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# The Yukon Legislative Assembly

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Debates & Proceedings

**Wednesday, December 10, 1975**

Speaker: The Honourable Donald Taylor



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(Mr. Speaker reads Daily Prayer)

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

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

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

## ROUTINE PROCEEDINGS

**Mr. Speaker:** We will not proceed with the Order Paper. Are there any Documents or Correspondence for tabling this morning?

The Honourable Member from Whitehorse North Centre?

**Hon. Mr. McKinnon:** Mr. Speaker, I have for tabling today, Legislative Return Number 9.

**Mr. Speaker:** Are there any further Documents or Correspondence?

The Honourable Member from Whitehorse West?

**Hon. Mrs. Whyard:** Mr. Speaker, I have for tabling, Legislative Return Number 10.

**Mr. Speaker:** Are there any Reports of Committees? Introduction of Bills?

I believe at this time Mr. Administrator wishes to address the House.

**Mr. Administrator:** Mr. Speaker, it is the government's intention to introduce a financial Bill, Third Appropriation Ordinance, 1975-76, for defraying charges and expenses of the Public Service of the Yukon Territory for the 12 months ending March 31st, 1976. This Bill relates to amendments which will be introduced to the Elections Ordinance.

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

Are there any Bills for Introduction this morning?

The Honourable Member from Whitehorse North Centre?

## Bill No. 13 Introduced

**Hon. Mr. McKinnon:** Mr. Speaker, I beg leave to move, seconded by the Honourable Member from Klondike, for leave to move Bill Number 13, Third Appropriation Ordinance.

**Mr. Speaker:** Is the seconder the Honourable Member for Klondike?

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

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Klondike, for leave to introduce a Bill entitled "A Third Appropriation Ordinance 1975-76". Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

## Motion Carried

## Bill Number 14 Introduced

**Hon. Mr. McKinnon:** Mr. Speaker, I beg leave to move, seconded by the Honourable Member from Klondike, to introduce Bill Number 14, an Ordinance entitled "An Ordinance to Amend the Elections Ordinance".

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Klondike for leave to introduce a Bill entitled "An Ordinance to Amend the Elections Ordinance". Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

## Motion Carried

**Mr. Speaker:** Are there any further Bills for introduction this morning?

Are there any Notices of Motion of Resolution? The Honourable Member from Hootalinqua?

**Mr. Fleming:** Yes, Mr. Speaker, I give Notice of Motion, seconded by the Honourable Member from

Kluane, that highway signs, commercials, regulations be considered in Committee of the Whole for discussion.

**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 under Orders of the Day to Motions.

#### ORDERS OF THE DAY

##### *Motion Number 14*

**Mr. Speaker:** The first Motion, moved by the Honourable Member from Ogilvie, seconded by the Honourable Member from Klondike, that it is the opinion of this House that the Minister of Health, Welfare and Rehabilitation look into the policy of mileage paid to travellers for medical reasons with a view to varying the rates paid to the travellers.

The Honourable Member from Ogilvie?

**Ms. Millard:** Mr. Speaker, I would just point out briefly that the mileage that is now paid to the people who have to say, come to Whitehorse for a specialist's appointment, et cetera, is 10 cents a mile, which is completely ignorant of the actual cost of what a person pays out when they do travel on the Yukon Highways. Their price of gas is much higher than that, and the wear and tear on the car itself, especially in the winter, and especially considering the fact that a lot of people take time off work to attend medical appointments, especially with specialists. I would ask the indulgence of this Assembly to pass this Motion so that it can at least be looked into and see if it can be altered.

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

**Mr. Berger:** Yes, Mr. Speaker. In seconding the Motion, I fully agree with the whole thing.

I would further like to point out that there's lots of times, at the present the government pays bus transportation and any other transportation, if it's available. There's lots of time, especially in the case of a specialist's appointment, you have to rush down with a car from the outlying areas, and the cost involved, as the Honourable Member from Ogilvie pointed out, are incredibly high these days, and 10 cents a mile is definitely not going to cover this.

The other thing is too, as happened to me personally, if you have to come down on treatment or so, you're located in a hotel, and you have to go to the hospital, you need transportation, and the cost of taxis is so incredibly high, so if you could possibly use your own vehicle in town, you could save a considerable amount of money.

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

**Hon. Mrs. Whyard:** Mr. Speaker, I'm happy to give consideration to this request if the House approves this

Motion.

At present we are restricted to this mileage rate by the terms laid down in the policy manual applying to members of the public service, and the rate that is paid is the same rate as is paid for mileage when a public servant is using his own vehicle at his own wish.

If his employer instructs him to use his own vehicle for official business, the rate is higher. I don't know why we quibble about these things, but there is a distinct difference in the rate, between 10 and 17 and 21 cents per mile. If the House wishes to approve this Motion, I will certainly see if we can straighten out the administrative lines on it.

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

**Mr. Fleming:** Yes, Mr. Speaker, I rise to speak a little on the Motion, because I have been involved where there has been problems. I would like to make this comment now and possibly the Honourable Minister of Health can get a little input more into the people's problem out of the town area.

There seems to be again in the policy that's laid down, where it seems to hurt, there is no definite thing. You can take your car and you can take a bus if there's one available, and of course if you take the car, Mrs. Whyard says this 10 cents a mile; but the bus on the other hand may be \$11.00 and the 10 cents a mile may amount to \$9.00. There is nothing that is definitely laid down in the policy, whereas you know, it is either so much or it is not so much.

It is one of those things again where the policy is sort of -- a little bit slipshod, I would say, and you did answer one of my questions I was going to ask about the difference between the 17 and the 10 cents a mile, and the idea of the employer ordering a person to take his car, then he gets more, I don't know why myself, but I just felt I should speak a little on it.

They are having a problem with it, I know that.

**Mr. Speaker:** The Honourable Member from Ogilvie?

**Ms. Millard:** Mr. Speaker, just to point out as a last note, any medical person -- any person coming down for medical reasons does not -- there's no allowance paid to him for hotel or meals, so that if they are gone for two or three days, this can be a healthy cost against the person.

**Mr. Speaker:** 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**

**Motion Number 15**

**Mr. Speaker:** The next Motion is Motion Number 15. It is moved by the Honourable Member from Kluane, seconded by the Honourable Member for Riverdale, "Whereas this Assembly has not taken the opportunity to publicly declare its views concerning the Yukon Land Claims, and whereas negotiators of the government of Canada and the Council of Yukon Indians are negotiating an agreement in principle, be it resolved that the policy defined in the Yukon Territorial Government analysis and position for Yukon Indian Land Claims, be adopted as the goal to be achieved through negotiation for any settlement thereafter agreed to.

"And further be it resolved that this Resolution, together with a copy of the policy statement of the Government of the Yukon Territory, on Yukon Indian Land Claims, as contained in the report entitled 'Government of Yukon Territory Analysis and Position, Yukon Indian Land Claims', be forthwith directed to the Honourable Pierre E. Trudeau, Prime Minister; the Honourable Judd Buchanan, Minister of Indian Affairs and Northern Development, and every Member of the Senate and House of Commons".

The Honourable Member from Kluane?

**Mrs. Watson:** Yes, Mr. Speaker, I welcome the opportunity to speak on this issue, particularly on a motion which asks this Assembly to adopt as a basis got negotiations the Yukon Territorial Government's Position Paper, the goals that they are attempting to achieve through that position paper.

It has been a long time in this debate coming to this House, where the Honourable Members are given the opportunity to stand up in public and express their views on the land claim negotiations, more specifically on Y.T.G.'s position paper, and possibly even on the federal government's position paper.

I think that it is essential that we do have this type of debate. It is essential for two reasons. I think we have to show the government of Canada our opinion on the position they are taking on the Land Claims, because, after all, we are the representative body of all of the people of the Yukon Territory, regardless of their racial origin. It is also imperative that we give some indication to our executive committee members, elected and our Commissioner who sit at the negotiating table on behalf of the Yukon that there is some direction to the goals that we would like to see achieved in a settlement of the Yukon Indian Land Claims.

These people cannot carry any strength at the negotiating table if they do not have a consensus and the support from the people of this House.

I think you are all aware that I was involved in the compiling of the Territorial Government's position paper. Personally I do not agree with everything that is in there, but I have compromised, compromised for a solid year, more than a year it took to gather together and to arrive at this position.

Basically I support it very much and also I am very proud of it. It is my greatest regret that the Government of Canada, more specifically the people within

the Department of Indian Affairs, who wrote the federal paper, did not take the time to properly review this position paper. Had they taken the time, and had they done their homework, and had they done their research, I am positive their federal position paper would have been a little different.

We hope very much, and I hope very much that even by sending the policy statement, the one statement, to every Member of the House of Commons and Senate in Canada that we may show these people that you can solve the Indian Land Claim issue satisfactorily and as a final settlement, agreeable to all people. Unfortunately they didn't seem to feel, or take the Territorial Government serious enough in the work that they did, and I think it is up to this body, as the representatives of the people of the Territory, and as the legislative arm of the Territorial Government to use all the political pressure we can to make them see the goals that we are trying to achieve.

This is a proposal for a settlement. A settlement extinguishes something. The Yukon Indians feel that they have a legitimate claim on the land in the Yukon Territory. This has never been decided legally. I doubt whether it ever will. The federal government has agreed that they do have some sort of claim, and they are prepared to negotiate a settlement. Their proposal does not settle the claim. It does not extinguish the claim. Their proposal again is a token type of proposal that the federal government has been making to the Indians over the years.

Their proposal provides for the continued structure of their bureaucracy of Indian Affairs in Ottawa.

**Mrs. Watson:** Their proposal assures that there will be continuing work for the employees of Indian Affairs in Ottawa. Their proposal proposes a similar Indian bureaucratic structure in the Yukon Territory. Where is the poor Indian in the Village going to fit in with this bureaucratic structure, and still live under the Territorial Government? I just fail to see how it can be accomplished.

This, the goals that are outlined in this paper, start with the premise that all people should be equal, and I think basically this is a great deal of the problem of the Indian people today. The Whole structure of dealing with Indian people is bad at the core. They have special privileges, and very, very special discriminations against them in the Indian Act.

How can you build from a rotten, crumbling base -- and this is the fallacy of the whole settlement that the federal government is embarking upon now. It's a sugar coating, it's an appeasement to keep them quiet for a while. This is not. This says let us get at the root of the problem, and make these people equal before the law. Take away the special privileges and discriminations against them, and challenge them and give them the obligations and the responsibilities of all other citizens in the Territory.

This paper proposes, and we all recognize that the standard of living, the economic situation and in many instances the social situation of the Indian people of the Territory needs to be raised. I don't think any of us argue that they require a stimulus economically, and this is proposed in this paper also. Land, money, resource sharing, to give them the stimulus, the

economics -- to bring them up economically at a par with everyone else, so that they are equal legally, so that they are equal economically. Then, they can choose with the finances that they are getting, what special opportunities or special concessions that they should have.

If they want to have special counsellors for Indian children; if they want to have a very deep and comprehensive program on bringing back their Indian language, they are able to do it with their funds, but the decision is theirs to make, not yours or mine. They will attend our schools, and they will get special privileges based on need, not on race. But if there are things within their culture that they feel, additional programs, they will have the financial ability to do it themselves. If they are successful or unsuccessful, it will be their responsibility, and the Territorial Government under this will continue to bring in special programs based on need.

There are people who do not have, who are not up to the standards that we would like to see them have, and there are special programs that we as a government have to bring in, but the programs will apply across the board, regardless of the people's nationality or the colour of their skin.

On the basis of this, I completely support this paper, and I can't say strongly enough in this House, how much, the distaste that I have for the paper that the federal government came forward with.

As I said, it's a token, and it's a continuation of the patronage that they have had in the years past. They don't want to let go of the Indians.

And Mr. Speaker, I do not see how any settlement based on this paper without accommodations made, both structurally, constitutionally and financially within the Territorial Government structure, can we accommodate a settlement under these terms. Our government, and the federal government, never gave one consideration to that. They are going to settle the Indian land claims; they are going to enlarge a wheel, put it back in the mechanism and wonder why it isn't going to work. They have forgotten to look at the mechanism and it's time their attention was brought to that, that they have to look at the Yukon as a whole. That they have to be prepared to make constitutional adjustments, fiscal adjustments, and possibly even structural adjustments in the government itself, in order to accommodate that settlement under these claims.

They didn't come forward with that. In fact, they are almost driving the Indians to go to a separate government, and I say, Mr. Speaker, if they are not prepared to make the adjustments in the Yukon, and if they are not prepared to consider how this is going to work in the Yukon, politically, administratively and economically, then maybe the only thing that will work will be two separate governments. I know that there isn't one person in the gallery, there isn't one person who is listening today on the air, and there isn't one person here, who wants two separate governments in the Yukon Territory.

I think all of the people around this House are prepared to bend and accommodate only so far, and I think the ball is now in the federal government's court,

and they better do a little bending too.

The Indian people in the villages and communities, and I just went through an election, and one-third of the voters in my constituency are Indian people, and I got a fair share of those votes. The Indian people in the communities do not want two governments. Basically, regardless of what the advisors across the river say, and regardless of how their Indian representatives have been brainwashed, the Indian people do not want two governments.

They want their children to go to school in Yukon schools, because they know that if they go for two separate governments, and they opt out for a separate school system, they know that they are not going to be able to opt into the Yukon system and back into the Indian system. They will be in the Indian system, because the funding for their education will be given into the Indian system.

The same thing applies with municipal structures. They will live in the municipalities that the Indian bureaucrats, society, or corporation will assign them to, and they won't be opting in and out. The peoples in the communities realize this, the people in the communities do not want a separate government. They want a settlement, and this applies to native and non-native people. They want a settlement, a fair-settlement, an equitable settlement, and I think all of our political forces—and if there ever has been an important time in the Yukon Territory when we faced the Federal Government, now is the time.

We have to tell them, this is our first priority. Failing that, and it appears as though you have jammed this down our throat without even giving this consideration, because this would settle it, this will appease it.

The Federal Government, that is my first alternative.

My second alternative is Federal Government, you better bend as far as the Yukon Territory is concerned. Constitutionally, financially, economically. You have to make our Yukon government able to accommodate a settlement under this, and failing that, the only route I know open to either the Indian people or to us, is two governments, and Mr. Speaker, that is not what any of us want.

Thank you, Mr. Speaker.

Mr. Speaker: The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Mr. Speaker, as seconder of the Motion, I certainly can say that I—I guess I can't really add too much that the Honourable Member from Kluane has said, however I would like to say this as seconder. That I have no argument whatsoever with the view that the Indian people have a claim.

I do, however, have a strong opinion as to how that claim should be settled, and it hinges mainly on the opinion that the Indian Act, as it is administered today, must be abolished.

I can see rapid progress and success in being able to deal with people with equal rights, and I know many Indian people who feel the same way, and who would welcome that opportunity. I would be the first to then strengthen the program such as education, health,

economic development, to provide for the disabled and the disadvantaged, if I could deal from the same deck.

Believe me, I have no difficulty in accommodating the need for such things as special counsellors, Indian counsellors, et cetera, if we can arrive at these priorities from an equal base, and I'm more convinced that this would be the decision amongst the majority of our citizens.

After having reviewed and received, or received and reviewed the Yukon Territorial Government's analysis and position with respect to the Yukon Indian Land Claims, I was rather surprised to find that I could generally support it. I would, however, like to have the opportunity at some early date, to have the position clearly expanded to indicate to the Indian people the benefits that are arranged through such an arrangement, or available through such an arrangement.

In saying this, I would like to make it clear that I favour and support a one time cash and land payment, upon which the Indian people would qualify for all social and economic programs available to Canadians and Yukoners now and in the future, leaving a financial and land payment available to the Indian people to do with what they wish within the jurisdiction of this country.

In conclusion, Mr. Speaker, I want to say that I have great faith in the Indian people themselves, in accepting and meeting the challenge of individual determination within the system available to us all. I caution them however. I caution the grass roots Indian people to not fall into the trap of listening to the empire of fat cats and along-for-the ride individuals, that we must all be aware of.

In supporting the resolution, I strongly urge the federal government to thoroughly examine it, to read it.

Thank you, Mr. Speaker.

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

**Hon. Mr. Lang:** Mr. Speaker, I rise in support of the Honourable Member from Kluane.

Mr. Speaker, everyone knows my involvement with this matter. Some people have called me the "Devil's Advocate"; others have referred to me as the most vociferous critic of land claims; other have labelled me as "that angry young man". And others, Mr. Speaker, have called me a racist.

I would like to point out I am not a racist. I believe in one principle, equality. I do not believe in preferential status.

I trust that all members around this table realize the importance of this Motion. It is not only giving guidance to us as the Executive Committee of the Yukon Territorial Government, but also telling, Mr. Speaker, telling the Prime Minister of Canada what we as Yukoners want for the future, and it's time somebody told him.

At present, the future does not look good. We only have to look at the federal working paper as presented by the Honourable Judd Buchanan. If the land claim settlement is determined by the guidelines in that

paper, there will be a state of apartheid in the Yukon forever.

Mr. Speaker, I have studied, thoroughly reviewed the federal working paper, and I am unable to see how we as Yukoners, Indian or white, can live with a settlement which will be impossible to administer. This paper advocates a reserve system, which has proven unworkable in the south, and I contend will not work here.

It will be disastrous to have two governments in the Yukon. A James Bay will not work for the Yukon.

Mr. Speaker, the land claims must be structured to work for and accommodate all Yukoners, and by all Yukoners I mean both Indian and white. We only have to look at Alaska to see how important this is.

I would like to read to you a quote made by an Alaskan in 1967, prior to the Alaska Land Claims.

"Unless the course of the history of disputes over Indian title can be considerably modified, Alaska's phenomenal economic expansion will falter, and the adult men and women, both native and white, who now charter its courses, will have gone to their graves before the controversy is settled. There will be a few winners and many losers.

"The natives will bear the principal burden. They can advance and develop only with Alaska. Unlike most of the whites, they cannot go back to their former homes, they are already there".

Mr. Speaker, I would like to say that I lived in Alaska for two years, and I contend, and many Alaskans contend to this day, the ramifications of their settlement have not yet hit home, because they are going through that interim inflationary period of pipeline.

The federal government clearly states that the land claim settlement will only extinguish aboriginal rights. The Indian Act, and the Indian Affairs Branch will continue as before.

Mr. Speaker, as many Yukoners, I do not believe in the concept of aboriginal rights, but I would like to say that I do believe that the Indian Act and the Indian affairs are negotiable, and the reason I say this is for the sake of the Indian people of Yukon.

The Yukon Legislative Assembly has never made a policy statement on land claims, and Mr. Speaker, time is running out. I personally feel that it's incumbent upon all members to accept this policy statement. There are some areas that I really basically do not agree with, but overall, as a Yukoner, I can accept the analysis paper.

I only have one more thing to say, Mr. Speaker. It is time for all duly elected people, including our Member of Parliament, to face up to this issue. Whether you or I or anyone else likes it, the crunch is here.

Thank you, Mr. Speaker.

**Mr. Speaker:** The Honourable Member from Whithorse North Centre?

**Hon. Mr. McKinnon:** Mr. Speaker, I'm very sorry that this debate could not have taken place maybe six months to a year ago.

I think I would like to open by laying to rest any rumours or any statements that it was any fault of this

Legislative Assembly or the Executive Committee that this debate did not take place at that time. From the very moment that the Executive Committee had prepared their position paper, and from the very moment after great deliberation—in fact, if you want the truth, a good knock-down, drag 'em out fight between the powers that be in Ottawa and the Members of the Executive Committee and the Legislative Assembly, the members of the Legislative Assembly were allowed to see a document that the taxpayers of the Yukon had paid for.

The moment that they saw it, they wanted to make that document public, as did always the Members of the Executive Committee. They were prohibited, this Territorial Government, though they had prepared that position paper, though the taxpayers of the Yukon had paid for the compilation of it, the powers that be in the federal government told the government of the Yukon that they could not make it public.

