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The Yukon Legislative Assembly

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Debates & Proceedings

Monday December 15

Speaker: The Honourable Donald Taylor

The Yukon Legislative Assembly

Monday December 15 1975

(Mr. Speaker reads Daily Prayer)

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

Madam Clerk: There is, Mr. Speaker.

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

ROUTINE PROCEEDINGS

Mr. Speaker: We will proceed with the Order Paper.

Under Daily routine are there any documents or correspondence for tabling this morning?

The Honourable Member from Whitehorse North Centre?

Hon. Mr. McKinnon: Mr. Speaker I have for tabling today, Legislative Returns Number 11 and Number 12.

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

Are there any reports of Committees?

Introduction of Bills?

Are there any 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.

ORDERS OF THE DAY

Motion Number 19.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Klondike, that the new school at Mayo be named the J.V. Clark Elementary-Secondary School.

The Honourable Member from Mayo.

Mr. McIntyre: Mr. Speaker, in support of this motion I refer the members to the information paper that they have all received. One copy was from the Mayo School Committee and there was a further copy of the same information which accompanied the recommendation.

I support this motion wholeheartedly because Dr. Clark has been a mainstay of the Mayo community for many years. As the information paper has stated has taken a very active part in the Mayo school.

I would further say that at a meeting held between the administration and the School Committee

sometime ago, the question was asked if the School Committee could name the school after Dr. Clark and the answer given by the administration at that time was they could name it any god damn thing they wanted.

Thank you Mr. Speaker.

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

Mrs. Watson: Mr. Speaker I plan on supporting this motion wholeheartedly, basically because it was a decision made at the local level. I feel we should be respecting the decisions made at the local level. However, I would like to point out one area where I do have some hang-up. I think we could be setting a precedent with this motion.

I feel that naming public buildings and institutions after people who are still alive could well get us into problems within this Legislature and also at the local level. It is the determination of who is living today that should have institutions or public buildings named after them.

I think it is setting a precedent that we may be sorry for in the future, but I plan on supporting this wholeheartedly. I believe Dr. Clark and the people of Mayo, who support Dr. Clark should get this recognition.

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 is carried.

Motion Carried

Motion No. 20

Mr. Speaker: The next motion is Motion No. 20. It has been moved by the Honourable Member from Klondike, seconded by the Honourable Member from Kluane, that the Yukon Legislative Assembly is pleased to recommend to the Commissioner of the Yukon Territory, the appointment of Mr. Peter Jenkins, of Dawson City, Yukon to the Northern Canada Power Commission. The Honourable Member from Klondike?

Mr. Berger: Yes, Mr. Speaker in moving so, Mr. Peter Jenkins is a very active member in the community of Dawson, actually he is very interested in the whole of the Yukon. The most important thing is he is a consumer of N.C.P.C. and he has first hand knowledge of what can go wrong with N.C.P.C. in some levels and I think his background qualifies him for this type of appointment.

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

Mr. Watson: Mr. Speaker, I wholeheartedly and have seconded the motion appointing Mr. Jenkins to the N.C.P.C. Board. I think he is a well qualified person, as a young businessman who has staked his future in the Yukon. I think he will serve the Yukon people well on the N.C.P.C. Board.

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

Hon. Mr. McKinnon: Mr. Speaker I can only rise to say how pleased I am to see the name of a young businessman of the Yukon being forwarded to this most important position.

It seems to me, Mr. Speaker that we were almost in a position that whenever a board appointment or membership came up, there seemed to be the same names preferred which I have referred to in this House as the professional board sitters of the Yukon Territory and I sat down one day in an exercise and put down about ten, twelve, fifteen names of people like Mr. Jenkins from Dawson City from every area of the Yukon who were young, aggressive, business people who I think we should be looking more and more to fulfilling these most important positions on these different boards and commissions.

It's only been in the last few years where these boards and commissions have taken on a very important role in the lives of all of us in the Yukon. I think it is no longer good enough just to give it to people who have, for different reasons, been sitting on different boards and commissions for many years and it's time to look for new faces to fill these positions and ones that we know are going to take a very active role and going to be very firm when firmness is needed and very vociferous when that is needed on behalf of all of the people in the Yukon.

I can only say that it is going to be interesting for a change not to have Mr. Jenkins from Dawson telling me what's wrong with the Yukon Government for me to be able to sit back and tell Mr. Jenkins what I think is wrong with the N.C.P.C. Thank you very much, Mr. Speaker.

Mr. Speaker: Are there any further discussions? Question has been called. Are you agreed?

Some Members: Agreed.

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

Motion Carried

Motion No. 21

Mr. Speaker: Under Motion number 21 moved by the Honourable Member from Kluane, seconded by the Honourable Member from Mayo that whereas the Legislative Assembly wishes to proceed in pursuing a positive course of action to conclude an agricultural policy for the Yukon. Therefore be it resolved that our government identify high priority areas for the Department of Indian Affairs and Northern Development's intensified study effort in order to speed up the process of inventory investigation and the release of land for agricultural purposes if justification is shown. The Honourable Member from Kluane.

Mrs. Watson: Mr. Speaker, I don't think I am even going to speak of the motion. We discussed this in Committee of the Whole and this motion is a result of those discussions.

Mr. Speaker: Is there any further debate? 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.

Motion Number 22

Mr. Speaker: Motion Number 22. It has been moved by the Honourable Member from Hootalingua, seconded by the Honourable Member from Klondike that the Liquor Ordinance be referred to Committee of the Whole for 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.

Motion Number 23

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Watson Lake, that the Yukon Legislative Assembly is pleased to recommend to the Commissioner of the Yukon Territory, the appointment of Senator Paul Lucier as representative to appear before the Special Joint Committee on the National Capital Region on behalf of the people of the Yukon.

The Honourable Member from Whitehorse Riverdale.

Mr. Lengerke: Mr. Speaker, in supporting the motion, you will recall in June, July of this year a Special Joint Committee was established by the House of Commons, the Committee to be involved in the planning and development of the National capital site. It is expected that our representation will be on that committee from all across Canada from all the provinces and the territories and we have seen fit to recommend that Senator Paul Lucier would appear on behalf of the Yukon Territory. It may well be that Senator Lucier may come back to this House with a further recommendation himself, asking that we do appoint somebody else in the future, but in the meantime he will have an insight as to really what the committee is doing and what work is involved.

Mr. Speaker: Is there any further debate?

Some Members: Question.

Mr. Speaker: The question has been called, are you agreed?

Some Members: Agreed.

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

Motion Carried

Motion Number 24

Mr. Speaker: Motion number 24. Moved by the Honourable Member from Whitehorse South Centre, seconded by the Honourable Member from North Centre, that whereas the Yukon Territorial Government was instrumental in instigating the Arctic Winter Games in 1970 and 1972, based on the avowed principle of bringing together people of similar geographic and social areas and of similar competitive abilities and aspirations; and whereas the Yukon Territorial government did not give a firm undertaking to Yukon Sports Federation until October which made the task of the Yukon Sports Federation considerably more difficult; and whereas the Yukon Sports Federation has made and is continuing to make a concerted effort to include participation for all area of Yukon; and whereas the Yukon Sports Federation, a voluntary group has undertaken to organize and administer the Yukon contingent to the Arctic Winter Games on behalf of the Territorial Government; and where as the Yukon Sports Federation has made a commitment to provide an ongoing as well as final, complete evaluation of the Arctic Winter Games,

Be it resolved that this Legislative Assembly give its whole-hearted support Legislative Assembly give its whole

Be it resolved that this Legislative Assembly give its whole-hearted support to the Minister of Education and particularly to the members of the Yukon Sports Federation in these undertakings, and be it resolved that this Assembly review all evaluation of Arctic Winter Games, to determine the role of Yukon in future Arctic Winter Games, and be it further resolved that

this Assembly support those endeavours to develop a sound, comprehensive recreational policy for all people of Yukon.

The Honourable Member from Whitehorse South Centre.

Dr. Hibberd: Thank you Mr. Speaker. The Arctic Winter Games in its original purpose was developed so that people from the north who are of similar areas in terms of their social structure and their economic development, and as we all well know, when we are in competition with the provinces it is not really a competition at all. We don't fair very well.

I think the original games as they were undertaking in 1970 and 1972 did accomplish this purpose and they were considered highly successful in bringing people together from these areas.

I should mention, Mr. Speaker, because the Arctic Winter Games has evolved to such major proportions it does take a good deal of time, energy and effort over a long period to properly organize the games so that they might successfully come off. I think it is incumbent on the Territorial government to, if they are going to give the undertaking, to any particular body such as the Yukon Sports Federation in this case, they should give them adequate time for adequate preparation. This is a one or two year undertaking and to give them a few months time is simply not enough. I realize the difficulties were, to a marked extent, on the basis of availability of funds. This, indeed has created a great deal of difficulty because the feds were no longer in a position to be coming forth with the money as they have been in the past.

