre to be opened soon in Whitehorse, a partially medical facility from which persons with alcoholic problems can be steered into a period of programmed rehabilitation, offered by our associates at Crossroads, in their new quarters made available by this government.

Another arm will be extended into native communities, where the band council and workers have recognized the need for a special program. An educational advertising campaign is part of our plan, Mr. Chairman, and we ask the co-operation of all members in changing the spurious image of the average Yukoner, from a beer-bellied, bearded booze artist into something a little closer to actuality.

Where this phoney, Klondike-Mike stereotype originated, I am unable to say. As far as I know, there is no historical background for this theme. The men and women who face the hardships of the Chilcoot Trail, certainly had no time for boozing on the way, and once they arrived in the Klondike, they were most of them too busy scratching to make a living in those frantic early years, to waste time or money on booze.

The most vaunted saloons and dance halls are not the only buildings in Dawson City, despite the romantized version Hollywood has been peddling for decades.

As for the saloons themselves, Mr. Chairman, history records the fact that they closed without a whimper at mid-night every Saturday, observing the sanctity of the Lords Day Alliance, a more sedate situation then prevails in the Yukon today.

I believe the blame for this phony image can be laid at the door of some unidentified faceless account executive in an advertising agency handling somebodys brewery account. They have kept alive the image of a hard drinking bunch of boys whooping it up in the Malmut Saloon. Yukoners know that the man who created those legendary scenes was quite little bank teller who was scarcely noted for his drinking prowess.

It is time that we establish our own image of the Yukon in minds of other Canadians and tell it the way it is. We have nothing to apologize for. Our way of life is attractive enough to bring hundreds of new comers annually who prefer our northern challenge to the softer way of life in the south. We are not all drunks. We are spending a lot of time, effort and money trying to help those who don't want to be.

H. David Archibald of the Ontario Addiction Research Foundation in the keynote address to the Advance summer course of the foundation recently summed it up nicely.

Mr. Chairman, if I may be allowed to quote, he said, "Though the use of alcohol has been with us for many centuries, and a great many attempts have been made in the past to bring its use under control, I believe we have unique opportunities now to succeed where others have failed. We have at least taken the first few quivering steps toward accepting alcohol as a drug, the drug most widely abused by our society. We have made vast progress in collecting and assessing the data on the real and potential effects of this drug and we now have the mechanisms of this sophisticated electronic age to get this information through to individuals. The only one, who ultimately can and should decide what they want to do with their lives and the future of their children, given all these things we have the potential and the mechanism and the expertise. What we need now is the determination."

That from Mr. Archibald.

Mr. Chairman, I would ask the support and the determination of this Assembly in this program which is being put before you today.

I would ask the indulgence of the Committee for this lengthy introduction of this Sessional Paper, because I am personally convinced that this is one of the most meaningful programs we will ever consider around this table.

I would ask your further indulgence and request that this Sessional Paper be read in its entirety at this time so that all members will have an opportunity to consider its proposals and perhaps they will have some questions for our Chief of Alcohol and Drug Services at the conclusion of that reading.

Thank you, Mr. Chairman.

Mr. Chairman: Thank you, Mrs. Whyard.

Does the committee concur that this paper should be read from the Chair?

Some Members: Agreed.

(Reads Sessional Paper Number 4)

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, are you going to complete reading the whole paper before we can ask questions or make comments or will you be stopping from time to time?

Mr. Chairman: My intention was to read the whole paper, but if it is the wish of the Committee, we can do otherwise.

I will continue with the whole paper.

Mrs. Watson: Mr. Chairman, I have a suggestion to make. I wonder if we could possibly, rather than read the whole paper, if we could stop now and comment or question the primary prevention part of the program.

Mr. Chairman: If that's Committee's wish, that's fine with me.

Some Members: We agreed.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Yes, Mr. Chairman.

First of all, I would like to commend the government and Mrs. Whyard and her staff for the comprehensive paper they have put forward. I'm very pleased to see that the Yukon Government has chosen to go to the route of a prevention program to make efforts in this regard, before they go to the forced legislative type of—the law type of process, and I'm sure that if this does not show satisfactory results, we may have to consider other action, but I'm very happy to see that they have come forward with this approach to start with.

I would like to comment on a statement that was made on page 3. Prevention programs like alcohol can be irresistably attractive but dangerous. The danger lies in their acceptance as a solution, when they are merely part of a process. I think the biggest danger right now is every member of this Legislature, and the government itself, they have got a comprehensive program, we have done our bit, we can shrug our shoulders and walk away, and I think that's the biggest danger with this whole program.

And another area where I see a danger is, I would rather have—I suppose we have to identify it, but I would rather not have identified it for some reason, and that is the alcohol education in the classroom. Because the education programs for our younger generation against alcohol for information on alcohol, not necessarily against it, so that they are familiar with the problem, does not rest solely with the classroom or the school. It rests with the community and it rests with the home.

The minute you put this in here, again the shrug of the shoulder, what is the school doing about it? Oh, they have a course now, they are giving the information in the health program, or they are doing it within the schools. My responsibility is finished. I am very reluctant even to see it identified as being carried out in the schools.

I remember when drugs, the big question was what is the school doing about it, and all the school did, and all society did, was make our young people curious about the program, about drugs, what are drugs, maybe we should try them.

Fortunately, or unfortunately, I think the young people of the Yukon don't have to be curious about alcohol. I think they have some very shining examples around them in our society, so they don't have to be curious. I just had to stress these two points, that just because this program is being initiated today, we as parents or members of the society, and as a government, cannot walk away and feel self-righteous and forget about it.

Thank you.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I would like to thank the Honourable Member for her remarks. I think that in this situation we are faced by the same problem that most occupants of pulpits are; they are preaching to the believers and the non-believers aren't there.

In the matter of a program of education in the classroom, my approach would be that this information is necessary there, because there are parents who are not undertaking their responsibilities to their children, and we are trying to fill that gap, but we are in no way trying to assume the responsibility that parents should be undertaking, and this will be of assistance to some kids who are not going to get any leadership or instruction or education in the matter of alcoholism at home.

The same applies to a number of other family life areas, as the Honourable Member well knows from her previous experience, but it's just another way of trying to plug the gap and we certainly know that parents who do assume their responsibilities to their children are not going to expect the classroom to take over for them.

Thank you, Mr. Chairman.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Yes, Mr. Chairman.

I have to concur with what the Honourable Member from Kluane has said. I have found in the short period of time that I have had the post, portfolio of education that a lot of people are abrogating their responsibilities to the education system. I would like to point out that as far as enriching the programs within the school curriculum, this is going to have to be done in consultation with the school committees.

I pointed out yesterday at the School Committee Conference, that in any enrichment of any of the programs that we have at the present time, we are going to have to be looking very seriously at dropping programs at the same time, because there is only five hours a day in the classroom at the present time, and I think this is very important.

Mr. Chairman: Mr. Berger?

Mr. Berger: Yes, Mr. Chairman. I also would like to commend the government on this program, but there is

something missing as you see in here, and this is the social aspect of drinking.

I'm sorry to say, but on point 3, we have the Yukon stop checks but as long as the people in the Yukon consider this as a medal to pin on their coat, or shirt or anything like this, I think we are never going to stop this. I remember when I first came to the Yukon, I was appalled at seeing somebody getting picked up, put in jail for a week, and the guy comes out of there proud and was accepted in the society as a hero.

Where I came from, and anybody had anything to do with the police or anything on the wrong side of the law, this was a shame and nobody would try to brag about it, but as long as we accept this type of attitude in the Yukon, we are never going to wipe this out.

The other thing is what I like to — what I also don't see in here, is the life style we lead in the Yukon, and I have to name the things. The native community live in a predicament which forces people to drink eventually. It's just now in the last couple of years we try and erase the lifestyle of the native community.

As long as people have no jobs to go to, and I believe the highest unemployment rate in Canada lies amongst the native people, we are raising alcoholics or possible alcoholics. If we don't start at the root of the problem, we are never going to wipe it out. We can have the nicest programs on paper, but they are not going to work.

If we send somebody to a dry-out centre, he has all good intentions when he goes in, when he comes out he's going to be in the same social environment as when he went in. He's got no job, his home is a mess, he's not really accepted in the community, and let's face it, this is a fact in the Yukon. What are you going to do? The next best thing he's going to go, he's going to go to the beer parlour again.

So unless we start right at the root of this problem, any problem — any proposed plan is not going to help.

The other thing is what I would like to point out also, when I am standing up here, is as long as the Yukon Territorial Government thinks the money raised on alcohol is the most important thing, we are not going to solve the problem. The Yukon Territorial Government, for example, is selling booze. It has nothing to do with wine, it's poison as far as I'm concerned, and the cheapest level to raise more alcoholics, to bring more people into alcohol problems, so they have more revenue.

Unless we solve this problem and erase those things right off the shelves, we are not going to solve the problems either.

Thank you, Mr. Chairman.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I want to thank the Honourable Member from Klondike. He's brought up a number of important points, and we will probably get into a discussion of them with Mr. Cline later.

There is only one comment I would like to make at this time, and that is that we know we are not the only agency working in this field, and there are a number of other government agencies who are concerned directly with the problems of unemployment and education for employment in native communities, with whom we work closely in this Department.

If we could go on further, Mr. Chairman, I think we will come to some of the other items that you have mentioned.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I have one more question, and I don't know who can answer it.

The breathalyzer test depends on the use of a certain mechanism. Now, this wasn't available in all communities in the Yukon. Does anyone have any idea what communities now have it?

Mr. Chairman: Mr. Cline?

Mr. Cline: Mr. Chairman, my most recent information is that we have the breathalyzer equipment now in Whitehorse, Watson Lake. It has been added recently in the Honourable Member's community of Haines Junction, and I believe it is being made available soon in Dawson now. I'm not sure that the R.C.M.P. have extended it further. It's a process of buying the equipment and training men to know how to use that equipment.

Mr. Chairman: Mr. McCall?

Mr. McCall: Yes, Mr. Chairman, I believe we also have it in Faro.

Mr. Cline: I stand corrected.

Mr. McCall: I know, Mr. Chairman, it's been used many times.

Reading of Sessional Paper Number 4 Continued

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman. In the program, I must commend the Honourable Member from Dawson because I feel the same way. I think we must start at the government level, and not as these people are doing this now, this government is bringing this comprehensive paper here to us, and it is good, and I realize this, but I think they should look more into the monetary gain that the government is making today, as has already been more or less said, and start there. That is the first step.

From there, I think we go to the parents, we go to the people that are going to have children in the future, and going to teach them, and if they are taught at home, they won't need near as much teaching in the schools, but the program should be definitely directed towards the growing people of today, because this is where the problem starts, a lot of it is right in the home, and especially in the Yukon, under some of the conditions they are living.

I think if they take a real good look at things today, now I don't know, I may be wrong on this, but I have a feeling myself, and I will say this personally, that government itself has a fear of delving into the liquor problem they have today. I have this feeling, due to the fact I know we at one time turned liquor pretty loose in the Yukon, and I think it was a wonderful thing. It's

been that way for some many years now, and I think from that we have learned many lessons that we didn't know before, and I feel that the program was good, that it came out and released people so they could drink 24 — but there's many things in there that we don't know today, and this is something I think should be looked at, you know, and maybe not in this paper, but I say there is a fear that seems to get into the liquor problem and there shouldn't be no fear, in any way, shape or form.

Dive right into the liquor problem. I know it will cause a big controversy in the country, there will be big uproars from people, there will be this, that; but it's no problem, fix it if it is bad, and it is bad, as the Member from Kluane and also the member from Dawson has spoken on the fact that I think there is something there. The monetary gain to the government seems to be go ahead, you know, it don't matter, as long as we get the money, but I'm from the old school, I don't think we need all the money. We can find it somewhere else, other than causing — that's where I feel we should start.

From the schools, of course, the people, the young children are aware, and when they grow up they will think back when they see these problems in front of them, and I think — but it starts at the home, and the government to start with.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, in light of the remarks made by the Honourable Members in this question, I really don't come that heavy on government. The government are fulfilling, perhaps, a function that every provincial jurisdiction fills in the provision of spirits and beer and liquors and this sort of thing, although I must confess that I must agree with the Honourable Member from Klondike when he said that in the cheaper wines and fortified wines, there is some real rot-gut. It's almost as bad as that stuff we call Yukon Hootch, and that's pretty bad too.

But seriously, in my experience in the Yukon and working at the community level, both within the native and non-native communities, for that matter, I have always expressed the view that there was a desperate, and I mean desperate, and I underline that word desperate, need for social education at the community level, and in fact I saw it in effect work one time in the Watson Lake area, where a health nurse took it upon herself in her own time to go down and work with people, trying to organize the way of life in the home, and the handling of children, and the cooking of foods, and in the consumption of alcohol, and made real substantial gains during the period she was there.

Unfortunately, this only went on for a couple of weeks and her duties took her other places, and when she left the whole thing reverted again, so I'm convinced just from that one particular incidence, and I have seen others, that people are responsive to this, and I would continue to support any position of any Department of government which would produce this type of facility, that is social education at the community level.

But of course there is no single solution to alcoholic problems: I commend the Department, as other members have in the work and the interest and con-

cern they have shown in getting this program off the ground, and getting in particular the new programs underway, and I am very, very interested in the community detoxation and counselling system that has been programmed for the outlying districts, that is away from Whitehorse, and just as a matter of interest, I note you state that the program will be introduced in one community in the Yukon in May of 1976, and I'm wondering if anybody could tell me what community that will be?

Mr. Chairman: Mr. Cline?

Mr. Cline: Mr. Chairman, in response to that, I couldn't say that we have made the decision on which community that will be. We will try to introduce that program in two communities in the coming year.

Our objective in introducing the program is to experiment with it, refine it and try to make it a working operational program that will work in all communities. Part of our decision on where to introduce it will be based on where we can monitor it the easiest, where we can evaluate it and see what would be the most effective way of developing it, so it's going to have to be determined partially by distance, and the social setting and people who will help.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Yes, just one supplementary question to that question that does concern me. Is this program available to all segments of the community, that is to the native communities as well as the non-native communities?

Mr. Cline: Mr. Chairman, the program will be made available to all people in the community, as all programs are here, made available to all people.

Hon. Mr. Taylor: Thank you, Mr. Chairman.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I just want to comment on the Honourable Member from Hootalinqua's remarks, and that is that I wish to assure him that this government is in no way concerned or hesitant about getting into this liquor situation. Believe me, we have other plans which are not in this program before you today, which will go much further and which will, I must say, require the wholehearted cooperation of all liquor operators in the Yukon, and I hope that he will give us his support when we get to that stage.