Then, Mr. Speaker, when the federal government authorities decided in their wisdom that they had made a mistake, after about a year of sitting on the position paper, they announced from Ottawa that there was no reason at all why the position paper should not be made public.

Mr. Speaker, I said at that time, and I say now, that I thought it was shoddy treatment, that it was unfair treatment, that it was colonial treatment, and of course it just further showed the status that the Yukon Territory finds itself.

When the position paper was released, Mr. Speaker, I had no problems in saying that I accepted the policy of the statement. I have always said publicly, and I have not been scared to state it, that I believe that the whole concept of negotiation, as the Honourable Member from Pelly knows full well a lot better than I do, means going in and giving up something in order to get something, and asking for the moon and the stars, and compromising down to a position that is acceptable.

The Yukon Territorial Position Paper overall policy states that yes, there is a moral and a legal claim to land in the Yukon by the Indian people. I have always agreed to that; that yes, there should be a settlement, and yes there should be something given up in exchange for that settlement. The exchange that the Yukon Territorial Government saw was special status under the Indian Act. I agree with that philosophy also, because like any other Member at this table, I think that they would all like to see all of Canadian systems—or all of Canadian people equal and bound by the laws of the Territory and the country.

So, I am going to have no problem supporting the Motion, because that was the goal that we wanted to achieve, and it's the goal that we still want to achieve. However, I think that we should all get down from the fine political rhetoric that we hear on this question, and down to the nuts and bolts of the situation.

There is no doubt that the federal government owns all of the 270,000 square miles of land in the Yukon Territory. They have said in their position paper, that the natives will be given land, no ifs, buts or whys, they are going to be given land. How much is negotiable. If you don't accept that, you know, go home, because you are not accepting the inevitability of what is happening

in the Yukon, and the first thing that you should be if you want to sit at this table representing all the constituents in the Yukon, is practical.

The second thing, they said there was going to be money, no ifs, buts or whats, there is going to be money, that's all there is to it. Right, we agree with that too.

We also know that they rejected the opinion of the Yukon Territorial Government that the quid pro quo for land and money should be the extinction of special status under the Indian Act. We know this. Anybody who reads the federal government paper, and you don't have to be a Rhodes scholar, a genius to read through the lines and realize that there is not going to be, for politically expedient reasons in Ottawa, the extinction of the rights of the Indian people under the terms and conditions of the Indian Act.

We don't like that, I wish we could have said it publicly a year ago. We say it now, I think it's a little after the fact.

However, what does that leave us with? If there is land going to be given, and there is going to be land given, if the rights and privileges under the Indian Act aren't going to be extinguished, it means, Mr. Speaker, that there can be created in the Yukon Territory a reserve system. Under the Indian Act where land is given and the reserve system is allowed, under Sections 81 and 83 of the Indian Act, the Indian people have the ability, have the right and they have the prerogative of setting up individual municipal structures. That cannot be denied under law, and that is a fact also.

Where does that leave us? I have spoken strongly, and I will continue to speak strongly against the concept of separate governments in the Yukon. I happen to think, in my whole involvement in politics up to this point, is that we have one too many governments already in the Yukon. That's the Feds, and the faster we can get them to hell out of the Yukon, the happier I'll be, but we should be in a normal structure as any of the provinces with a provincial and a municipal structure of government, and those federal things be given under the B.N. Act to the federal government, that the local decisions that the federal government is taking in the Yukon be under a provincial type of government, that being the Territorial Government.

Mr. Speaker, it is time for the Yukon Territorial Government, and the people of the Yukon, through their elected representatives, to take and seize the initiative for the first time in the total land claims question. Up until now, we have been reacting to everything that has been said and done in the negotiations taking place.

The facts of the matter are that if the Indian people under the settlement want to create, under the terms of the Indian Act, separate educational and separate municipal institutions, that they can do so.

It is up to the Territorial Government and the Members of this Assembly to prove to the Indian people of the Yukon that they can be accommodated, that they can be served, that their interest can be protected and guaranteed by this Yukon Legislative Assembly.

Mr. Speaker, if I can't convince the government of the Yukon through the Executive Committee and the Members of this Assembly, that the Yukon Territorial



Government isn't prepared to do this, and isn't prepared to bring amendments to legislation, at both the Local Improvement District Ordinance, the Municipal Ordinance and the Territorial Elections Ordinance, to guarantee assurances to the Indian people of the Yukon, I will be out that door tomorrow and you won't have to worry about seeing me around this table any longer.

Mr. Speaker, if we are not prepared to accommodate in those areas, if we are not prepared to show without any qualifications that we have the interest of all Yukoners at heart, Mr. Speaker, the Yukon is going to be separated, not into three levels of government, but four levels of government.

The only think I want to say Mr. Speaker, that the children of all Yukoners, somewhere in the future, it doesn't matter whether they happen to be children of Indian Yukoners, children of white Yukoners, children of people of mixed marriage in the Yukon, that all of those children at some point in the future will damn everyone of their fore fathers who ever allowed, through not being flexible, and not being big enough to allow the Yukon to be separated on splits along racial lines.

That is the danger that we are facing, and that is the one area that we have the ability of moving in, we have the ability of doing everything in our power from preventing this happening. Everyone of us must do our utmost so that the members of this Assembly do not go down in history as the Members of the Assembly that allowed, or didn't, or weren't big enough to try to accommodate all Yukoners into the Territorial system of government.

Mr. Speaker, this then lays the responsibility on the Indian people of the Yukon, but they should have an offer from this government to refuse so history will record who refused the accommodation in local government institution to allow the Yukon to continue and to be serviced with the Government of the Yukon Territory and not another branch of government.

It is impossible, Mr. Speaker, when you get into the mechanics and the practicalities and the nuts and bolts of it to think that in the small communities of the Yukon, which are just miles and eons and light years away from James Bay settlements and special status for Old Crow, which we all know are completely different, to think of the communities that we all know like Carmacks and Haines Junction and Destruction Bay and Ross River and Beaver Creek, to think in those communities of the sewer and water lines stopping at the villages, it is just loathsome to my way of thinking. To think of, in those small communities, two school structures set up, two welfare delivery systems, two municipal structures, the uneconomics of it, the inefficiency of it, the impracticality of it and most of all the actual separation of races because they happen to be Indian and some happen to be white in these small communities. No one could think of anything more tragic that could happen.

So the Government of the Yukon Territory is prepared to take this responsibility and onus upon their shoulders and present positive methods and changes in Territorial Ordinances that will prove our interest in making this work. I only hope, Mr. Speaker, that when those things and those ordinances and those changes are presented to the Members of the Yukon Legislative Assembly, and I know this to be a fact, that we will not

find them wanting in this most important issue that is facing the Yukon at this time.

Thank you, Mr. Speaker.

Mr. Speaker: The Honourable Member from Mayo.

Mr. McIntyre: Mr. Speaker, I wholeheartedly agree with the position taken by the Honourable Member from Whitehorse Centre. I have no problem accepting the position paper for what it was intended, the advise of the Territorial Government to the senior government on how the Territorial Government would like to see the Land Claims issue settled.

Since it was prepared, however the federal government have made an offer, in the form of a working paper, to the Council of Yukon Indians. Negotiations are proceeding on the basis of the federal working paper and I have confidence in our Commissioner, who is taking part in the negotiations, to represent the best interest of all Yukoners.

In conclusion I must say that I accept the principles of aboriginal rights and aboriginal titles. I would hope that any settlement of these Land Claims would not result in a parallel government structures in the Yukon.

Mr. Speaker: The Honourable Member from Klondike?

Mr. Berger: Thank you, Mr. Speaker.

I have no problem supporting this Motion. I can't add very much, especially the Honourable Member from Whitehorse North Centre said most everything that was in my mind, and maybe I couldn't express myself that way.

I have no problems supporting the aboriginal land claim. Maybe I'm in a little bit different position than all of you Members here. I am not from Canada. I'm a minority group when I first came in here. I belong to Canada now through naturalization, but I think it's very, very important to establish the right of a minority group, and this right, I think is outlined in the position paper, and lots of it could be changed through negotiation.

So this is what I am saying, I have no problem supporting this. I do have objection to the federal government position paper, because as everybody else knows and everybody -- most everybody said already, it creates two governments in the Yukon Territory. I'm just thinking what's happening these days in other countries in this world, in Africa especially, where you have two races and one country, and you have apartheid. Nobody can work together, and the country is split, the costs are immensely, and the social impact of the whole thing, I think it causes trouble which can't be settled in the next hundred years.

I only hope somewhere along the line the federal government is listening to us, because up until now they haven't proven it, that they are listening, so all what I can say is I hope somebody is listening to us today.

Mr. Speaker: The Honourable Member from Hootalinqua?

Mr. Fleming: Yes, Mr. Speaker, I really, really

welcome the opportunity to say something at this time on this matter, because it's been something of very grave concern to me for many, many years. In rising, I am supporting the government's position as to their analysis as it is in this paper.

In my opinion, what the resolution is saying now is that we will accept what is in the policy and the philosophy of this paper, because it is a fair thing. I don't expect to believe in every part of it, every word in it, but I take it as a base to start something that will end up fair, and I take it as an honest thing that was made and written here by the people that worked here with the native people in this country. I'm quite sure that in that paper, there are many, many views that came, somehow or other, to the people who was doing this right from the native people. I'm sure that didn't all come from bureaucrats in Ottawa, it didn't come from just anywhere, it came from this country where we live, and the people that are in it, white and native, their views I think are in that paper that we are passing a resolution for today. And anybody who don't believe in it, I couldn't understand it.

I myself, I would like to speak a little longer, Mr. Speaker, on my beliefs and I would like also to—I would hope, I should put it, that the native peoples are listening today. This is the first time we have been able to say how we feel and how we are going to stand up for them against them or otherwise. I'm going to say this, that I'm very sorry, very sad in a way that I have to say something against my own government, which is the federal government, but I would like the people to listen, and the native people to listen and think hard, because that's what I have done at this table today.

I have sat here and listened to other people, and they can speak very profoundly, with large words and things, but I'm sure the native people, some of them don't understand yet today, what has been said here possibly.

So I would like to speak at their level, and I would like them to think hard, and think what's happened in the last hundred years, where they were given some rights and privileges. They said given, there is no such word as given. Somebody came to this country, my grandfather or somebody came to this country, and they may have conquered some of them, they may have just met some of them and agreed to live together here in this country.

But in any case, there was nothing given to the native person. When the government says they gave them something, they didn't give them anything. They allowed them to have a special privilege which would put them down the drain forever, and degrade them as long as they lived, because they couldn't be an equal of their white brother, as we would call it.

So I am putting the blame right at the federal level. I would like the Indian to think now as to whether this is going to go on for another hundred years or not, because in the federal government's position paper, they say we are going to give you, more or less, or let you still have these privileges and rights which are extra, that other people won't have. I would like them to think, just think back, has it helped them in the last hundred years to have those rights and privileges? And also, because of those rights and privileges, not have the right to stand up many times and say to the

government of Canada, and any other government they are under, that we want this and we want that. They haven't had that right, because of that, they haven't had the right to get into the schools 100 years ago when it first started.

They didn't get the right to go down to the beer parlour and drink a drink of beer. It done them no good in the long run when they got it, but if they had had that right to start with, and never been set aside, they would maybe have been all right today.

So I ask them now, I would like them to listen and just think back, did it help them? Now the federal government is offering it to them again. Is it going to help them again? It's not going to help them one little bit, because they are going to be degraded for another 100 years, until such time as the problem is solved.

I would like them to think, when government says we are going to give you some land, they are not going to give them any land. The land belongs to them now and us, they are not going to give to them. They are going to take a small parcel of it, and they are going to set it aside for them under a big bureaucratic machine, and the native person at the bottom isn't going to see enough to even buy his coffee for the year at any time out of it, which has happened with the Department of Indian Affairs. I think the native can understand this at the low level. He understands this, that he has been taken for a hundred years.

It's the same thing that is coming out in the government's offer now, exactly the same thing. "We are going to give you something", they don't give, they already own it, it's theirs anyway, and it's ours too.

They say they are going to give them the resources, they are going to give them 50 percent of the resources off of certain lands. The same thing applies, they are going to give the resources back to the big government machine again, and the government is also going to reap the other 50 percent off of those resources, so they are not giving them nothing, absolutely nothing. I say that those resources belong to the native people, they belong to us. I don't think there is any such thing as give. They are ours.

As I say, I just would like the native people to just think, sit back and think, and you sit back and think too, as to what has happened in the last 100 years, and under this same thing, and they are being offered exactly the same thing again, exactly the same thing again that they are being offered from the federal government. This paper, if it was adopted in some way and changed in parts here and there, we, or the Territorial Government here have said, and I think I can believe them better than the federal government, that they will let these people join into this Council, not into our schools, their schools. That's where I differ from saying things as other people would say.

I don't say our schools, I say their schools and our schools. They belong to all of us, they don't belong to us or them. The money comes from all of us. I say that that's the way it should be, and I am not an orator of big words, but I think the native people may understand me a little better.

Further, Mr. Speaker, I don't think I have anything else to say, other than I support the paper, this paper wholly, and as far as I am concerned, I will reject the

federal government's offer in any case if I was a native person, and hopefully the native voice from the villages and from away down below will get to the negotiating table, and be heard there, because I think it was heard in this paper that we are trying to put over, but I don't think it was really heard in the federal government paper, not voiced in the villages.

If it was heard, I think maybe it may have been misunderstood, or changed by people that are negotiating, by people that are in a higher bracket, that like to change things for monetary gain.

That's the way I feel, I support it wholly.

**Some Members:** Hear, hear.  
(Applause)

**Mr. Speaker:** The Honourable Member from Ogilvie?

**Ms. Millard:** Mr. Speaker, I cannot support this resolution, this Motion. I cannot support it for two main reasons, first of all is the irrelevancy of the use of paper which is suggested.

The paper itself is not relevant to the negotiations. It probably never has been relevant to the negotiations. Therefore, we are being just silly to say that it should be adopted as the goal to be achieved.

The Yukon Territorial Government is not involved in the negotiations. The Federal Government is negotiating with the Indian people, and we are quite a separate body. Hopefully, we represent both sides, white and Indian. Looking around me, I don't know if that is really true. I believe on the use of the paper, if the Indians or the federal government wanted to use the policy that's suggested in the Territorial stand, that it would already be there. We are being silly to accept anything else. We have to accept the reality of the situation.

My second objection to the Motion is the policy itself, that is within the Yukon Territorial Government's stand on Indian Land Claims. I find that this stand is very unrealistic, I seem to be using that word a awful lot lately, because it seems to me we are really sitting in our white ivory towers and not seeing what is going on in the actual Yukon.

It's myopic. It does not accept the actual reality of what is going on. The Indian people have always had special treatment under the Indian Act. We have to accept that fact. Giving them a bunch of money is not going to change that. They are separate people, psychologically, emotionally, certainly socially in this Yukon Territory. This has to be taken into consideration.

I find the policy paper is far too narrow to accept the fact of the reality of the difference between Indians and whites in the Yukon that has been perpetuated since the white people came here.

Further than that, I believe the policy is riding on the backs of the Indian Land Claims, to achieve what this Territorial Government should have achieved by itself a long time ago. We should have ourselves negotiated with the federal government to do what we want with the land in the Yukon Territory. We shouldn't have to wait for Indian Land Claims to come first, and then to say we are going to go along on this handwagon and we are going to get our land too.

Why don't we do it ourselves? Are we jealous of the Indians because they have made a land claim? I wonder. I certainly cannot accept the argument that is going around this table, that there might be two separate governments should the paper that is being proposed by the federal government be accepted, or one similar to it.

It's impossible for me to understand that logic. It seems to me that's a very black and white way to look at things. At the moment, the Indian people are not represented in our territorial government, in our federal government, our civic governments, but let's take a look at that fact.

There is civic government within territorial government. There is territorial government within federal government. Why can't there be a ward system within that system which represents the Indian people, the Indian point of view, especially after land claims when they will have an economic structure to talk about and to work with the rest of the Yukon with.

I have no qualms in accepting any alterations to the Municipal Ordinance to fully accept the fact of Yukon life. There's no reason why the emotional issue of two separate governments should be brought up in this context at all. It's completely irrelevant.

Beyond all this, the whole policy paper that the territorial government has put forward to me is really immoral. I really feel that we mistreated the Indian people up to this point, and we are going to mistreat them further, by trying to impose the territorial government on them in place of the federal government which is now overruling them.

Why should they accept that? Why should they accept a difference in name? It's still a white government telling them what to do, and I think—they have my total support and my total knowledge that they are going to be able to handle what is going to happen to them.

This is what they are saying in the paper, together today for our children tomorrow. Let us look after our own problems, we are capable of it. We are not afraid, we have been through these problems, we know what we can do and we are ready to do it.

This Territorial Government is not ready to accept the fact that we are not giving the Indian people any sort of recognition in their special problems at this point.

We do not have an education policy which reflects the problems in the education system, which Indian people are experiencing. When are we going to recognize the fact that we have social problems in the Yukon, and start looking at them with reality?

On that basis, Mr. Speaker, I cannot but reject this Motion altogether.

**Mr. Speaker:** Is there anyone else wishing to debate this Motion?

The Honourable Member from Whitehorse West?

**Hon. Mrs. Whyard:** Mr. Speaker, I was claiming the privilege of being the last on this debate, it being International Women's Year. Are there going to be any other speakers?

**Mr. Speaker:** Yes, I believe that—

Hon. Mrs. Whyard: In the debate, Mr. Speaker.

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

Mr. Hibberd: Mr. Speaker, I would like to draw attention to the members of the House, that it was through my efforts during the last Session that we did have a petition tabled, so that this same position paper could be released and could be discussed at that time.

Now, I agree that difficulties did arise that were not of a local nature, and that it was the federal government that did not permit us to release that paper at that time. But now the position has changed. Now these negotiations are going on. Now that paper has lost some of its significance.

It is not our role to interfere with these negotiations, but I think it is our responsibility as elected individuals to try and influence the people who are at the negotiating table, on behalf of the interest of all Yukoners.

I cannot agree with statements that have been made recently that the common, the availability of land is not meant for the Indian land claims. I think it is important that these negotiations go on and reach conclusion as quickly as possible, so that land again will become available for all Yukoners.

I'm in basic agreement with most of what the Territorial Government position paper has to offer. First of all, it does recognize the responsibility that land claim settlement is to be negotiated, and is important.

It is also important that the basic thrust of those negotiations must be to attain equal status for all Yukoners, that all Yukoners are given the opportunity to attain equal status, and at that point, Mr. Speaker, I feel that we should have equality under Canadian law, that there should be no special status under Canadian citizenship.

I cannot agree with the Honourable Member from Ogilvie. I think the Territorial Government is very intimately involved in these negotiations. The Commissioner is sitting at that table. The Members of our Executive Committee are directly involved in those negotiations, and they are for very good reason, because all of the institutions which are involved in these negotiations, are what are actually being negotiated now, and they have to be involved, because we have jurisdiction over those things.

I think this is, as has been said by other members, is the basic thrust of what those negotiations must achieve for all Yukoners to be happy. That these various areas of government are integrated into one system of government for all Yukoners.

Mr. Hibberd: Thank you, Mr. Speaker.

Mr. Speaker: The Honourable Member from Pelly River.

Mr. McCall: Mr. Speaker, in view of what the Honourable Members have said around this Table this morning I have very little to add to it.

What I have to say will be very short and sweet. I do not want to be branded along with the bureaucrats in

the federal government as a person that speaks with a forked tongue.

Mr. Speaker: The Honourable Member from Whitehorse West?

Hon. Mrs. Whyard: I have a couple of problems in supporting this motion, Mr. Speaker. One is that it is a year late, through no fault of ours and thus has lost some of the impact it could have well had on the federal position.