We must remember that the primary, the major cost of these Arctic Winter Games is the transportation cost to Schefferville, Quebec. Schefferville was not included in the Arctic Winter Games in the original Arctic Winter Games. If the games were to continue on the present basis, we would not be going back there for another 6 years, and therefore the costs certainly would reflect this, if there are future games to be undertaken.

I think it has been demonstrated and I think the Yukon's Force Federation has done an excellent job in obtaining participation from all areas of the Yukon. I'm sure that you are all aware that there have been trials going on in various areas in the Yukon and people have travelled to these games to these trials from all the other areas in the Yukon. And it is indeed an opportunity that would not have otherwise existed if the Arctic Winter Games was not going to go ahead.

The Sports Federation tells me that they would welcome any suggestions from this Assembly whatsoever, that would improve the games both in terms of obtaining money and in methods of running them on a more economic basis.

I think that because of the amount of effort these people have put into it on a voluntary basis deserves our recognition and our support. I might mention that after our debate in this House last Wednesday that every member of this Assembly willingly contributed to the raffle that is now going to raise funds for the Arctic Winter Games. That was unanimous. Everyone did it.

They have undertaken many other projects, such as the sponsoring of a Christmas flight from Whitehorse to Vancouver. And this among other ways is how they are contributing on their own to try and raise as much money as they can.

They have undertaken that they will raise half of the money to a maximum of \$32,600.00 which is for the formulation of the games for the trials for everything that takes place on a local basis. And any cost over run beyond that \$32,000.00, the Sports Federation has undertaken that they will raise the money. Now the primary commitment that has been made by this government is for the transportation of the athletics to Schefferville.

I would ask this House to consider this and to give the Minister and the Sports Federation our unqualified support in these games. Thank you.

Mr. Speaker: Is there any further debate? The Honourable Member from Whitehorse Porter Creek.

Hon. Mr. Lang: I think the Honourable Member from Kluane wants to speak.

Mr. Speaker: The Honourable Member from Kluane.

Mrs. Watson: Mr. Speaker, I was wondering whether the seconder to the motion wanted to speak. Mr. Speaker, I would just as soon this was discussed in Committee of the Whole. I have a suggested amendment and it may be easier to handle it within the Committee.

Mr. Speaker: Honourable Member from Kluane.

Mrs. Watson: I would move that Motion Number 24 be discussed in Committee.

Mr. Lengerke: I'll second that.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by The Honourable Member from Whitehorse Riverdale, that Motion Number 24 be referred to Committee of the Whole. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

Motion Carried

Mr. Speaker: This brings us of course, to the question period. We still have three questions standing on the Order Paper. Question 2, question 7 and question 12. I'm informed by the House that Question number 12 has been answered. Any questions this morning?

Honourable Member from Ogilvie?

QUESTION PERIOD

Ms. Millard: Mr. Speaker, I have a written question for Mr. Commissioner. I presume it will be transferred to him after.

Mr. Speaker: Proceed.

Question Re: Art for New Y.T.G. Building

Ms. Millard: It is concerning the art for the new Territorial Government Building and it consists of several sub-questions.

(a) Who are the members of the committee which is selecting art to decorate the new Y.T.G. Building? And how were the committee members selected? (b) What is the amount of money allocated for art in the new building? (c) Has any of this money been expended to date? If so, were tenders called for prior to the signing of contracts for artistic works and were the tenders published in Yukon newspapers? (d) What are the names of the artists who have been commissioned if any, and what amounts will they be paid? (e) Have any Yukon residents been commissioned to create works of art for the building? What will they be paid?

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

Question Re: Territorial Government Employee Layoffs.

Mr. Berger: Yes, Mr. Speaker. I have also a question for Mr. Commissioner. It is a verbal one though. I don't know how I am going to address it to him, when I won't receive an answer. There are five people who received lay off notices, permanent employees for the Territorial Government and I'm wondering if there will be any more layoffs anticipated. And if there is more layoffs anticipated, in what department will they fall under, and how soon will the layoffs come?

Hon. Mr. McKinnon: Mr. Speaker, I wonder, as that is such an important question, there should be a written question and taken on Notice and an answer given to the House as quickly as possible. I agree with the Honourable it is an important question.

Mr. Speaker: Madam Clerk, could you so note.

Mr. Speaker: The Honourable Member from Hootalinqua.

Question re: Effect of calcium on birds

Mr. Fleming: Mr. Speaker, I have a question for the Commissioner, now that he is here with us, a verbal question as to application of calcium on the Alaska Highway. Has at anytime anybody taken to check to see if it has any effect on small game such as grouse, birds and so on?

Mr. Commissioner: Mr. Speaker, I am sorry, I just couldn't answer that question, but I would be happy to find out.

I think what the Member is really asking is, has there been any kind of an analysis of any side effects

other than laying the dust from the calcium. I will find out Mr. Speaker.

Mr. Speaker: The Honourable Member from Hootalinqua.

Question re: Skilled Labour Training in Vocational School

Mr. Fleming: Yes, Mr. Speaker, I also have a question for the Minister of Education, as to the Vocational School and an explanation I would say, in the year, two years, three years in the Yukon I have seen larger buildings being built and iron work being done, and I am thinking that in the next three or four years there is going to be possibly, a lot more of this type of work. I would ask the Minister, has there been any thought as to training, possibly some training in skill labour such as ironwork or riggers and so forth in the vocational school?

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

Hon. Mr. Lang: Not to my knowledge. It definitely could be looked at in the future. As far as the vocational school is concerned right now we are presently doing an evaluation of the whole vocational school, at which time we can look into that aspect of a new course and I will let you know whether or not it is viable.

Mr. Speaker: Perhaps at this point the Honourable Member from Klondike would like to restate his question?

Mr. Berger: Yes, Mr. Speaker, the five people that, in the last few days received their lay off notices and they were permanent employees, my question was how many more layoffs will be anticipated and in what department will they fall under and how soon will those layoffs come?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Well, Mr. Speaker, I am not a foreteller of the future anymore than anybody else is. In the particular instance that the Honourable Member is referring to, these people have been given layoff notice as required under the terms of the collective agreement and under which they work. The anticipation, if that is what is referred to, that there may possibly be other layoffs, I can say that while we do not have any plans, or that we do not have any knowledge at this time, of any further layoffs, I certainly would not want to indicate that indeed that this was not a possibility. It all depends on the circumstances that surround particular situations as time goes on.

Mr. Speaker: The Honourable Member from Pelly River.

Question re: Justification of Layoffs.

Mr. McCall: Yes, Mr. Speaker, I would like to ask the Commissioner whether he felt these layoffs were

fully justified, and if they were, why wasn't notice given to the employees.

Mr. Speaker: Mr. Commissioner.

Mr. Commissioner: Mr. Speaker, I don't know whether I interpret the question properly. As far as justification is concerned, the answer is yes, I am satisfied that there was justification. That last part of the question was, why weren't the employees notified? To the very best of my knowledge, Mr. Speaker, and I would be prepared to check this out, the employees were given the required notice.

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

Question re: Obtaining a Stretcher for Recreational Centre

Mr. Hibberd: Yes, Mr. Speaker I have a question for the Minister of Local Government. In view of recent events I am wondering if the Minister is able to influence the City of Whitehorse in obtaining a stretcher for the Whitehorse Recreational Centre?

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

Hon. Mr. McKinnon: Mr. Speaker as the Honourable Member well knows, the operation of the recreational centre is a total matter under municipal responsibility. Everytime I stick my neck in a matter of total municipal responsibility I get it cut off. So I think the question should properly directed to the Council of the City of Whitehorse, Mr. Speaker.

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

Dr. Hibberd: A supplementary, Mr. Speaker, perhaps the stretcher should be brought up to the third floor to the Chambers for the Honourable Minister's use.

Mr. Commissioner: With or without is neck --

Mr. Speaker: Order please.
Have you any further questions?
Mr. Commissioner.

Mr. Commissioner: Mr. Speaker, Councillor Watson asked one day last week, whether money which was put in the budget for use on the recommendation of the Historic Sites and Monuments Board is being used for the restoration of the Ladue Sawmill. I think basically, what the Honourable Member was concerned about as to whether or not the monies that had been spent in this regard were subject to the prior consultation with this Board. The answer is that the \$30,000.00 in capital funds was budgeted for Historic Sites development in '75 - '76 in our current budget. Of this \$13,800.00 was used to stabilize the Ladue Sawmill. No restoration work was done as this would have pre-empted a decision by the Board. Rather the

stabilization and closure of the main building together with the removal of its annex was undertaking to eliminate an immediate safety hazard.