Thank you, Mr. Chairman.

Mr. Chairman: Mrs. Watson?

Mr. Fleming: In answer to the Honourable Member, I—

Mr. Chairman: Mr. Fleming, Mrs. Watson.

Mr. Fleming: Oh, I'm sorry.

Mrs. Watson: Thank you, Mr. Chairman. I didn't

recognize Mrs. Watson.

I would like to comment on the second training function, counselling training people to counsel people with alcohol related problems, and he is stating—you are stating here that you propose to have a ten week course, and you are going to about, approximately 20 people. I think it is so imperative that we have someone who is able to perform this function in every hamlet in the Yukon Territory, regardless of size. The Burwashes, the Ross Rivers, everyone of them needs someone there who is able to perform this function.

I would like a little clarification, from the witness, from lay and professional workers in the human services field, what type of people would you be looking at?

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, Mr. Cline.

Mr. Cline: Mr. Chairman, we are conducting a number of kinds of training programs and exercises presently.

In answer to the exact question, when I am talking about lay and professional people, I am really talking about here, those people who are interested in providing counselling or referral systems who work in a community. We are not going to restrict it just to your designated social worker, or your designated health worker.

We find quite often there are other people that are concerned. Recently a group of men working in Clinton Creek have started their own counselling and referral system, and we are giving them support. We are going to be giving them some training, and they are none of them professionals in any sense of the word.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I would just like to add to what Mr. Cline has said, that we are going to use resource people in every community, and I don't mean professionals only. I mean people who have the respect and confidence of the community, who have the interests of that community at heart, no matter what their position happens to be in that community.

If they are willing to work with people who need their help, we will use them.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I merely wish to rise to make sure that I am not misunderstood sometimes, but it's due to my putting things across sometimes I am misunderstood, but there is no misunderstanding that I back this legislation and the papers that you are bringing forward today due to the drug problem, because I myself have many times helped a few drunken people, or alcoholics, I should call them maybe, more down to earth.

I have found where, by doing this, where the people themselves are the ones that can help the problem, and this is why I say I wanted it very clear I was in no way objecting to anything.

Thank you.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, in a related to alcohol and drug abuse, perhaps the witness may be able to give us very briefly, some indication of how serious the problem is in relation to the use of drugs in the Yukon at this time. Is it on an upswing, is it a normal level, is it on a downswing?

Also, if he could, perhaps maybe he could tell us if there are indeed people seeking assistance from the program in relation, not so much to alcohol, but as in drugs?

Mr. Cline: Mr. Chairman, just before I came to this Honourable gathering this morning, I had a call from a referral for a drug problem for this community. We are having people seek, we do not have the level of referral, whether it's self referral by an agency or health worker for drugs that we do for alcohol, in fact, I would say that the level of referrals are very minimal; although we have made it known that we are available, and we have staff who are trained to deal with this problem.

So I would suggest that we have maybe one referral a month on the average for drug problems. To date, they have not been drug problems of what we consider hard drugs, such as the opiate kind of drugs. They have been generally from young people who have used what is generally classified as the softer drugs, and have got into psychological and social problems because of their association with drug use.

As far as giving you any kind of statistical analysis, I can't, on the level of drug use in the Territory. It's a very difficult thing to estimate, because it's completely illicit. I could give you some impressions. The impressions are at the current time that soft drug use, which is the cannabis products, such as marijuana, hashish, hashish oil, and some of the psychedelic drugs, although those not to a great extent, are being commonly used in some communities.

I would not say that it is a problem of great magnitude. It's not something that we should try to put forward some kind of a message to scare people or to make the public at the place where they become overly concerned and overly frightened, because of the detrimental effects that sometimes it has on our communities.

There are instances of use of some drugs which are considered intermediate drugs, some people call them hard, some people call them soft, I prefer to call them intermediate. Cocaine use, which is a drug which was used, I guess in the '30's at a very popular level, has risen to be very, very popular in southern Canada and the United States. Recently, we hear of some incidents of it coming into the Yukon. These are usually being used by those people who have a fair amount of money at their disposal. It's not something that is being used by your teenagers or your young people who are not working. It's usually middle class individuals who are employed in very good work.

As far as the hard drug use, at present we are not aware, and we have a fairly good check on it, that there is use of heroin to any extent. There may be occasions

where cases come in. We have people in this community who are ex-users, who have found being in the Yukon is a very good place to rehabilitate themselves and to be away from the kind of life in the cities where heroin use is common.

Mr. Chairman: I would ask Members to confine their remarks to the section under discussion, and we will have a general discussion after the paper has completed reading.

Tertiary Prevention:
(Reading of Sessional Paper 4 continued)

Mr. Chairman: Mr. Berger?

Mr. Berger: Mr. Chairman, I would like to make some more comments on this that is related in here. I think again it's not mentioned in here.

I think one of the other reasons of alcohol problems, the rising problems, especially concerning children, and teenaged drinking or in some cases children drinking, in our society, our life-style increases faster and faster from year to year.

At one time I was the biggest advocate of saying "let's open the drinking laws wide open, like European drinking, where you can take children into the bars, expose them to the liquor and they no longer have a problem". I grew up this way, and it helped me, I think. I'm no longer sure if that is going to work, because I just came back from Europe, and there is a rising alcoholic problem over there too. I think in order to put my fingers on it, I have to say what comes to my mind right now is credits are too easily available, mortgages are too easily available, and like you say it's the fast life. We are living beyond our means. Both parents have to go to work, people come home tired, so they take it out — well, one drink relaxes me.

Well sometimes it doesn't stay with one drink, it eventually ends up with the bottle full, and I think we have to take this into consideration, maybe we have to change the whole lifestyle around, in order to solve some of the problems.

On this last paragraph here, I see — or on the other page actually it was, the cooperation of everybody and operators and so on of liquor outlets. I think again as we come into touching the problem of enforcement, I know some Honourable Members don't think much of enforcement, but as long as we have liquor outlets serving people who are drunk and should not be served, I think we need to have more strict enforcement.

Also, as long as — in some cases, I wouldn't say all the people, some bars are very good. You have exceptions with everything. Some bar owners have a tendency to be drunk in the bar, hanging over the bar, and I think this is a very bad example for everybody coming in, and I think this is the type of thing we have to eliminate, even if it's a hardship to some bar owners. Suspend their licence or something like this, I think we have to be more harsh and more enforcement in the whole thing.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Yes, Mr. Chairman.

I would just like to make this remark, that certainly the Honourable Minister of Health and Welfare doesn't have to apologize for the lengthy introduction she gave to this Paper.

I can sympathize with most Members that stood up and made their comments. I would just like to throw at you this, that you should think about this, why does a person drink? You know, there are some problems like being lonesome, domestic or social problems, nothing else to do, they feel useless, unwanted, there's no work. The other way they drink is for enjoyment.

So what I can say this, is I sympathize with the Honourable Members who suggest firm control at home and among the individuals themselves. I think we all agree that we have shirked our responsibility, and have not been honest in allowing the growth of the alcoholic problem. That's why we are here now, desperately attempting to strengthen the preventative program through improved publicity awareness programs and counselling, with realistic treatment.

I fully agree and am in support, but I recognize a plea in this Paper, that we must act immediately on regulations concerning the vending of alcoholic beverages, the quality of the premises, and the control of the activities that are associated.

Certainly a firmer policy of present regulations is obvious, but as I said earlier, it's only a small part of the program. We as a government, as residents of this country, must put in place facilities and promote activity programs that discourage the thought of alcoholic use. We must educate our people socially that you don't need to drink to have a good time.

We must make productive work available to all. We must discourage idle time, as now encouraged by some of our welfare assistance programs. We must make sure that we can fill the gap of idle time that is brought about by reduction of work hours in our society today, so let's put in place measures to generate the quality of life we need through a proper use of resources, and revenue return to accomplish the kind of activities and productivity that we as people, as humans, require.

Thank you.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I wish to thank the Honourable Member for his comments, and on the subject of enforcement of the Liquor Ordinance and its regulations at present, I would ask the support of every Member in this Assembly, when there are complaints laid about operators in your constituency, and when these complaints are taken to our Liquor Commission, the Commission members require support politically for every decision they make and try to enforce.

It is not always an easy task for members of that Commission, let me tell you. If the climate around this table today is what I am feeling, their task should be considerably simpler in future.

Thank you, Mr. Chairman.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I can hardly recognize the House. The expression that is being expressed here today, and the expression that has been expressed in

the past, where enforcement measures, legislation regulations approved by this House, and then when the government and the administration embarks upon an enforcement program, the political support is not there.

It's really something to hear people say that we require enforcement, and even that we require stricter and more stringent regulations.

I would like to comment, let's try the enforcement route before we embark upon any further restrictions, and I think this is the message here. Let us not amend the regulations, let's try enforcement of what we have, and cooperation of the existing regulations by the political body in this House, and I think the message came through pretty clear.

Mr. Chairman: I would like to add a comment, this is considered an alcohol prevention program and I think that is the basic thrust that the government is trying to get over. It is a prevention program, not an enforcement program.

One problem, Mr. Cline, that perhaps you can help me with is that I think you have pin-pointed the situation very well. It is your level of secondary prevention, I have had considerable experience in dealing with people, in my own work, and I think that one of major problems that we are facing is that we come across the person who has an alcohol problem, but how do we motivate that person who first is identified by myself or someone else, as someone who is having an alcohol problem, how do we get him to the treatment facilities that you are now expounding?

This is, to me, the core of the problem of alcoholism. I am asking Mr. Cline for an answer.

Mr. Cline: Mr. Chairman, you have asked me a most difficult question as I am sure you are aware. I am not completely in agreement that a person has to be in complete recognition and acceptance of their problem before you can help them. I am not against some constructive coercion which may sound rather jargonistic, but I think I am not against it.

One of the effective programs that we now have in the alcoholism field is our employ programs which the employer says, you get help or we do something about it. Okay now, that is not the same for a doctor or a social worker, various other people. They can't say you have got to get treatment. I think that the only thing that we can do is to use the kind of pressure we have through our relationships to suggest to a person that they talk to someone. Say, look it is too—there is no reason to fool ourselves, you are beginning to develop a problem. I would like you to discuss this problem with a person and let the two of you sort out what you should do about it.

I can not give you, you know, anything more than that. There is no way that we can force a person to seek treatment. We can use coercion, we can put pressure, we can use our friendship, we can use our family relationships, but there is no way we can, except occasionally, when the courts put a person on probation and send them for treatment, we have no way of coercing a person, other than that.

Mr. Chairman: Thank you, Mr. Cline.

Mr. Fleming?

Mr. Fleming: I am sorry I interrupted before, I didn't realize you were asking a question of the witness and he almost gave the answer I wanted to give. I, on the other hand feel a little more strongly with the idea that if he is already there you more or less have a problem to help him. I think it boils right back down to what we were talking about all day, he can be helped by other people. They all become aware. I think this is actually what the program is about. Again I commend this paper.

We must make him aware before he gets too far, because you can't bring a dead man back to life. It is too late sometimes. It has to start right at the bottom. My question was actually answered.

Mr. Chairman: I appreciate your comments Mr. Cline, but I still don't understand how you can motivate a person once the problem is identified, and I still think this is the core which somehow has to be solved, which we are still, so far, not able to come to grips with. That aspect, when the problem is developing, the person is not willing to acknowledge it and is not motivated to accept any help.

The problem still exists and we have to, somehow, be able to attack that problem.

Mr. Cline: Mr. Chairman, I can't give you a final solution to that problem, as you are aware. I think, you know, that part of the job of any person who is working in the alcoholism field that once we get a person it is our job to motivate them to go on for treatment. I think we can do that. If we are able to get the person, I think that we can motivate them, not through saying, look, Joe, you are an alcoholic not through trying to discredit them in their own eyes or anybody else's, but trying to show them how alcohol is interfering with some of the important areas of their life and how maybe if they do something about that drinking, their life may have a better quality to it.

I think we can motivate people that way. I have seen some success.

Mr. Chairman: Thank you, Mr. Cline, this has been a most constructive morning.

The witness is excused.

I would like to advise Members that we will be proceeding with the Land Use Regulations at 1:30.

The Committee is now recessed.

Recess

Mr. Chairman: I now call this Committee to order. We have for discussion this afternoon, Sessional Paper Number 5, Territorial Land Use Regulations. We have three witnesses appearing on behalf of the Yukon Chamber of Mines, Mr. Mike Stutter, Mr. Cam Ogilvie and Mr. Mike Phillips.

Perhaps we could lead off the discussion with a member of the Chamber introducing their brief.

Mr. Ogilvie: Thank you, Mr. Chairman.

My name is Cam Ogilvie, and I would like to introduce our delegation. On my right is Mr. Mike Phillips, a past president of the Chamber of Mines, the Manager of Archer Cathrow and Associates. Mike is a geologist, Archer Cathrow and Associates has done business in mineral exploration for the last ten years in the Yukon, one of the leading mineral explorers in the Yukon, with a budget of about one million dollars a year.

Mr. Phillips has been a geologist for approximately 20 years, over half of that experience has been in the Yukon.

The third member of our Committee, Mr. Mike Stutter, known to you as a former Member of this House, was unable — I couldn't find him on short notice, so pinch hitting for him on my left is Mr. Dick Joy, a geologist with United Keno Hill Mines. Dick graduated in geology in 1971, and has worked for United Keno ever since, and happens to be the man who made the initial discovery at the proposed Def-Minto deposit in the Carmacks area.

My name is Cam Ogilvie, I'm the Manager of the Chamber of Mines. I am a geological engineer with about a little over 20 years' mining experience in mining, and more than half of it north of 60.

We've — we have prepared a brief, and am I right that you have copies of it? On the first, the title page of it, we give a rough summary of it. The brief is organized in two parts.

Part 1 endorses the government's proposal to extend its power to impose site specific permit conditions to land use operations throughout the Yukon, but it points out the discretionary power needed to police the environmentally and sociologically sensitive Arctic regions, for example the MacKenzie Delta, is not appropriate to the southern Yukon.

Part 2 proposes specific amendments to the October 20th government draft, which we suggest should be applied as sub-regulations to the Yukon south of the 64-45.

Our first comments are on the — first we will deal with the Yukon Quartz Mining Act, which is the federal legislation that the mining industry operates under now in the Yukon, then we would like to turn to the Territorial Lands Act, and the regulations issuing from it.