The second is the phrasing of the resolution that this position paper be adopted as the goal to be achieved through negotiation. I think now, a year later, the word basis could be adopted, rather than goal. I think all of us have reached a point in our thinking and our acceptance of the factors in this negotiation where we see that we must go farther and we must come up with additional enlargement and future planning which is going to solve this problem so that all of us can continue to live in the Yukon.

When this paper was released to us confidentially a year ago, Mr. Speaker, all of us I think abided by the restrictions on the publication. I am pretty proud of that record.

I am also very proud of the fact that this position paper was prepared by young people who were born and raised in this country, who were assisted to go outside to university for further training and who came back with that training and were available when the territory needed good minds. Their minds were responsible for this product.

I would like to go on the record, today, Mr. Speaker, acknowledging the debt that this government owes those people, for not just the mental effort they put into the assignment they were given, but for the additional contribution they made in the writing and preparation and revising and rewriting and revising and final writing of this paper.

They have taken part in the formation of the History of this country. Now a year later, we are allowed to release the paper. There are three ways I must approach the contents of this volume.

One is, as an individual who lives here, and has for 30 years. One is as a representative of the voters of Whitehorse West, and one is as a Member of this government, although I was not a member of the government which prepared the paper.

I think I can safely sum up the reaction of my first two positions in the words of one of the constituents who phoned me this morning, having had an opportunity to read this paper, and having heard that this debate was going to take place, and she said it was with a feeling of relief that she was finishing the reading of the Claims Paper. There has been so much mysterious misinformation built up about the contents of this paper that I think it was with a feeling of dread that most people finally accepted and began to read it. Having read it, I think they concur with most members of this House that there is nothing in that paper to fear, and there is nothing in that paper to regret.

I am confident that we can say because of our information, so far, that there has been no violent reaction from the Indian people to this paper. There is no problem as far as this motion goes, in my mind, that

we support this analysis paper as a basis for negotiation and ongoing discussions with the Indian people whose future is at stake as much as ours.

Now, the measure of support for this policy is very important to me as a Member of this Government, as it is to all members of the Executive Committee who must in turn sit at that negotiating table when the departments with which we are involved are under discussion. We have to know that there is support for the position we are going to state there. Until now there has been no opportunity to receive that support.

When the matters concerning the Department of Welfare or the Department of Health, or the Department of Rehabilitation are being negotiated probably after agreement in principle has been reached, and we get down to the nitty gritty of how our settlement plans are going to be carried through.

I will have to sit there and I will have to know what the official position of this Department will be, and there has to be some kind of groundwork and basis for that position, so it's with great relief that I have finally heard this paper discussed and the views of all members of this Legislative Assembly made known.

It's impossible to expect that twelve people are going to have exactly the same reaction to any policy, whether it's Indian Land Claims or how often there should be a coffee break in the new capital building. There are 12 individuals here, and we are in the unique position of being allowed to represent the views of the people of the Yukon in the way we see fit. We are not tied to party lines, we do not have to follow a party policy on this matter or any other matter in this House.

Therefore, I would have anticipated that there would be people who objected to certain portions of the paper and to certain portions of this Motion, but I think it has been made eminently clear, Mr. Speaker, that every Member of this House has one basic wish in common with all others, and that is that we must continue in this country with one government, which will provide equal opportunities for all representations.

One of my favourite stories, Mr. Speaker, is about the opening of what used to be called the New Imperial Mine, which is now Whitehorse Copper Mines. It was the first new mine to be opened in the Yukon for many years, and it was a great day for the Yukon, and there were plane loads of V.I.P.'s flown in for the big opening ceremonies and the party which followed it.

The Minister of Indian Affairs at that time was the late Honourable Arthur Lang, and Mr. Lang was then on one of his "everybody has got to hire an Indian kick". He was the number one guest at that opening, shown around the mill and the property and the open pit which was then being developed by the mine manager. When they got into the open pit and were watching some of the work going on, the Minister said to the manager, "How many Indians do you employ in this mine?" and the manager said "We don't employ any Indians here".

Mr. Lang was slowly turning purple, and his aides were getting very nervous, and the mine manager, whose name was Ross Kenway, shoved his hard hat back on his head and he said "I don't know, the guy over there on the truck, the guy on the shovel, they might be Indians. I don't know. We don't ask them.

There is nothing in the personnel files of this mine which says whether a man is an Indian or not. If he can do a job we hire him, if he fluffs it, we fire him".

Mr. Speaker, there is only one other thing I would like to say at this time. I have every confidence that this government is going to bring forward proposals which will satisfy all the needs of all the people in this country. If I felt so strongly as the Member from Ogilvie feels about native representation in this government, I think I would not have opposed a native candidate in my riding.

There are going to be more and more opportunities, as there have been in the past, for any native candidate to run at the civic or the territorial or the federal level, and because they have had some years now to catch up at an educational level and become competent in all the areas in which they must serve, they are going to be elected and we are going to welcome them to this House. I cannot associate myself with any statement that this House shows any discrimination in the means or the methods of election to this House.

I would just like to finish, Mr. Speaker, by saying that I don't know whether the Honourable Pierre Elliott Trudeau has ever had the opportunity to read the position paper, and I don't know whether he will now, but I would hope that every Member of Parliament, and every Member of the Senate would take time to at least go through it quickly. We have had misrepresentation of this government's stand on the Indian land claim settlement from the beginning, outside.

I don't think Canadians know what is really going on in this country, at any time, and particularly on this issue, a great deal of coverage has been distorted, and that is the only information they have received, Mr. Speaker.

I would hope that somehow through distribution of this analysis paper, there will seep through to the level of the average Canadian, some small vestige of understanding of what is involved here, and some small vestige of understanding that the Territorial Government approach to this problem is a good one.

Thank you, Mr. Speaker.

Mr. Speaker: I am wondering if at this time I could ask the Deputy Speaker to assume the chair?

Mr. Hibberd Assumes the Chair

Mr. Speaker: The Honourable Member from Watson Lake?

Hon. Mr. Taylor: Thank you, Mr. Speaker, and I must apologize to the Honourable Member from Whitehorse West, who I believe in the interests of International Women's Year to have the last word, perhaps this points out that there is equality between men and women, however I bow to the Honourable Member from Klwane, who I am sure as mover of the Motion will on behalf of the ladies of our midst, have the final word.

I was very impressed by many of the remarks, Mr. Speaker, I have heard this morning in relation to this most serious question of land claims, and I agree whole

heartedly with those who have pointed up today, the fact that many people in the Territory have no opportunity, up to this point, to understand at least what the Territorial Government's position was in relation to the negotiations now underway.

I reflect back, and I really don't think that many people in the general public understand that these negotiations in fact, have their foundations in the Royal Proclamation made by the King, on October the 7th in the year 1763. And in that year, Mr. Speaker, and I'll just briefly read a pertinent excerpt from that Proclamation, it states quite clearly:

"We do, with the advice of our Privy Council strictly enjoin and require that no private person do presume to make any purchase from the said Indians of any lands reserved to the said Indians within those parts of our colonies where we have thought proper to allow settlement, but that if at any time, any of the said Indians should be inclined to dispose of the said lands, the same shall be purchased only for us in our name at some public meeting or assembly of the said Indians, to be held for that purpose by the Governor or Commander in Chief of or colony respectively within which they shall lie".

So it was, Mr. Speaker, and Honourable Members, that the right of the native citizens of our Territory found a foundation in their right to a settlement of those land claims, a right granted so long ago.

I agree with those who suggest that this is not a time for rhetoric or criticism, but I do agree and I believe the Honourable Member from Whitehorse North Centre in his remarks stated quite clearly it is a time for objectivity, it is a time for initiative.

I add my support to those, Mr. Speaker, at the -- in the Chambers this morning, who support the position, be it a year old, of the Yukon Territorial Government in its position paper.

I express concerns that the result in negotiations will be one which will only extinguish a land claim and is not comprehensive to include aboriginal rights. I regret that, as some Members have stated at the table, and perhaps we will have another head-on confrontation, or should I say our children will have a confrontation on the question of aboriginal rights at some time in the future. It is, to me, a tragedy that the whole question could not be settled at this time, but however that is also a fact.

Lands not included in the settlement, whatever they may be, and there will be settlement on lands with native people. I feel very strongly all lands not included in this settlement should, following the agreement, be turned over to the people and the beneficial use and control of the people of the Yukon Territory. I feel strongly on this.

In resource sharing, in constitutional issues as far as they are concerned, Mr. Speaker, I consider them to be separate questions and it is my belief that they should be dealt with separately in this House, on behalf of native and non-native people. I don't consider them as being part of the settlement at this time.

My greatest concern is that expressed by many Members, Mr. Speaker, and that is the question of a state within a state, which I certainly do not agree with. I couldn't agree in any way, shape or form with this concept, because it offends the premise and the realization of government in Canada, it just cannot be.

I concur with those who say we should take

initiative to attempt to prevent this happening. I would be one of those people on behalf of those I represent, and on behalf of the general population of the Yukon, to take a stand and a rational and reasonable stand in negotiations, which would provide for initiative in the areas as outlined perhaps again by the Honourable Member from Whitehorse Centre.

The area of the Elections Ordinance, the area of the Local Improvement District Ordinance, the area of the Education Ordinance, the area of any Ordinance, whereby we can sit down, ourselves, as people of the Yukon, representing all people of the Yukon and discuss with those who represent the Council of Yukon Indians.

In other words, what I am attempting to say, Mr. Speaker, is Yukoners talking to Yukoners about mutual problems of concern, and I think by this vehicle, perhaps we may avoid two governments and two states within the Yukon Territory.

Now, the basic negotiations are, of underway. They are well advanced, I understand, between the Council of the Yukon Indians and the federal government, and it's clear that they are negotiating in respect of the Yukon, and all the people who reside in the Yukon. It is my hope that at least from this point on, now that we are in negotiations, that the negotiators of the C.Y.I., the negotiators on behalf of the federal government, will insist, as we insist, that we remain at the table as active participants in negotiation as a government, until these negotiations are concluded.

I am confident that those who are negotiating on our behalf, in the form of our Ministers of the House, some in the form of officers of the Government of the Yukon Territory, will do a creditable job, will negotiate with a good basis of understanding of the Yukon, its people, its problems and its future. I think these people are far more capable of negotiating these issues than certainly anyone including the wise men, so-called, from the East.

I pray, Mr. Speaker, in closing that may there be, in this Chambers today, a diversity of opinion. It occurs to me from listening to the many interesting remarks made in this House today, that there is common objectives. Maybe we are all spelling it out in our own way. Perhaps we are at loggerheads on some of the finer points raised in the Chambers today, but I think we are all seeking the same objective, a just and fair settlement of land claims.

So I simply say, Mr. Speaker at this time, that I would join those, were I to have a vote, in supporting the resolution before the House and may I, in conclusion, say it is my hope again that these negotiations continue unimpeded with the full support of the Government of the Yukon Territory, on behalf of this House, and on behalf of all of the people of the Yukon, and I wish them God speed.

Thank you, Mr. Speaker.

Mr. Speaker: Thank you. I would ask the Speaker to assume the Chair.

(Mr. Speaker resumes Chair)

Mr. Speaker: The Honourable Member from Klwane?

**Mrs. Watson:** Yes, Mr. Speaker. I won't belabour this much longer, but I would like to take the opportunity to applaud the presentation by the Honourable Member of Hootalinqua, who said it so well, so basically and so eloquently, and it took many people to write this book, and he compiled it and said it in a few minutes.

The fact that this book came out in October of '74, it is more than a year old, and this Council, or this House can still support it and accept it, indicates to me that it can be a very useful guide, basis and very hopefully, a goal for negotiations.

There's only one thing that I would like to draw attention to, and that is the Honourable Member from Whitehorse North Centre's remark on that the Yukon must prove to the Indians that we can and will accommodate them. I don't think there is any question in anyone's mind, but there are limitations to the areas in which we can accommodate them.

There are Ordinances, fine, but financially, economically, are we in a position after a land claim with the structure of government which may have to be accommodated to suit them too, to accommodate them in the Yukon Government, and this is the basis of my rejection for the federal paper. They are prepared to make the settlement, but not the accommodation within the government structure that the settlement will have to face, and this is one of the key issues, I think in this whole debate and question today, and this is the key issue that has led to the Motion which the Honourable Member from Riverdale has at the House before you today also.

Thank you, Mr. Speaker.

**Mr. Speaker:** This at this point closes the debate on the Motion. Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

**Ms. Millard:** Disagreed.

**Mr. Speaker:** Madam Clerk, would you poll the House?

**Madam Clerk:** The Honourable Member from Whitehorse South Centre?

**Dr. Hibberd:** Agreed.

**Madam Clerk:** The Honourable Member from Mayo?

**Mr. McIntyre:** Agreed.

**Madam Clerk:** The Honourable Member from Klondike?

**Mr. Berger:** Agreed.

**Madam Clerk:** The Honourable Member from Hootalinqua?

**Mr. Fleming:** Agreed.

**Madam Clerk:** The Honourable Member from Kluane?

**Mrs. Watson:** Agree.

**Madam Clerk:** The Honourable Member from Ogilvie?

**Ms. Millard:** Disagree.

**Madam Clerk:** The Honourable Member from Whitehorse Riverdale?

**Mr. Lengerke:** Agreed.

**Madam Clerk:** The Honourable Member from Pelly River?

**Mr. McCall:** Agreed.

**Madam Clerk:** The Honourable Member from Whitehorse Porter Creek?

**Hon. Mr. Lang:** Agreed.

**Madam Clerk:** The Honourable Member from Whitehorse West?

**Hon. Mrs. Whyard:** Agreed.

**Madam Clerk:** The Honourable Member from Whitehorse North Centre?

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

**Madam Clerk:** Mr. Speaker, the vote is 10 yays, one nay.

**Mr. Speaker:** The yays have it, I declare that the Motion is carried.

**Motion Carried**

**Motion Number 16**

**Mr. Speaker:** The next motion is motion number 16. Moved by the Honourable Member from Kluane, seconded by the Honourable Member from Watson Lake, that Sessional Paper number 9 be moved into Committee for discussion.

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

**Motion Carried**

**Motion Number 17**

**Mr. Speaker:** The next motion is Motion Number 17. It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Kluane that whereas the economic and social future of the Yukon is being questioned by both non-Indian and Indian people today and also in relation to the proposed settlement of the Yukon Indian Land Claims, it is imperative that a strategy and guidelines now be formulated and adopted in concert with the final Land Claims to clearly provide for Yukon's independent economic and social status and to answer the question, what kind of a Yukon do we want, therefor be it resolved that the Yukon Territorial Government immediately initiate negotiations with the federal government of Canada to provide funding to be used to specifically define a pattern of strategy for Yukon's economic and social development by setting out objectives and priorities for Yukon by the citizens of Yukon generally in line with national aspirations to identify and attain goals for Yukon's development in such areas as government, education, health, recreation, labour and tourism, pollution and environmental considerations, transportation and communications, land control and use, resource and social development and resource revenue sharing by considering conclusions and desires expressed in already compiled and tabled major resource and social development reports, and by responding to concerns already expressed through Yukon's Northern Resource Conference and social and people oriented forums, as well as native people groups, associated organizations and government agencies, but primarily through a disciplined, co-operative participation and involvement of citizens from all representative sectors of Yukon to be known as the Committee on Goals for Yukon Development.

Be it further resolved that if general accord is reached with the federal government for the funding of such an assignment that legislation be prepared, introduced and considered at the next Session of the Yukon Legislative Assembly, setting out the full terms of reference, make-up of the Committee and schedule for completion to coincide with the final Land Claims Settlement.

The Honourable Member from Whitehorse Riverdale?

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

First I would like to make these comments about the motion. I would like inserted that "Goals for Yukon's development to 1985", I would like the Members to consider that.

Second, I would like this resolution to be directed to the Minister in charge of the Department of Indian Affairs and Northern Development.

Third, that financing does not have to come exactly from the federal departments but could come from Y.T.G. as well.

These are just other considerations.

Now, Mr. Speaker, I don't want this motion to be interpreted that we are riding on the backs of the Indian Land Claims. The question of, and a solution to Yukon's independent economic and social future is very -- is still very much before us. I know Y.T.G., or the Yukon Territorial Government has continually been banging on the door of the feds to get more control. To me it is imperative that we have this control so that in fact we can provide the flexibility, the accommodations, as we were talking about earlier in the government's Yukon Indian Land Claims position paper.

What kind of Yukon do we want? What can we expect for our children and the students in the future? To solve this problem we must also ask the basic question of how big do you want Yukon to grow? How many more people do you want in Yukon? In Whitehorse? In Watson Lake, in Faro, in Dawson?

Think about that. Obviously this governs the degree of social and people orientated programs. The amount of job opportunities that you want to create. The special programs that you require. The magnitude of transportation and communication systems, education, health and so on.

In other words, what is required? Or what are our goals for Yukon's development?

I campaigned on this issue and I committed myself to try to do something about it. The whole problem of Yukon's future has been further aggravated by the fact that we now have an Indian land claims before us. As I said before, I don't argue with the land claims, other than I want to deal from it from an equal base.

In determining Yukon's future, I think one can look at the Indian land claims in the same light as you would an industry, a major industry, a major development in Yukon. What questions do you ask about major development? You ask things like what are the social and economic impacts? What effects will it have on Yukon's growth? How might the rest of Yukon develop to accommodate this? Will the claims set new priorities for social programs? Will we see new industry springing up? Will we see accelerated resource development on the lands in question that are affected? Will we require new and amended government structures, or do we have to assume the responsibility?

As I said before, land claims is really only one question. You could use the same example of how about paving the Alaska Highway, the impact there. The pipeline developments, smelters, hydro developments, the same questions can be asked.

These type of developments influence our housing needs, our infrastructure, standards of social programs and so on and so on. Our daily requirements.

I strongly believe we should be ready to identify the opportunities and to what extent we want to develop. An inventory of opportunities or goals for Yukon's economic development for the next ten years must be defined and compiled and generally committed to by this government.

For instance, if you want to continue the same level of social services or people orientated services, you must either have control of our growth, so that it might be zero growth or very minimum, because you need an economic base, a stronger economic base to cope with the costs for this service, or either that you need a



commitment from the rest of Canada that they are going to support you financially.

The intent of the action that I have suggested in Motion 17 is an attempt to let the people in on the process of planning their future.

People from all sectors of Yukon. I know that funding is available from the federal government to do such a scheme, to do such a project. I would envision that we would have very small core team and this might be of some professional people right here with the Yukon Territorial Government.

They would coordinate the efforts, the findings of a citizen committee, the committee on goals for Yukon's development. This, for instance, to give you an example, if we are talking in the mining field, opportunities would be zeroed in on by geologists, the miner in the ground, under the ground, the support help associated with the mining industry, they would be allowed input into what the goals, what they feel were the opportunities in the mining industry.

This would be compiled and sent in to this committee to tie together. In other words, that is one example. We can use the same thing in education. We can use the same thing in health services. We can use the same thing in transportation.

A positive reaction to this resolution will challenge the citizens of Yukon to identify realistically the opportunities which lie within their grasp, and thus begin building the kind of Yukon they would like to have by the end of the next decade.

I am sure just from the information and data that has already been collected and identified, that the opportunities will be numerous, rich and varied and that seizing them will require determination, intelligence, hardwork and cooperation.

Thank you, Mr. Speaker.

**Mr. Speaker:** The Honourable Member from Kluane.

**Mrs. Watson:** Mr. Speaker, in supporting this motion we always—almost it is a coined phrase, “our economic development,” our social development, we want constitutional reform, you know we are always coin phrasing these things. We are always saying we should have—the federal government is interfering, they are hoisting programs on us. It is so easy to use these phrases and then we get back into the normal humdrum of a rat race type of argument over amendments to the Labour Standards, or this type of thing.

We have to begin to look ahead and do some planning, and do take some initiative. We have been waiting for the federal government to develop a master plan into which we fit, but I don't think they are going to do it. If you are aware of the Natural Resources Conference that was held in the Yukon, it was so obvious that the goals or the aspirations of Yukon are not known.