Basically there has been no consultation with the board on this matter, Mr. Speaker, and the monies actually have been spent, and although they have been spent out of these funds, they were spent with the intent of removing the danger that existed with regard to the general public in this building situation in Dawson City.

Mr. Speaker: Have you any further questions? We will then proceed to public bills.

PUBLIC BILLS

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

Bill No. 13, Third Reading

Hon. Mr. McKinnon: Mr. Speaker I move, seconded by the Honourable Member from Pelly that third reading be given to Bill Number 13, Third Appropriation Ordinance 1975-76.

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 13 be now read a third time.

Are you prepared for the quesiton?

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: Mr. Speaker, I move, seconded by the Honourable Member from Pelly that Bill Number 13 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It have been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Pelly River that Bill Number 13 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 declare the motion as carried.

Motion Carried

Bill No. 14, Third Reading

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member from Pelly that Bill Number 14, An Ordinance to Amend the Elections Ordinance be given third reading.

Mr. Speaker: It have been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Pelly River that Bill Number 14 be now read a third time.

Are you prepared for the question.

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

A Member: Disagree.

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

Is it your wish that discussion be called?

Hon. Mr. Lang: Yes.

Mr. Speaker: Madam Clerk will you poll the House?

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 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: Agree.

Madam Clerk: The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Agree.

Madam Clerk: The Honourable Member from Pelly River?

Mr. McCall: Agree.

Madam Clerk: The Honourable Member from Whitehorse Porter Creek?

Hon. Mr. Lang: Disagree.

Madam Clerk: The Honourable Member from Whitehorse West?

Hon. Mrs. Whyard: Agree.

Madam Clerk: The Honourable Member from Whitehorse North Centre?

Hon. Mr. McKinnon: Agreed.

Madam Clerk: Mr. Speaker the vote is ten yea, one nay.

Mr. Speaker: The Yea's have it. The motion is carried.

Motion Carried

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

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

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

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Hon. Mr. Lang: Disagree.

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

Motion Carried

Mr. Speaker: Bill Number 14 has passed this House.

Amendments to Bill No. 7, First Reading

Hon. Mr. McKinnon: I move, seconded by the Honourable Member from Kluane that the amendments to Bill Number 7 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 Kluane that the amendments to Bill Number 7 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 is carried.

Motion Carried

Mr. Speaker: When should the amendment be read for the second time?

Amendments to Bill No 7, Second Reading

Hon. Mr. McKinnon: Now Mr. Speaker. I move, seconded by the Honourable Member from Kluane that the amendments to Bill Number 7 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 Kluane, that the amendments to Bill Number 7 be now read a second time. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

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 should the Bill be read for the third time?

Bill No. 7, Third Reading

Hon. Mr. McKinnon: Now Mr. Speaker, I move, seconded by the Honourable Member from Kluane that Bill Number 7, Amendments to an ordinance to amend the legal professions 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 Kluane, that Bill Number 7 be now read for 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 is carried.

Motion Carried

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

Hon. Mr. McKinnon: Yes, Mr. Speaker, I move, seconded by the Honourable Member from Kluane, that Bill Number 7 do 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 Kluane, that Bill Number 7 be now passed and that the title be as on the Order Paper. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

Motion Carried

Mr. Speaker: Bill Number 7, has passed this House. May I have your further pleasure at this time? The Honourable Member from Pelly River.

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

Mr. Lengerke: I second that.

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

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

Motion Carried

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

Recess.

Mr. Chairman: I will now call Committee to order. This morning Motion number 24 regarding the Arctic Winter Games was moved into Committee. Mrs. Watson?

Mrs. Watson: Yes, Mr. Chairman. I'd like to state that I support Motion Number 24 completely and whole-heartedly, I think that it's time we gave a little bit of recognition to people who volunteer their services to help the administration carry out some program that they've embarked upon and I know in the past, when I was responsible for recreation that they virtually saved my bacon on more than one occasion with Sports Federation. And I think they have again come forward with the present Arctic Winter Games and have stepped in at the last minute, with no really fault within the Government itself, because they didn't know where the financial end of it, that the commitments they would have to make.

The Sports Federation again stepped in October to do the eliminations and plan the involvement of the Yukon. Do the actual day to day leg work that's required to make this type of thing successful.

The Motion itself, is very good. But I think it is lacking in one area. We are stating that the Yukon Sports Federation have made a commitment to provide an ongoing as well as a final and complete evaluation of the Arctic Winter Games. This is fine. I agree with. It will likely do it over a period of time and then have one final report for the government. Basically, their evaluation likely will be based on the objectives of the games, as defined in the first paragraph. The principle of bringing together of people, of similar geographic and social areas and of similar competitive abilities and aspirations. I'm sure their evaluation will be based along the lines of obtaining the objectives of the Arctic Winter Games and the involvement of the Yukon in the Arctic Games.

But I think there is a lack of direction to the government in this resolution. And therefore I am proposing that the following "be it resolved" be inserted. That be "it resolved number one, be it resolved that this Legislative Assembly give its whole-hearted support to the Minister of Education and particularly to the Members of the Yukon Sports Federation in those undertakings."

My amendment would follow there. Be it resolved, that the Government of the Territory do an evaluation of all aspects of the Arctic Winter Games, with consideration of the Yukon Sports Federation assessment and also the financial commitment required to obtain these objectives. And then number three would be, be it resolved that this Assembly review all evaluations. By that which would mean the Sports Federation's evaluation tabled here, plus the government's evaluation. And then number 4 as it's stated.

Mr. Chairman: Is there a seconder? Mr. Lengerke? Do I have a seconder?

Ms. Millard: I second that.

Mr. Chairman: I might add that in order for adequate preparation for these games, the Sports Federation really requires a commitment now for subsequent games two years down the line from now. It takes that amount of organization to get the thing going and this must really be stressed. They do require this length of notice to be able to carry out their obligations.

Mr. Lang.

Hon. Mr. Lang: I agree with you Mr. Chairman, I think it is essential that after the Arctic Winter Games, the analysis is done of the Arctic Winter Games that we do an evaluation and see whether or not we are going to carry on with the Arctic Winter Games.

I personally, would like, once again to commend the Yukon Sports Federation for taking on this onerous task at such short notice. It fair to them at all and they have been—they agreed to take on the job and I understand that they are doing a very good job.

I also would like to assure all the members that an objective analysis will be done, all the evaluations will be compiled and they will be brought before this House to be discussed and decide the future of the Arctic Winter Games.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: Mr. Chairman there is only one thing that bothered me, and maybe the Member from Kluane and the seconder of that motion would consider this. They put a date when the evaluation should be completed.

Mr. Chairman: I think that has been an undertaking that is already there, Mr. Lengerke.

Mr. Lengerke: What is the date for it to be completed?

Hon. Mr. Lang: The evaluation will take place after the games, understandably so, and then it will be brought before this House in the fall session.

Mr. Chairman: I think the Sports Federation and the department concerned, it is within the month, within the month of the completion of the games, they will be undertaking to come back with this report. Two months. They have two months, so there is a deadline on it Mr. Lengerke.

Mr. Lengerke: How about, with the motion made that the Government of the Yukon Territory also take that evaluation. I would like to see a date put on that. I would like to see a time frame so that it is reported back. Is there any objection to that?

Mrs. Watson: No, Mr. Chairman I would be very happy that we insert something in the amendment that requires the government to table their evaluation at the next sitting after the Arctic Winter Games. Now as long as it doesn't tie them down that if we are sitting in February that they have to table the evaluation in February which we know is impossible, but at the next Legislature's sitting after the Arctic Winter Games.

Mr. Chairman: These evaluations are to be tabled at the next sitting, at the sitting following the completion of the games.

The Amendment, moved by Mrs. Watson, seconded by Ms. Millard, "be it resolved that the Government of the Territory do an evaluation of all aspects of the Arctic Winter Games with consideration of the Yukon Sports Federations assessment, and also the financial commitment required to attain these objectives and that these evaluations are to be tabled at the next sitting of the House following the Arctic Winter Games."

The only amendment in section three is that the evaluation is pluralized.

Are you ready for the question?

Some Members: Question.

Mr. Chairman: Are you agreed?

Some Members: Agreed.

Motion Carried

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, I would move that Motion 24 be moved out of Committee as amended.

Hon. Mr. Taylor: Mr. Chairman, with respect, Mr. Chairman, this is not the normal process. You do not move a motion out of committee. The motion has been referred to Committee of the Whole by the House and the Chairman merely reports that the motion was amended and also reports that the motion was carried in Committee.

Mr. Chairman: I will entertain a motion that the motion be carried. We have to deal with the motion in itself, we have not done that.