The Yukon Quartz Mining Act has governed the Yukon's hardrock mining industry since July 19, 1924. Departing from the brief at the moment, it deals with mainly the right to acquire and keep mineral rights, but it recognizes that mineral rights are not of any use at all unless you can get on the surface to develop them, so there is one section in the Yukon Quartz Mining Act, Section 72, which reads in part:

"It confers the right to enter upon and use and occupy the surface of the mineral claim, or such portion thereof and to such extent as the Minister may consider necessary, for the efficient and miner-like operation of the mines and minerals contained in the claim."

So this necessary right is further recognized in Section 3, sub(3) of the Territorial Lands Act.

"Nothing in this Act" — which reads,

"Nothing in this Act shall be construed as limiting

the operation of the Yukon Quartz Mining Act", also the Yukon Placer Mining Act, and two other pieces of federal legislation that deal with power.

Now I want to emphasize that the work done on the surface of mineral claims is presently exempt from the Territorial Land Use Regulations, but there are three important points that have to be made in connection with that.

The first one is, the Minister through his mining inspector, etc., etc., is required to determine, in the existing legislation and he has been for 50 years now, is required to determine whether a given operation is necessary, or if it is being conducted in an efficient manner, or if it is not necessary being efficiently conducted the mineral claim holder has no right to occupy the use of the surface. I think it is worth making that clear that that is the only right that the holder of the mineral claim holds right now is to do efficient and miner-like work on the surface, anything else he is not protected.

Okay the exemption from the Land Use Regulations applies only to the surface of mineral claims and it doesn't apply to any operations, whether they are mining operations or not, to give access to a mineral claim.

If it's a tote trail that's being put in, between a highway and some mineral claims, that would fall under the Territorial Lands Act and the Land Use Regulations and similarly work done before mineral claims are staked, which is regional work, is not exempt, it does fall under the Territorial Lands Act and the Land Use Regulations.

The third point we would like to make is that for the past four years, the Yukon Chamber of Mines has encouraged operators to voluntarily cooperate with Land Use Inspectors, and with very few exceptions, this cooperation has been excellent.

Now, that is the situation as it exists at this moment. However, in the spring session of Parliament, or at least soon, but very likely in the spring session of Parliament, Parliament will repeal the Yukon Quartz Mining Act, and will replace it with a New Yukon Minerals Act.

Now, this exemption from the Territorial Lands Act and its regulations, will no longer be in force once the new Act, the new Mining Act comes in. This will place the Yukon mining industry directly under the full force of the Territorial Lands Act and its Land Use Regulations, probably before the next field season.

Now, the Yukon Chamber of Mines welcomes environmental controls, provided they are written and executed in a manner to suppress unnecessary damage, and not to needlessly harass necessary and efficient miner-like development. In connection with that, I would say that this brief will emphasize that we feel that we should be assured that the regulations will be befitting this particular area that we are in.

Okay, so much for the mining legislation, now onto the Territorial Lands Act and its regulations. I would like to deal with this in three phases, and Phase I is the actual amendments to the Territorial Lands Act.

In 1970, the Territorial Lands Act was amended as part of Bill 212. Now, I think this House is very familiar with Bill 212, because it also contained amendments to

the Yukon Act. But anyway, the Territorial Lands Act was amended by adding three new sub-sections, 3 sub (1), the power granted to the Minister to set aside land management zones; 3 sub (2), to make Land Use Regulations, and 3 sub (3), to—referring to penalties.

Before implementing Sections 3 sub (1) and 3 sub (2), the Minister is constrained to consult with the Council of the Yukon Territory or the Northwest Territories, as the case may be, and of course that is the authority for the consultation that you are doing right now.

Before third reading of Bill 212, the Minister and various senior officials appeared at various times before a Commons Committee. Now, these senior officials were, of course, Mr. Digby Hunt, who at this advanced stage of his career I understand is now a Yukon resident, and that certainly isn't premature from our point of view, and Mr. John Naysmith, who at that time was the senior environmental officer, and that's not quite his title, but that in effect is what he was, with the Department of Indian and Northern Affairs, and as we understand it, the chief architect of the Land Use Regulations. So these were the people that appeared before the House Committee.

If anybody is interested, you can get the record of that whole series of discussions, the reference is Canada, House of Commons, 28th Parliament, Session—there's a misprint, it should be Session 21, Standing Committee on Indian and Northern Affairs, Numbers 15 to 29, date 1969 to 1970.

I happen to know there's—I can't find a copy of it in our library here, it's available in the Cameron Library at the University of Alberta, and available through the inter-library loan facilities of the Yukon Territorial Library System.

Now, on page—the brief refers to page 21 (14), the 21 means the 21st session, so we will just go on with page numbers, page 21—I'm sorry, page 14.

Mr. Hunt said, "We are dealing with an ecological system that is certainly very different from that found in Southern Canada. It may be more easily damaged, it may take much longer to recover, certain actions that could be taken in southern Canada with little or no long-lasting effect may produce results in the north that will stay with us more or less forever."

So we comment on this, these observations appear to be most relevant to the high Arctic, not to the—I'm sorry, there's a misprint, it should be boreal rather than arboreal, forests of the Yukon south of the Peel River. The word is b-o-r-e-a-l, and it means Northern, and that's the term they use to describe the area that we are in here.

Mr. Hunt further said, "I want to emphasize that the purpose here is not to slow down in any way exploration activity". He said on page 15, "It would be wrong to imply that there will be no disturbance, there is bound to be some but the purpose would be to keep this disturbance to a minimum and, at the same time, to ensure that the exploration and development activities can proceed".

Now we comment that the proposed amendments that we would like to see are in the spirit of these remarks.

On page 18, Mr. Nielsen established that Yukoners'

input in drafting the proposed regulations was restricted to one person, Mr. John Lammers, the then President of the Yukon Conservation Society.

On pages 21 to 22, Mr. Naysmith showed the Committee a map dividing northern Canada into five regions, on the basis of environmental sensitivity. Apparently the regions were—now we can't find the map, but it's evident from the transcript what these regions were, and they were, number 1, the non-Arctic Yukon and adjacent Northwest Territories.

Now, if I could leave my chair for—perhaps, could I ask you to go to the map and indicate the areas?

Region Number one would be the non-arctic Yukon and the adjacent Northwest Territories, that would be the area coloured brown but south of the Peel Rivers.

Mr. Phillips: This is the Peel River running through here, Yukon, N.W.T.

Mr. Ogilvie: The second area was the pre-cambrian, or in other words the eastern Northwest Territories, the mainland and Baffin Island.

Mr. Phillips: This is commonly known as the Shield Region, this would be to the east of the Mackenzie River, east of a line between Great Bear Lake and Great Slave, this area in here.

Mr. Ogilvie: Okay, number 3 is the Arctic Islands.

Mr. Phillips: This is the area covered here.

Mr. Ogilvie: Number 4, now this one is a little indefinite in the record, but, by process of elimination it appears to be the Mackenzie Valley.

Mr. Phillips: This would be this area in here.

Mr. Ogilvie: But not including the Mackenzie Delta. Okay, the fifth one is very specific, it is the Mackenzie Delta, Crow Flats area.

Now the reason we go to detail on what these five are is that there is various comments made in the evidence on differences between these. Now remember that in 1970 this was the government's official and scientific position on sensitivity regions of the entire north.

Mr. Naysmith said Region one happens to be the least sensitive. Region one being the cordillera south of say, Peel River.

We have had a lot of experience in the provinces in turns of what happens to a boreal forest, that means a northern forest.

Region 2 is pre-cambrian and you are not going to do much damage in that area. Now is you are not going to do much damage in region 2, then we assume you are going to do even less damage in Region one, which he says is the least sensitive area.

Okay, at that point — perhaps another point, Mr. Nielsen said, "As the whole of the two territories has been divided into these zones, or regions, there is not a place in the territory that a piece of equipment can go without a permit, is that not so."

Mr. Naysmith said, "no, that is not so." And then he

said, "perhaps I didn't make myself clear, and then he said "only within a land management zone do you require a permit.

Well Mr. Barnett had some remarks to say, namely, that most of Members of Parliament, something like, most of Members of Parliament were city aldermen at one time and we see a zoning map, we are thinking in terms of small areas. Then he said, "I think it would be useful if we had some idea of the scope of the proposed Land Management Zones."

Mr. Naysmith said, "yes, if we take for example, Region 5, now recall that is the most sensitive one, the Mackenzie Delta, et cetera, which is the most critical one, being the most sensitive to damage, we envisage as a start to declare two Land Management Zones here. One would be the Tuk Peninsula in total, and the other would be an area around Old Crow in the Yukon."

Now, I think it is important that I get up for a moment and point out exactly what the Tuk Peninsula is.

I don't know if you can make out a little body of water in here, the area to the north of that is the Tuk Peninsula. It is about — a little smaller than my small finger here, north of that.

Okay, this is meant to indicate the size of what Land Management Zones will be.

One would be the Tuk Peninsula in total, and the other would be an area around Old Crow in the Yukon.

I would like you to keep that in mind when we get onto Phase 2 and Phase 3 when we discuss what the present and proposed Land Management Zones are.

At another page, pages 22 to 23 Mr. Naysmith said, "I think we must be careful here when we talk about these regulations because they could totally inhibit development. What we are talking about is minimizing disturbance to the land surface." I think this is the key, we are not talking about precluding it. For example, we might say that all equipment over twenty thousand pounds would be defined as a land use operation in all zones. But in zone 5, that is the most critical one, all equipment over five thousand pounds, during the months of May to September would be considered a land use operation and therefore regulations would apply to them.

Now, two comments on that. Our brief will call for a ceiling on this power to do things which would totally inhibit development. We would like to see this ceiling appropriate to the non-arctic Yukon.

Secondly, our brief will call for some difference in definitions regarding non-arctic and arctic Yukon.

Now this difference in definitions appears to be consistent with what Parliament was told they were authorizing when they did authorize these regulations. I refer you back here to — he was suggesting that any cat weighing more than twenty thousand pounds anywhere in the north would be a Land Use thing, but even smaller cats, those over five thousand pounds would be in that critical area.

Okay, on the basis of all these proceedings, Parliament amended the Act to allow Land Management Zones and Regulations as requested by the Ministers.

Okay, on to page 2. Pursuant to section 3 sub 1 and 2 and 2, which we have referred to earlier, in 1971 — no

we haven't referred to these — sorry, we have, in 1971 the Yukon Legislative Assembly was asked to consider proposed Land Management Zones and Regulations and several senior Ottawa officials appeared here as witnesses.

Now those of you who were present at that time will recall, your oaths of secrecy were applied to prevent you from consulting with the Yukon public including the Yukon Chamber of Mines.

Indeed neither the general public nor the Yukon Chamber of Mines was officially advised of what was being proposed by Ottawa. After this statutory consultation of the two Territorial councils, the regulations and zones were established on November 2nd, 1971 and are still in effect. These regulations and zones give officials adequate discretionary power and time to write site-specific permit conditions for the most sensitive and remote of Arctic environments, and I might add that that's the way it should be.

Indeed, the existing land management zones include all areas of the Northwest Territories, except the Precambrian and half of the Yukon. They include the — the land management zones include half of the Yukon, the area north of 65 degrees latitude, and the southern Yukon, south of a line passing roughly through Beaver Creek, Whitehorse, Ross River and Summit Lake.

Now, I think you have a copy of — do you have copies of the existing Land Use Regulations, the existing ones, the ones that are in existence now, this? Okay, well in the back of it it does show exactly what land management zones are, so if I could get up for one more minute and point them out on the map.

As far as the Yukon is concerned, everything north of here is one big land management zone, it's bigger than the Tuktoyaktuk Peninsula. The highway from where it crosses into Alaska, right down the highway through Whitehorse and up in sort of a zig-zag line to roughly Little Salmon, east of Ross River, and then straight through east to the border. All of this area is in land management zones, and the McMillan Game Reserve.

These are shown on a map attached to the existing Land Use Regulations.

That was one point of what came out in these regulations after they had consulted with this House. I point out that the discretionary power in them is the same in the Watson Lake area as it is in the Tuktoyaktuk Peninsula. I refer you back to the evidence given to the Parliamentary Committee that the Tuktoyaktuk area, or the Old Crow Flats, would be in the most sensitive area, Region 5, Watson Lake, et cetera, would be in the least sensitive area. The discretionary power is the same in both.

Definitions of what constitutes a land use operation, in other words, what level of operation requires a permit is the same in any land management zone. The time allowed to consider permits, the time allowed to issue permits, 30 days, is the same, regardless of the fact that we have a transportation and communications system in the Yukon which is better than about half of British Columbia, as contrasted with their almost complete lack of communication and transportation system in the sensitive Arctic regions. The

time to consider permits for issuance is 30 days, the same.

Responsibility for enforcing the regulations is given entirely to the personnel of the Water, Lands, Forests and Environment Branch. Nowhere do the regulations involve the experience and knowledge of the Department's competent Mining Section, even in a consultative capacity.

Okay, that refers to the regulations that have been in effect for the last four years. Now, Phase III then is the proposed regulations that you are looking at now, and how do these differ from the ones that are in existence right now?

The proposal before you differs from the existing regulations in three major ways: (1) It extends land management zones over the entire Yukon and the Northwest Territories. Now we have got kind of away from the idea of the area around Crow Flats and Tuktoyaktuk Peninsula, now we are on to everything north of 60 is in land management zones.

Now the existing regulations have definitions of what is and what is not a land use operation. The new ones have different definitions now of what is a land use operation. They have got two levels of land use operations, and if you refer to, just in passing, to the proposed — the government's proposal, you will see that if you have the same stuff as I have here, page 1 of the definitions defines a Class A permit and the next page basically a Class B.

Now, the Class B permits by and large, are operations which are smaller than the existing Land Use Operations. So, the second effect of these proposals then is to bring in an entirely new class of land use operations subject to permits, smaller operations, and the third one is, that it increases the 30 days available now to issue permits to 42 days, and in passing, I would say that there's an additional 10 days allowed to decide whether an application is a valid one or not, so you could add those too. Take 52 days at the ultimate, if we wanted to use it, to issue a permit.

Now, the effect of this would be that if a discovery were made, if we had a regional exploration program, and it happened to make a discovery in the second half of a hundred day field season, it could conceivably take 52 days to get a permit issued, and 52 days would put you into the next field season. You would be beyond the existing field season, so these are the three general changes that you are looking at now.