Development won't come in, won't be carried out unless there is some goal and some commitment by this government and by the federal government and we have to take the initiative. It is so imperative because of the Land Claims Settlement which is pending and as I have said before, there is no way, under the existing structure that you can accommodate the Indians in the

Land Claims Settlement. They are going to be off on another way, hopefully, doing a little bit of development and the federal government likely will be off in another way. Maybe that is the idea. Maybe that is the strategy behind it all, divide and conquer, forever and a day you will have a colony, or colonies up there.

I would very much support this motion. I would like to see it discussed and maybe for a change we will take the initiative and go to the feds, “look we have an idea, will you help us see whether we can formulate some policy, and will you support us in it.”

Thank you Mr. Speaker.

**Mr. Speaker:** I think at this time we will stand the House in recess until 1:30 this afternoon.

The House now stands in recess until 1:30.

#### Recess

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

Prior to rising in recess, we were discussing Motion Number 17. Have you any further debate on Motion Number 17?

The Honourable Member from Mayo?

**Mr. McIntyre:** In connection with Motion Number 17, Mr. Speaker, I'm wondering if the proposal here is either for a new Carr study or an upgrading of the Carr report, and if that is the case, we must remember that that initial report cost somewhat over a hundred thousand dollars. An upgrading of it today would probably cost at least as much, and if we are trying to save a little money in our next year's budget, this is one item that is going to increase it by probably a hundred to two hundred thousand dollars, depending on the scope of the direction we give the people who conduct this investigation.

**Mr. Speaker:** The Honourable Member from Whitehorse South Centre?

**Dr. Hibberd:** Yes, Mr. Speaker, I rise in support of this Motion.

In view of the tremendous impact that the Indian Land Claims will have on the total Yukon economy, and on the utilization of Yukon land, I think it is important that we have a policy formulation at this stage, in view of these Indian Land Claims.

**Mr. Speaker:** The Honourable Member from Klondike?

**Mr. Berger:** Yes, Mr. Speaker, I really can't see how we could come up with a policy right now, in view of the Indian Land Claim settlements. I mean, we don't know what the outcome is going to be, we don't know anything.

I think any policy that is going to be set down in the future, and I don't disagree with the policy, but it has to include any settlement that is going to be made, and I think it's a little bit too early to call for a Committee to sit down and come up and say let's formulate a policy. I think this is what we discussed this morning, we have to include the native people in that, we can't form a policy excluding that people, and I think it's premature

to talk about any policy.

I mean, there's enough policies, there's enough studies to be made. The Honourable Member from Mayo mentioned the Carr report. There is half a dozen other reports have been made on the Yukon Territory, and in the future, I could possibly see a different form of government we are going to have, where it's maybe the party politics going to be influencing the policies of the Yukon Territory.

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

**Hon. Mrs. Whyard:** Mr. Speaker, there are a couple of observations I would like to make about this Motion.

One is that I don't know if most Members are aware, but this government is asked to present its goals for Yukon development from time to time by the federal department, which is supposed to incorporate our input into their federal position on northern development, and there was a recent revision of that northern development paper, which was so hastily prepared or so tardily presented to this government for consideration, that there was no time to prepare a submission from the Territorial point of view.

It might be of value to pursue it from that approach, and secondly, I wonder if the Honourable Member is aware of the research already conducted over a period of years by a group of competent people here in the Yukon, and their organization is called the Yukon Research and Development Institute, and whether or not you might utilize the services of such a group, rather than going into an overall government production might be worthy of consideration, Mr. Speaker.

**Mr. Speaker:** The Honourable Member from Ogilvie?

**Ms. Millard:** Yes, Mr. Speaker, I would like to support this Motion in principle, but I think it gets a little hazy because of its length, and so there is some details I think are probably interpreted a dozen different ways. But generally speaking, I think this is what I was saying this morning when I said I felt that the Territorial Government should be doing something about its own so-called land claims.

In that, I understand in this position that the Indian people would be representatives as people in the Yukon, and I think that's very fair. I think the land claims are quite separate from this Motion, but can be included as a part of it, and certainly the Indian people are carrying on their own negotiations apart and separate from what we are doing too, because they are represented.

It gets rather complicated, I can see, but that's why we should have an extensive committee, and one that starts now, because I don't know whether it should go to 1985, or what the date should be, but certainly we should spend enough time and energy and involvement in this to really find out where we are and where we are going.

I can fully agree with this Motion.

**Mr. Speaker:** The Honourable Member from

Whitehorse North Centre?

**Hon. Mr. McKinnon:** Mr. Chairman, I will support this Motion mainly because if anyone can write a Motion that consists of one paragraph of 17 lines without one sentence, Mr. Chairman, or containing only one sentence, it certainly deserves the support of this House.

However, Mr. Speaker, I think that every Member of this Legislative Assembly has certain goals and objectives for the Yukon Territory, and I don't think any of us would be putting our name before the electorate if we didn't have certain goals and objectives.

I'm ready at the drop of a hat, and some say much too willingly to give answers on any one of these areas, where I would like to see the Yukon heading, and where I think it is heading, and I don't think that anybody in any of these important headings contained in the resolution that doesn't have ideas on them, should be sitting around this table.

However, I have always agreed with the involvement of citizens, of all the citizens of the Yukon, in a process of feeding input into government sources so that the people who are making the resolutions and are dealing with the legislation, do have a fairly good idea of what the people of the Yukon are thinking on any given matter at any given time, and I understand that the onus primarily is on citizen involvement in this Motion, and I would like to see this type of citizen involvement on these most important areas of the Yukon's future development.

I would have to agree with the Honourable Member from Mayo that one of the things that is going to be taken very stringently in next year's budget, is any more consultant's fees and consulting papers. The Department of Local Government has had a very high monetary involvement in studies, some of them good, some of them bad. They didn't have any last year and they ain't going to have any next year either, or as long as I remain in charge of the Department of Local Government.

So it would be folly, I think to think that with the budgetary restraints and the areas that we have already identified as being cut for next year, that we are going to go into the wise men from the east once again coming to the Yukon and rubbing their hands in glee, because they have a 200 grand contract with the Government of the Yukon Territory. If that is the desire of the mover of this Motion, he is just not going to find that kind of money available for these kind of things in the next budget year.

So as the Motion reads, Mr. Speaker, I have no difficulty in supporting it, and I wish the mover well in getting the type of citizen involvement that he envisages by the passage of this Motion. I think that any time that we can do that, it's a valuable exercise in this House, Mr. Speaker.

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

**Hon. Mr. Lang:** Yes, Mr. Speaker.

I rise in support of this Motion, and I think it's very important, Mr. Speaker, that we as the Yukon Territorial Government and the Federal Government,

start looking into accommodating the other segment of the population, which happens to be the majority of the people in the Yukon, in order so they can justify a land claim settlement to Yukoners, and I mean by the Yukoners that will not be participating in that Land Claim Settlement.

I think this is the key, Mr. Speaker. I think it's very important that the people of the Yukon can see that we also have a future, and it's also pointed out in this Motion that the native population of the Yukon will take part in this, and I think this is very important, as we discussed earlier this morning.

I think it is very important, Mr. Speaker, myself as an elected representative, from one area of the Yukon, there is only one way that I am going to be able to justify a land claim settlement is to be able to say well, this is what the federal government and the Y.T.G. have come up with for the other segment of the population, in order to alleviate the problems that are presented to us today.

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

**Mr. Lengerke:** No, I didn't indicate.

**Mr. Speaker:** Oh, I am sorry. Oh, the Honourable Member from Hootalinqua?

**Mr. Fleming:** Yes, Mr. Speaker, I rise in support of this Motion for some of the same reasons I rose this morning, in support of a Motion, because I feel here that this does show that this government wishes to have participation from all segments of society.

Little can I say, except that I wish that possibly the two societies were dealing together now instead of the one that we have taking care of things in Ottawa.

I do support this Motion.

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

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

I just want to express my appreciation to the Honourable Members for their comments. I do appreciate them all and I do know the significance of them.

I want to say this, that what I propose here is not another study. It's not another consultant's report, we have got tons of those sitting on the shelves, ask anybody in this building and they can tell you that.

I want to keep expenses to a minimum with this, and that's why I said people are going to be involved. We hear the cry all over this Territory, we want to be involved in dictating our future, so I am throwing that challenge out by this, Mr. Speaker. We are going to involve them, and if they don't respond, well I guess we won't have a "Goals for Yukon's Development" until 1985.

Certainly we are going to include the Indians in this. They are going to be very much involved. The Honourable Member from Whitehorse West said something about a Yukon Research and Development group. I happen to be a member of that group, and I'll tell you that these are the kind of groups that I think

are going to have to have an input into this, are going to be committed to this and are going to be involved, so in fact we will be using that type of an organization.

As I said earlier this morning, and I used the Land Claims just as an example, I used the Land Claims impact as another industry. I said you have to measure what the impact is, how you are going to cope with it, what in fact are you going to do, how is it going to fit into the scheme of things?

I want to know land policies, which I have asked in this House, and we know are being formulated right now and are, probably a good job is being done, so that, Mr. Speaker, that work is already underway, so we can dovetail that into this report.

I just say that this is really the first step in putting our -- plotting our own future, in really presenting our own plan and not accepting one given to us by the federal government. I think it's really a position paper of our own claim, if you want, and I think it is very important that we take this first step, Mr. Speaker, and with that, I ask that the Honourable Members support this Motion.

**Mr. Speaker:** 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:** We will now proceed to the Question Period.

#### QUESTION PERIOD

**Mr. Speaker:** Have you any question? The Honourable Member from Ogilvie.

*Question Re: Monthly Statement of Welfare Recipients.*

**Ms. Millard:** A verbal question for the Minister of Health, Welfare and Rehabilitation. I understand it's the policy of the welfare branch to have welfare recipients of social assistance make a monthly statement of their earnings, and whether or not they still need assistance.

I'm wondering why this should be necessary for obviously long-term social assistance cases.

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

**Hon. Mrs. Whyard:** Mr. Speaker, I think the implications are obvious. It is no one's wish to use the taxpayers' dollar to subsidize and support someone whose economic conditions may have changed. I would think it is well within the jurisdiction of the individual social worker involved with the client to use their own

good judgment regarding the necessity for any such procedure, but if the Honourable Member requires more information than that, I will look into the matter.

**Mr. Speaker:** The Honourable Member from Ogilvie?

**Ms. Millard:** Supplementary on that, perhaps. My problem really is with the policy, is it a directive from Whitehorse that everyone has to do it, or does the social worker in the field make the decision? That is really more or less what the question was.

**Hon. Mrs. Whyard:** I will bring in a reply, Mr. Speaker.

**Mr. Speaker:** The Honourable Member from Ogilvie?

**Question Re: Pharmaceutical Inventory in Dawson Hospital**

**Ms. Millard:** A further verbal question for the Minister of Health, Welfare and Rehabilitation. On the Executive Committee's trip to Dawson, the pharmaceutical ordering from the hospital in Dawson was brought up, and it was suggested then that a larger inventory is needed at Dawson City, because many of the drugs that are needed by people in Dawson have to be sent for to Whitehorse.

I'm wondering if the Honourable Minister has looked into this, and if there is any hope of making a larger inventory at Dawson?

**Hon. Mrs. Whyard:** Yes, Mr. Speaker, this matter was investigated and discussed with the Northern Health and Medical Services personnel. If the Honourable Member is interested, I can make available to her, the correspondence on the subject.

**Mr. Speaker:** Are there any further questions? We will then proceed on the Order Paper to Public Bills.

I am sorry, Private Bills are first, that is correct. To Private Bills. What is your pleasure?

The Honourable Member from Pelly River?

**PRIVATE BILLS**

**Bill Number 20, Third Reading**

**Mr. McCall:** Yes, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse North Centre, that Bill 20, "An Ordinance to Amend the Labour Standards Ordinance" be read a third time.

**Mr. Speaker:** A third time, is this correct?

**Mr. McCall:** A third time.

**Mr. Speaker:** It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Klondike, that Bill Number 20 be now read a third time.

The Honourable Member from Kluane?

**Mrs. Watson:** Yes, Mr. Speaker, I must take the last opportunity available to me to voice my objections to

this Bill. I think you have heard some of my objections before, but I have to reiterate them, and one very basic reason that I am opposed to the Bill, the amendments, the amendments to a Labour Standards Ordinance, one of the most important pieces of legislation in our books, one of the most controversial, and a piece of legislation that affects almost everybody -- adult person in the Territory, and yet we would permit an amendment to such an important piece of legislation to be brought in through the back door on a Private Member's Bill, where the rest of the people of the Territory are not given the opportunity to review it and to pass it through this House as law.

I am hopeful that the three elected people who sit on the Executive arm of this government will accept their responsibilities as far as bringing legislation into this House, and assume that responsibility and say fine, we have gone through this Private Member's Bill. I think we have an indication from this House that there is a need for some amendments to it. We will take the Bill under hand, we will have the proper research done, we will see what we can do with the Bill because it was very obvious, and I'm sure that the three people that are sitting there on the government side will agree yesterday when the witnesses were there, that this is a Pandora Box, and that when you open the lid, you do find some very grave inequities. You do find some areas that certainly do need clarity, and that a review should be done of that -- of the whole Section and then look at it as a part of the whole legislation.

I recall the Honourable Member from Klondike who spoke and said the only witnesses we had here were the employer segment of the population, which is true, very true, but if you rush through something like this, you are not giving other people an opportunity, and I have people in my constituency who would want to appear here as a witness, but who because of their rush, are not able to come in, and I would request that the third reading of this Bill be defeated, with the understanding that the government people, who must assume this responsibility, that's why they are there, will undertake properly to review this Section, standard hours of work. Not just as it applies to the one area and the exemptions that are there, and many of the exemptions are purely at the discretion of the administration, and come to us when we sit again, and present a Bill on this Section.

Thank you, Mr. Speaker.

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

**Hon. Mr. McKinnon:** Mr. Speaker, if I could speak on third reading of the Bill actually because this elected Member on the Executive Committee accepts his responsibility to all people of the Yukon. I have no problem at all supporting something which I think is on behalf of all the people of the Yukon, no matter where it comes from. I am not interested in the game of political one-upmanship, and I have always been rather disgusted and—at some of the hoary old traditions and methods of doing business amongst governments and the reasons why things never get done. I remember and I spoke against it at that time, and I still believe in it, I would be a hypocrite if I went

against it, that Members in the last Government when there was a suggestion, which they supported and came from an opposition member that they took that motion, or that amendment, and did not act on it at that time, but took it back through legislative programming and Executive Committee, then brought it down as a piece of government legislation.

That to me is political gamesmanship and one-upmanship and it is not the kind of thing that really, I think, that people of the Yukon Territory have elected us to do.

If any private member, Mr. Speaker, can bring about legislation, that the majority of us can agree with, through motion, or through a private members bill, then I have no difficulty at all, if I agree with the principle, and I agree with the legislation that is presented in supporting it at the moment, instead of going around through the normal methods of government channels. I think that with this kind of effort by the present Executive Committee and the government that all members can truly feel that they can be involved in this government and be a part of this government, and can make legislation to the benefit of their constituents, and we don't have to force ourselves into government and opposition camps at this moment in the Yukon history. I don't happen to believe in that at this time in the Yukon either.

So Mr. Speaker with those remarks, I have no difficulty whatsoever in adding my support to the Bill, regardless of what my colleagues, the other two elected members on the Executive Committee vote on the Bill.

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

**Hon. Mr. Lang:** Yes, Mr. Speaker, I have to support the Bill because I do believe in a 40 hour work week. I also sympathize with the Honourable Member from Kluane. I fully realize the implication that it is going to have on some of hers, and some of the other members from the outlying areas, their constituents. I think it is incumbent upon the Executive Committee to look through, we realize that there is grey areas in this legislation and I think it should be cleared up.

I myself, personally, will make that commitment that we have to go through that piece of legislation and see where we can clear these problems up for the employee and the employer.

With time, permitting, hopefully it will be ready for this coming Budget Session. I think it is that important.

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

**A Member:** Question.

**Mr. Speaker:** The question has been called. Are you agreed?

**Some Members:** Agreed.

**Mrs. Watson:** Disagree.

**Mr. Speaker:** Madam Clerk, would you poll the House please?

**Madam Clerk:** The Honourable Member from Whitehorse South Centre?

**Mr. Hibberd:** Agreed.

**Madam Clerk:** The Honourable Member from Mayo?

**Mr. McIntyre:** Agreed.

**Madam Clerk:** The Honourable Member from Klondike?

**Mr. Berger:** Agreed.

**Madam Clerk:** The Member from Hootalinqua?

**Mr. Fleming:** I am abstaining.

**Madam Clerk:** The Member from Kluane?

**Mrs. Watson:** Disagree.

**Madam Clerk:** The Member from Ogilvie?

**Ms. Millard:** Agree.

**Madam Clerk:** The Member from Whitehorse Riverdale?

**Mr. Lengerke:** Agree.

**Madam Clerk:** The Member from Pelly River?

**Mr. McCall:** Agreed.

**Madam Clerk:** The Member from Whitehorse Porter Creek?

**Hon. Mr. Lang:** Agree.

**Madam Clerk:** The Member for Whitehorse West?

**Hon. Mrs. Whyard:** Agree.

**Madam Clerk:** The Member for Whitehorse North Centre?

**Hon. Mr. McKinnon:** Agree.

**Madam Clerk:** The vote is eight yays, one nay and one abstention.

**Mr. Speaker:** The yays have it. The motion is carried.

**Motion Carried**

**Mr. Speaker:** Are you prepared to adopt the title to the bill?  
The Honourable Member from Pelly River?

**Mr. McCall:** Mr. Speaker I move seconded by the Honourable Member from Whitehorse North Centre,

that Bill 20 do now pass and that the title be as on the order Paper.

**Mr. Speaker:** Is this seconded by the Honourable Member from Whitehorse North Centre?

**Hon. Mr. McKinnon:** Yes.

**Mr. Speaker:** It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Whitehorse North Centre that Bill Number 20 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.

**Mrs. Watson:** Disagreed.

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

*Motion Carried*

**PUBLIC BILLS**

**Mr. Speaker:** We will proceed to Public Bills. The Honourable Member from Whitehorse West?

*Bill Number 8, Amendments, First Reading*

**Hon. Mrs. Whyard:** I move, seconded by the Honourable Member for Whitehorse South Centre, that the amendments to Bill Number 8 be read a first time.

**Mr. Speaker:** It has been moved -- sorry, I didn't get your seconder.

**Hon. Mrs. Whyard:** Whitehorse South Centre, Mr. Speaker.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member for Whitehorse South Centre, that the amendments to Bill Number 8 be now read a first time.

Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

*Motion Carried*

*Bill Number 8, Amendments, Second Reading*

**Hon. Mrs. Whyard:** Mr. Speaker, I move, seconded by the Honourable Member for Whitehorse South

Centre, that the amendments to Bill Number 8 be read a second time.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Mmember from Whitehorse South Centre, that the amendments to Bill Number 8 be now read a second time.

Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

*Motion Carried*

**Mr. Speaker:** When shall the Bill be read for the third time?

*Bill No. 8, Amendments, Third Reading*

**Hon. Mrs. Whyard:** Now, Mr. Speaker.

I move, seconded by the Honourable Member for Whitehorse South Centre, that Bill Number 8, "An Ordinance to Amend the Medical Profession 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 Whitehorse South Centre, that Bill Number 8 be now read a third time.

Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

**Mr. Speaker:** I shall declare the Motion 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 for Whitehorse South Centre, that Bill Number 8 do now pass and 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 South Centre, that Bill Number 8 do now pass and that the title be as on the Order Paper.

Are you prepared for the question?

**Some Members:** Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare that the Motion is carried and Bill Number 8 has passed this House.