Mrs. Watson —

Mrs. Watson: Mr. Chairman, I would call question of Motion 24, as amended.

Mr. Chairman: Are you ready for the question?

Some Members: Question.

Mr. Chairman: Are you agreed?

Some Members: Agreed.

Mr. Chairman: Carried.

Motion Carried

Mr. Chairman: I understand that we have Mr. George Schreiber present with us this morning in the gallery regarding the report on Task Force of Asbestosis. I wonder if Mr. Schreiber would come forward.

Mr. Schreiber has made the long trip from Ottawa

so that we might hear more regarding the report of this Task Force.

Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman I think we are all thankful to Mr. Schreiber for making the long trip from Ottawa to give us some of his valuable expertise in this area.

If I could just do a very quick recap of what stage we have reached now with this matter it might refresh all our memories.

Sometime ago a task force was instituted at the request of the Commissioner of the Yukon and the Federal Minister of Health and the Minister of Indian Affairs and Northern Resources to look into the matter of a tolerance standard for airborne asbestos in mining plants and operations in the Yukon.

On the 24 of November the report of that task force was received here in the territorial government and it was tabled immediately, the following morning for the benefit and information of all members.

The members of that task force, chaired by Mr. Trevor, who is Regional Director of Resources for the federal Northern Natural Environment Branch of Indian Affairs included Mr. Steve Homulos, the senior mining inspector for the Department of Northern Affairs, Dr. N.P. Connolly the Department of National Health and Welfare, who is our Chief Medical Officer. Mr. Gagan, the Department of Environment, Mr. G.R. Vincent from Cassiar Asbestos and Mr. Taylor, from Canadian Mine Workers at Clinton.

The recommendations after the outline of their studies which came in this report noted that a tolerable level concept is a matter for responsible regulatory policy rather than a precise scientific determination.

They went on to review the standards maintained in other jurisdictions for workers working with asbestos products. They noted that the existing standards used by Cassiar asbestos at both Clinton Creek and Cassiar Mines is 5 fibres per cubic centimetre, although this was not a statutory requirement at this time.

In other jurisdictions, in Quebec their Order-in-Council stipulates that no mine is to exceed for a period of eight hours an average concentration of five asbestos fibres longer than five microns per cubic centimetre. The effective date of that order will be January 1st, 1978.

A standard of five fibres is presently used in the United States but in July 1976, this goes down from the emergency temporary standard which was imposed in '72 and now it will be reduced to an eight hour time weighted average concentration of two fibres per milliliter on July 1st, '76.

The English standard of two is designed to reduce the risk of contracting asbestosis to one percent of those employees who have a life time exposure to the dust and it is based upon the only study so far, made in 1974, Mr. Chairman, of a population where it has been possible because of reasonable dust exposure records to relate clinical findings and x-ray changes to dust count.

This has been one of the problems which the task force here commented upon. The lack of medical records which have been kept for this specific purpose of identifying the hazard for workers in this industry.

The risk referred to in the English standard refers to accumulative exposure of one hundred fibre years per centimeter. That, is if a person worked in an asbestos dust concentration of two for 50 years, they would have less than a one percent risk of developing the earliest demonstrable effect on the lungs due to asbestos.

I am a layman in this subject and my understanding of this report, prepared by the task force for the Yukon's advice is that the two fibre count, which they recommend as the eventual standard for those operations now in existence, and as the standard which would be imposed today for any new operation opening, is a very safe level in view of the fact that most of the employees in these industries in the Yukon are what we consider transients in the fact that they do not stay for more than about two years.

The English standard is imposed because in those cases, most of these employees are lifelong mining employees and therefore the time factor is very important, when their exposure is considered.

There is a great deal of material available to us in addition to this study but most of it is very technical.

I have been trying to find something that would be at my level of understanding, and I have read the "Miner's Voice" of November '75 with news about their campaign against asbestos hazards for workers, where they point out that technology to eliminate asbestos dust from all work places already exist, although we have been given the impression it is very, very difficult thing to impose. Through proper ventilation dust can be eliminated. Until government acts to protect workers exposed to asbestos dust, the only real safeguard workers have is to police their work places themselves and demand a safe working environment.

The "Miner's Voice" goes on to say, "company efforts to insist workers use respirators and face masks are no solution. Companies like to require their workers to use them because it gives the illusion that something is being done. It is cheaper than installing proper ventilation, says the "Miner's Voice" and it puts the burden for safety on the workers instead of the bosses. In most cases the devices are ineffective and let the dust in. In some instances they may be dangerous because they may make it harder for workers to breath. That is the "Miner's Voice."

All through this weekend, Mr. Chairman, a various interesting article in the "Canadian Executive", October, 1975, which just reached my desk on Friday. I don't wish to belabour this point, it has a great deal of interest, but if I have your permission, Mr. Chairman, I would like to make a few quotes from this article because it is timely and I think authoritative. The title of this article is "Health and Safety, The Bill will be Huge". And it approaches the subject, of course, from management's point of view and I've just given the Union's point of view. I will just read very briefly under the subheading "Cancer Fears".

"The most dramatic examples of occupational diseases in industry today are problems linked with cancer. Coke oven emissions, asbestos, vinyl chloride, uranium, arsenic, and wood dust have all been headline grabbers as suspected or know carcinogens. Advances in medical diagnosis are helping scientists

and insurance claim boards to identify diseases which previously went undetected." And so we go on. "There are some ten thousand to twelve thousand industrial chemicals in use which haven't even been tested yet for their effect on workers because they are so new."

One of the first points they make here is that costs for Workmen's Compensation have nearly tripled in the last ten years, because of increased accidents and increased hazards which may be something we are talking about today.

And more types of diseases are being accepted by compensation boards. So the bill goes up. Health and Pension costs are pushing up the total loss. New, stricter guidelines for health and safety are forcing some companies to curtail operations or move and even shut down."

Canadian Johns-Manville Company Limited recently closed an asbestos mine in Northern Ontario, because the company found it impossible to comply with Provincial guidelines regulating the number of asbestos fibres in the air.

Last March nearly five thousand asbestos workers struck five Quebec asbestos mines, tying up about twenty percent of the world's asbestos production. The two main sticking points then and when this article went to press, were money and cleaner air in the mines and plants.

Now, gaining a true perspective on industrial health and safety in Canada today one of senior management's most difficult tasks. There are virtually no national statistics on occupational health and safety. Statistics Canada hopes to finish a rough draft of its first study of occupational disease by early 1976."

Now, Mr. Chairman, this has been one of our problems. We have been unable to find any statistics which would apply directly to our Territorial concern. "Worse, there are few national guidelines which clearly spell out what constitutes a health hazard in the work place. Instead, Mr. Chairman, there are 153 different, sometimes overlapping Federal, Provincial and Territorial Acts. In addition to the sixteen Federal, 118 Provincial and 19 Territorial Bills, there are a host of municipal by-laws to further complicate the situation. And there are no less than 78 agencies, 12 Federal, 64 Provincial and 2 Territorial to enforce and administer these acts. Now, I'll skip on quickly.

"Of all the industries under attack these days, the asbestos industry stands out as everyone's favourite whipping boy. The asbestos industry is being hit with health related strikes, criminal negligence suits, conflicting medical reports and constantly tightening regulations. So much has been written in recent months linking asbestos to cancer and respiratory ills, that we have practically lost sight of the fact that asbestos has saved countless lives as a fire retardant in homes and industry, not to mention its more than three thousand commercial applications," etc. etc. That's a plug. "Still the hazards of asbestos dust are real and cannot be ignored. As far back as 1917, many U.S. and Canadian Insurance Companies were refusing to insure asbestos workers. More recently medical studies have linked asbestos to lung cancer — and cancer to the larynx and gastro intestinal tract as well as white lung or scarring of the lung tissue and a crippling form of white lung known as Asbestosis.

Opinion varies widely on the dangers of asbestos dust in the working place. A study of male laryngeal — " is that right Dr. Hibberd? "—cancer patients at Toronto General Hospital in May 1974, by a University of Toronto research team, revealed 23 percent of the victims had been exposed to asbestos at sometime in their lives." Twenty-three percent. "Many medical authorities are beginning to suspect that asbestos related health problems can show up five to fifty years later, after only a few days exposure to the material. Dr. Irving Sellicoff, Director of the Environmental Scientists Laboratory at New York Mount Sinai School of Medicine and one of the world's leading authorities on asbestos related diseases claims if there is a safe level of exposure to asbestos dust we don't know what it is.