We submit that this official discretionary power could well be necessary in the high Arctic, including the Old Crow area of the Yukon, and if so, it would be justified by a sensitive Arctic environmental conditions, I see we didn't underline Arctic but I think we should have, and (2) a lack of developed communications network, again in the high Arctic.

However, we further submit that this discretionary power is excessive discretionary power for the non-Arctic Yukon. So, we would recommend: (1) Respectfully recommend, that the Yukon Legislative Assembly take the lead in restricting its consideration to its area of jurisdiction, the Yukon Territory. I think you are aware that the Territorial Council of the Northwest Territories, has been consulted on revisions to the Territorial Lands Act Regulations, I don't think that

the proposal that they looked at is the same one as you are looking at here now, but that's somebody else's problem.

Our brief refers only to the Yukon, and that is all we are asking you to be concerned with.

The principle of allowing necessary official discretionary power to write site-specific land use permits within land management zones be accepted. We recommend that this authority be given to the officials.

We also recommend that the land management zones be expanded as proposed, to include the entire Yukon. We are willing to go along with that.

(4) Here's where we depart from the proposal that you are given now. We recommend that the Yukon be divided into two sub-zones, an Arctic sub-zone, and a non-Arctic sub-zone, and that the boundary between these be approximately at Peel River, in other words, at about latitude 65-45.

No, in our view, we have looked at quite a few facts on it, and it appears that this pretty well puts the high Arctic conditions to the north of that line, and the conditions that we are all familiar with in what the government scientists call the boreal forest area, which we know isn't all that different to British Columbia, south of 65-45.

Then we suggest that there be separate regulations or sub-regulations for each of these two zones.

(6) That, lacking advice to the contrary, the regulations as proposed by the Department, be applied to the Arctic Yukon sub-zone. We are not making any comment on whether these — this proposal that the government has given, the federal government has given you, should be changed for the Arctic Yukon area.

Seven. That before being applied to the Yukon non-arctic sub zone, the proposed regulations be amended as suggested in part 2 of this brief.

We have listed what some of these changes would be in general terms.

One, that several definitions be changed, including making a bull dozer -- making a type A rather than a type B -- sorry we would like to see that make a type B rather than a type A permit. I would like to explain that later.

Two, that reducing the discretionary time to issue permits.

Three, that the rights of individuals be protected, that it restrict the general power to issue permit conditions. I would like to recommend on change in the fee structure. We would like to introduce several changes for the duties and powers of inspectors. We would like to see some involvement of mining officials in a consulting capacity. We would like to see some changes to the appeal section.

Mr. Chairman, our brief carries on into part 2, which gives a point by point suggest amendments to the actual sections of the Regulations as they have been put before you.

Is it your wish that I carry on into the section by section part of it.

Mr. Chairman: Perhaps some members would like to comment. Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, I simply, at this point, wanted to make a suggestion that as we are proceeding through on the pertinent sections of the Land Use Regulations that perhaps in light of the approval of this House of the Highway Ordinance, perhaps there will be many implications affecting the Land Use Regulations. Certainly I would think the Honourable Member from Mayo may be able to give us some help in locating those sections that we would like to deal with ourselves along with the Chamber of Mines.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I have one question for the witnesses and they probably can't answer it either. It was apparent when the first Regulations came out under the Territorial Land Act they were considering going to the Management Zones, now they seem to have changed their philosophy and going to different levels of permits, is that any reason? Does anyone understand this? They have used a one management zone in the Yukon Territory and going to two different levels of permits, whereas the natural following through their original, you would assume that they would have gone to degrees of Land Management Zones, and this is what you people are proposing, I believe.

Mr. Ogilvie: Yes, I don't know whether to give you the long answer or the short answer. I will try to give you a middling answer.

There is one point that we do like in the existing regulations and in the proposed one and that is this, that they are site specific. The regulations are largely confined to giving limits to the official power within which they can make site specific conditions attached to permits. Now we like the idea of these conditions being site specific, it makes the punishment fit the crime.

I think the point here is that they must have some flexibility within which to make these and I think that we certainly agree that that is necessary. I think what we are looking at here is, what we are proposing is that there be an appropriate ceiling put on that power within which they can do it, and we think the ceiling in the sub-zone that are recommending should be different than the one in the high arctic as it applies to Yukon, because we know where the boundaries should apply.

the Class A and Class B permit is slightly a different thing here. We could probably deal with it as we get to it as a point, but it has to do with the time that the officials can take to issue the permit.

Should I let that go --

mrs. Watson: Until we get to the section.

Mr. Chairman: Carry on, Mr. Ogilvie.

Mr. Ogilvie: Thank you.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, I think we are kind of getting a little ahead of ourselves. Our Statutory Limitations under the Territorial Lands Act call for the Governor in Council may, after consultation with the Council of the Yukon Territory or the Council of the Northwest Territories as the case may be, where he deems such consultation to be practicable or otherwise after consultation with each of the members of Council with whom consultation can be effected, made regulations respecting, (a), the protection, use and control and service of the land in a Land Management Zone, and (b), the issue of permits for the use of the surface of land in a Land Management Zone on the terms and conditions of such permits and the fees therefor.

I think that we may be going into an exercise in futility by going into detail into the actual regulations as they are now without finding out whether, one, this Assembly wants to approach the Federal Government on the concept that the Yukon should be divided into arctic and non-arctic sub zones. I think that that is the one issue at this moment. Then if the Federal Government, which the consultative process, as far as I understand them in the Territorial Land Act, all they have to do is lay the proposed regulations on the table to us and they say that is the consultative process. We have fulfilled our obligations under the terms of the Territorial Lands Act, which they have.

We could be successful, if this Assembly agreed, in saying that we have received a brief from the Yukon Chamber of Mines, and we are of the opinion that different regulations should be applied in certain parts of the Yukon and other parts of the Yukon, though we are in compliance with them, that it should be all zoned.

Then I think if the federal government agrees with that type of thinking; if that's this Assembly's wishes, then we could think about going into the detailed examination of the changes in regulations that would result from the different zones being applied to the Yukon, but to get into detail as if we have the power of amending these regulations, now is almost an exercise in futility that we enjoy rights which we don't. We have no rights.

We have a consultative statutory obligation that the federal government has fulfilled when they lay those proposed regulations on the table, and now it's up to us to say that they fulfilled their obligation, and we want to present a Motion to the federal government saying that we have information or have received applications or briefs, and we think that this should or should not happen. I just can't see the point in going into the details of the regulations until we have that most important point cleared at this time.

Mr. Chairman: Mr. Berger?

Mr. Berger: Further on this, as the Honourable Member from Whitehorse North Centre suggests, I would like to refer the Committee to a newspaper article, and with the permission of the Chairman and the House, I would like to just quote one sentence in here.

"A Canadian Arctic Gas panel members accused

the federal government of withholding information on the impact that the highway has had on the herd", and they are referring to the Dempster Highway, which falls well under the Peel River area, and I think before we go into any further details of this thing, I would like to get more information. This is one of the main reasons that I asked for the study the federal government commissioned in 1972, but which was never publicized. I believe in this study it's referring to all the environmental damage that could be done in this particular area.

I am fully agreed with the Honourable Member. There is no use going into any details, especially before we haven't got enough information. I mean, right now we have got a one-sided view of mining interests. We haven't got nothing from the Yukon Conservation Society, we have nothing from game management, absolutely nothing on the thing. I think it's very very important.

Mr. Chairman: Mr. McCall?

Mr. McCall: Mr. Chairman, I understand some of the problems that we are confronted with in this particular discussion and debate, but I would suggest at this time, Mr. Chairman, that we allow the representation from the Chamber of Mines to give us as much information as to the predicaments they foresee under the land use regulations, and I think then we should allow the conservation society to present, shall we say, their opinion on the same regulations that we are discussing.

Mr. Chairman: Is that the wish of Council, that we try and have more witnesses appearing?
Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, that would certainly be my view that we should carry on and get as much done of this as we can.

You know, it's important to me, what's happening here is, that at a time when we are constitutionally striving for more responsible government in the Yukon Territory, and voicing these concerns and these desires here in the Yukon, while we are doing it, they are robbing the House downstairs, and that's exactly what the federal government are doing, and they are doing it also in this case.

Now, we have expressed a great desire for some day attaining control and administration over the natural resources of the Territory, both the renewable and the non-renewable. It seems to me, and it's always been my impression that when you have got provincehood, you firstly developed responsible government, and secondly, you assumed the control and administration for your natural resources, and that's always been my concept of how this thing came about.

Now, notwithstanding what our legislative powers may be, or what our power of persuasion may be in persuading the federal government, or dissuading them as the case might be in the circumstances, I think it's incumbent upon the House, and again notwithstanding any arguments one might have over conservation and recreation and all the aspects that fit

into this thing. I think we have an obligation to the people of the Yukon to really take a down to earth, hard, cold and calculated look at this thing and make every effort we can: (a) to wrest any controls we can from the federal government, and say to the federal government, "Now look it, we are capable of—if they won't let us administrate it, at least of providing input, and rational input into the development of regulations, Mr. Chairman.

I think it is incumbent upon us for having passed the Highway Bill, to say all right, now who has now control? We have control over lanes, streets, trails and this type of thing in the Yukon. Obviously we have some input into the—and some changes to make in respect of these regulations. I think we should take every effort that we can, and on behalf of the people of the Yukon, to bring to the Territory, the best regulations that we can that fit the Territory, vis-a-vis the splitting of the two zones, taking the silt sediment, the frozen silt sediment, sensitive zone and separating it from the southern zones.

So I don't see it as an exercise, necessarily, in futility. Perhaps even I might be a little concerned about how we are going to put all this information together when we are finished. I really think that we should give this every consideration because you can see what's happening in the Northwest Territories, and I have certainly seen it being in the bush. I've seen the people in the Department of the Environment and in some cases, in the Department of Indian Affairs and Northern Development, virtually chasing the industry right out of the Northwest Territories and if that's their true intent, well they are making a very good job of it, and they are proliferating at a rate that I'm sure this House wouldn't even believe.

There's employee after employee after employee in every phase of ecological interest, and in many cases, these people are totally inexperienced. They are students, they are whatever they are, walking up to people and shutting them down, and telling them they must do this and must do that, when they really don't fully understand how the operation they are shutting down is functioning, what makes it function and this type of thing.

No, I think that we have got to take a very hard look at this thing and try and encourage sane, ecological controls. I think the Chamber of Mines have made that point a couple of times in their brief, and I don't doubt their sincerity.

I think all Members here would agree that that's what we want, we want environmental protection, but rational and reasonable protection, and so with those remarks, Mr. Chairman, I would suggest that we do the best we can to get into the meat of this thing, and at least having determined whether we agree with Arctic zones and sub-zones and this type of thing, at least we will have some background and be able to say Ottawa, all right, we agree with this or we disagree with it.

Mr. Chairman: Thank you, Mr. Taylor.
Mrs. Watson?

Mrs. Watson: Yes, Mr. Chairman, there is a requirement for consultation within the Territorial Lands Act, and I as a councillor want to take ad-

vantage and be able to have some recommendations to make.

Now, in order to make recommendations, I would like to give these people the opportunity to provide full details of the study that they have made of the proposed regulations. We may want to call other organizations before we determine a final position, but these people represent an industry that is profoundly affected by these regulations, they have put a great deal of time and effort into it, they have gone into the specifics and details. I think that we would be erring if we did not take the opportunity at the present time to give them a chance to explain to us their position. So I would suggest that they continue.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I was going to rise to say that we have three competent witnesses here with us this afternoon. They have gone to considerable trouble to prepare this material, I would like to continue to study it, and I don't see anything wrong in continuing until we finish this material.

As Mrs. Watson has said, we all need to know what's in this brief, and understand it before we can take a position.

I would just like to say, Mr. Chairman, that the icy chills went down my spine last week when I saw a picture of a classroom of federal employees being trained to search out upon the land, any misdemeanours under a number of regulations that are going to apply to our Territory, and I would like to know what these regulations are all about.

Thank you, Mr. Chairman.

Mr. Chairman: Mr. McCall?

Mr. McCall: Mr. Chairman, I just want to say one thing, Mr. Chairman. Can we get on with what I suggested?

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Agreed.

Mr. McIntyre: I agree we should get on with it.

Mr. Chairman: It is the wish of Council that we proceed, Mr. Ogilvie.

Mr. Ogilvie: Thank you, Mr. Chairman.

We are going on the assumption that Section 3 sub(1) of the Territorial Lands Act as amended does in fact require the Minister to consult with your Council, in the setting up, and presumably that means the re-setting up of land management zones, and 3 sub(2) requires him to do the very same thing with regard to the setting up, or the resetting up of regulations.

Secondly, we didn't make a detailed environmental study of the north; we were prepared to take the evidence that the environmental scientists employed by the government itself, by the Department itself, had already taken into account when they outlined the five regional zones, so we are just taking their word for it, although it's consistent with our own knowledge of the

rea, that Zone 5 as they outlined it, the MacKenzie Delta is a heck of a lot more sensitive in terms of permafrost and everything else than Zone 1.

So we just take that as being the government's own position, as evidenced the Parliamentary record.

Okay, returning to the —

Mr. Chairman: Just a moment, Mr. Ogilvie.
Mr. McCall?

Mr. McCall: Mr. Chairman, before Mr. Ogilvie goes any further, I'd like to go to these proposed amendments for a second here. There are two questions I have, and the first question that I would like to ask Mr. Ogilvie, is more like an explanation, if I may.

The proposed amendments, I would like an explanation on 1. You said you were going to come back to this, and I would like to hear an explanation. What is the meaning, or the reason behind changing the definition on the bulldozer situation from (a) to (b), I believe, or (b) to (a)?

Mr. Chairman: Page 5.

Mr. Ogilvie: Yes, oh yes, right, right. You are referring to what I have already said, Mr. McCall?

Mr. McCall: Would you clarify what you said in the second, please?

Mr. Ogilvie: Okay, if we could turn to the government's proposal.

We are going on a draft dated October 20th, 1975. Is that what you have?

Some Members: Yes.

Mr. Ogilvie: Okay, on page 1 of that, you will see under Section 2, in these regulations, and its definition, "Class A permit means a permit issued pursuant to Section 20 for any workers privity on Territorial lands that involve one or more of the following".

Okay, this will be Class A permits.

Now, at a later section in Section 19, which I am not going to ask you to refer to right now, the time limits, the procedure to be followed in applying for an A type permit is given, and the administrative delays allowed are given in Section 19.