*Motion Carried*

**Bill Number 1, Amendments, First Reading**

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member for Pelly River, that the amendments to Bill Number 1 be read a first time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Pelly River, that the amendment to Bill Number 1 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 Number 1, Amendments, Second Reading**

Hon. Mr. McKinnon: Now, Mr. Speaker. I move, seconded by the Honourable Member for Pelly River, that the amendments to Bill Number 1 be read a second time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Pelly River, that the amendments to Bill Number 1 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 carried.

*Motion Carried*

Mr. Speaker: Are you prepared to give third reading to this Bill?

**Bill Number 1, Amendments, Third Reading**

Hon. Mr. McKinnon: Yes, Mr. Speaker.  
I move, seconded by the Honourable Member for Pelly River, that Bill Number 1, Highways Ordinance,

be read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Pelly River, that third reading be given to Bill Number 1.

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: Are you prepared to adopt the title to the Bill?

Hon. Mr. McKinnon: Yes, Mr. Speaker. I move, seconded by the Honourable Member for Pelly River, that Bill Number 1 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Pelly River, that Bill Number 1 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 the Motion carried and Bill Number 1 has passed this House.

*Motion Carried*

**Bill Number 2, Amendments, First Reading**

Hon. Mr. McKinnon: Mr. Speaker I move, seconded by the Honourable Member for Ogilvie, that the amendments to Bill Number 2 be read a first time.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse North Centre, seconded by the Honourable Member from Ogilvie, that the amendments to Bill Number 2 be now read a first time.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are You agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the Motion carried.

*Motion Carried*

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

**Bill Number 2, Amendments, Second Reading**

**Hon. Mr. McKinnon:** Now, Mr. Speaker.

I move seconded by the Honourable Member for Ogilvie, that Bill Number 2 be read a second time.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Ogilvie, that Bill Number 2 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 carried.

**Motion Carried**

**Mr. Speaker:** When shall the Bill be read for the third time?

**Bill Number 2, Third Reading**

**Hon. Mr. McKinnon:** Now, Mr. Speaker.

I move, seconded by the Honourable Member for Ogilvie, that Bill Number 2 be read a third time.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Ogilvie, that Bill Number 2 be now read a third time.

The Honourable Member from Klwane?

**Mrs. Watson:** Mr. Speaker, I'm sure everybody would be disappointed if I didn't stand and rise to this occasion. However, we have had quite a long exercise with this Bill, and yesterday in Committee, several members expressed their second thoughts about passing the Bill into law at this time, and a Motion was put forward that the Bill be deferred or be left die in Committee and be reintroduced again at the next session.

Then the Honourable Member, in his very eloquent manner came in and stated that—and I really don't think he did it deliberately, I believe he had a wrong or an erroneous copy of the budget, because I have checked this out, and stated that there was \$70,000.00 in this year's estimate for legal aid, and that we have the authority to go ahead and embark upon civil and criminal legal aid at this time.

**Mr. Speaker,** we have \$35,000.00. There is no vote provision made within the '75-76 estimates to bring into effect a civil legal aid program. Originally it had been planned to bring in civil legal aid last budget session. Because of financial pinches, the Legal Aid Bill was deferred for the middle of the year, and then the

requirement for the financing of it would roll with this coming fiscal year.

So there is no money in this budget right now that would allow the government nor a vote wording within this establishment to allow the government to embark upon the civil legal aid program.

There is no agreement at the present time with the federal government on cost sharing, so that we have to hurry it through and bring it into effect.

So the second thought some of the Committee had, some of this House had regarding deferring the Bill until we are able to assess our financial situation, really could be implemented because you can't spend any money anyway, so you might as well -- you could easily defer the Bill until the next Session and have it reintroduced, if it is found that there are funds available for it.

**Mr. Speaker,** we had a Sessional Paper given to us yesterday, where the Commissioner, the administration and I'm sure the Executive Committee people, indicated to us the tight financial situation we are in today and they said in that paper, that there will be a freeze on any new position and there will be a freeze on travel.

Earlier during this Session, we adopted unanimously the comprehensive program for alcohol treatment and if you recall, that program does involve the hiring of some staff.

Now, where are our priorities? This means with the freeze that they will not be able to roll with the program, but surely to goodness, let's leave our options open so that we can set the priority and make sure that the alcohol program can roll in the coming fiscal year. They can't roll completely because they won't be able to hire the help they require, and here we are, passing another program when we can't bring into force the ones we need at the present time. And it's your decision, I have made up my mind.

I just cannot agree and condone, another social type of piece of legislation that can be abused, the amount of which we don't know how much it will be, and it could easily grow out of proportions which it has done in every other province in Canada, and we are going to pass it into law now before we don't know what our financial position is next year.

Thank you, Mr. speaker.

**Mr. Speaker:** The Honourable Member from Pelly River?

**Mr. McCall:** Well, Mr. Chairman, as all members are aware, I made the Motion yesterday, asking for this Bill to be, as the Honourable Member says, deferred or die in committee.

It was not just basically for the financial reasons that yesterday I asked for it to die in Committee. My opinion that was stated yesterday as to the piece of legislation we were debating, I see nothing wrong with it. I think it's very good, forward thinking piece of legislation.

The figures that were quoted a moment ago by the Honourable Member, I know for a fact I didn't state those figures, although I find them very interesting.

What I am concerned about, Mr. Speaker, is that we



do need this type of legislation. The question that was in my mind yesterday when I put forward the Motion, was are we ahead of our time, and what I mean by that, is are we in a financial position to pass the legislation now, or can we wait three or four months after we have seen the budget estimates? This question I cannot answer at this point, so in concluding, Mr. Speaker, I would like it to be recorded I will abstain when the vote is taken on this piece of legislation.

**Mr. Speaker:** The Honourable Member from Hootalinqua?

**Mr. Fleming:** Yes, Mr. Speaker. I would like to rise at this time too, due to a discrepancy yesterday afternoon which is no fault of our own, for probably from ignorance of the way maybe that sometimes the House is run, and we just haven't learned or we are a little behind on just exactly what the procedure is.

I did second the Motion yesterday to have the Bill set over until the budget was announced and so forth, and then from finding that it had changed, I had to withdraw my Motion, and when the Bill came through as to go ahead, I had to more or less vote for it when I should have been voting against it, a very mixed-up situation.

I don't have any problem with the Bill. I always felt that the underdog needs some help, and he does need some advice and he does need a lawyer when he hasn't got the money to handle his cases, so I'm in agreement with the concept, but I would like more assurance from the government before I vote, that this money is there and available, so that I would be able to make a little better decision.

Thank you.

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

**Mr. Lengerke:** Yes, Mr. Speaker.

I too rise in support of the Honourable Member from Kluane. As I indicated yesterday, I would not be voting in favour of this Bill. I was not satisfied during the questioning of this Bill with respect to the projected costs, and I fully expect a drastic increase over the estimates that were indicated to me.

I think I could have supported the Bill at this time, had we been able to establish some sort of ceiling on those expenditures.

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

**Hon. Mr. McKinnon:** Mr. Speaker, I thank the Honourable Member from Kluane for giving me the benefit of the doubt and I won't bring the budget I was reading in and insult the House's intelligence, because it does say \$70,000.00. I wouldn't even have tried to pull a trick like this in the House, because I know I would be tripped on it if I did try it.

Mr. Speaker, the facts of the matter are that there is no agreement at the moment signed between the government of Canada and the government of the Yukon to cost share the comprehensive program of civil and criminal legal aid. 24 (1) of the Bill is the

saving Section. It says "This Ordinance or any portion thereof shall come into force on such a day or days as may be fixed by the Commissioner".

Mr. Speaker, with assent to the program of civil and criminal legal aid, the government of the Territory can then negotiate for the agreement to be signed with the government of Canada, so that hopefully by the next fiscal year, that we can budget and we can put into practice, a comprehensive civil and criminal legal aid program in the government of the Yukon.

I think the protection that the Honourable Members are looking for should be probably a guarantee by the government that this Ordinance not come into force until April 1st of 1975. That would give the government the ability between now and the budget session, of being able to negotiate and sign an agreement with the government of Canada, so that we would not delay the implementation of the program another six months following the legislative authority in negotiating the agreement. I think that that protection can be guaranteed by the government and that we should be allowed the ability to negotiate under legislative authority, the terms and arrangements of the agreement with Canada, so that we do not delay any further after the budget session, the coming into effect of this Ordinance.

Mr. Speaker.

I have no problems at all in giving the assurance of the government, if we are given the legislative authority of negotiating the agreement, that this Bill will not be into effect prior to the next fiscal year, because from what I understand from Mr. Assistant Commissioner, it is going to take this time for negotiations.

So if we don't have the legislative authority to be able to get into the agreement, we are going to be thinking six months down the road following the fiscal, the budget session and April the 1st.

So with those remarks, Mr. Speaker, I see no difficulty, and with that agreement of this government that this will not be in effect prior to the budgetary session where it will be a line item in the budget, that we should be given the legislative authority to seek an arrangement with the Government of Canada that we can have the agreement signed, sealed and delivered with Canada and be ready to move on this legislation in the 1976 fiscal year, Mr. Speaker.

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

**Hon. Mr. Lang:** Yes, Mr. Speaker. I can sympathize with the member from Kluane, because I know she fully realizes and -- what the government of the Yukon Territory is up against, in all probability in the oncoming year.

I myself personally as part of the government of the Yukon will guarantee that we will be taking a hard, hard look in assessing our priorities, and we will have an answer when we come back in the budget session.

**Mr. Speaker:** Any further debate? The Honourable Member from Kluane?

**Mrs. Watson:** Yes, Mr. Speaker. Just to cut it off short, I am pleased to hear the Honourable Member

from Whitehorse South Centre give the assurance to the rest of the House.

I am going to oppose the Bill, I oppose the principle of the Bill, I will continue to oppose the principle of the Bill. I am opposed to these types of gestures that are coming more and more from the government, and as I said before, the old arm off the government, and is just squeezing around you just a little tighter all the time, and I have -- when I came into this, when I ran for election, I made this commitment very clear to my constituents, that I believed more clearly on giving an individual the opportunity to take care of himself, to provide the incentives within our economy and our society, rather than the big arm of the government, take over and take care of your children, take care of your legal needs, take care of everything and this is what is happening today.

But I am pleased that the government has seen fit to make the commitment that they will have the Bill assented to, enter into agreement, try to get an agreement with the Federal Government, and not embark upon the program, which they can't do, budget wise really until the new fiscal year. But I will have to be opposing the Bill.

**Mr. Speaker:** Perhaps I owe the House an apology, I neglected to note that the Honourable Member from Kluane had not move a motion and permitted her to address the House, however, I would then call the question. Are you agreed?

**Some Members:** Agreed.

**Mrs. Watson:** Disagree.

**Mr. Speaker:** Division has been called, Madam Clerk would you poll the House please?

**Madam Clerk:** The Member for Whitehorse South Centre?

**Dr. Hibberd:** Agreed.

**Madam Clerk:** The Member from Mayo?

**Mr. McIntyre:** Agreed.

**Madam Clerk:** The Member from Klondike?

**Mr. Berger:** Agreed.

**Madam Clerk:** The Member from Hootalinqua?

**Mr. Fleming:** Agreed.

**Madam Clerk:** The Member from Kluane?

**Mrs. Watson:** Disagree.

**Madam Clerk:** The Member from Ogilvie?

**Ms. Millard:** Agreed.

**Madam Clerk:** The Member for Whitehorse Riverdale?

**Mr. Lengerke:** Disagree.

**Madam Clerk:** The Member from Pelly River?

**Mr. McCall:** Abstain.

**Madam Clerk:** Member from Whitehorse Porter Creek?

**Hon. Mr. Lang:** Agree.

**Madam Clerk:** The Member from Whitehorse West?

**Hon. Mrs. Whyard:** Agree.

**Madam Clerk:** The Member from Whitehorse North Centre?

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

**Madam Clerk:** Mr. Speaker the vote is eight yays, two nays and one abstention.

**Mr. Speaker:** The yays have it. I declare the motion is carried.

**Motion Carried**

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

**Hon. Mr. McKinnon:** Yes, Mr. Speaker I move seconded by the Honourable Member for Ogilvie that Bill Number 2 do now pass and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Ogilvie, that Bill Number 2 do now pass and the title be as on the Order Paper.

Are you prepared for the question?

**Some Members:** Question.

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

**Motion Carried**

**Mr. Speaker:** Bill Number 2 has passed this House. The Honourable Member from Whitehorse Porter Creek?

**Amendment to Bill Number 4, First Reading**

**Hon. Mr. Lang:** Mr. Speaker, I move seconded by the Honourable Member from Pelly River that the Amendments to Bill Number 4 be read a first time.

**Mr. Speaker:** It has been moved by the Honourable Member from Porter Creek, seconded by the Honourable Member from Pelly River, that the

Amendments to Bill number 4 be now read a first time  
Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion carried.

**Motion Carried**

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

**Amendments to Bill Number 4 Second Reading**

Hon. Mr. Lang: Now, Mr. Speaker, I move seconded by the Honourable Member from Pelly River that the Amendments to Bill Number 4 be read a second time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Pelly River, that the amendments to Bill Number 4 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**

Mr. Speaker: When shall the Bill be read for the third time?

**Bill Number 4, Third Reading**

Hon. Mr. Lang: Now, Mr. Speaker, I move seconded by the Honourable Member from Pelly River that Bill Number 4 An Ordinance to Amend the Companies Ordinance be read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Pelly River that Bill Number 4 be now read a third time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

**Motion Carried**

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

Hon. Mr. Lang: Yes, Mr. Speaker, I move seconded by the Honourable Member from Pelly River that Bill Number 4 do now pass and the title be as on the Order Paper.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek seconded by the Honourable Member from Pelly River that Bill Number 4 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: I shall declare the motion as carried, and Bill Number 4 has passed this House.

**Motion Carried**

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

**Amendments to Bill Number 9, First Reading**

Hon. Mr. McKinnon: Mr. Speaker I move seconded by the Honourable Member from Whitehorse West that the Amendments to Bill Number 9 be read a first time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre seconded by the Honourable Member from Whitehorse West that the amendments to Bill Number 9 be now read a first time.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion carried.

**Motion Carried**

Mr. Speaker: When shall the amendments be read a second time.

**Amendments to Bill Number 9, Second Reading**

Hon. Mr. McKinnon: Now, Mr. Speaker, I move seconded by the Honourable Member from Whitehorse West that the amendments to Bill Number 9 be now read a second time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West that the amendments to Bill Number 9 be now read a second time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: I shall declare the motion as carried.

**Motion Carried**

Mr. Speaker: When shall the Bill be read a third time?

**Bill Number 9, Third Reading**

Hon. Mr. McKinnon: Now, Mr. Speaker, I move seconded by the Honourable Member for Whitehorse West that Bill Number 9 be read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West that Bill number 9 be now read a third time.

Mr. Berger: Yes, Mr. Speaker, I would like to rise at this time to say how disappointed I was not to see amendments brought in to control the operations of buses and taxis in the Territory. I think it is very very important, and I said it before, with our growing tourist industry it is very important to have proper equipment on the roads. All I can say is that I hope the administration as soon as possible that they see fit to bring amendments in to control those taxis and buses in the whole territory. Right now all we are controlling are bylaws in Whitehorse, Dawson and Faro, but in the rest of the territory you can operate any old equipment as a tourist transportation and I don't think it is right.

Mr. Speaker: Is there any further discussion? Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

**Motion Carried**

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

Hon. Mr. McKinnon: Yes, Mr. Speaker, I move seconded by the Honourable Member for Whitehorse West that Bill Number 9 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 North Centre seconded by the Honourable Member from Whitehorse West that Bill Number 9 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 the motion is carried and Bill Number 9 has passed this House.

**Motion Carried**

Mr. Speaker: May I have your further pleasure at this time?

The Honourable Member from Pelly River?

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

Ms. Millard: I second that.

Mr. Speaker: It has been moved by the Honourable Member from Pelly River seconded by the Honourable Member from Ogilvie that Mr. Speaker do now leave the Chair and the House resolve into the Committee of the Whole for the purpose of discussing Bills, sessional Papers and motions. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

**Motion Carried**

(Mr. Speaker leaves the Chair)

**COMMITTEE OF THE WHOLE**

Mr. Chairman: I call this committee to order and declare a short recess.

**Recess**

Mr. Chairman: I will now call Committee to Order. For the record, we now have Mr. Robb McCandliss, as witness from the Yukon Conservation Society. Would you proceed, Mr. McCandliss?

Mr. Lengerke: Mr. Chairman?

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, could Mr. McCandliss tell me his qualifications, if any, his professional qualifications?

Mr. McCandliss: Well first off, I am a member of the Conservation Society, and I am appearing here at their request.

I am a geologist by profession, about eight years in the industry, both oil and gas and mineral ex-

plorations, mostly in B.C., a good part of it in the Yukon, also Alaska.

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

Mr. McCandliss: The Yukon Conservation Society thanks this assembly for the opportunity to comment on the proposed amendments to the Land Use Regulations. We feel that they represent a sound step forward in the management of the Yukon's natural resources.

This Society feels that one of the Yukon's major legislative needs is to provide some control over the various activities that are capable of significantly affecting the land of the entire Yukon and the life dependent on it. We therefore wholeheartedly endorse the major theme of these amendments, which is to include the previously unprotected one-third of the Yukon into a land management zone. This will mean that at least a little thought will have to be given to the impact of potential land use operations in the central Yukon, something that has not been necessary to date.

It must be understood that these regulations merely permit a land use operation. They do not ensure that land use will be well planned and wisely carried out. All they do is minimize the adverse effects of the present unplanned developments until solid planning for the best uses of any given area has been completed.

The proposed amendments do not even do this as well as they should, since the assessment of environmental impact is done through the "intuition" of an inspector or engineer and not through environmental impact studies with an opportunity for public involvement, even for major projects.

It is well known that virtually all the hard rock mining and exploration carried on in the Yukon is by and large corporations and their subsidiaries. The regulations apply equally to individuals and to corporations. However, the corporation's employees are not individually responsible for anything that the corporation does, therefore it is the corporation and not the employee who must take the blame for anything done in violation of the regulations.

Corporations earn profits. They will try to lower their costs at every opportunity and instruct their employees accordingly. It is fair to say that pollution and damage save a company money in the short run, since it is cheaper to make a mess than to clean it up. The regulations may not be necessary for individual, independent Yukon prospectors, but they are absolutely necessary for corporations.

Even the minimal controls provided by these amendments to the regulations are undermined by certain exemptions in them. Worst is the section allowing anything to be done while looking for minerals. This is a backward step which releases from control, all the various aspects of prospecting such as the construction of access trails, trenching and so on.

Although many people may think that road and trail construction has little or no environmental impact, most biologists would agree -- as brought out very recently at the Berger pipeline inquiry, that roads can have very serious impact on the natural movement patterns of animals, than the more concentrated ac-

tivities such as mining.

The point that has been made recently at the Berger Inquiry is in connection with the Dempster Highway, and it is the opinion of most biologists the Dempster Highway is doing far more damage to the caribou than any pipeline could do.

To continue. Because they put permanent scars on the land and open this land up to uncontrolled private use, roads can have an enormous effect on other land uses as well. This does not mean that the Society opposes road construction as such, instead we urge that road construction should be examined and planned at least as thoroughly as other activities.

Since the intent of the regulations is simply to suppress unnecessary damage to the environment, and not to discourage or delay development; and since the Chamber of Mines in their recent brief to you indicated that they "welcome environmental controls", written for this purpose, there should be no opposition to eliminating these exemptions for mining and prospecting as recommended below.

Although the exemptions in other sub-sections of the proposed regulations appear to have less serious implications, they serve no apparent purpose except to weaken the regulations and we urge their deletion. In some respects, the proposed Class B permits increases the scope of operations to be regulated, while in other cases it excludes operations that would have been covered before. This is possibly a fair compromise to avoid delaying minor projects with little impact and we support these proposals.

Elsewhere, the proposed amendments appear to weaken the existing regulations, notably by the addition of the phrase "unless otherwise specified in a permit". We agree with the Chamber of Mines that this gives the engineer excessive discretionary power, and as explained below, recommend that this be deleted except in a very few instances.