Mr. Chairman, as far as I am concerned that erases the time weighted factor in any regulation regarding working in asbestos floating air. I go on. "According to Sellscoff asbestos fibres enter the body and remain there acting like a time bomb showing up as cancer twenty years or more after the onset of exposure. He predicts Canada will be hit with an epidemic of claims in the next 15 years from thousands of asbestos workers exposed to high levels of asbestos dust in the 1940's, 50's and even the 60's when dust control in the mines and manufacturing plants was a lot more slack.

"Some of the statistics coming to light are shocking. A preliminary report issued by Mt. Sinai School of Medicine Research team," now that is the same background as Dr. Sellicoff we have to consider this as still only one authority only. After a two years study of conditions at Stratford Mines in Quebec showed big trouble on the horizon for the Asbestos company.

"The study claimed that 61 percent of the asbestos workers with twenty years or more service are suffering from lung abnormalities. 52 percent were afflicted with asbestosis. 75 percent of those with 40 years or more service had lung diseases. Most had been exposed to high levels of asbestos dust. Today government and company officials are keeping their fingers crossed that new guidelines will minimize the health risk that might show up twenty years from now."

Now about guidelines. "Guidelines restricting the number of asbestos fibres in the work place are primarily set by the provinces. Ontario's guidelines which set the maximum amount of fibres over five microns in length at two fibres per cubic centimeter there are among the strictest in the world, only Britain matches these figures.

"In Quebec where 80 percent of Canada's asbestos is mined, Canada produces around 43 percent of the world supply, the government is demanding industry reach a five fibres cc max by 1978 from a level of 12 fibres per cc.

"The other provinces or territories have either established a standard of five fibres or are moving toward it." Now, there is a great deal more here, but if I could, Mr. Chairman, use a couple more.

"Just how dangerous is asbestos? Mount Sinai's Doctor Nicholson recently completed a study which indicated that lowering asbestos dust levels decreased the incidence of asbestosis, but did not lower the incidents of cancer.

"Another Mount Sinai study suggested that family members of asbestos workers may be receiving harmful exposure to the fibres from dust carried home in the workers clothes and hair. Some researchers are now beginning to worry that dust particles below five microns in length, which are not even monitored under current systems, may be harmful as well. The big gamble for management rides on whether or not their advisors and experts are correct in predicting that the worst is nearly over in the fight against asbestos-related diseases.

"Workmen's compensation boards in Quebec and Ontario are accepting more claims and paying higher awards to asbestos victims," and so on.

We get into the legal situation where you get a good lawyer and how they go about it.

There is one more paragraph, "second guessing medical science government regulations union and community demands has become a monumental headache for senior management. It is practically impossible to cover all the basis, or prethink all the possible things that could go wrong in any one particular industry. Still maintaining health and safety in the work place is management's responsibility and if things go wrong it is the company that ends up paying.

"Business will have to pay more attention to worker health and safety in the years ahead."

Finally they quote Mr. Bill Corral, Director of Industrial Relations for the International Nickel Company of Canada who says, "legislation cannot be the leader. It can only be standards by which you operate. You have to look at your own operation and really decide morally and legally whether or not you are being a good corporate citizen. It is not, there is no way you can expect to make a profit on a continuing basis."

Now I am sorry to have taken that time, Mr Chairman, but I find that a little bit of background is very helpful to me. The only other thing I wish to bring before you, without delaying out witness, is the report, it is not actually a report it is an advance copy of a notice of proposed national emission Standard Regulations for the asbestos mining and milling industry, which is to be Gazetted shortly in Ottawa.

This regulation will be prescribed by the Governor-in-Council under the section of the Federal Clean Air Act, which deals with control of air contaminants that present a significant danger to the health of the general public. We were given a copy of this by the Deputy Minister of Environment Canada on November 24th, there will be a 60 day period when the federal officials await comment from provincial and territorial jurisdictions.

The requirement specified in this Emission Standard Regulation were developed by a task force comprising representatives of the federal and relevant provincial governments and the industry. It was considered expedient to first deal with the four sources of emissions covered by this proposed regulation. They are the crushing, drying and milling operations and dry rock storage. The task force is currently developing requirements for the balance of the sources of emission from the industry. At the end of the 60 day period following publication the nature and the extent of the response to this announcement will be analysed

to determine what changes are required before final promulgation.

Mr. Chairman, I think we would all be interested in the standard which that federal task force has arrived at.

When you read through the short title and interpretation of the regulations application, emissions standards: "the concentration of asbestos fibre emitted into the ambient air from crushing, drying or milling operations or from dry rock storage at a mine or mill shall not exceed two asbestos fibres per cubic centimeter measured undiluted in accordance with the method described in Department of Environments Report, E.P.S 1-A.P.-75-1, standard reference methods for source testing, measurements of emissions of asbestos from asbestos mining and milling operations or in accordance with such other methods as the Ministry may approve from time to time."

Now that, as I understand it, Mr. Chairman, is the standard which the federal task force will have gazetted as a regulation pending comments and reaction.

Now I have no intimation here as to when that standard would be in force. Perhaps Mr. Schreiber will be able to enlighten us on that.

I want just one final point here, I want to draw the attention of all members to the fact that in the United States there was a lead time of four years given, from 1972 until 1976 when the two fibre standard will be imposed as a statutory requirement.

I am not rising here today to defend one side or the other of this question. We have had Mr. Trevor here tell us that in his opinion, it is impossible for any company now in production to install the required technical apparatus which would even begin to measure air tests under the two fibre.

I have that opinion to go on. I have my own reaction to what I have read and what I have been told which is not an official one in any way. It is simply a gut reaction to the fact that if there is any possibility that by working even one hour in an asbestos mill I am going to suffer a serious disease in later years, I want to know and I think any employee is entitled to know.

Now Mr. Chairman, all I have done there is air my own problems and perhaps some of them have been those of other members. It may give Mr. Schreiber some intimation of the kind of information I need, if not all other members. Thank you, Mr. Chairman.

Mr. Chairman: Thank you, Mrs. Whyard. Mr. Schreiber we would welcome your comments.

Mr. Schreiber: It is hard to tell exactly where to start. As you all probably know, our Honourable Minister Marc Lalonde has proposed and written to each of his provincial counterparts that they do the utmost that they can to accept this fibre standard of two fibres per cc.

It would probably be worth while if I just read the letter that he did send out to the provincial ministers of health.

"Mr. Dear Minister. As you are aware it has long been known that there is a relationship between exposure to asbestos dust and respiratory illness.

More recently it has been learned that asbestos appears to have carsimogenic effects when it is inhaled. I am concerned about measures taken in Canada to protect workers against health hazards associated with asbestos.

For this reason I suggest that each of us should re-examine within the areas under our jurisdiction the adequacy of regulations and control measures for the prevention of risk to health with respect to asbestos.

My department has recommended the adaption in areas falling under federal authority of the "Interim Target Concentration" for maximum levels of asbestos fibres in air recommended in the February 1974 by I.L.O., "which is the International Labour Organization.

"This would require that the time weighted concentration of airborne asbestos for an eight hour day and a forty hour week should not exceed two fibres of 5 microns or more in length per millimeter of air as determined by the membrane filter method at 400 to 450 magnification," et cetera, et cetera.

I think that this information was proposed and brought to light by as Mr. Lalonde says by the I.L.O. work, by work that is being done within the department of health and Welfare and by a recent task force to assess the incidents and the problems associated with asbestos exposure in Canada.

Those three inputs lead to Mr. Lalonde writing to his counterparts and suggesting this standard.

Hon. Mrs. Whyard: Could I have the date of that letter from Mr. Lalonde.

Mr. Schreiber: April 9th, 1975.

Now this letter was also transmitted to the Minister of Indian and Northern Affairs. Now, whether it has reached this level, I can't say for sure, at all.

Hon. Mrs. Whyard: Mr. Chairman, just as a matter of interest I don't have that letter on my file.

Mr. Schreiber: The acting Director of Environmental Health Directorate within the Health Protection Branch also on April 30th, 1975 wrote to Mr. Duer who was assistant Deputy minister of medical services branch and notified him of the Minister's concern and that the Minister recommended the adoption of the I.L.O. standard in areas under federal jurisdiction.

This letter has been drafted concerning related matters about asbestos, which is expected that the Minister will send to his counterparts in the provinces, copies are attached for your information.

Now one of the things that is of particular concern to us is the theory of the threshold limit concentrations. I think it has been clear that what we have been working on is limited evidence taken from British experience in 1968. The concept of the threshold limit is not that there will be no one that will be exposed to the disease process but you are talking about accepting a risk and you are talking about a risk taking concept.

The British have arbitrarily decided that they will accept a one percent risk of asbestosis. If you do some statistics on this it shows that given their standards you can work out some limits of confidence and you are

probably talking about a one to three percent risk of asbestosis.