Now, if you will turn to the next page, page 2, Class B permits, you will see than these are generally speaking, smaller operations than type A, and they also in Section 19 will have the administrative procedures to be folowed, and the allowable time limits there.

Okay, what we are referring to here now is under A type permits, small letter (b): "The use except on a public road or trail maintained wholly or in part by public funds of any vehicle that exceeds 20,000 pounds or 10 metric tons, net vehicle weight".

Now, that would include walking a bulldozer. Okay, now, I would like you to refer down, if you would, to the small letter (f):

"The use of any self-propelled power driven machine for moving or clearing land". Now, that would adequately cover any trenching, bulldozer work

or it would also cover road building. Going down to the last small letter (h), "The levelling, grading, clearing or cutting of any land trail or right-of-way exceeding five feet in width and exceeding four acres in area", again that specifically would cover road building.

Okay, we feel that Sections (f) and (h) are sufficient to cover the use of a bulldozer on -- and should properly be a Class A permit, as given here. We propose, though, that walking a bulldozer with the blade up, be covered in the B types, and I would refer you to page 2, Class B permit, small letter (b), you will notice that that's practically a rewrite of small letter (b) on the previous page, but it's refering to bulldozers from 10,000 pounds to 20,000 pounds.

Now, what we are proposing here then is that subject to trenching, in other words, the use of any self-propelled power driven machine removing earth, or clearing land or subject to (h), the levelling, grading, clearing or cutting of any land, trail or right-of-way, those being type A, that walking a bulldozer by type B.

Now, I don't know whether that's clear enough when we haven't looked at Section 19, which gets down to the nitty-gritty on how these two differ.

Mr. McCall: Mr. Chairman?

Mr. Chairman: Mr. McCall?

Mr. McCall: We go to the weights and classes, Mr. Ogilvie, I believe you are familiar with the weights and classes of caterpillar tractors. You are familiar with the tracks on bulldozers.

Mr. Ogilvie: Generally, yes.

Mr. McCall: And the 20,000 pound weight, what Class would the tractor be?

Mr. Ogilvie: Pretty well everything except the D-4 and D-5. Any 6 or 7 or 8 or 9 would be more that 20.

Mr. McCall: The next question I would like to ask, Mr. Chairman, while I am standing on my feet, if I may, if that's all right with the Honourable Member on my right --

Mr. Lengerke: Go ahead.

Mr. McCall: I would like to go to the proposed amendments in 3, it said "rights of individuals". Rights of what individuals?

Mr. Ogilvie: Mr. Chairman, would you rather we pursue it this way or go on to Section by section?

Mr. Chairman: No, I think we should pursue it in a more logical way as it is given, and then we can go back and question him individually after --

Mr. Lengerke?

Mr. McCall: It's a little out of the ordinary, Mr. Chairman, but I will abide by your suggestion.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, that's fine, I was going to pursue the questioning on the class of bulldozer. We will just carry on for now.

Mr. Ogilvie: Shall I? Well, okay, turning to Part II of our brief then, Part II, Proposed Amendments. We are suggesting then a couple of procedural items here, I suppose, one that the title of it be changed to something saying regulations respecting land use operations in the non-Arctic Yukon, because I think we are quite happy with them the way they are as far as the Arctic Yukon is concerned.

We are suggesting that in Section 1, short title, these regulations may be cited as the non-Arctic Yukon Land Use Regulations, or something to that effect, and that a new sub-section 1 (b) be put in, the application of these regulations shall apply to the Yukon Territory south of 65-45.

Now, on A and B type permits, these -- the government has attempted to come out with limits to their discretionary authority which are able to let them operate in the highest Arctic as I say, and also to govern us here.

Now we feel that looking through these, we could live with pretty well most of these as A type permits, except that one about walking a bulldozer. Now, I don't know whether I should suggest that we take a look at Section 19, while we are looking at A, so we can get right down to the nitty gritty of what the difference between A and B is.

I would like Mike Phillips to make a comment on this.

Mr. Phillips: I think one thing you have to keep in mind with these Land Use Regulations, our company, even though most of our operations have not been covered by Land Use -- we would not need Land Use Permits, we have gone along and obtained about 12 of them, and I have one in my hand here which is for a property we worked on in 1973.

You have to remember that these, they have with the Engineer of Mines, can put operating conditions down here, there's plan, restoration and debris, disposal, the type of stream crossings, garbage and debris, fuel storage facilities, explosives, wildlife, and another is too that this covered an application to work on mineral claims that were 18 miles from the Campbell Highway.

We had to take our equipment in there in the winter time and do our work on the claims in the summer time, and we were only allowed to bring the cat out -- it was a D-8 cat out to the Campbell Highway again in December, even though we had finished the program in September. And he can list this, he can put any conditions like this in a permit, so he has the right to -- for site specific operating conditions, and these you have to adhere to, and he has the right within the legislation to put these in.

That's the only comment I would make at this time.

Mr. Ogilvie: We have numerous examples of this sort of thing, one which we can document, where one operator received his Land Use Permit in September, the same month of September appealed it -- it had to do with bringing a bulldozer out, got an answer saying

no, we have looked at your application and we insist that you must bring your bulldozer out in winter months.

The point here is that he made his appeal in September, and he was advised in June, the following June, after the winter months had ceased.

Quickly, I would just like to jump ahead a little bit to Section 19, which is pretty relevant on what the difference of A and B permits is. If you would look at page 10 of the proposal, Section 19, sub (1), "The engineer shall, within 10 days" -- the engineer is the administering officer here, "The engineer shall within 10 days after accepting an application for a Class A permit, made in accordance with these regulations", get four options.

You can issue a permit, subject to any conditions he may include. He does that within 10 days, or within 10 days, he must notify the applicant that further time is required to issue a permit and give the reasons therefor.

Now, in the event that he does that, that's (b), looking down at the bottom of the page at 2 (a), "Where the engineer has notified the applicant that further time is required to issue a permit pursuant to paragraph (b), he shall within 42 days after the date of the acceptance of the application, comply with paragraph 1 (a).

Okay, in summary, within 10 days, he either issues the permit, or he tells you why he wants 42 days to do it. Now it goes farther. In Section (c), within 10 days, he can notify the applicant in writing that he has ordered further studies or investigations to be made respecting the land proposed to be used, and state the reasons therefor, and in the event that he elects to do that, if you look at the very bottom of the page, to sub (b), "Where the engineer has done this, the applicant -- has notified the applicant that he intends to do that", further studies, "he shall within 12 months after the date of the acceptance of the application comply with", blah, blah, blah, blah, blah.

Okay fine, now so that you see with the type A we are dealing with these options that the administering officer has. He either gives you your permit within the 10 days, or he tells you why he wants 42 days, or he tells you why he wants a year, or (b) -- sorry sub (4) over here, I was right, sub (b), he can refuse the permit.

Okay, with type A then he can go 10 days, 42 days, one year or no permit at all.

Hon. Mr. Lang: It's essential that he likes you.

Mr. Ogilvie: It's essential that he likes you, and we think that this business about putting -- walking a bulldozer is a little light in this area to take -- the possibility that it takes 42 days or a year to give you the permit. We think that walking the bulldozer could be classed in the B type, which will have a different time frame in it.

Okay, trenching, making roads and all that sort of thing, leave that in.

So that was our comment on Section 2, sub (b). Now going down on that same page, to sub (h), "The levelling, grading, clearing or cutting of any line, trail or right-of-way exceeding five feet in width and exceeding four acres in area", we think that clearly

refers to making roads. We would like to be a little more specific in that, and add "but exempting walking a bulldozer with its balde up".

In other words, what we have attempted to gain in sub (b), we don't want to see them interpreting (h) to include walking a cat. We would like walking a cat right out of that Class A type.

Going on to the next page, Page 2, Class B permits, sub (b), again, this one has to be amended to remove the 20,000 pounds, so that everything, all these cats no matter what weight would be included in here, and the other point is, you will notice on the second line, well starting at the beginning, the use of an accepted public road or trail, maintained wholly or in part by public funds of any vehicle, we would suggest—of any vehicle that, of any vehicle that exceeds 10,000 pounds, no ceiling on it.

Okay, they are referring to the use on a public road or trail maintained wholly or in part by public funds, and we say no, what about any public trail? What about a tote trail? If the road already exists, why should you have to get a permit to run a vehicle over a road that already exists? A road that is, I think by definition, a public road, the public has access to it, regardless of whether it is maintained wholly or in part by public funds.

So our two proposals there are then that we strike out that whole line, maintained wholly or in part by public funds, and then to make it consistent with our other amendment to type A, that we strike out "and is less than 20,000 pounds".

Mrs. Watson: Mr. Chairman, wouldn't our definition under the new Highways Ordinance help overcome this, because under our new Highways Ordinance, a tote trail is a highway, so if we changed that and said "highway as defined in the Territorial Highways Ordinance", it would be overcoming that.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, just a question of Mr. Ogilvie—I just caught a comment there that he said that he didn't think they should have to get permission to run a cat over a road, a tote road. Don't you feel there is some merit in what kind of equipment you are putting over some of these roads, regardless of whether the public are using it or not?

Mr. Ogilvie: Well perhaps it could be dealt with different than as a land use operation. I think now—I'm not aware of what you are considering in a Highways Ordinance, but it seems to me that would be the appropriate way to govern what goes on a road.

Again in Section 2, I think we get to the top of page 3. All the way through these regulations, you will see that the chief administration officer of it is the engineer.

Now, the engineer, the present incumbent is as defined in this proposal here, in the Yukon Territory, the Assistant Regional Director renewable resources of the Department of Indian Affairs and Northern Development at Whitehorse, Yukon Territory.

Now, there will be, or there is now, two assistant Regional Directors, one is Renewable Resources, which covers water, lands, forests and the environment, and the other—Assistant Regional

Director, Non Renewable Resources, covers oil, gas and mining.

Regardless of all that, we are suggesting that the engineer should be qualified by education and experience in the major industry of the region, mining.

Our next proposal would be the top of page 4, throughout the regulations you will find references to crossing streams. A stream is defined as any lake—a stream is defined as any lake, river, pond, swamp, marsh, channel, gully, coulee or draw that continuously or intermittently contains water.

Now, in a hilly, mountainous region, as opposed to a flat delta, or Precambrian shield or whatever, I think you will notice that at one time or another during the year, every depression will intermittently contain water. I am just looking out the window now and I see about maybe 300 feet, there is enough of a depression to hold water. These, with inclusion of the word "intermittently" would all be streams.

Now, we think that a more sensible attack at this problem would be to get a definition of stream that really means a stream, so we are suggesting that the word "intermittently" be dropped out.

Now, in Section 7 in the middle of page 5, this, and a great many sections confer power on the inspectors who may be the local forest ranger, or one of his employees or whatever. There are a great many sections where this authority was exercised by the engineer, and a whole lot of sections now change that authority to the inspector, and we say that is fine, provided that when we get to Section 35, the appeal section, that it be suitably amended to look after this, so we just mention that one in passing.

Section 15, the Yukon Territory and the Northwest Territories shall be separate land management zones. This is the first time we have seen this. This would be relevant to Section 3 sub(1) of the Territorial Lands Act as amended, and specifically call upon consultation from this Chamber, yes, from this House.

So of course we are suggesting that it be amended to say the "Yukon shall comprise" — or the addition should be. "The Yukon shall comprise two sub-zones separated by a latitude 64-45, these sub-regulations shall apply to the non-Arctic Yukon sub-zone". Incidentally, Section 15 seems like a funny place to put in what these zones are going to be, but that's the way it is.

Section 17, "An applicant for a land use permit shall, (a) where a right to search for when or exploit minerals, or natural resources is to be exercised by the carrying out of the land use operation authorized by the permit, and we suggest that the applicant shall identify the purpose of the operation, e.g. mining, petroleum exploration or whatever it is, where he is doing this sort of thing, he identify what that purpose is, and also (b) the holder of that right, et cetera, et cetera, et cetera. Would you like to see at that point that they put in that they identify what his purpose is, be it mining or whatever.

In this same section, you will notice 17(1) goes into (a), (b) and (c). Following (c), we have proposed a new sub-section 1(d). "That the rights referred to in sub(a), the right to search for, win or exploit minerals or natural resources shall not suffer from any acts of omission or commission or delays on the part of any

official appointed under these regulations.

Now, that time honoured old section is section 49 of the existing Yukon Placer Mining Act, and we think it's a heck of a good thing to appear in all legislation. It looks like the appropriate place for it to be. And that incidentally, in answer to a previous question, is what was referred to earlier as protecting the rights of individuals.

I'm sorry, I ask you to correct one typo that we have on our brief under 18, amend to the engineer shall send a copy of the inspector's report. I'm sorry that got out with a misprint in it, or has it been corrected? Has it? Thank you.

That is the way it exists in the present regulations, that if you are going to get zapped on getting a permit because the inspector has written a report, and that is used to stop you from getting it, we feel that you should have a copy of that report, and at the present time you do get a copy of the report under the existing regulations. The government's proposal here is to change it to — you're to be informed of the nature of what his report is. We would like to have that.

Now 19, I referred to this earlier on, and now I think we are clear that there are the two types of permits, the A which are the bigger operations, and the B which are the smaller ones. Now here what we would like to do in the non-Arctic Yukon, this is fine, we agree to this for the Arctic Yukon, but for the non-Arctic Yukon, we would like to strike out (b). In other words, the engineer shall within ten days after the acceptance of an application for a Class A permit, (a) Issue the permit within — issue the permit. In other words, within the 10 days, not in 42 days, so that would call for striking out 1 sub (b) and also striking out 2 sub (a) which refers to 1 sub (b).

We would recommend that you leave the officials the option of taking the one year hike, but we would like to tie that one down a little better. Under (c) we would like to say, beginning with (c), in the case of mine development, hydroelectric dam construction and other like major operations, notify the applicant in writing that he is ordered further studies or investigations to be made respecting the land proposed to be used and state the reasons therefor, and jump down to 2(b), where the engineer has so done, he shall within 12 months after the date of acceptance of the application, comply with paragraph 1(a) and 1(b).

Now, I think it's apparent that what's called for would take 12 months of studies, is something that's pretty major, so we think that that should be in there, and the wording that we suggest is something along the lines of, in the case of mine development, hydroelectric dam construction, and other like major operations.

Page 11, where the engineer receives an application pursuant to — we say he shall within ten days thereafter, notify the applicant in writing that his application cannot be accepted and give the reasons therefore. We think that three days should be adequate there, to say that if there is something faulty with the application.