We also agree with the Chamber of Mines brief in their recommendations numbered 18 and 28. However, we feel that their proposed rezoning of the Yukon is unrealistic, since the regulations provide only a minimum amount of protection for any part of the natural environment, there should be no objection by the Chamber to their application over the entire Territory.

The Chamber's other proposed amendments are designed to reduce the effective protection of the Yukon environment with the only benefit being a slight increase in convenience to the mining industry. Although we have not done a detailed study of the proposed amendments, it is clear that any weakening of the existing regulations will be to the long term detriment of Yukoners.

More specifically, we recommend that the Yukon Legislature consider the following:

(1) That the land management zones be extended as in the proposed amendments. Land management is analogous to game management provisions recently approved by this House, in that different parts of the Yukon need different protection. However, the Chamber of mines proposal to divide the Territory along a line of latitude, into an arctic and non-arctic sub-zone, is wholly inadequate and invalid. This is because discontinuous permafrost occurs over most of

the southern and central Yukon.

Secondly, regeneration is slow in all cold regions, including the sub-arctic since it varies greatly with the substrate and plants and animals involved, and finally because alpine areas, marshes and so on in the southern Yukon, may be just as fragile as the arctic tundra.

(2) That the other regulations in the October 20, 1975 draft be adopted as proposed but with the deletion of the section exempting exploration in other land uses, there is an error there. Other specific proposed amendments we would like to see considered are attached as Appendix A

(3) That the Government of Canada amend the Territorial Lands Act so as to remove the exemption for work on a mineral claim from the application of the Territorial Lands Use Regulations.

(4) That the Lands Use Advisory Committee, which has no legal status, be granted power to hold hearings on major land use operations in the same manner as the Territorial Water Board.

Thank you.

That concludes the brief. I would like to draw the attention of the Council to Appendix A, which contains the detailed amendments that the Society proposes to the legislature for their consideration.

Thank you.

**Mr. Chairman:** Thank you, Mr. McCandliss. Are there any questions for the witness?  
Mrs Whyard?

**Hon. Mrs. Whyard:** It would be helpful to me if the members agree, to take this Appendix and work our way through the sections to which they apply. If we do it without Mr. McCandliss, we may have to go back for some answers.

**Mr. Chairman:** Is that Committee's wishes?

**Some Members:** Agreed.

Would you proceed, Mr. McCandliss?

**Mr. McCandliss:** Appendix A:

(1) In Section 2, in the definition of a "Class B Permit", that the following changes be made: in part (a) reduce 100 pounds to 50 pounds". The existing regulations require a permit for the use of 50 pounds in any one day. This at least should be retained, and in part (d), delete the phrase, "by more than two people". In a fragile area, a camp by even one or two people established over a two month period can cause damage lasting many years or even decades. The old regulations required a permit for any camp of over 200 days.

(2) Delete Section 3, sub (1) and renumber 3 sub (2) as 3 sub (1). That would mean, in effect, to delete all the exemptions under sub (1).

(3) In Section 6—

**Mr. Chairman:** Excuse me, Mr. McCandliss.

**Hon. Mrs. Whyard:** Could you just wait a minute

while we make these changes in our own copies, Mr. Chairman?

**Mr. McCandliss:** In Section 6, delete the phrase "other than rock trenching". This activity, especially as defined in these regulations, can cause damage as objectionable and dangerous as any other type of excavation, and restoration following completion of the appropriate tests or subsequent operations is just as important.

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

**Ms. Millard:** Mr. Chairman, could we have some explanation of what rock trenching is?

**Mr. McCandliss:** Mr. Chairman, trenching means drilling holes either with a small gasoline operated portable drill or by hand, and loading them with explosives, blasting the rock, removing the blasted rock and continuing this operation so as to make an actual hole in the rock, or it could—and it may include also, as well, removing the surface soil down to bedrock and then blasting.

(4) For Sections 9 sub (1), sub (a) and 12 sub (1), delete the phrase "unless otherwise specified" in the permit. It may be necessary to retain this for Section 9 sub (1) sub (b).

(5) Section 16 sub (2) should be tightened so that the damage resulting from the emergency operation is not greater than that which would have resulted from the emergency itself, a not unusual situation in the case of small fires and so on.

(6) In section 18 sub (1), and 18 sub (2), "may" should be replaced with the word "shall", at least for Class A permits. If the engineer does not have these data, he will not be able to assess the impact of an operation.

(7) In section 18 sub (4), we agree that the applicant should be given a copy of the Inspector's report on request, and further consider that it should be made available to any member of the public on request.

(8) In section 19, the time limits should be extended, at least for major projects. It is surely not unreasonable that a project involving \$100,000.00 or more should be planned and have an application made a year in advance, so that some impact studies and comment can be obtained. Perhaps these should require another class of permit, but within the context of the present proposed revision, this could be achieved by adding a sub-section between the proposed 19 sub (2) and 19 sub (3), to the effect "Notwithstanding sub-sections 19 sub (1) and 19 sub (2), an application for any land use operation involving over \$100,000.00 in expenditures should be made 12 months prior to the proposed start of the project, and the engineer shall issue a permit or refuse to do so and notify the applicant of his reasons for such refusal within 10 months of the acceptance of the application, following an environmental impact assessment and an opportunity for public comment on it".

Provision could also be made here requiring a review of such applications by an independent Land use Advisory Committee, improving and giving a legal basis to the existing Water Board for the land based

resources.

(9) Add to section 20, the engineer shall cause to be published in the major news media of the Territory of his jurisdiction, about the beginning of each month, a list of the permits granted or rejected during the preceding months, or still pending at its end, including the names of the applicants, type and location of land use operations, and the status of permit for each.

That concludes the Appendix A to the brief.

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

Are there further questions for the witness? Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, I wonder if Mr. McCandliss could clarify for me because I haven't quite grasped the time frame here, in your proposal for Section 19, to extend time limits on any project over a hundred thousand.

They make application a year in advance, and then the engineer shall issue a permit or refuse to do so within ten months of the acceptance of the application, you mean of receipt of it, or what do you mean by acceptance of the application?

**Mr. McCandliss:** I expect that should be receipt of the application.

**Mr. Chairman:** Mrs. Whyard?  
You are not clear yet?

**Hon. Mrs. Whyard:** Well, Mr. Chairman, I am just trying to ensure that upon receipt of the application, there will be either acceptance or rejection, but not another 10 months following that before the applicant who has already got a year's advance on his application, has to wait for action.

Maybe it's only me that's confused, Mr. Chairman.

**Hon. Mr. Lang:** No, I'm confused too.

**Mr. Chairman:** I agree.

What was the intent, Mr. McCandliss?

**Mr. McCandliss:** If a corporation intends to expend in excess of \$100,000.00 on any piece of public Yukon land, that is that could be considered a land use operation, we are proposing that they apply a year ahead of time, so that the anticipated effects, so that the possible effects of this operation can be determined, and a decision made, and then the applicant could be advised about that decision not later than 10 months after the application.

**Mr. Chairman:** Are we to conclude, Mr. McCandliss then, that there is a one year period followed by a ten month period?

**Mr. McCandliss:** No. The ten months is included within the 12 months.

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

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

**Hon. Mrs. Whyard:** What we are saying then is that the company makes its application, and two months later they find out whether or not they are going to go ahead next year? You are giving them ten months' notice in effect?

**Mr. McCandliss:** Yes, it is the other way around. They apply 12 months ahead of the date which they want to start work.

**Hon. Mrs. Whyard:** Yes.

**Mr. McCandliss:** They want to start breaking ground.

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

**Mr. McCandliss:** The government may delay up to ten months if necessary, in granting them permission to proceed.

This may be necessary for complete ecological studies of the damage that may ensue from the land use operation.

**Hon. Mrs. Whyard:** So, Mr. Chairman—

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

**Hon. Mrs. Whyard:** —if I just make it clear in my own mind, the corporation applies in May for a project which is going to start the following May, and it could be the end of, it could be March of the following year before they know whether or not they are starting that project in May?

**Mr. McCandliss:** Yes.

**Hon. Mrs. Whyard:** You are only giving them two months' lead time, Mr. Chairman, on a project of a hundred thousand dollars?

**Mr. McCandliss:** It's not a question of months, you know, it's a question of seasons in the sense that it may take a full summer season to estimate the impact, and then a winter to analyze the data. It's possible that ten months will be needed.

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

**Hon. Mr. Taylor:** Mr. Chairman, I believe Mr. McCandliss is aware, of course, as a geologist with the mining industry, and it's intended then that where the programs, for instance for next summer are now being formulated by corporations, particularly in the exploration fields, these are programs that could run anywhere from a hundred thousand dollars to in some instances a million dollars a year in the Yukon, that no longer will they be able to forecast the programs now in November, December and January for the ensuing summer, that they will have to forecast them a further year ahead. Is this correct?

**Mr. McCandliss:** If the mining industry came under the control of these Land Use Regulations, that would be correct.

Hon. Mr. Taylor: Thank you.

Mr. Chairman: Carry on.

Mr. McCandliss: The situation here is that—the position we are trying to take is that the trust must lie with the government, and not industry. That if the industry is going to expand their drilling program on a property where they have done some and next year they want to go back and do more, and the government wants a year's lead time, the government has a pretty good idea of what they are going to do next year, and that the full ten months may not be used.

But the trust has to lie with the government, that they may require ten months.

Hon. Mr. Taylor: Fine, Mr. Chairman.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, going a little further in that section, the reason for this request, or the time available for the impact study, is obvious, but then we see "and an opportunity for public comment on this". I wonder if Mr. McCandliss could explain how he visualizes this being done?

Mr. McCandliss: This ties in with our recommendation that the Lands Use Advisory Committee be given some legal status, and operate in an analagous manner to the Water Board.

Mr. Chairman: Mr. McCandliss, am I to understand that if a company has a major undertaking, and they have one year of exploration work underway, and at which time they wish to enlarge their operation, they again have to wait another year while the environmental studies are done? In other words, they are working at two year intervals? Would that be the effect of what you are proposing?

Mr. McCandliss: Oh, I would say that if they are operating in a given area, and they have made expenditure there, that whether or not a new permit required, or they can modify the existing one, it's really an administrative problem, and the society wouldn't feel competent to sort of advise as to when a permit should be renewed or revised, or whether a completely new application should be made.

Mr. Chairman: Would it not require a revision or a new permit for them to enlarge their enterprise, in which case it would be again subject to the year's review?

Mr. McCandliss: I'm not sure that I can answer that, in the sense that we didn't ourselves come to grips with that problem.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: I wonder if Mr. McCandliss then is saying that these restrictions would apply to new operations only?

Mr. McCandliss: I think that --

Hon. Mrs. Whyard: On ongoing development?

Mr. McCandliss: -- is the intent of the Society, yes.

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

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Thank you, Mr. Chairman.

I have one question. It is from page 4 on your general comments, and I'm referring to specifically your first recommendation that the land management zones be extended as in the proposed amendments. You are using the plural zones, and I take it you are referring to the two zones, one for the Yukon Territory, and one for the Northwest Territories?

That's my question at this point.

Mr. McCandliss: Mr. Chairman, perhaps I should apologize for the language of this clause. The idea is -- of the amendments, is that the whole of the Yukon shall be a land management zone, and we support that. We feel that the existing land management zone or zones, the concept of zone should be extended to cover the whole Territory.

This is what the amendments propose, this is what we agree with.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Further to that, that same area, then reading further in your recommendations, I can't help but feel that you have certain areas that you feel should be a different zone. If you go down to "the Chamber of Mines proposal to divide the Territory along the line of latitude into arctic and non-arctic sub-zones", you are almost implying that further zoning is required, but not on a latitude basis.

Mr. McCandliss: The -- we support the concept, as does the Chamber of Mines, that the land use operations, and the permits for land use operations, should be site specific, so that the same rules apply throughout the Territory.

Because it's very hard to generalize about the physiography of the Yukon on the basis of something to the north, and something to the south, because there are other variables as discussed here.

I can't say much more than that on it.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, I have a general question, and I'm wondering if our witness today has had experience recently in the Northwest Territories where these existing Land Use Regulations apply, and if he feels that they are sufficient in their current form, and if they are being-you know, if they are being employed in such a manner as to keep the industry going over in the Northwest Territories?



**Mr. McCandliss:** I have not worked as a geologist in the Northwest Territories. I have not been there, as a matter of fact, so I really am not competent to say one way or the other.

**Hon. Mr. Taylor:** Okay.

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

**Hon. Mrs. Whyard:** Mr. Chairman, it's an intriguing suggestion that the Land Use Advisory Committee should be established to operate in the same way as the Territorial Water Board, and I would like a little more background on that, if Mr. McCandliss wouldn't mind.

Would he, for example, from this brief, endorse the recommendation that only developments of a hundred thousand or more in value would go before that Board? What would be the scope of the hearings?

**Mr. McCandliss:** I think that that's the general intent of the Society's brief, 100,000, but that figure, it's sometimes dangerous to reduce everything to dollars. You miss a lot, you know, and there are some operations which are very expensive and do no damage, or virtually none, such as oil, very deep oil exploration hole could cost a million dollars or a more for a few acres, and others which could do a lot of damage over a wide area at a relatively low cost.

It would take—it's something probably that Ottawa or this Assembly, or preferably both, should decide that there are certain types of Land Use Operations which should come under control of a board which operates publicly, to which the public can appeal, pro or con, and given a development or land use operation, but as to whether it should be a hundred thousand or not, I don't know, but I think that that's a reasonable ball park figure.

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

**Mr. Chairman:** Thank you, Mr. McCandliss, for your presentation this afternoon.

Is it the wish of Committee that we proceed at this time with further consideration of the Land Use Regulations, or do they wish time to digest the two briefs that have been presented to us?

**Mr. Taylor:**

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

Perhaps inasmuch as we will be sitting on Monday, perhaps we could have the weekend to consider the two briefs and time to prepare, if necessary, presentations in respect of this question.

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

**Mr. Berger:** I just wanted to say exactly the same thing as Mr. Taylor.

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

**Hon. Mr. Lang:** I see Mr. Ogilvie in the gallery there. I am just curious to hear what his comments are on what the Yukon Conservation Society has presen-

ted.

**Mr. Chariman:** I think there must be some limitation, there must be some limitation on how often we call these witnesses back and we could go on indefinitely. If you care to ask him on your own, you are perfectly free to do so.

**Hon. Mr. Lang:** Okay, fine, I just thought some other members would like to hear what he says.

**Mr. Chairman:** What is the wish of Committee?

**Mr. McCall:** Mr. Chairman, I think we have already given the opportunity to the witness to appear in front of this Committee. I don't think it should start going around this table all the time.

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

**Some Members:** Agreed.

**Mr. Chairman:** Then are you agreed with Mr. Taylor's suggestion that we defer this until Monday?

**Some Members:** Agreed.

**Mr. Chariman:** We will now proceed with Motion Number 7.

Motion Number 7

Motion Number 7, moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Porter Creek, that the number of single trip permits as presently allowed under the regulations of the Motor Vehicle Ordinance, in Commissioner's order 1974-22, Schedule 2 (4) (b), be limited to two permits per vehicle per year.

**Mr. Lengerke?**

**Mr. Lengerke:** Yes, Mr. Chairman. I need my seconder here.

What I want to relate to the House is that you will recall that we did have a witness, a Transportation Association witness, and the Transportation Association have requested more time. They would like to present a brief outlining a number of amendments, and because of that, and because certainly there are more ramifications to some of the amendments than what we thought, I would like to ask the seconder if he would agree to withdraw that Motion at this time?

**Hon. Mr. Lang:** Yes, I will withdraw my second, Mr. Chairman.

**Mr. Chairman:** Is that the concurrence of the House?

**Some Members:** Agreed.

**Mr. Chairman:** We will proceed with Sessional Paper Number 6, the Arctic Winter Games.

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

**Hon. Mr. Taylor:** I think I would direct the most obvious question first, perhaps to the Honourable Minister of Education under whose budget this item would appear. Quite simply, will we and have we got the money for this program?

**Hon. Mr. Lang:** Mr. Chairman my understanding is this, with regards to money, and I realize it is a great deal of money, is that we will be asking for a supplementary, as it shows in here for the Arctic Winter Games, we will have the money, yes.

**Mr. Chairman:** I understand, Mr. Lang we will therefore be requesting supplementary funding in the forth coming budget?

**Hon. Mr. Lang:** Yes.

**Mr. Chairman:** That is so?

**Hon. Mr. Lang:** Yes.

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

**Mr. McIntyre:** It seems to me Mr. Chairman, that the amount of money that the Territorial Government is agreeing to supply out of their own monies has just about doubled since it was first discussed last spring. I am wondering, at the budget session next year when we are going to turn down requests, probably for day care and several education programs that are in effect now, that may be dropped next year, how are we going to justify to the people of the Yukon our support of the Arctic Winter Games, which really only effect athletes in the Whitehorse area. I just don't see how to justify it.

**Hon. Mr. Lang:** That is a very good question, Mr. McIntyre. I hope you realize the position of the Y.T.G. in regards to the Arctic Winter Games. We had some indications that there was a possibly of fundings from the federal government. We had to make a commitment one way or the other. We, as you know, the Yukon questioned very, very hard the inclusion of Arctic Quebec into the Arctic Winter Games and also, you know, that the Yukon was wondering why they couldn't raise the time period for these games, in other words, from two to three or four year periods.

Mr. Chairman, we made that decision to go with the Arctic Winter Games and I realize the monies, I was under the impression that we were going to get some funding to some extent from the federal government and that turned out to be not so.

In our estimation at the time we made the decision to go with the Arctic Winter Games. We felt that we had to complete the cycle since Arctic Quebec did come to Anchorage and did come to whitehorse and we felt that we, as a jurisdiction had to compliment what they had done in participating with us in the previous Arctic Winter Games.

I personally think that we should carry on with the Arctic Winter Games for this one last time. We are going to have an evaluation done by the Arctic Winter Games Corporation and our own chef de mission will

be looking and taking a very hard scrutiny of it. I agree with the Member that we are going to be going into the next budget session, quite conceivably looking at some substantial cuts, but I think that socially and politically as far as the rest of Canada is concerned, I think it is up to us to participate, the rest of Canada, I know that the federal government from all appearances looks -- seems to be a pre-game warm up to the forth coming Olympics.

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

**Ms. Millard:** Yes, Mr. Chairman I would like to register my objections to this transportation cost of \$82,160.00 simply to transport a few athletes from here to Arctic Quebec for a few days, within the time period which is mentioned in the present restraints, before the end of this fiscal year. How is this going to sit with people as the Honourable Member from Mayo has said, there will be programs which will obviously be cancelled which are now very important to the people, especially in the smaller communities.

I don't think it is going to sit very well. Has the Honourable Minister actually looked into this, since the restraints which were place on us yesterday, and is there any consideration of cutting down the number of people who are going?

Is that possible or simply looking at it very seriously as to throwing the whole thing out?

**Hon. Mr. Lang:** Well, there is no way they are cutting down the people going, Mr. Chairman, they cut it down to begin with, and the idea is that one 727 will be transporting the 232 participants.

I just think myself personally, I think we are morally obligated to carry on with this one last time of the Arctic Winter Games, and assess where we are at. It's up to the Members around this House to decide whether or not they want the Arctic Winter Games to continue.

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

**Hon. Mrs. Whyard:** Mr. Chairman, I think we all realize that we are too far into this program to dump it at this stage. We have had scores of young athletes from every part of the Territory I can think of who have organized sports, competing for positions on Yukon teams and looking forward with great anticipation and pride to representing the Yukon in their own particular fields.

I think we all have to admit that the truth of this matter is that the whole thing has grown out of hand like Topsy. The original concept of the Arctic Winter Games was a very attractive one, and it was to benefit the Yukon and the Northwest Territories and Alaska and their athletes, who found very little opportunity to bring their competition level up to a standard where they could compete outside with athletes who had so many more advantages than our northern youngsters have, because of climate and various other reasons.