However, one thing also becomes very evident is that we are not talking about risk of carcinoma. At present there is no known safe to protect the worker against carcinogenic risks from asbestos. It appears that short intermediate exposures or short high exposures will bring on cases of mesothelioma twenty thirty years in latent period.

We all read in the newspaper about, for example, the incidents in Toronto, a young girl brought her father's lunch to Johns-Manville plant and 30 years later developed mesothelioma. I think some of these are alarmist type statements but they do indicate that there is ample evidence to show that levels of very low exposure will induce mesothelioma. They will also induce bronchogenic carcinoma. When we are talking about protecting the work force we are talking about the standard of two fibres per cc., we feel, or the Health Protection Branch of Health and Welfare feels that if you do reduce the level to two fibres per cc. you go along way to reducing the exposures that are contributing factors to bronchogenic carcinoma, mesothelioma and lately gastrointestinal cancers has been linked to asbestos exposure.

For that reason we have recommended the adaption of two fibre per cc.

Recently, in the October 9th, 1975 U.S. Federal Register, Department of Labour, Occupational Safety and Health Administration, occupational exposure to asbestos, there is a notice of proposed rule changes. In the U.S. now based on carcinogenic risk, not asbestosis risk they are proposing to lower the standard to point 5 fibres per cc.

One thing I should say is I say 2 fibres per cc. or point 5, I am always talking about eight hour time weighted average. Also when we speak about regulations we really have to define what we are looking at under the microscope as far as the asbestos particle. Something I did not see in the task force report here.

I think we have to be very careful that we are talking about certain length characteristics and certain length to width ratios. I think these are things, that if you are considering legislation that have to be written in to be very clear what we are talking about.

Just from my point of discussion I am always talking about 8 hours and I am always talking about fibres of 5 microns or greater with a length to width ratio of three to one, just as common technology.

Now as I say they are proposing based on carcinogenic risk to reduce the stand to .5 fibres per cc. This is based on several factors including the familiar exposure of asbestos workers where mesothelioma and bronchogenic carcinoma have been found in families of workers, asbestos workers. It has also been based on further re-evaluation of the original British Industrial Hygiene Standard where they found that now, seven years later, that there are cases of asbestosis. It is also based on improved clinical definition of asbestosis.

They found that the standard now of two fibres per cc does not seem to protect, as much as previously was accepted, against asbestosis.

They are proposing a much more stringent stan-

dard than we are talking about. This is in the Federal Register and it is open to discussion including economic impact statements, and the industry has to respond to it yet.

In this there is quite a very good discussion. I think Ms. Millard brought it out in the discussion that I read in your minutes of December 1st, there are some points here that are well worth considering.

I think the question that we have to ask ourselves when we are considering asbestosis and asbestos related diseases, is just how much risk are we willing to accept. Of course if we are willing to accept no risk, then you are talking about no asbestos industry. I think you have to try to define a standard that offers you maximum protection and steps that do offer you maximum protection, respirators, legislation on protective clothing, all of these things have to be looked at in proper perspective.

I continue on with analysis of the data that would bring you to the conclusion that you might lower the standard, but I think that one of the problems that exist now, is that a lot of the evidence is epidemiologic in nature. And epidermal data, as an epidemiologist is always subject to contravarsy, because we can never show definitely that for example, if you smoke you are going to get cancer. And until we can come out with some kind of proof like that, where we can run rats through a maze and they all get mesothelioma. There is always a certain group that doesn't accept the evidence and the evidence of course, is open to controversy. But based on the number of studies in a number of countries, I think that there is no denying at this point in time, that there are associations with low levels of asbestos exposure, mesothelioma bronchial carcinoma and perhaps cancer of the digestive system. Now, I think the latter is probably the most sketchy, but it does appear now that there is definite associations.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Yes, Mr. Chairman, the discussion this morning is most interesting and the first question that arose perhaps, has been answered. I noted in the description of the Honourable Minister's letter to the Provinces, that he was desirous of threshold limit value I believe that was rated in millimeters. My question was how it related to cubic centimeter and I think it has been answered. Is there a desired date, or has the Minister expressed a desired date for Provincial Jurisdictions to have fully implemented a threshold limit value of two cubic, or of fibre per cubic centimeter?

Mr. Schriber: I don't believe so and one of the problems is that the Federal Governments as you know, has no jurisdiction over occupational health or very little jurisdiction over occupational health. Only in those segments that come under the Federal domain. And therefore, he can only recommend to the Ministers a standard. It really doesn't make too much sense for him to recommend a time interval since that they can either accept or reject his recommendation. But he has recommended this.

In the interim report of the Asbestos Working Committee, I'm sorry, the Asbestos Working Group, one of the recommendations is that there is uniform early acceptance of a maximum tolerable standard. Now this is maximum tolerable standard is the same as threshold limit value. But one of the things that should be brought to mind, is that threshold limit value should only be used as a guideline.

What is really desirous is to reduce the level of exposure to the working population to as low a level as practically possible. For that reason, the Task Force, decided that they would use maximum tolerable standards and that this standard should be based on best available scientific criteria, and subject to revision. In that light, there will be continue review as new evidence becomes available to suggest to the Provinces and the Territories what level should be acceptable, and what levels are found acceptable. What the effects are in countries that have levels.

Hon. Mr. Taylor: Mr. Chairman, I just had one other question. It relates to the recommendations contained in the report of the Task Force on tolerance standards so forth. And recommendation 62, to allow reasonable time to adjust to a substantial reduction in the present operating standards. Existing operations should meet a standard of five fibres per cubic centimeter until July 1st, 1978, at which time they should comply with the 2 fibre per cubic centimeter standard. This obviously, this recommendation takes into account the fact that we have an existing asbestos industry and would give them sufficient time to, shall we say, clean up their act.

I would just like to know Mr. Chairman, just what the reaction of this proposal would be to the witness, or does he indeed have any reaction to it?

Mr. Schreiber: Strictly a value judgment and based on my concern for health. I have a briefing paper based on the study that Health Protection Branch did, the first survey that was done at Clinton Creek.

The recommendation is that we feel, or the people that did the study feel that, if proper steps are taken that there should be no problem for the company to reach a two fibre per cc level of emission. I'm going by perhaps one of the best industrial hygienist in Canada, Mr. Jack Windish, who has done numerous mine safety studies for the Federal Government.

My concern would be that, given that we know that low levels of exposure do contribute bronchogenic carcinoma and mesothelioma, are we willing to accept the risk of two more years or three more years to a work force.

Myself, I would like to reduce that risk as much as possible, and my own feeling would be to push for a level of 2 fibres per cc as soon as possible and try to help the industry meet that level. There are a number of things that can be done. Educational programs, there are warning signs, there are proper use of respirators, what respirator should be made available, under what condition should they be used, and to show them good housekeeping. Now if I can find the statement here, my briefing statement on our Clinton Creek study says and I'll quote "Although many of the

levels found in our survey at Clinton Creek exceeded this recommended level," now the recommended level we're talking is 2 here. "Modifications in housekeeping and operational methods as well as improvement in the application of local exhaust ventilation systems, are expected to reduce the airborne concentrations of asbestos to the desired level. It should be borne in mind that the levels we have found in our survey are not grossly in excess of the very stringent standard my department is now recommending and that the average level we have found in the air at the mines at Clinton Creek, are generally below those we would have considered acceptable even a few months ago."

So I think that there is probably considerable room for improvement there. Not having been to the plant and seen the operation, I, of course can't say what the improvement should be right away. But this briefing statement is the briefing statement that was prepared for Mr. Lalonde in replying to questions from the Honourable Member from New Westminster.

Hon. Mrs. Whyard: Mr. Chairman, I think we are getting down to the nitty-gritty here now. This is what we are all most concerned about. We are currently operating under a five standard. The Task Force has said we should implement the 2 fibre standard, but for ongoing operations they will be given a two year lead time to install the necessary technical equipment whatever.

When we were discussing this matter in Committee earlier, Mr. Chairman, we had with us Mr. Bryan Trevor, and I think it was the Honourable Member from Ogilvie, who directed a question to him regarding what the daily standards are now and how far off they are from the 2 fibre standard. Whether or not this 2 fibre standard were imposed now, it would be, in effect, a close down order to that particular operation. I recall, the reply we got from Mr. Trevor that day said that most of the tests right now, are within the 2 fibre limit. Correct me if I'm misinterpreting that statement.

He went on to explain that if you go under the 2, and I could understand this, the smaller the amount involved, the more difficult it is to control and if you get down to point five which is the ultimate or zero goal, it would be almost impossible to prove that there were .5 or 0 fibres in so many cubic centimeters of air. But my impression that day, Mr. Chairman, was that we are pretty well at the 2 fibre level right now in control in that company. If so, Mr. Chairman, I wonder why they have to have two more years to bring it down to 2.