Sub-section (4), now here this refers to Class B permits, the smaller level of operations. The engineer shall within ten days after acceptance of an application for a Class B permit made in accordance with these regulations, (a) issue the permit; (b) refuse to issue

the permit; (c) notify the applicant in writing that the application for a Class B permit will be considered as an application for a Class A permit and request further information.

Okay, now the thing by definition is a class B level of operation, but the official as proposed has the option of even although this thing qualifies as the lower type, the Class B type, of considering it as a Class A, and once it's considered as a Class A, then he has the option of ten days, 42 days or a year. For an operation that's defined as a Class B, the small kind, so I don't think he should have that option, and we suggest that the whole section 4 (c) be deleted. He should be able to issue a permit for an operation of that size within ten days.

And Section—

Mr. Chairman: Excuse me, Mr. Ogilvie, I think we will declare a 5 minute recess.

Mr. Ogilvie: Great.

Recess

Mr. Chairman: I now call Committee to order. I would ask the witnesses to proceed with their brief.

Mr. Ogilvie: Thank you, Mr. Chairman. Just so that we don't lose the forest for the trees here, I would like to just make a kind of a general statement again, and then maybe get back to this.

The government gives itself the discretionary power to write site specific conditions for each operation that is done. It needs a certain level of authority to be able to do this, to adequately handle land use operations in the fragile Arctic. Now, we agree that they do require this. The regulations, as they exist and as they are being proposed, confine themselves to just putting levels on that authority. The actual regulations, the way the thing is really regulated, are in these permit conditions along the lines of what Mike read you earlier.

So all these regulations are is a ceiling on the authority that the government has to decide what you can do and what you can't do.

Now, our whole point here is that although it requires a considerable degree of power to do this, the degree of power that it requires in the non-Arctic Yukon is not as great as it is in the Arctic. Now, that's our whole position really.

Now, what we are attempting to do here then, is take these regulations which give adequate power to police the thorniest area that they have got in the high Arctic, and have them amended so that the power that the officials have is appropriate to this southern Yukon section. Now that's basically where we are at, and what we are doing here is going section by section, our suggestions of what would be the power appropriate to deal with all these situations in the southern Yukon. So that's what we are at, I don't want us to get sort of miss the forest for the trees here.

Now, I think I got through Section 19, and then we broke for coffee, and that was really a very good place to break, because until we get to Section 19, we really

didn't have much definition of what Level A and what Level B meant, so basically what we said is that we would like one change, to put one kind of operation, namely walking a cat, take it out of A and put it into B, and then as we said in Section 19 here, we would like the A type permits to be issued within 10 days, without giving the government the option of going to 42 days, but giving the government the option to go to a year for a very major operation, such as a mine development.

On the B type permits, we would like them issued within 10 days, no ifs, ands or buts. They are small operations, and Mr. Chairman, at this point should I—actually I was expecting that perhaps members would like to ask questions on each point as we got to it. I wonder if there's any—should I—I would certainly be willing to answer any questions as they come up.

Mr. Chairman: Mr. McCall?

Mr. McCall: Yes, Mr. Chairman. I was about to try that effort not very long ago, but I was shall we say, shouted down, and now the gentleman has now finished his brief, I have no further questions.

Mr. Ogilvie: Then I will proceed with our brief. We were at Section 21 would be the next one, which is on page 12. When you apply for a land use permit, conditions are attached to the permit and this gets down to the nitty-gritty of what you can do and what you can't do.

The engineer has the power to include in his land use permit, conditions respecting a whole lot of things, (a), (b), (c), (d), all the way down, (k) the establishment of petroleum fuel caches, and that's fine, they are all appropriate to land use operations, but I can't make that statement about (1) because (1) is "such other matters not inconsistent with these regulations or as the engineer thinks necessary for the protection of the ecological balance or physical characteristics of the land management zone".

Now, whenever we see that kind of a section in legislation or in regulations, we wonder what is the point of really looking at any other section. We think that (1) isn't appropriate. If they want these other authorities, let them use some more letters of the alphabet and spell out what they are.

I might say in passing that the only application of that that I am aware of right now caused a bit of consternation. There's been no amendment to gun laws that I'm aware of in Canada, and yet they use section (1) to say that there is only to be one gun in camp. Now here you have guys going out in all directions up there, and I guess they were all flipping coins as to see who is the lucky guy that got to carry the gun. I just raise it, that that was in fact used as a form of gun legislation.

So we recommend that section (1) be taken out. Section 21, sub (3), at the very beginning of it, we say "Section 25, sub (1), sub (b), and this will refer to the

... to be used for a line, trail or right-of-way already an existing line, trail or right-of-way when you want a permit to go over it, you need a permit to go over that line again the way it is right now. ... to go over an existing

trail, but you would have to pay an acreage fee for the amount of that trail that you used.

So we would like to see that amended to be new land, previously unused land. We would also like to see the — you have to attach the total rental, in effect it's a rental on how much land you are going to affect. You have to attach the rental fee ahead of time on the basis of how much land is estimated to be used, and they deem that it will be 33 feet wide.

Now, the blade of the cat is only 12 to 14 feet wide, so we think that — we know that 33 is a nice figure to use when you are working out acreages. We think that 16 and a half feet would probably be more appropriate, which is half of 33, of course.

Twenty-four. This refers to a visit made — we think it would be a good idea if somehow the regulations called for the inspector to visit the site shortly after, almost as soon as possible after the people and equipment have arrived there, so that he can discuss with the people on the ground how the regulations are going to be applied to them, in terms of the conditions that are there.

Section 28, again this is — half of it is the same point. Duties and powers of the inspector, now when we look through the duties and powers of the inspector, they all seem to be powers of the inspector, we can't find any section that gives any duties to him, so we thought that there might be a couple that could be given to him.

We recommend amendments calling for an inspector to visit the operation as soon as possible after its commencement to discuss interpretation of operating conditions, and (b) at the end of the operation, preferably while the equipment is still on site, to ensure compliance with requirements for a letter of clearance.

Now, what happens is, you have finished your land use operation, you have undertaken and perhaps even given a bond that you are not going to leave a mess and all this sort of thing. You are not free of that responsibility until you get a letter of clearance. You won't get a letter of clearance until there has been a final inspection. The final inspection could be a year or two after you have left, in which case you are responsible for anybody else who legally or illegally has been there in the meantime, so I think it really should behoove the inspector to get that final inspection as soon as he can at the end of it. It would be very helpful if he did it while the equipment is still there.

If he sees something that needs doing, well it would be far more practical to tell the operator to fix it up while he has got the means to do it there.

Thirty-one, sub (1):

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: I've got a question here of the witnesses. In 24, Section 24, we are talking about the plan, 24(4) says "The engineer shall reject a final plan if it does not comply with this Section and Section 25", and so on.

My question is, I realize that you have to submit what we would call an "as-built" plan, I guess it is, 60 days after the operation, is this correct?

Mr. Ogilvie: Within 60 days, yes.

Mr. Lengerke: Well what would be the significance of the engineer rejecting the final plan if really the operation didn't meet the original plan anyway? You know, what's so significant about rejecting it?

Mr. Ogilvie: The —

Mr. Lengerke: Wouldn't it be better to make sure that in this kind of a legislation, that the original plan should be approved and be complied with?

Mr. Ogilvie: Yes, there may be changes in conditions which you've requested and have been granted, and then a final plan, if there weren't any changes, then of course the final plan would be the same as the initial plan, but would be submitted as a plan at the end of what actually did happen. It might be as originally proposed, but the point is that this would be a necessary condition of getting your letter of clearance, that he accept this final plan.

Mr. Lengerke: Okay.

Mr. Ogilvie: Right.

Mr. Phillips: The normal procedure, what I have done in the past is on a one mile map, indicated that we are going to conduct a trenching program and diamond drilling program in an area that's 15,000 feet by 4,000 feet. In other words, we are going to on geochemical anomalies or other things, we are going to do work within that area.

For a final plan, I then give him a larger scale plan, showing him the exact location of the roads, the diamond drill holes, the trenches and anything else that we have done, as well as showing the topography.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Just further to that, but if you had actually done something that the engineer didn't like and you showed it in the final plan, then he is going to reject the plan, of course, but does he make you put that back right, in other words?

If you put a road somewhere that you shouldn't have, you have actually done something that you didn't show on your original intent, now what's the consequence of it? Now, that's the point I am asking.

Mr. Phillips: Well the problem is it is very difficult to decide in these operating conditions here, it is very difficult to decide how you should do it, in an office.

Mr. Lengerke: Yes, okay.

Mr. Phillips: The best way of doing it is to go out into the field with the engineer and discuss the problem with him, and he may say, well I think it should go here and you say well, I don't think so, what about this route here, and you walk the route on the ground, if you are building a road up a mountain, and you tell him how you are going to dispose of the brush, and the rock, et cetera, and you sort it out right then and there.

Mr. Lengerke: Okay, thank you.

Mr. Phillips: This is why these are site specific, they are broad, and then you narrow it down still further when the inspector and the company discuss it on the ground.

Mr. Lengerke: Thank you. Thanks, Mr. Chairman.

Mr. Ogilvie: Mr. Chairman, Section 28, we did propose that those two specific visits that the inspector should make. We also feel that instructions that the inspector gives should be in writing.

Section 31, sub (1). Now here we find an amendment to the existing regulations, and we would like to see it go back to the existing regulations, as I imagine there are numerous places where the powers in the existing regulations, the powers of the engineer are now being delegated to the inspector, and as I said, in nearly all these cases we find that acceptable, provided the appeal section is suitably changed.

This particular one we don't like to see a power which presently lies with the engineer, being delegated to the inspector, and that's the inspector may order the operator to suspend an operation. The existing regulations say "The inspector shall report the default to the engineer, who may order the operator to suspend".

Now, we feel that that authority to require an operator to suspend is serious enough that it should be given by an officer at the responsibility level of the engineer.

Section 31, sub (6). We note this in passing, no order pursuant to section such and such, and this refers to oil and gas, shall be made in respect of—without the concurrence of the district oil and gas conservation engineer.

Now, the district oil and gas conservation engineer is an officer in a different branch altogether. He's in the non-renewable branch, not the renewable branch, which this is enforced by. The reason we point this out is that we want to, when we get to Section 35, make reference to the Engineer of mines, the guy who is responsible for administering the mining industry.

They have already made the precedent here by putting an oil and gas officer into these regulations, and we just want this out of the precedent.

Section 35, and here's where it becomes appropriate. This is the appeal section, and 35 sub (1), we would like to see the entire Subsection 35 sub (1) rewritten. Just for the moment take out 35 sub (1) and what it would be, it would be four sub-sections. 1 (a) All actions of inspectors may be appealed to the engineer.

Now, we would like this in return for all these delegated authorities that the engineer has given to the inspector in what we have seen so far.

Secondly, you might recall that at an earlier section, where it related to work done in exercising a right to explore for minerals or resources, and we suggested at that point they identify that it be a mining or a resource purpose, okay well then where it is so identified then, we say regarding mining operations as identified in our proposed amendment to Section 17, "Before making a decision adverse to the operator, the

engineer shall consult with the Engineer of Mines, and a copy of the Engineer of Mines' recommendations shall be available to the operator.

Now, the background on this is, and it relates to the existing Mining Act, that right now any environmental control on this industry is policed by officials in the Mining Section, who are familiar with the mining industry.

Now, an earlier position of this Chamber was, that we wanted whatever land use regulations that we have policed by mining officials. It didn't look like we were going to be able to get that, so we sort of accepted the staff the way they were proposing to do it, but we would like to see some consultive process with the mining officials.

Now, I would like to develop what the reason for that is. If you had two operations, let's say one of them was a million dollar operation, and there are these in the Yukon, and the other was a half a million dollar operation. Now the million dollar operation, of the damage that it does, perhaps let us say, that 90 percent of that damage was essential, it was necessary to what they were trying to do and 10 percent wasn't.

And in the other operation, which is the half a million dollar operation, let's say that the whole thing was so stupid that none of the damage was warranted. The million dollar operation really has inflicted twice as much damage as the small one has, and a land use inspector or somebody that doesn't have the experience in the mining industry really wouldn't be in a position to say what was necessary and what wasn't necessary.

Now, what we would like is at least some advice from the mining experts that they have there, as to what the necessity of what was being done was. You might find a large impact which ends up as a mine, and is part of the Yukon's economy. You might find a slightly smaller impact, which had no reason for being there in the first place. We feel that rather than forest rangers, there should be some input from the mining experts in the government to determine this difference, because our whole attitude to these land use regulations is that it should eliminate unnecessary damage without inflicting pain and hardship on people that are going about trying to make an economy in this Territory.

So, our proposal then would be 1(b), as I previously stated.

Now, 1(c) then would be 35 sub(1) as it exists right now, that you can appeal orders from an engineer or an inspector to the Minister, and then (d), we would like to see a final appeal to the courts.

Now then we end up the whole thing with the preamble, the existing land use regulations start off with a preamble. And it starts off this way, "Whereas His Excellency, the Governor General-in-Council deems it necessary for the protection of the ecological balance of certain areas in the Yukon Territory to set apart and appropriate as land management zones, et cetera, et cetera, et cetera, et cetera, et cetera. So in other words, the whole aim of the game is the ecological balance in the Territory, but there is no mention at all of whether that is absolute or what. Because if it is absolute, if we want an absolute

protection of the ecological balance in the Territory, that fact should be advertised.

The boundaries of Kluane National Park should be extended entirely over the whole Territory, just let us know before you do it, that's all. So here we have in the preamble to it, which an inspector is liable to point to and say, well look, what you are doing effects the ecological balance so therefore you can't do it. What we would rather see is a preamble for this.

By the way, the wording of that is taken from Section 3 sub(1) of the Territorial Lands Act, and it's the section that empowers the Minister to make land management zones. Section 3, sub (2) of the Territorial Lands Act is the section that empowers the Territory — the Minister to make regulations, and there the wording is slightly different. It refers to the protection, control and use of the surface of the land. We think if they are going to have a preamble to these regulations, that it should first of all be taken from the appropriate Section of the Act, the one that refers to regulations, and that it put in some recognition that the use of these lands is going to be tolerated.

Well, ladies and gentlemen, that's the end of our brief, and I guess we have taken a lot of your time, but if there's any questions that we can answer, we would sure like to.

Mr. Chairman: Thank you. Mr. McIntyre?