But now it has been enlarged to such a scope that we can't afford it any more. I think we have to face that fact, and as the Honourable Member has said, this

matter is going to be very carefully scrutinized, and he has already referred to these as probably the last Arctic Winter Games.

**Mr. Chairman:** I would like to turn the Chair over to Mr. McCall.

(Mr. McCall takes Chair)

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

**Mr. Hibberd:** Mr. Taylor wishes to speak.

**Mr. Chairman:** I'm sorry, Mr. Taylor, you had a question for us?

**Hon. Mr. Taylor:** Well, I think the Honourable Member from Whitehorse West has described what I was -- basically what my thoughts were. I agree that it's unfortunate that when we talk about cutting programs, that everybody looks at the people oriented programs, unfortunately, that's been my experience in the House. Anything that directly affects the people, from community club grants to this type of thing, recreational items, they go ahead of any government programs as you will note.

But, yes, I think we are all very, very proud of our young athletes, and I think that even this year, and if it is the decision of the government to continue, that we should take into account the suggestions or the inferences made by the Honourable Member from Mayo, which are quite true, that there are an awful lot of disappointed young people in the Territory, because that the participants who go and participate in all these winter games, generally come from the Whitehorse area, and perhaps the reason for that, is that the play-downs and so forth that are held to establish who goes and who doesn't, are held in Whitehorse, and even at the local level, it is often beyond the capabilities of people in the outlying districts, both in time and money to get into participate in these things.

One good example is hockey. If you were living outside of Whitehorse, you can't be part of a team, because you can't be here for practices, and this type of thing, so there are certain difficulties with this.

Perhaps in some areas of contests, this could be overcome. I just rise, Mr. Chairman, to make the point that it always seems that when we talk about curtailing programs, and I do believe this has really got to be looked at it, it is getting too expensive and perhaps we don't have the money, but I would just like to raise the point as well that it seems every time that anybody wants to chop any money, it's on the people's side of this operation, and those things which are directly people oriented.

But I concur generally with the remarks made by the Member from Whitehorse West.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Yes, Mr. Chairman. I notice Sessional Paper Number 6 is not signed by the Commissioner. I wouldn't sign it either if I were him.

I really must sympathize with the Honourable Member from Porter Creek. We get into a trap, and this is what the Arctic Winter Games is, is a trap. It's been continually increasing in costs, not that the concept is a trap, but the costs have just been creeping up every year, and the commitments that the federal government made when the Arctic Winter Games' concept began, they have been pulling out of, and of course, the Arctic Winter Games' concept itself has been growing.

I was quite surprised that we weren't going to Greenland in 1978.

**A Member:** I agree.

**Mrs. Whyard:** I would like to go to Greenland.

**Mrs. Watson:** So I don't think we can blame the government, and I just don't think that we can blame the Honourable Member from Porter Creek. I think we have to assess and say enough is enough for the future.

I think the Yukon would come forward if we backed out at this stage of the game. I don't think it would be fair to our athletes, nor to the Yukon's image itself, so I think we have to go through with it, and the basic thing is that the feds last time picked up the lion's share of the transportation costs.

This time they are picking up the lion's share, the capital expenditure involved in making Chevreuille capable of handling the Arctic Winter Games. Let's be honest, this is what's happened, so I think we are going to have to come out of this Committee with some very strong guidelines that we can give to our Executive Committee Member who is in charge of recreation and sports, whether in fact when he goes to the Arctic Winter Games, if there's a seat for him, or when the evaluation is made --

**Mr. Chairman:** Order.

**Mrs. Watson:** -- that he must know that the Yukon --

**Mr. Hibberd:** He can go, he plays the bagpipes.

**Mr. Chairman:** Order, Mr. Hibberd.

**Mrs. Watson:** He must know what the representatives of the people of the Territory are prepared to accept as costs for this type of athletic venture. I think this is the direction he is looking for now.

**Mr. Chairman:** Mr. Lengerke?

**Mr. Lengerke:** Yes, Mr. Chairman, not too much to say on this, other than the fact that I believe that--or I understand we have a very binding contract with the Yukon Sports Federation in this regard. We certainly have a commitment to the athletes, and I know that--I see the federal withdrawal of assistance again, and I would just like to ask this: Have we really exhausted all the attempts to secure even a portion of that funding? I think in view of what the Honourable Member from Kluane has said about the federal government funding the site, I think we should make a strong

representation again from this House and let's see if we can secure some more funding.

Even if the attempt fails, we are going to carry on with this, I am sure. I am in support of it, but let's take another stab at it.

Mr. Chariman: Do you wish to comment, Mr. Lang?

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

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: From all appearances, I would say that we have exhausted every alley there is for the availability of monies. We made the approach to the Minister of Indian Affairs and Northern Development, and he subsequently sent it to the Minister of Health and Welfare, who is in charge of sports for Canada.

I personally not being an expert on the world of economy in Canada, and looking at our national deficit I don't think anybody is an expert, and looking at the news last night in regards to the federal government looking, apparently looking for a two billion dollar cut-back, not two billion dollars to give away, I would say, Mr. Lengerke, that our chances are very, very slim. Unless you have some avenue you know of?

Mr. Chairman: Mr. Berger?

Mr. Berger: Thank you, Mr. Chairman.

I personally am against this type of games. I think that Canada has gone game crazy. I think that there is all sorts of games, but I think we are missing one aspect of the whole thing.

To go back into the Territory, and I'm agreeing with Mr. McIntyre, the Honourable Member from Mayo, that it's not to the benefit of the whole Territory, because for one simple reason. There's hardly any school outside of the Whitehorse area who has physical education teachers, and I think if you want to participate in anything, you need to have the know-how.

I have no qualms about it, to say right here and now, to turn this thing back again, because I think we would be much better off to spend the hundred thousand dollars to hire physical education teachers. That would be of much more benefit to our young people, than to send them some place to a game and they maybe come back, they maybe make 20 points or 30 points, which I am against in the first place, because I think they should go there to have a good time, to learn other people's habits and social life, and meet other people, not to go there to earn gold medals and stuff like this, which has absolutely no value.

I think our whole idea is going backwards. First we go into competition, and then when they come home, maybe we have enough money to hire physical education teachers, and maybe teach them something, so I have—like I say, I have no qualms about it, to cut this right now, irregardless of the commitments we have.

Mr. Chairman: Thank you, Mr. Berger, Mr. Hibberd?

Mr. Hibberd: Thank you, Mr. Chairman.

As Mr. Lengerke has said, your Department, I understand, has entered into contractual agreement with the Sports Federation to run the Yukon contingent to the Arctic Winter Games. I think that the Sports Federation in this undertaking, have gone to great efforts to include all parts of the Yukon.

I have been personally involved in the evolution of one particular sport that is going to be represented at the Games. We were told in no uncertain terms that we simply had to have representatives at least trying out, from all areas of the Yukon; if we didn't do it, we were out of luck, we can't go, so it is a total—they are taking that responsibility on and they are doing it.

Another thing as far as costs, we talk about escalating costs. We missed the point why we have got escalating costs in this situation. We have got escalating costs because we have got to transport all these athletes from Whitehorse, Yukon, to Schefferville. That's the basic increase in cost. They have cut the number of athletes to try and accommodate this situation, but it's that pure, one simple item, that is causing the tremendous increase in the costs.

I have to, with deference to what Mrs. Watson has said, I think I do have to blame it on the Minister, because he is responsible for what goes on in his department. I would refer, Mr. Minister, to your contractual obligations with the Sports Federation, and I have difficulty in some of the decisions that have been leaking out, in that you have been undermining your own contract with the Sports Federation.

They are having difficulty making decisions, because they are not getting the support of the department of which you represent.

Hon. Mr. Lang: Could you please explain a little further?

Mr. Hibberd: I can explain further, but I won't now.

Hon. Mr. Lang: Well, Mr. Chairman—

Mr. Chiarm: Mr. Lang?

Hon. Mr. Lang: —I appreciate the Honourable Member's comments, for bringing them to my attention, because my understanding,—the Yukon Sports Federation has hired the coordinator, the coordinator is working within the Department of Education, has taken a desk in the office of the Department of Education. We are accommodating him as best we can, at least to my knowledge, and if there are problems, I hope the Honourable Member will bring them to my attention.

Mr. Chairman: Thank you, Mr. Lang, Ms. Millard?

Mr. Hibberd: Just if I may, if I may conclude, I had waited until this paper—

Mr. Chairman: Yes, Ms. Millard?

Mr. Hibberd: —was before the Committee before I brought these things up. If you wish, I will bring them in the form of questions to you tomorrow.

**Mr. Chairman:** Thank you, Mr. Hibberd. Now, Ms. Millard?

**Ms. Millard:** Yes, Mr. Chairman, I am interested in the cost comparison. With the amount of money that is given to the Recreation and Amateur Sports Committee to be distributed amongst people in the Yukon, my objection is mainly that this money is going to be spent in one long splurge—well, not long, short splurge outside on a long trip, when I believe that the money is comparable to the amount of money that is spent in the whole Territory in a year, by the Recreation and Amateur Sports Committee.

Does the Minister have any details on how much money is distributed by that Committee?

**Mr. Chairman:** Does the Minister wish to comment on that point?

**Hon. Mr. Lang:** Yes, Mr. Speaker. I just got the resume out of the—

**Mr. Chairman:** Mr. Chairman, thank you.

**Hon. Mr. Lang:** Mr. Chairman, I just got the resume of the monies for the Sports Advisory Board and I can bring that to your attention, if you like.

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

**Mr. McIntyre:** Mr. Chairman, I hope the Minister of Education can assure us that when he is scraping around for money to send these athletes to Scheferville for the Arctic Winter Games, that he doesn't take it out of the pot for the kids of the Yukon that come up to Whitehorse to compete in the Polar Games next spring.

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

**Hon. Mr. Lang:** No, Mr. Speaker, this is not my intention.

I would also like to point out that the decision to take part in the Arctic Winter Games was made in approximately July, and it put the Yukon Sports Federation in a very, very bad situation in attempting to organize the athletes for the proposed Arctic Winter Games, and I would like to say that I commend the Yukon Sports Federation for taking this task on.

I also would like to say that if the decision was to be made whether or not we were to go into the Arctic Winter Games, it should have been made a hell of a lot sooner than July. I would like to say, Mr. Speaker, in taking the office in May, I was put in that position to make that decision, and I felt that we had to make this decision to go, in order to fulfill our commitment. I assure the Members here, as far as I am concerned, it is going to be very closely evaluated, maybe be cut back again to Yellowknife and Anchorage and Whitehorse. This may be an alternative, but I can assure you there will be an evaluation.

I also would like to point out that I think it shows the attempt of the Executive Committee to keep the

Honourable Members informed of what is happening within this government, because Mr. Chairman, if that was not the case, we could have quite conceivably left the Sessional Paper until February, and I welcome the remarks of the Members.

**Mr. Chairman:** Thank you, Mr. Lang. Mrs. Whyard? Do you wish to comment?

**Hon. Mrs. Whyard:** Oh well, Mr. Chairman, in view of the more recent remarks, mine is frivolous. I thought perhaps a little constructive debate would happen instead of what we have been doing up until now, and one of the Members asked if we had explored all avenues for financial assistance, and I was merely going to comment, Mr. Chairman, that perhaps we should rename them and call them the Arctic Olympics, and try it from there.

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

**Dr. Hibberd:** I neglected to mention previously, in terms of financing, one of the things that the Sport Federation has done, is they are making great efforts to raise money on their own, as I'm sure the Minister is aware. They are holding raffles, they are doing all sorts of things. They are doing their part, and these people are all volunteers. These are the Sports Federation themselves, not the athletes, they are all volunteers. They are working hard, they are giving their own time, they have their own jobs, but they are still doing all of this on a voluntary basis.

So really, there is a very positive contribution being made.

**Mr. Chairman:** Thank you, Mr. Hibberd. Mr. Fleming, do you wish to comment?

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

I was listening to the comments around the table, and of course at one time I was a very strong advocate of Winter Games or any other games, of course for our young people I always have been.

I find that over a period of years, these things do develop into something that costs us thousands and thousands of dollars, when actually to start with they were meant to be a competitive sport, and I really feel sorry for the Minister of Education at the moment. I know he is in a bit of a bind because of the commitments we have made, possibly from some other -- somebody else, but I feel that if we have a commitment, we must try and meet that commitment.

I don't know, I would consider any way I could, I thought of, but I can't think of anything just to raise money right at the moment. I think if we do have a commitment, let's meet that commitment, but I would say this, that maybe in the future when something like this comes up, or even now, we think a little bit about what's happening, or going to happen to something that we put ourselves into, and possibly, I heard a few members say that maybe some more money should be spent at home here, rather than to get involved in where you will in time have to spend money to go to these things.

So think about spending it in the Yukon more, and maybe coming up with one good athlete to send to operations such as this, instead of trying to send a whole big group of athletes. They can still have their fun in the sports, they don't all have to go to the top, because they are not all going to get there.

Sport is something that they all should be into, right from the beginning, so I think maybe we should just look at it that way and say, let's stay home. We have this commitment to make, I know, but in the future let's all sit down and look at it and say no, we will have our money spent at home.

Maybe you would do more good with it.

Mr. Chairman; Mrs. Watson?

Mrs. Watson: Mr. Chairman, very briefly, I am very glad that the Honourable Member from Whitehorse West, I believe it is, drew the attention of the Committee to the fact that some of the athletes, the athletes themselves are raising money, and number two, the government of the Territory will pay half of the costs.

I believe the athletes are raising the rest of it themselves, to a maximum of \$16,000.00, which is quite a large undertaking. So we must take this into consideration, but I am more concerned with the future. I mean, what's happened today, I don't think the Minister of education could have got out of it at all. The commitment was made by the government, I am sure, two years ago, the fact that the evaluations were done after the Anchorage Games, and I might say I wasn't very happy with the method that was used at the evaluation.

Because the Arctic Winter Games Corporation carried on the evaluation, and I don't know whether the Committee here are aware that the corporation that the Government of the Territory pays \$7,500.00 every year to keep the Arctic Winter Games Corporation going. These are ongoing, as long as we are part of these Games, we have made this commitment.

The evaluations were made after the Anchorage Games, and they were conducted by the Corporation. I like what is said in the last statement: "In addition, we will be conducting a similar exercise within the Yukon. The evaluation will be conducted by both government and non-government staff", and I think it would assist the government if we could come forward with some type of a Motion, so that they would know they have some political strength before they make a final decision on the future of the Arctic Winter Games, and I'm quite prepared to endeavour to introduce a Motion tomorrow.

I would like to hear some more feedback on it.

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

Mr. Lengerke: Thank you, Mr. Chairman. I think the Honourable Member from Kluane covered my comments again, other than the fact that the Honourable Minister said if I had some other ideas about funding, and I'm sure my ideas are not going to be unique in any shape or form. I would suggest, I would like to make a motion on this topic right now, on this point right now, that this Assembly does send a telegram to the Minister of Indian Affairs and Nor-

thern Development, requesting that he reassess this situation with respect to this funding.

Also, I would like to suggest that we ask our newly appointed Senator, Senator Paul Lucier, to maybe carry the ball for us in this plea as well. The Senator is a member of the Canada Sports Federation, and there may be some ideas that he may be able to help us with as well.

Mr. Hibberd: Mr. Chairman?

Mr. Chairman: Mr. Hibberd?

Mr. Hibberd: Thank you, Mr. Chairman.

I think the remarks from Mrs. Watson were quite interesting regarding the evaluation undertaken by the Arctic Winter Games Corporation after the last Games.

I made two recommendations after coming back from the Games. One was that they delete senior basketball from the games, they should leave it to the kids. They are having senior basketball.

The other recommendation I had is that they include a team doctor, I got pretty tired over there. They are going to send one.

I think we have to remember what the spirit of the Games is all about. This is an Arctic Winter Games where jurisdictions of -- like jurisdictions can compete with each other on a similar level. We go south, we get slaughtered. On this level of competition we have a chance. It is an Olympic competition, if you like, and I think this is what the spirit of the games are all about, and I think this is an important thing to keep in mind when you are considering what our commitments are and what you are going to do about those commitments.

I would also like to point out, or remind Members of the Assembly, that we talk about keeping the money at home. Every one of these sports that is represented at the Arctic Winter Games has trials and usually more than one trial, that takes place somewhere in the Yukon, and all the Yukon athletes that want to participate in them, have the opportunity to do so, and they have their expenses paid, to go to the centre where those trials are. Now that's pretty good for Yukon competition.

Hon. Mr. Taylor: Mr. Chairman?

Mr. Chairman: Yes, Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, on -- just on a point of order. I note that in debate recently that some members have suggested proposing a Motion at this time. I just wonder if it might not be better to propose such a Motion under Orders of the Day, rather than get into the recess and the usual hassle that comes in preparation?

Mr. Chairman: I am already aware of the Motion, Mr. Taylor, where the Honourable Member has decided to consider that.

Hon. Mr. Taylor: Yes, just on a point of order.

Mr. Chairman: Minister for Local Government?

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Hon. Mr. McKinnon: Mr. Chairman, I must say how much I appreciate the Honourable Member for Whitehorse South Centre's remarks, because I just can't believe the negativism and the pessimism that is put out around this table this afternoon on a concept that only a few short years ago, the people of the Yukon, and the Members of the Yukon Legislative Assembly were completely and totally behind, and that concept remains, Mr. Chairman. It might just be a little bit out of hand at this time.

I started working on the Arctic Winter Games' concept when there was maybe two or three, in the total of the north, Alaska, and Northwest Territories and the Yukon believed in it. We worked our butts off from about 1966 getting the first one in operation in Yellowknife.

There were hard headed realists who were putting it together, and I don't think that anyone who either attended, participated, or was involved in any way in the total community activity in Yellowknife in 1970, which I had the honour to be the first President of the International Arctic Winter Games' Corporation, or in 1972 with the absolute success of the same program in Whitehorse.

I don't think there was a member of the Community, in Alaska, the Northwest Territories, or the Yukon, that wasn't completely and absolutely and unequivocally behind the concept and the actual staging of the Arctic Winter Games.

Now, there's a few hard times and a few problems, and it's gotten a little out of hand. The politicians are just willing to close the tent doors and sneak quietly away.

The concept was good in 1970, which it was, in 1972, it's good in '74 and '76, and it's up to this Assembly, and these people to get it back on the rails and get it back into reality, instead of sitting here and knocking the decision and knocking the Minister of Education for being involved in the Arctic Winter Games. He has no choice, the choice is every bit as much mine and the Honourable Member for Health, Welfare and Rehabilitation and your choice too.

The first jurisdiction that drops out of it, that's the end of the Arctic Winter Games, and if the Yukon, after entering into a contractual obligation wants to renege on them, then you make the choice. I'll sure as hell vote against it, I know that for a fact.

Mr. Chairman, when I left the Presidency of the Arctic Winter Games Corporation, I thought that there should be new blood in that brought about new ideas, but little did I realize that the new ideas would be so far as to even think in the wildest imagination, that some day we would be transporting athletes right across the roof of Canada to a place called Schefferville, Quebec, which I didn't even know existed, and maybe didn't even exist in those days, to have this type of competition.

Please don't lose sight of the original basis of it. Please don't lose sight of the absolute success it was for everybody concerned in Yellowknife, and in Whitehorse. We do have ties, we do have commitments, we do have similarities. We do have a good time when people from the Yukon, Alaska and the Northwest Territories get together. So instead of sit-

ting around here and nit-picking and taking the thing apart, let's get it back on the rails again in a proper manner, so that the people of these three jurisdictions that share such a common destiny and so much in common, can get back to enjoying what was one of the best athletic and cultural and social events, because the politicians and the bureaucrats and the big shots weren't involved in it at all, and it was for the athletes, and it was for the peoples of the three communities, and we could get back to that concept again, if everybody around this table is willing to get it back on the rails again, instead of this kind of exercise as I see around the table this afternoon, which I am pretty disappointed in, to tell you the truth.