I think this is the point we are at in this Committee. If it were my decision to make, I would say, all right, you're that close, you can do it. It's 2 as of the first of July, 1976, as in other jurisdictions. We haven't been able to get a time frame for the Federal regulation under the Clean Air Act. I'm not sure when that will be imposed. There is a 60 day time for reaction and feed back after its gazetted which would be January 24th plus 60 more days. So maybe we're looking at the same general time.

Mr. Schreiber: I think, Mr. Chairman, the thing that is of particular concern to us in Health and

Welfare is that most of the industrial countries now, are accepting this two fibre per cc standard. The U.S.S.R. has a standard which is equivalent to two fibres per cc roughly. The I.L.O. has a standard. The U.S. as you see is going more stringent. Ontario has a standard of two fibres per cc.

I understand British Columbia is now considering a standard of two fibres per cc. Saskatchewan has taken another track. Saskatchewan is not proposing a standard by Saskatchewan is saying that all practical measures have to be taken to reduce asbestos exposure to as low a level as possible.

The Chief Medical officer was telling me they went to a plant that was having an exposure of point 3 microns per cc and they then made the plant institute controls which has reduced that subsequently to point one fibre per cc. They are very concerned, not with asbestosis, but with mesothelioma.

I think another thing that becomes evident is that when we are talking about asbestos they are not just talking about the mining community, we are talking about other sources of exposure. What happens to the bags of asbestos that are trucked out of the mine and perhaps break along the way and the drivers or the depot operators are exposed.

Are there other uses of asbestos in the Yukon that result in exposure, for example, in the spraying of insulation material, are there regulations that prohibit the use of asbestos.

There are three thousand uses of asbestos. In our report we recommend other things that we think are critical, for example, labelling. Labelling of products that have the potential to release free asbestos fibres to notify people that they are at exposure. It has been very recent that you could go down to a place like Canadian Tire and buy a twenty pound bag of asbestos and go home and do with it what you like.

I think these are concerns and that we should — when we are considering recommendations and regulations that we should extend it not just to the mining community, because it has been shown that for cancer risk, it appears that the manufacturing processes and construction industries, particularly insulation workers are at more risk for mesothelioma and bronchogenic carcinoma than even the miners. This could be because they are exposed to smaller asbestos particles and it appears that the smaller particular size is related to cancer rather than the bigger size which seems to have a dose response relationship to asbestosis.

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman, I just wanted to inform Mr. Schreiber that this question of related areas has already come up for discussion in this House and in Committee. The Honourable Member from Klondike was concerned, for example, about the hazards of exposing workers in the transport of the product from the mine to the railhead etcetera. One of the recommendations of our own task force is that the territorial government should investigate possible exposure hazards related to asbestos in areas outside the mining operation, for example, under tran-

sportation.

As you have said there are untold numbers of other areas where there could be a hazard. Asbestos products are used in play schools, in classrooms all over the place.

One of the criticisms that we heard here, Mr. Chairman, was that the national authorities, or the Canadian government in some shape or form has been sadly lacking in any particular research in this field until very recently. Our Chairman of the task force referred us to your department for information, his department doesn't have the information you have got.

Can you give us just a moment or two and try and reassure us that someone is actually working on this and we are going to get some facts and figures in the near future?

Mr. Schreiber: One of the problems within the federal government is jurisdictional authority and until recently it hasn't been clear who has the responsibility for such areas as occupational health. Hopefully this has been clarified in the last several months in that there has been an accord reached between the medical services branch and the health Protection Branch within Health and Welfare.

We have the responsibility now for research and the primary—we, the Health Protection Branch have the responsibility for primary provincial contacts, research in occupational health and advising on standards and criteria.

In that line, we are instituting several programs where we are looking at occupational exposures to a few of those ten thousand that you mentioned from the Executive Magazine. There are many occupation health problems that do exist in Canada, but the problem is jurisdictional. They belong—Health is the right of the province and it is just not clear what authority the federal government has in some of the health areas.

We do have several experts that are continually reviewing the data. We try to review all of the literature as it becomes available on asbestos and asbestos diseases to try to advise the Minister and others what the hazards are. We are in continual contact with the provinces now to see what their thinking is along the lines of standards and criteria and if any new information becomes available for them. The National Health Grants are funding several studies to study asbestos workers, mostly in Quebec.

There are also epidemiological studies proposed to look at specific groups of asbestos workers. The task force or the working group on asbestosis, and asbestos related diseases, I think was a first step. In 1974 there was a sub-committee of environmental health formed. This is now part of the new advisory committee structure for Health within the federal government. The Conference of Deputy Ministers now has an advisory committee structure and there are four main advisory committees. One of the Advisory Committees is the Advisory Committee on Community Health. This has a sub committee, a sub committee on environmental health. Now within the sub committee there are a number of working groups. One working group which had its first meeting last month is a

working group on occupational health. There was this working group on asbestosis and there were several other working groups, radiation protection. These now are taking an active look at just some of these problems and will come up with recommendations, hopefully to identify, one, what the problems are.

There are real problems, for example, in the industrial situation in documenting who is at exposure so that we can even compare rates for different industries.

It doesn't do much good to identify several cases of a disease and talk about this disease being industrial related until we even know who in the industry is being exposed. So we have recommendations to require registration of workers. We have labelling recommendations, warning signs for the occupational health situation for the work place.

Now I think that there is a concerted effort being taken and a redirection of resources in the area of occupational health.

I hope that we see a lot more activity in this area.

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman, I am grateful to Mr. Schreiber. If he has done nothing else in coming all the way from Ottawa he has given us a mandate to proceed on our own, because obviously it is up to us.

The second thing he clarified, and it is a fact that most of us are dimly aware of is that jurisdictions are fighting with each other for control of every little bit of our environmental pollution, health or whatever.

The third thing, Mr. Chairman is that this report prepared by our own task force begins to look better and better because there are a number of recommendations in this report which you have just made as well.

I think the people that sat on this task force and did this job have done a creditable job. They have passed the baby to us. It is up to this Assembly to say what they want done now in regulations. We can't draft the regulations in this House, but we have competent people in other departments who can.

There was just one other thing I wanted to say Mr. Chairman, and I know we are running close to noon hour.

There has been no one here at any of our discussions to speak on behalf of the manufacturers or the miners of this product. I want to say publically that I mentioned earlier a booklet which Cassiar had published without anybody making it a statutory requirement and I would just like to introduce it into the record today. I think I would be applying to a question from the Honourable Member from Ogilvie.

They have gone to some trouble in this booklet called "Cassiar," which was recently published to describe the health hazards of working in an asbestos environment. They have the technical information here about the three types of disease which you are vulnerable and the safeguards that should be taken in order to protect your health.

They have outlined the steps they are taking as management to try to assist in this. I think they have made a comprehensive approach to the subject on

behalf of their employees. I don't know how much it is costing them, it doesn't say.

I do not think it is fair to leave a one-sided record in this debate implying that no steps have been made by industry because they have.

There is only one other thing that we haven't hit here Mr. Schreiber, and Mr. Chairman and that is the real intensifying factor of smoking in all these diseases. I could quote that one for quite a while. As Minister of Health and as a recent non-smoker, I have to stress that it is very serious. The figures have shown in all the studies that smokers who are working in any of these environmentally hazardous industries are simply compounding the evils not just asbestos it is in other areas as well.

I think Mr. Schreiber has been very helpful this morning and I would like to have a little time left for other members to question him, Mr. Chairman.

Mr. Schreiber: Mr. Chairman, could I make one comment on your last comment. We realize that smoking is probably more of a risk than any other factor, particularly in asbestos. One study has shown that asbestos workers that smoke have roughly 92 times the risk of bronchogenic carcinoma, lung cancer as the general population, or probably ten times as much as other studies have shown.

We are talking about an increased incidence of ten to ninety times the lung cancer for asbestos workers that smoke versus the general population.

Realizing this, the working group on asbestosis made a recommendation. Our recommendation number 3. Realizing the greatly increased risk of lung cancer, blessed with asbestosis with smoking and asbestos exposure, non smoking should become a condition for employment occupations exposed to asbestos. Every effort should be made to dissuade current employees from smoking. In this light, the Union in Newfoundland in the asbestos mine, has negotiated with management to give a bonus to non-smokers. And now I understand there is a plan under way where non-smoking employees get a bonus for working in the mine versus those that don't smoke. And probably in the long run, it's well worth the company's effort, since it's probably a lot less than they would every pay out in Workmens Compensation.

Mr. Chairman: That sounds like out right discrimination, Mr. Schreiber.