Mr. McIntyre: I wonder if Mr. Ogilvie would say how much consultation there's been between the Departments, or departmental officials and the Chamber of Mines in connection with these present Land Use Regulations?

Mr. Ogilvie: A great deal. There was an earlier proposal, was made by the officials and we received it nearly a year ago. We thought it was disastrous.

Now, some of the Members of this Assembly happened to be members of the Chamber of Mines, and I think that some of you may have some of the internal business of the Chamber circulated. These briefs that were made in March and in April at the official level were in response to a proposal the government made last December or January, a year ago. In the course of our discussions, I think we have made some headway with them. We held meetings with them in Yellowknife, in Edmonton and in Saskatoon, curiously not in Whitehorse.

At the last meeting, we were just about ready to give up on it because we couldn't get the government to agree that they could set up a sub-zone referring to the non-Arctic Yukon. They found that it was an administrative headache or something and they didn't want to do it, although they said that they would consider it. So we waited after that last meeting, to find out precisely what their thinking was on it, and their thinking — their precise thinking on it was the document that you have in front of you.

Now, we have had — the consultation since then has consisted of one phone call made from the Chamber to the officials saying there are two or three items in it that we don't like, we sure as heck don't like the fact that with a B type permit you can just arbitrarily deem

it to be an A type permit, and all that we have heard about 10 days and 42 days, just goes right out the window. The idea was that a B type permit was supposed to be an over-the-counter permit, one that was issued right as you walk in and get it.

But the way this thing is written, they can take a year, so there was that consultation, and the consultation did arrive partly at what you see in front of you.

Mr. Chairman: Thank you.

Hon. Mrs. Whyard: Mr. Chairman, it's a frivolous question, but maybe Cam is ready for a little lighter moment. I'm dying to know what the land use fee would be, based on your 16.5 foot blade path.

Mr. Ogilvie: Would you like to tackle that one, Mike?

Mr. Phillips: I think with 33 feet, it's an acre per four miles, so it would be half of that.

Hon. Mrs. Whyard: What kind of money are you talking about?

Mr. Phillips: Really it's very little money as far as the fees go.

Mrs. Watson: \$64.00, isn't it?

Mr. Phillips: Sixty-four, yes.

Mr. Ogilvie: Sixty-four dollars per mile?

Mr. Phillips: Yes, I guess it depends on how long a road you want to use, whether it's a half a mile, it's of no worry to you. If it's a 20 mile road, you are talking \$1,500.00

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

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I don't really actually have a question, but I would like to comment a little on the paper that they brought forward, because I think it's well worth our time, even though Mr. McKinnon has spoken and said that it is more or less a futile exercise, due to the federal government's position in some cases. I think we should try to push our nose into that more than we do, and for one reason is if we can possibly get any input into this, even if it is federal, we will get some knowledge from the people in the Yukon, which I think we have gotten here today, and some questions could be answered a lot better.

I will give you an example of what can happen if there is not input from this Territory into something like this in the land use and also into mining or anything else.

In a little sense where they define a stream. Now if anybody comes up here from Ottawa, anyplace like that comes up here to make regulations and goes back and makes them and defines a stream without really seeing it and knowing it and being there for a few years

is going to come out wrong, very likely.

I can give you an example, and I think Mr. McKinnon and McIntyre will remember. I don't know who made that plan or observation at one time but we were going up the Canol Highway and it was to open up a mining industry up there and the plans came out to build many bridges along the road. In my case at that time being a private operator I had a contract to build eleven small bridges, and due to, I think, possibly the same thing, nobody right at the right level got to see the job before, I could only find seven streams to put a bridge over.

Consequently it cost this government, many years ago, I think in the neighbourhood of six or seven extra thousand dollars, because I had a contract and I stayed by that contract and they had to pay for it. This can happen in the Yukon.

This can happen if we don't get the input from the people like the mining industry here and others in the country.

Mr. Chairman: Mr. McKinnon.

Hon. Mr. McKinnon: Mr. Chairman, I was going to rise once before because I thought I was going to be misrepresented and now I am going to rise because I have been misrepresented.

My whole point in what I said prior was just to find out from the federal government whether this Assembly was going to be allowed input before we went into detail, that was the only point I was trying to make. It would be going completely against the points that I make time and time again for input on policies such as this. I think yes we want input on it but I would say that before we went into the actual detail of it, whether or not the federal government was going to listen to our representations to have input into these regulations. That was the only point I was making, Mr. Chairman.

Mr. Fleming: I rise again, because as I said before, I do make a mistake. I wasn't inferring anything to the Honourable Member at all.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I won't prolong this, but the application of these regulations has not been part of my daily routine. I am unfamiliar with these matters. I understand that these Land Use Regulations apply to all users of land, not just the mining industry, but also to this government for roadbuilding et cetera.

I would be interested to know if the information is readily available, how much it is costing us. Are we paying acreage fees for Land use? Do we take it out of one pocket and put it into the other? How do these procedures actually work out?

Hon. Mr. McKinnon: Mr. Chairman, as I understand it, we abide by the regulations but there is no actual transference of money. I might say that one of the benefits that I see from the Land Use Regulations has been on roads that the Territorial government or the federal government or any land user has had to

build, that the borrow pits are now hidden from view with a green belt between them, that the slash is not left at the side of the road in all kinds of conditions. It is either burned or buried.

There has been very great benefits to the total aesthetic value of the Yukon Territory through the sensible application of Land Use Regulations. We have benefited in some areas. I think probably the mining interests would say, other than in certain specific instances they can relate that generally there has been a fairly good attitude and relationship between the people who are imposing the regulations and enforcing them and the mining industry of the Yukon Territory.

Mr. Chairman: Mr. McIntyre?

Mr. McIntyre: Mr. Chairman, in connection with roads. When we are dealing with the Highway Ordinance I pointed out that there was going to be a conflict between these Land Use Regulations and the Ordinance that we just passed the other day. It seems to me, that having passed the Highways Ordinance that we should request the federal government, the Department of Indian Affairs and Northern Development to delete from these Land Use Regulations all references to roads, rights of way and the building thereof. That responsibility would now become the responsibility of the Commissioner. Any revenue accrued from mining companies building these roads would go to the Territorial Government rather than the federal government.

Some Members: Hear, hear.

Hon. Mr. McKinnon: Mr. Chairman, I can only say that I hope that this type of policy will perhaps be before this Assembly prior to its prorogation.

Mr. Chairman: Are there any further questions for the witnesses?

Mr Taylor?

Hon. Mr. Taylor: Just before the witnesses do depart, Mr. Chairman, I would just like to say that this is another case in point where the federal government, or the federal civil service, perhaps, have tried to link the Yukon and Northwest Territories and apply in the Yukon Territory what they might apply in Greek Fjord or Baffin Land or something. This has always been a concern to me, personally.

I have always tried, wherever possible, to drive the wedge between the Northwest Territories and the Yukon in the belief that the Yukon on this side of the mountains, at least, is a totally different circumstance administratively or otherwise, or physically it is ease of administration, or perhaps it is lack of understanding, I am not sure which, perhaps it is a combination of both, I think we recognize that the future of the Yukon is going to be, to a large extent, based on the development of the resources of the Yukon. Those natural resources with which the mining and petroleum industries play and will continue to play in the future, a very important role.

I think personally, as much control as we can take at the local level, we should take it. Accept the

responsibilities for it and wherever possible fight, and fight as hard as we can to gain those controls at the local level.

I think that it is really a wonderful thing, the ability of the people and of this legislature to be able to go to people such as the Chamber of Mines, or have the Chamber of Mines, in fact, out of sheer concern and interest come to this Legislature and say we are concerned. We will put all the—and I know they must have burned the mid-night hours day after day, or night after night, as the case might be, to prepare a submission. There has been, no doubt, a great deal of expertise exhibited in the submission that they have made.

I would just like to say, Mr. Chairman, that as a sitting Member of this Legislature I am both pleased, and I am both proud to know that in the territory that we have such a responsible system whereby everybody in the territory, and in this case, the Chamber of Mines have come to us with a very, very serious matter to consider.

I would just like to say at this point, Mr. Chairman, it makes me a little prouder and I hope that Ottawa and the governments, the joint governments recognize the fact that this is just another way that we can show responsibility and ask someday Ottawa to give us responsible government in the Yukon.

Hon. Mr. McKinnon: Mr. Chairman, Mr. Phillips wanted to reply to some statements I made and I would be interested in hearing them.

Mr. Phillips: Yes, my comments on Land Use Regulations having operated under them for four years, I and most people in the industry welcome the Land Use Regulations. There is nothing that makes me sick in this business as to go and see abandoned camp sites, fuel drums floating in the lakes, garbage that isn't burned and things like that.

I think, by and large most people in the industry don't like to see that. One thing that happens is that because one poor operator the whole industry is blamed for being, the public get the impression that everybody in the industry operates that way. By and large if we have a land use operation we conduct it the way the government would like to see conducted. They inspect it and then it is fine.

I think that the only problem that we see is they must act on these things quickly, because we only have a hundred days in the summer months to carry out our work. I wouldn't want to be stopped because of one of these Land Use Permits, because of them having to wait and think about it and think about it.

Really I can't see any reason why any permit would take more than ten days. This consultation period that takes place, when you hand the permit into the Land Use Administrator he has what they call a Land Use Advisory Committee that meets once every two weeks. This Land Use Advisory Committee is composed of about 15 individuals of the Fisheries, Canadian Wildlife Service, Lands, Mining Recorder, virtually the full spectrum of government in the north here.

I can't see any reason why he can't take your application and that day send it around to each official

and say, if you haven't got a comment by two days time, you obviously have no comment to make. I think that is the way they should be acted upon. Thank you.

Mr. Chairman: I would like to thank the witnesses for appearing before Committee today, and the witnesses are now excused.

Thank you.

I would ask Committee's opinion on what they now wish to do with this Sessional Paper. Do they wish to have any further witnesses appear, or do they wish any Motions to be forwarded to the federal government?

Hon. Mr. McKinnon: Mr. Speaker, I would like to approach the Yukon Conservation Society to ask whether they had any representations to make before Committee on the proposed Land Use Regulations.

Mr. Chairman: Is the Committee in agreement with that?

Some Members: Agreed.

Mr. Chairman: Are there any further recommendations:

I will now declare a brief recess.

Recess

Bill Number 5 Continued

Mr. Chairman: I will now call Committee to order. We will leave Sessional Paper Number 5 until the witnesses are available. We will proceed with the clause by clause reading of Bill Number 5, "An Ordinance to Amend the Game Ordinance".

We have Mr. Peter Gillespie with us as witness. We are at present on page 9. I will reread Section 22.

Section 77 of the said Ordinance is repealed and the following substituted therefor: 77 (1):
(Reads Section 77 (1))

Mr. Chairman: (2)
(Reads Section 77 (2))

Mr. Chairman: 23: Sub-section 78 (1) of the said Ordinance is repealed and the following substituted therefor: 78 (1):
(Reads Section 78 (1))

Mr. Chairman: 24: Sub-section 87 (2) of the said Ordinance is repealed and the following substituted therefor: (2):
(Reads Section 87 (2))

Mr. Chairman: 25, Paragraphs 89 (1) and (g) of the said Ordinance is repealed.

26, Subsection 91 (1) is amended by repealing paragraphs (b) and (c) and substituting therefor the following: 91 (1) (b):
(Reads Section 91 (1) (b))

Mr. Chairman: 27. Paragraph 92 (2) (b) of the said Ordinance is repealed.

28, Section 94 of the said Ordinance is amended by adding thereto the following new subsections: (4)

(Reads Section 94 (4))

Mr. Chairman: (5):
(Reads Section 94 (5))

Mr. Chairman: 29. Section 103 of the said Ordinance is amended by adding : (3):
(Reads Section 103 (3))

Mr. Chairman: 30. This Ordinance or any portion thereof shall come into force on such day or days as may be fixed by the Commissioner.

Mr. chairman: Mr. Legal Advisor?

Mr. Legal Advisor: One of the Honourable Members asked the question, in relation to the Ordinance, as to whether in respect of Subsection -- of Section 1, in order to hunt a wolf or a coyote is a seal needed. The Game Director informs me, Mr. Chairman, that no seal is needed.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Further to that same thing, the wolf and the coyote -- pardon me, will there be a wolf and coyote hunting season?

Mr. Chairman: Mr. Gillespie?

Mr. Gillespie: Mr. Chairman, I don't know the answer to that at this point in time. There could be a wolf and coyote hunting season, this would be for the Game Branch people to determine whether this is in fact required to maintain a viable population of wolf and coyote.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman. I have a question for Mr. Gillespie.

At the present time, are they looking into this situation, now?

Mr. Gillespie: Mr. Chairman, pardon me. I don't think I answered Mrs. Watson's question correctly, and I think I can answer Mr. Fleming's at the same time.

There will be a season under a hunting licence. A person can obtain a hunting licence and that will allow that person to hunt wolves and coyotes without a seal. I think that answers Mr. Fleming's question.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, will that season be brought into effect by regulation this year after this amendment is passed?

Mr. Gillespie: Yes, Mr. Chairman.

Mr. Chairman: Ms. Millard?

Ms. Millard: Mr. Chairman, now that I have a witness to direct my questions to, I think I will direct the

same question as I did yesterday, and that is the subject of selling wild meat.

Could our witness give us some more indication why the administration does not even want to consider this as a possibility, and why there has been no research done on it anyway. Certainly it wouldn't do any harm to look into it, certainly since the Northwest Territories have got a program that might be able to be instigated here.

Mr. Gillespie: Mr. Chairman, the administration has not examined this policy, but I would just like to say, make a number of points, and I have had the advantage of reading the Hansard from yesterday, and basically what I have to say reiterates the points that were made at that time.

We are concerned with effectively tightening up the game regulations to better control the take of game in the Territory, and we would be reluctant to move into a new field which would effectively induce some people to more actively shoot game, because of the monetary gain that could be gained therefrom.

We of course, as was brought out by Mrs. Whyard yesterday, concerned about health regulations as well. I think this is a good point, but the short answer to the question is that we have not yet given any serious consideration at all to this prospect, and would not be prepared to amend the Ordinance at this time before we did so.

Mr. Chairman: Ms. Millard?

Ms. Millard: Mr. Chairman, all I'm asking is that they perhaps give some serious attention to it. I'm not asking for any new Ordinances or amendments or anything else at this point, but some kind of investigation into it, because it's obviously working somewhere else, and certainly I don't seem to have made it clear that my contention is not to run around and killing off all the caribou and moose in the country, but harvesting is also a certain part of the conservation, and this should be investigated and looked into, to see whether or not there are areas that can be harvested as well.