Thank you, Mr. Chairman.

Mr. Chairman: Thank you, Mr. McKinnon.

Any further discussion? If there is no further discussion, I would like to hand this back to the Chairman of Committees.

(Dr. Hibberd Resumes Chair)

Mr. Chairman: Mr. McCall, what do we do with the motion proposed, or was that dropped? Okay, fine.

**Motion Number 12**

We will proceed with Motion Number 12, Historic Sites. I would ask that Mr. Gillespie be brought in as a witness.

We will have a brief recess until the witness is here.

**Recess**

Mr. Chairman: I will now call this Committee to order.

We have for discussion, matters relevant to the Historic Sites and Monuments Board, and we have Mr. Peter Gillespie present with us as a witness this afternoon.

Are there questions for the witness? Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, it came to me as quite a surprise a couple of days ago, that it was reported apparently, in the media, and I didn't hear it there, but it was reported to me in the House that our Historic Sites and Monument Board is no longer. Certainly I would like to know if (a) if this is indeed correct, and (b) inasmuch as I have always considered this a very important board, the reasons why it has been disbanded.

Mr. Chairman: Mr. Gillespie?

Mr. Gillespie: Mr. Chairman, at the spring session of Council, the Historic Sites and Monuments' Board Ordinance was amended to increase the membership from 10 to 15, to allow the -- for 12 nominations from the Members of this Assembly.

These nominations were obtained. The appointments though were not made on the basis of these nominations. I want to make it very clear though, that in spite of the fact that the appointments have not been made, the Board is not and has not been disbanded.

I would like to elaborate on that if I may, to explain exactly what's happened, and I appreciate this opportunity to do that.

About the time that this matter came up at the spring session, work was started on a Parks Ordinance, which was to incorporate the prospect of both conservation and recreation parks, and historic parks and sites. It appeared then that substantial amendments might have to be made to the Historic Sites and Monuments Ordinance.

I personally felt at that time that it would be wrong to appoint the Board, when we were contemplating serious changes to its role. The appointments would turn out to have been made on a wrong pretext, and we couldn't then enlighten the members on just what those changes might be, because we hadn't yet had time to develop them.

This then brought us into the summer months when policy work continued, but the main attention was given to operational matters. In the fall, when -- two things happened. First, vigorous attention was given to our recreation, conservation parks policy once again, and the product of this work was an audio-visual presentation to the Northern Resources Conference, which I hope many of you here saw.

This presentation is now being taken through the Territory by Don Hutton, our Parks Planner, to let people know what we are planning, and to get their feedback on it.

In the meantime, we are consulting with Indian Affairs officials to identify and clear away a number of jurisdictional and legal problems associated with what we are trying to do in the area of parks.

This particular exercise that was presented to the Northern Resources Conference, however, did not deal with historic matters.

This brings me to the second thing that happened this fall. This occurred in the Executive Committee when we were examining budgets. In the 1975-76 budget, there is a \$30,000.00 capital item for Historic Sites. This amount is almost meaningless in terms of a viable Territorial Historic Sites Program. It leaves room only for a little research, a little stabilization, and a little signing, but nothing that amounts to anything that is really worthwhile by way of restoration and so on.

The Executive Committee recognized this, and directed that the Territorial Government's role and programs relating to historic sites be re-examined. An examination of alternatives and the cost they would incur is now being undertaken. As recently as last week, I met with a senior Historic Sites official from Ottawa, and some new ideas emerged from that meeting on how we might proceed with Historic Sites Programs in the Yukon.

This now leaves us in a state of flux, regarding how Territorial Historic Sites are going to fit into our proposed Parks Program. It also makes it even more uncertain what the nature is of the role of the Historic Sites and the Monuments Board, what role it is that they are going to play.

I have been reluctant, and I must take the responsibility for this, to have the Board appointed and to have it meet under these very uncertain cir-

cumstances. There is, however, a statutory requirement that a Board must be formed and that it meet at least once a year.

This leaves us no choice but to form the Board shortly, and to arrange for it to meet. Unfortunately, we haven't got our thinking straightened out to the point where we can get the Board's reaction to what we may contemplate doing in relation to the Historic Sites and Monuments Board itself.

I expect, though, that we will be in a better position to do that early in the New Year. In the meantime, all I can do is apologize to the Members of this Chamber, and to those we have nominated to the Board, for having kept you in the dark up until now.

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

**Hon. Mr. Taylor:** Well, Mr. Chairman, I can certainly see, in light of the information given, that there are circumstances of which I was certainly unaware, but I think two things are important.

One is that if monies are available, and I feel some monies should be left available for the—for instance, the signing and identification of—general identification of historic sites. I think the Board has proven to be of value in this regard in the past, and I don't think that that program should be curtailed unless it is absolutely necessary.

My only other question would be out of the remarks that we have heard from our witness, Mr. Chairman, is he did mention, he said well there is some new ideas as to the role of the Board being formulated. Could we have any idea, you know, what perhaps—along what line will the Board be able to function in light of these new ideas?

**Mr. Gillespie:** Mr. Chairman, I'm afraid I can't give you any kind of a satisfactory answer on that. We haven't yet, in Executive Committee, examined the role that this government intends to play in the future regarding Historic Sites, and only when we have a firm understanding of what that role should be, and what position we are prepared to take on that, can we then determine as a second logical step, how the Board is going to fit into them.

So I'm afraid I don't have an answer to that question at this point in time.

**Hon. Mr. Taylor:** Well, Mr. Chairman, I simply conclude my remarks then by saying here is another case in point of where a people input, or a people program is being curtailed, and I hope when the budget comes around next spring, that you remember these things. The projects that seem to be curtailed are those ones which are either input for people, or really people oriented programs.

Think on it.

**Mr. Chairman:** Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, I would like to ask the witness if he realizes that there is presently a statute on our books, which has a requirement for Historic Sites and Monuments Board, and there is a sum of



*Historic c/w*

money within this year's budget, '75-76, \$30,000.00, the expenditure of which should be made upon the recommendation of the Board.

Now, I think that really, regardless of whether we are in a flux, and I can understand there is some planning and it does take time to get all of this planning, that surely we should continue with the legislation, or take it off the books, and appoint the Board, call them together, and at least let them make their recommendations regarding the money, the \$30,000.00.

I hadn't realized the Board hadn't been appointed, and in fact, in some of my conversations, I rather wondered at the reaction that I was getting from the Member that I had thought I had appointed, and until we have an alternative to this, adopted by this House, then I think we should proceed and call the Board together, make the appointment, and provide for the expenditure of the \$30,000.00. At least you have got this function for these people to perform.

**Mr. Gillespie:** Mr. Chairman, what Mrs. Watson has to say is absolutely correct in every respect. The Statutory requirement as I briefly indicated here is there and I do recognize that. We will be appointing the Board shortly. I am only hopeful though that we can do, there is nothing to prevent us from appointing the Board almost immediately. I am hopeful that we are going to have something very substantive for it to consider when it first meets. Certainly a part of this will be to seek its recommendations on how that money should be spent. We would also like to bring to it some firm ideas for its reaction on what role it should play and the role the territorial government should play with regard to historic sites.

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

**Mr. McCall:** Thank you Mr. Chairman. I am a little surprised in what Mr. Gillespie has stated in his brief comments at this point in time that the Board has not been appointed for various reasons. I was left with the understanding at the close of the session when these nominations were put forward, that in effect they would be appointed forthwith. Seemingly now we find out they have not. It is rather fine to hear Mr. Gillespie says they could be appointed almost immediately which is neither here nor there. What I am concerned about is there seems to be an area of confusion as to what this board is supposedly going to be doing. In the terms of reference in the session we put forward the nominations it states, and I will quote, "The board is required to prepare a long range territorial program under which regional and climatic priorities will be established and a comprehensive program laid down for the marking, preservation and development of historic sites throughout the Territory."

I think that is a very broad far reaching concept of what they are supposed to do as a board once, when and if they ever become appointed as a board.

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

**Mr. Fleming:** Yes, Mr. Chairman, I think the Honourable Member from Kluane and also from Pelly

River almost stated what I was going to say.

I would like to ask Mr Gillespie at this time, was there any notice went out to the members that were more or less appointed by this group last spring and saying that they wouldn't be appointed for a certain time? Was there any direct attention given to this?

**Mr. Gillespie:** Mr. Chairman the answer to that question is there was not. I agree there should have been. All I can say is that I am personally responsible for the fact that it did not happen.

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

**Mr. Fleming:** Mr. Chairman, that is the way I felt, thank you.

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

**Mr. McCall:** I would like to ask Mr. Gillespie one question. In view of what he just momentarily commented on, do we anticipate the board being appointed in the not too distant future?

**Mr. Gillespie:** Yes, Mr. Chairman.

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

**Mr. Berger:** Yes, Mr. Chairman, in view of what Mr. Administrator has said to us I was wondering if it is necessary to appoint, this board in this present age right now? You are talking about change of policy coming up, so I think it would be wiser to leave the thirty thousand dollars. We talked about we are going to be short of money all over the place. Why appoint the board now and try and spend the thirty thousand for actually really nothing?

**Mr. Gillespie:** Mr. Chairman, what we do with the thirty thousand dollars is one question. The question of whether or not we appoint the board is another. We haven't any choice but to appoint the board, because we are required by Statute to do so. Further than that I am hopeful that we will have something to show to them and get their views back on. That will be quite important. For that reason we would very much like to have them meet and consider what we have to put before them.

**Mr. Chairman:** Mr. Taylor? Are there any further questions for the witness?

Thank you Mr. Gillespie.

**Mr. Chairman:** We will proceed with Sessional Paper Number 9 regarding economic restraints.

Is it the wish of Committee that Mr. Gillespie be present during this consideration of this Sessional Paper? Mr. Miller. Is that the wish of Committee that Mr. Miller be called as a witness?

**Some Members:** Agreed.

**Mr. Chairman:** Mr. Miller, would you care to come forward?

*nothing else heard*

We now have present with us Mr. Merv Miller.  
Ms. Millard?

Ms. Millard: Yes, I would like to ask our witness since they are going to institute a freeze on all vacant positions and do all kinds of other things, is there a mechanism for exemptions in this, is there something set up or is it just a blanket policy everywhere—

Mr. Miller: Mr. Chairman there is a mechanism for exceptions. Basically our position is that we will freeze those positions which will not effect service to the public. We have set up a mechanism whereby departments can appeal to the personnel department who will in turn refer, after their perusal, refer it to Ex Com for the final decision.

Mr. Chairman: Ms. Millard?

Ms. Millard: Could I ask the witness then if there is any limitation in time on the submissions to be considered? Are you going to be considering these over the next months or—

Mr. Miller: Mr. Chairman, these will be considered, those have been advertised and we not now proposing to fill will be considered as the department heads bring them forward and as positions become vacant between now and the end of March next year, the same process will carry on.

Mr. Chairman: Mr. Lengerke—

Mr. Lengerke: I would like to ask the witness how many positions are involved, roughly? Have you got any numbers on that?

Mr. Miller: Mr. Chairman, as I recall it, we currently have something in excess of thirty positions vacant or were in the process of being advertised, we are estimating that between now and the end of March that there will probably be another 30 to 40 positions come vacant.

Mr. Chairman: Ms. Millard?

Ms. Millard: Mr. Chairman, I would like to ask if other methods of cutting back are also being looked into?

Mr. Miller: Yes, Mr. Chairman we are currently reviewing all of our programs and activities within government. This process will carry on in the next couple of weeks and at that time the decision will be made as to whether there will be any programs or activities that might possibly be cut back on or cut out completely.

Mr. Chairman: Ms. Millard?

Ms. Millard: Mr. Chairman, of the two million six hundred thousand dollars that we are overdrawn in the current fiscal year, how much of this is actually the Y.T.P.S.A. increase?

Mr. Miller: Mr. Chairman, the net amount of the

Y.T.P.S.A. wage increase is a million six hundred and seventeen thousand dollars. That is the amount of money that we are getting from the federal government as an addition to our operating grant.

Ms. Millard: Is there a projection of what this cost will be next year?

Mr. Miller: Mr. Chairman I am quoting from memory, and I am not sure that I should, but it seems to me that it is something in the neighbourhood of two and a half million dollars.

Mr. Chairman: Mr. Miller, my arithmetic has problems here. The two million, six hundred thousand dollar overrun, one million, six hundred thousand dollars was received from the federal government leaving an over run of one million dollars of which you are projecting a saving of approximately three hundred thousand dollars?

Mr. Miller: That is correct.

Mr. Chairman: Leaving a further deficit of seven hundred thousand dollars?

Mr. Miller: That is also correct, Mr. Chairman.

Mr. Chairman: Ms. Millard?

Ms. Millard: Is it possible to sort of break down in two or three categories, the remaining million dollars? How has inflation effect -- what kind of programs are in there and how does inflation fit into that?

Mr. Miller: Mr. Chairman that covers all of the programs and I don't have the detailed breakdown of that with me, but just as an example, if my memory serves me correct again, in the Department of Education we are talking about an increased utility bill for heating and lighting of schools in the neighbourhood of a quarter of a million dollars. In our other buildings there would be additional cost because of heating and lighting costs. Material costs in general have gone up in the neighbourhood of fifteen to forty percent over the past year. Basically over the past 18 months because of our budget process, that is really the timing that we are looking at.

So that is the prime cause of the million dollar overrun, just in that particular area.

Mr. Chairman: Mr. Miller what happens to the seven hundred thousand dollars that we have yet to account for?

Mr. Miller: Mr. Chairman this will come, unless we find some other cost saving areas, this will come out of our working capital fund, which is I believe I indicated in that Sessional Paper, is rapidly being depleted.

Mr. Chairman: To what, Mr. Miller?

Mr. Miller: Well our estimates at the end of March '76 will be down around 2.2 million dollars in working capital. From what we would consider to be an ac-

ceptable level of approximately 4 to 5 million.

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

Thank you Mr. Miller. You are getting off pretty easy this session, I must say.

I will now entertain a motion for Mr. Speaker to return to the Chair

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

**Hon. Mr. Lang:** I will second that.

**Mr. Chairman:** Moved by Mr. McCall, seconded by Mr. Lang that Mr. Speaker do now resume the Chair. Are you ready for the question?

**Some Members:** Question

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

**Some Members:** Agreed.

**Mr. Chairman:** Carried.

**Motion Carried**

(Mr. Speaker resumes the Chair)

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

**Mr. Hibberd;** Mr. Speaker Committee convened at 2:40 p.m. to discuss Bills Sessional Papers and Motions.

A representative of the Yukon Conservation Society, Mr. Rob McCandliss was admitted to Committee to present the society's brief on the proposed amendments to the land use regulations. After discussion the witness was excused with Committee's thanks.

Motion number 7 was read by the Chairman. Mr. Lengerke, mover of the motion withdrew the motion and the seconder agreed. This met the general agreement of the Committee.

The Chairman then directed Committees attention

to Sessional Paper Number 6. After due consideration Committee moved to Motion Number 12 with Mr. Gillespie present as witness. After discussion Mr. Gillespie was excused as a witness. Committee then proceeded with Sessional Paper Number 9 with Mr. Miller present as a witness. When discussion was completed. The witness was excused.

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

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

**Some Members:** Agreed.

**Mr. Speaker:** May I have 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 it.

**Mr. Speaker:** It has been moved by the Honourable Member from Whitehorse Riverdale seconded by the Honourable Member from Ogilvie that we do 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 that the motion is carried.

**Motion Carried**

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

**Adjourned**

1. The first part of the document is a letter from the President of the United States to the Congress, dated September 17, 1787.

2. The second part is a copy of the Constitution of the United States, as it was originally written.

3. The third part is a copy of the Declaration of Independence, as it was originally written.

4. The fourth part is a copy of the Bill of Rights, as it was originally written.

5. The fifth part is a copy of the original Constitution, as it was written in 1787.

6. The sixth part is a copy of the original Declaration of Independence, as it was written in 1776.

7. The seventh part is a copy of the original Bill of Rights, as it was written in 1791.

8. The eighth part is a copy of the original Constitution, as it was written in 1787.

9. The ninth part is a copy of the original Declaration of Independence, as it was written in 1776.

10. The tenth part is a copy of the original Bill of Rights, as it was written in 1791.

11. The eleventh part is a copy of the original Constitution, as it was written in 1787.

12. The twelfth part is a copy of the original Declaration of Independence, as it was written in 1776.

13. The thirteenth part is a copy of the original Constitution, as it was written in 1787.

14. The fourteenth part is a copy of the original Declaration of Independence, as it was written in 1776.

15. The fifteenth part is a copy of the original Bill of Rights, as it was written in 1791.

16. The sixteenth part is a copy of the original Constitution, as it was written in 1787.

17. The seventeenth part is a copy of the original Declaration of Independence, as it was written in 1776.

18. The eighteenth part is a copy of the original Bill of Rights, as it was written in 1791.

19. The nineteenth part is a copy of the original Constitution, as it was written in 1787.

20. The twentieth part is a copy of the original Declaration of Independence, as it was written in 1776.

21. The twenty-first part is a copy of the original Bill of Rights, as it was written in 1791.

22. The twenty-second part is a copy of the original Constitution, as it was written in 1787.

23. The twenty-third part is a copy of the original Declaration of Independence, as it was written in 1776.

LEGISLATIVE RETURN NO. 9  
(1975 THIRD SESSION)

(Tabled December 10, 1975)

December 9th, 1975

Mr. Speaker,  
Members of Council

On Monday, December 8th, Councillor Lengerke asked the following question:

"I would like to know at this time if the Yukon Territorial Government has recently been consulted by the federal Minister, or his representatives, responsible for Crown lands policy in the north, and if in fact there has been discussion and direction given, to put in effect a policy that would only allow 30 year leases of land outside the bounds of the municipality or organized subdivision.

Also in formulating land policy for the Yukon, has consideration been given to an amended survey system, and land use classification on presently recognized and future land tracts?"

The answer is as follows:

The Yukon Territorial Government has not recently been consulted by the Federal Minister or his representatives concerning the development of a

policy that will permit a "Lease Only" for land dispositions outside the bounds of a municipality or organized area boundary. Prior to my appointment the administration had expressed a great deal of concern about land use problems encountered where Titles have been issued before lease—purchase agreement terms were complied with by the applicants on lands found totally unsuitable for the applied for uses. Federal Lands were asked to cease such land disposition practises, and the leasing policy has been substituted in order to permit land dispositions to be continued until the land suitability, capability factors are evaluated, and a positive policy recommended based on good land use practises. It is not the government's intention to recommend the continuation of the "Lease Only" policy following the acceptance of the land use policy now being formulated.

Consideration is being given to changing the Land Survey System, however, the problem is not a simple one to solve. The Township System in use in Western Canada and Alaska has been considered as well as a survey system based on established legal right-of-ways. Both systems would be very costly to institute, and no positive recommendation has yet been made. Alaska's new township survey system started as a part of their Native Land Claims Settlement, and is estimated to cost \$10 million per year for 15 years.

J.K. McKinnon,  
Member, Executive Committee.

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**LEGISLATIVE RETURN NO. 10  
(1975 THIRD SESSION)**

**Tabled December 10, 1975**

December 9th, 1975

**Mr. Speaker,  
Members of Council**

On Thursday, December 4th, Councillor Watson asked the following question:

"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?"

The answer is as follows:

In order to reduce expenditures "Yukon Region" has been holding a number of positions vacant. These positions include two Administrative Officer positions, two Public Health Nurse positions, one Dental Therapist position, and a number of secretarial and clerical positions, some of which are full time, others part time. In addition, cut-backs have been made in non-salaried areas such as by postponing to the next fiscal year a number of maintenance projects. It is the intention to continue these cut-backs for the remainder of the current fiscal year, however, no cut-backs beyond this level are planned.

Flo Whyard,  
Member,  
Executive Committee.