Mr. Gillespie: Mr. Chairman, that is a fair request and we will look into it.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Mr. Chairman, I am very interested in the possibility — or the thought that they are going to bring in legislation in the form of regulations, after we leave this Council, which will be in effect possibly this year, as to the issuing of a licence especially to kill wolves. It may be good, but coyotes, wolves, so forth, I would like to hear the answer as to why and exactly — maybe I am wrong in some of the — it may not be wolves, but coyotes, whatever it is, I would like to know the answer as to why they are bringing in a licence for these animals.

Mr. Gillespie: Mr. Chairman, the licence would be restricted in each zone, in other words, according to the zone framework that we have now established,

there would be a restriction on the amount or the number of wolves and coyotes that might be shot.

It is the opinion of the Game Branch that the number of wolves and coyotes in the Yukon is sufficient to sustain some hunting pressure, and we would propose to allow people under a hunting licence, the same hunting licence that allows them to hunt other forms of game, to also use that licence to hunt wolves and coyotes.

Am I answering your question?

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman. At the moment, I see — I think the Game Commissioner is in the — maybe propose with Mr. Gillespie's permission too, that possibly he might be able to sit in as a witness, if somebody agrees.

Mr. Chairman: Is this the wish of the Committee?

Some Members: Agreed.

Mr. Chairman: Mr. Fitzgerald?

We have Mr. Fitzgerald present as a witness. Mr. Fleming, would you like to ask your question of the Game Director?

Mr. Fleming: No, Mr. Chairman, I don't think I really would. I think the question was answered adequately by Peter, but if Mr. Game Commissioner has something more that he may add, which I think possibly he has, I would like to listen, yes, if he has another comment on the matter.

Mr. Fitzgerald: This concerns wolves and coyotes, Mr. Fleming?

Mr. Fleming: Yes.

Mr. Fitzgerald: Well it has received a lot of consideration and discussion, but at the moment, we don't see any reason for having a limit placed on the take of coyotes and wolves. You can hunt them pretty well as you did before, the only thing is that the person must be licensed, have the ordinary hunting licence.

If it is necessary in the future, of course, we may have to impose certain regulations within certain management zones, but at the moment we don't think it is necessary.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, maybe I could ask a question of the Director. In some jurisdictions, I believe you can — this is the question, a wolf is a protected animal, is this correct?

Mr. Fitzgerald: That is right.

Mr. Lengerke: And in the Yukon you certainly feel that the presence of a wolf is so predominant that it certainly doesn't have to be — or dominant, that it doesn't have to be protected here?

Mr. Fitzgerald: Not at this time, Mr. Lengerke.

Mr. Lengerke: Thank you.

Mr. Chairman: I will now read the preamble to Bill Number 5.
(Reads Preamble)

Mr. Chairman: An Ordinance to Amend the Game Ordinance.

Mr. Lengerke: I move that we now report Bill Number 5 out of Committee with amendments—without amendments, I am sorry.

Mr. Chairman: Can I have a seconder?

Mr. Fleming: I second that.

Mr. Chairman: Are you agreed?

Some Members: Agreed.

Mr. Chairman: Thank you. The witnesses are excused.

We will now proceed with a clause by clause reading of Bill Number 20.

Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, we don't have the information that that motion asked for that the Honourable Member from Kluane put forth.

I can't see a clause by clause reading until we know the ramifications and can associate it with the Bill as we read it through.

Mr. Chairman: Is this information available Mr. McCall?

Mr. McCall: Well Mr Chairman, as far as I am concerned it is. It depends in what area you are requesting information from? Whether it is from the Legal Advisor or myself.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman I requested the information from the administration. Possibly I could check with the Clerk of the Council so that the information would be available to us at least before we discuss the Bill.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, I thought this was understood that we would get this information prior to reading of the Bill. The Honourable Member from Pelly agreed to this at one stage when he introduced it for first reading. He deferred the second reading on request of the Honourable Member from Kluane.

The next day I agreed that we could have second reading with the understanding that we would get the information prior to reading the Bill and I think it is very important.

I ask that we don't continue reading this Bill until we have that information.

Mr. Chairman: Is this the wish of Committee that this is again postponed until this information is forthcoming?

Some Members: Agreed.

Mr. Chairman: I will declare a brief recess.

Recess

Mr. Chairman: I will now call Committee to order. The information requested is not yet available in the Clerks Office, so I will now entertain a Motion for the Speaker to return to the Chair.
Mrs. Whyard?

Hon. Mrs. Whyard: Prior to that motion, if you would allow me to make an announcement for the information of Members. The Department has been pursuing as we promised earlier this week, the possibility of bringing before you an expert to give us further information on application of standards in asbestos treatment.

We are happy to be able to report that we are now in contact with Mr. George Schriber of National Health and Welfare in Ottawa, who is, I thin, one person we would like to hear from. He is now processing our invitation to come and we hope that he will be able to appear before Council next week.

This is a National Health and Welfare official and at present, as I believe, Mr. Trevor informed us, that Department is doing more research into the matter than the mining end.

For your information we hope to have Mr. Schriber here next week.

Mr. Chariman: Thank you Mrs. Whyard.
Mr. McCall?

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

Mr. Chairman: Do have a seconder?

Ms. Millard: I second that.

Mr. Chairman: Are you agreed?

Some Members: Agreed.

Some Members: Agreed.

(Mr. Speaker Resumes the Chair)

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

May we have a report from the Chairman of Committees?

Dr. Hibberd: Mr. Speaker, Committee convened at 10:45 this morning to discuss Bills, Sessional Papers

and Motions.

Mr. Bill Cline, Chief of Alcohol and Drug Services was present as witness during Committee's review of Sessional Paper Number 4.

The Sessional Paper was received by Committee as an extremely informative and instructive document. Committee recessed at 12 noon and reconvened at 1:30 p.m. to consider Sessional Paper Number 5 and the Proposed Territorial Land Use Regulations.

Mr. Cam Ogilvie, Mr. Dick Joy and Mr. Mike Phillips made representation to the Committee on behalf of the Yukon Chamber of Mines.

Mr. Chairman excused the witnesses with thanks and asked for Committee's wishes on proceedings on Sessional Paper Number 5.

It was Committee's wish to call for representation from the Yukon Conservation Society before Committee concluded its deliberations on this matter.

After a brief recess Committee resumed the reading of Bill Number 5, and Ordinance to Amend the Game Ordinance, with Mr. Fitzgerald and Mr. Gillespie present as witnesses.

It was moved by Mr. Lengerke and seconded by Mr. Fleming that Bill Number 5 be reported out of Committee without amendment and this motion carried.

It was Committee's wish to defer consideration of Bill Number 20 until information requested by motion was available.

The Minister for Health, Welfare and Rehabilitation informed Committee that an expert witness on asbestos levels may be available next week.

It was moved by Mr. Lengerke and seconded by Mr. Fleming that Mr. Speaker do now resume the Chair and that motion was duly carried.

Mr. Speaker: You have heard the report of Committee —

Mr. McCall: Mr. Speaker, there is an error.

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

Some Members: Agreed.

Mr. Speaker: What is your further pleasure? The Honourable Member from Whitehorse Riverdale.

Mr. Lengerke: Mr. Speaker I move that we now call it five o'clock.

Ms. Millard: I second that motion.

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

Some Members: Question?

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

Motion Carried

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

Adjourned

December 2nd, 1975.

Mr. Speaker,
Members of Council

On November 26th, the Honourable Member for Whitehorse South Centre asked the following question:

"Is the Minister in a position to give us a report on the transfer of medical facilities from the Federal to the Territory Government?"

The answer is as follows:

I can at this time report only minimal progress on the steps towards the proposed transfer of health facilities from the federal Department of National Health & Welfare to the Yukon Territorial Department of Health, Welfare and Rehabilitation, although there has been agreement at the federal ministerial level since 1956.

It might be of historical interest to note that at that time, one of the objectives of the Northern Health Services was: "To include in the Health Service Organization a plan for the development of the Territorial Department of Health for each of the Territories, and for a phased transfer of responsibility for Health Services of all residents to these departments over a period of three to five years." As well, the federal memo requested that if YTG wished to accept responsibility for all health services at an earlier date, a request in writing should be made. Negotiations would then take place on the methods of financing, etc. at the Ottawa level.

This government through the Department of Indian Affairs and Northern Development has made repeated efforts to reach agreement with the Department of National Health & Welfare for enactment of a transfer schedule. The schedule would be used as a sort of "game plan" for the transfer, establishing a timetable for its implementation. National Health have taken the position that it will be necessary to determine the operating costs of the Yukon Region for one full fiscal year before any meaningful discussions can commence ... and accordingly, after long delays, we are implementing a budget review basis for health facilities in the Territory as of April 1st, 1976. YTG bears the operating cost of each facility, but this is purely a financial arrangement and the administration

and operation of the hospitals will remain with the Federal Government for this review period.

It had been hoped that Northern Health Regional offices would be incorporated into the YTG's new capitol building, and this government had made space available to the federal department for that purpose. However, it was learned only in October that the Regional Headquarters of Medical Services Branch will continue to carry on business from its own separate stand ... on the flimsy excuse that they would require 4,557 square feet of space rather than the 3,200 allocated to them in our new building. They had, in fact, made arrangements for office space in a new building in downtown Whitehorse, as well as occupying the present building in the hospital area. This government has expressed its opinion that this was an unfortunate decision, which will mean continued fragmentation between layers of government and additional inconvenience to the public. However, on the suggestion of the Regional Director of Medical Services, we have reserved office space in our new building for the Chief Medical Officer of Health, for his use while on territorial business.

Recent communications from the federal Health department have confirmed that they are accepting a target date of 1978-79 for the ultimate transfer of responsibilities for northern medical services, and last month, the Commissioner was informed by the Assistant Deputy Minister NH&W, Charles Caron, that they expect shortly to appoint a Northern Health Consultant who will be giving priority to the staffwork to be done in the transfer of responsibilities for delivery of medical and public health services.

Meanwhile, at the territorial level, the Administrator of our Yukon Health Insurance Service and the Yukon Hospitalization Care Insurance Plan works closely with the Regional Director of Medical Services on a daily contact basis, and both keep in close touch with the Executive Committee Member responsible for Health in the Yukon.

One complicating factor which must be acknowledged in the transfer plan is the matter of health services to native people in the north; this subject is to be discussed with the Yukon Native Brotherhood by the federal minister.

Flo Whyard,
Member,
Executive Committee.

LEGISLATIVE RETURN NO. 5 (1975 THIRD SESSION)

December 3rd, 1975.

Mr. Speaker,
Members of Council

On November 27th, Councillor Fleming raised a number of questions concerning medical services provided to status Indians.

All residents of the Territory must register with the Yukon Health Care Insurance Plan. Premium assistance is supplied through the Department of Indian and Northern Affairs for any Indian of registered Indian status who is not in the normal labour force where deductions are made through the employer. This Department also contributes funds to Yukon Hospital Insurance Services on behalf of persons of registered Indian status.

Assistance supplementing these two health plans is available to status Indians through the Department of National Health and Welfare and all policy related to such assistance is determined by that Department.

Mr. R. Avison, Regional Director, Yukon Region of the Department of National Health and Welfare has supplied the following information in relation to Mr. Fleming's questions:

Question 1:

What is meant by "Provision of financial support for supplementary medical assistance to Status Indians including drugs, air transport, both regular and charter, vehicle transportation, boarding accounts,

dental care, optometrist treatment and hospitalization for mental sickness?"

"The term "financial support" refers to payment by the Department of National Health and Welfare of the costs or part of the costs of the listed medical supplies and services for medically indigent Status Indians. The Department provides "support" in that it pays what the individual is unable to pay. Employed Status Indians are able to pay and do pay for a considerable number of these supplies and services themselves."

Question 2:

How much financial support?

"Yukon Region, Medical Services of the Department of National Health and Welfare devotes a part of its total budget to provide support for the payment of these supplies and services. There is of course a ceiling on the total budget for Yukon Region but a ceiling is not defined with respect to the financial support to be provided for supplementary medical assistance."

Question 3:

What is included in the term "Optometrist Treatment"?

"Included within the term "Optometrist Treatment" are refractions, the provision of glasses, and repair of glasses."

Flo Whyard,
Member,
Executive Committee.

LEGISLATIVE RETURN NO. 6 (1975 THIRD SESSION)

December 3, 1975.

**Mr. Speaker,
Members of Council**

On December 1, 1975 Councillor Fleming asked the following question:

At the spring session of Council, Telesat made an offer for TV and gave a price for instalment and rental in the smaller communities of the Yukon. So far as we know we rejected that offer because it was too high. Now, has there been any progress since the last session as to what might happen with TV, and I ask this question because I hear on the news something to that effect.

The answer is as follows:

In May, 1975 Telesat Canada offered to lease ground

receiving stations only at a cost of \$19,000 per station per annum.

It was agreed at the May 1975 Territorial Council Session that this price was unrealistic and two motions were passed requesting assistance from the Minister of Communications and the CBC.

Ongoing discussions and correspondence with DOC and CBC have to date resulted in no definitive action.

In September, 1975 discussions and correspondence with the Teslin Community Club were held concerning government support and financial assistance. The financial assistance program has now been dealt with in Council.

We have and will continue to support the Teslin Community Club and any other community in their endeavours to acquire licensed television service.

**M.E. Miller,
Assistant Commissioner.**

Legislative Return No. 7 (1975 THIRD SESSION)

December 3, 1975

**Mr. Speaker,
Members of Council**

On December 3, Councillor Watson asked me to obtain the following information from the Northern Canada Power Commission:

(1) The total construction cost of the Aishihik Power Project.

(2) The cash compensation being paid to individuals and or bands for property or other damages created by the project and such other terms and conditions that have been negotiated as part of the compensation,

and

(3) The cost of the Haines Junction transmission

line.

Since the Aishihik Power Project is just in the final stages of completion, it is not yet possible to compute the final total costs. However, the Northern Canada Power Commission has provided the following information:

(1) Construction costs for the project are estimated at \$36,000,000 to date.

(2) No funds have been paid in compensation for damages. Several claims for damages are outstanding and the Commission is awaiting a submission from legal counsel to the parties involved before any settlement can be made.

(3) The costs of the Haines Junction transmission line are currently estimated at \$498,000.

**J. Smith,
Commissioner.**