Hon. Mrs. Whyard: Just one more question, Mr. Chairman. We have in the gallery, Dr. Connolly, who was a member of the Task Force, and I understand that he agrees with the report of the Task Force. My only question, Mr. Chairman, is whether or not he has observed anything this morning that he would like to say that's been left out.

Mr. Chairman: I think there are several questions that members of Committee would like to continue with. As it is now noon, I wonder if Mr. Schreiber could, would it be convenient for you to come back at 1:30?

Mr. Schreiber: Fine, I will be here until tomorrow

afternoon. Dr. Connolly could come as well. Before we recess I have a notice here from Mr. Fitzgerald of the Game Branch. In which he extends an invitation to all members to see a 15 minute presentation on the Old Crow project, regarding waterfowl, river survey of falcons, etc. Mr. Fitzgerald suggests 1:30 p.m. today in the basement of the Game Department building. I don't think that is a convenient time for us. There are two things to consider. One, do we wish to have this and 2, when? What are the feelings of Committee?

Mr. McCall: Is tomorrow more convenient for us?

Mr. Chairman: Well at least I can tell Mr. Fitzgerald that 1:30 p.m. today is not convenient.

Some Members: Agreed.

Mr. Chairman: Committee now stands recessed until 1:30.

Recess

Mr. Chairman: I now call this Committee to order. We have with us this afternoon as witnesses, Mr. George Schreiber and Dr. Mike Connolly, the program's medical officer of the Yukon region. And also chief medical health officer to the Yukon. Mr. Lengerke.

Mr. Lengerke: Mr. Chairman, I have a question which I would like to direct to the witnesses, either one of them can answer. It's pretty basic, but I'm assuming that we set the limits at 2 fibres per cubic centimeter. And assuming that we beef up our appropriate legislation with respect to such things as ventilation, special equipment, clothing, awareness and publicity, etc. In the Yukon, can these limits be practically measured now? Could you maybe tell me what equipment is required with respect to the mine, to the government, the staff that would be required, the costs involved and availability of such equipment at this time?

Dr. Connolly: We can attempt to provide you with the answer on the best of our knowledge. I think we should qualify it from the onset that there are very definitely people that are better qualified to give you such comments about equipment and about the cost of employing the individuals. My comments will be rather general.

The equipment available to measure to a reliable extent, fibre level if it is at 2 fibres per cubic centimeter is available. There are individuals at Clinton Creek who are present continually and I think there are two such individuals who are doing spot measurements throughout the mine at the present time. At the present time I would have to say this is adequate. There are spot checks that require additional members of the labour force. These would most likely be, to do with the people who were actual enforcing the legislation. They would have to do spot checks and you could also determine how frequent like, possibly three times a year or four times a year.

The time consuming portion of the survey is actually the microscopic work. There is a limit as to how long an individual can do it. Usually when they are starting they can do it for say two hours. It's a considerable strain if you have been at it for a while sometimes you can extend this to six hours. There is a real limit as to how many tests you can actually read in the one day. It is a factor that has to be considered. It's not outside of the possible realm.

Mr. Chairman: Ms. Millard.

Ms. Millard: To answer something that came up about an hour ago, but I think it is still relevant. On behalf of Cassiar Asbestos, I'd like to say that they are now receiving about a 2.5 level fibre per cubic centimeter level, but their real problem is in the winter time, because a lot of control of dust conditions are done by water. And of course, in winter when it's 60 below, this is almost impossible. They also have a problem with the heating system in the winter, because it is not practical for them to bring in fresh air to their heating system because it is so cold. Those are things which I think that can be overcome, but those are the positions that the company is in at the moment. I think that it is only fair that we should mention that they do have many problems that we haven't considered.

I would like to hear the witnesses comments on two general areas. One is on the assumption that the people at Clinton Creek are so transient, that it really isn't so important as it would be for a person working in a factory for twenty years of his life continuously. I wonder if we could hear further comments on that from our witnesses particularly in the area of cancer producing fibres.

The second area that I am interested in what can be done and what has been done in the several areas that will not cost the mine any money as far as I'm concerned, or if it is, it's very little and that is in the area of education of the employees. In the educational area about smoking or health regulations, washing, cleaning, showering after work. How to protect their family? In other areas there are health information and health records are very important especially in our witnesses field.

Also in the methods of working within the mill and the mine, are there certain specific areas that have been investigated in the method of handling asbestos and other aspects of that area.

Also in clothing and respirators, is there any research been done on the kind of respirators that are being used at Clinton Creek. Are they adequate, if they are not adequate, are there standards set somewhere in the world that we can use for respirators. I know that is a pretty big bill but I know that generally speaking there are a lot of things that can be done at Clinton Creek that do not entail installation of large machinery and cost and could be implemented certainly in the next six months.

Mr. Schreiber: Mr. Chairman, addressing the question of the transient nature of the work force, I think that there is probably no doubt that when you are considering asbestosis, you can start to consider the fibre years concept and perhaps there the tran-

sientness of the work force becomes a considerable factor. However when you are considering the case of mesothelioma it appears that short dosages of asbestos over short periods of time, are sufficient to produce mesothelioma in the work place.

As I stated before the British standard of two fibres per cc is based on the assumption that you are willing to accept a risk of one percent of asbestosis. We do not at this present time have a standard that we can say will absolutely eliminate the risk of mesothelioma or lung cancer, but that if we do reduce to a level of two, we probably are also in effect reducing the exposure, so that we hopefully, will be reducing the levels of mesothelioma and lung cancer.

As far as some of the other points, I think there is an awful lot that can be done as far as protective clothing, respirators. There are groups now, particularly in the States that we could look to for guidance in what acceptable respirators and limits of filtration would be.

I think that is not too soon to start addressing them and seeing under what conditions respirators should be worn and what some of the problems are. I think you are more than aware of what some of the difficulties are in making people wear respirators. They are uncomfortable, they are constrictive. Generally people don't like to use them. I think if the whole educational program that is needed. I think the educational program, no matter when you decide to implement your standards should probably be instituted as soon as possible.

This could include warning signs in the work place, labelling requirements, which by the way Consumer and Corporate Affairs is considering for asbestos containing products. These things should probably be implemented right away.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, I have one question. It is more basic and it doesn't specifically relate to the Clinton Creek situation.

In your presentation this morning you said that even with low levels of exposure of asbestos there was a danger of the cancer risk. You specified the disease as cancer of the tubes of the lung, cancer of the lining of the lung and abdominal cavity, cancer of the gastro intestinal tract.

I believe, you also mentioned I think it is a known fact that there was a relationship between smoking and cancer. There is a cancer risk with smoking.

My question is where is the risk the greater, the person who smokes constantly from the time they are a young juvenile and smokes heavy, or is an average smoker until they probably die of cancer in the long run, or the person who has low levels of exposure of asbestos? Now the person who has the low levels of exposure to asbestos is a known smoker. Where is the danger, where is the cancer risk the greater.

Mr. Schreiber: I think that we are looking at different types of cancer sites. There is no doubt that the overall risk to the general population of cigarette smoking produces adverse risk for cancer of the lung. However, there has been no indication that smoking is a contributing factor to mesothelioma. There is also no

indication in the literature to my knowledge, that smoking increases the risk of cancer of the G-I tract. It is a little bit hard to postulate increased rectal cancer from cigarette smoking. It is just one of the mechanisms.

When you are considering the two, I think you have to break it into two different parts: One lung cancer and the other cancer of the G-I tract and mesothelioma. There is no doubt that the three are related to asbestos exposure.

I think you are definitely right that if you are considering lung cancer then the risk to the general population is much greater. Lung cancer is also greatest in the people that smoke that are exposed to asbestos. They have a compounded risk. The compounded risk is probably a lot greater than either factor taken singularly so that the person that smokes and is an asbestos worker has a much greater risk than either the person that smokes or the person that is the asbestos worker.

I think that, when you are looking at regulations you have to look at the different forms of cancer separately.

There is no doubt that mesothelioma, for example, runs roughly one or two cases per million in the general population whereas in some of the studies, death from mesothelioma in asbestos workers are running ten percent.

One case per million versus ten per hundred is quite a difference. I hope that answers the question.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I have a little problem because I don't have the medical background, I suppose, but there is a cancer risk of cancer of the lungs connected with smoking, am I correct on that?

Mr. Schreiber: Yes.

Mrs. Watson: There is a risk of cancer of the lung, not the other cancers that you mentioned, but cancer of the lung with a person who has exposure to asbestos, am I correct on that?

Mr. Schreiber: Right, it is low.

Mrs. Watson: Now, Mr. Chairman, my question is where is the risk greater, the person who smokes or the person who does not smoke and is exposed to -- has low levels of exposure to asbestos?

Mr. Schreiber: One of the problems has been in the data that is available the risk is greatest for the person that is in the asbestos industry versus the person that smokes and is not in the asbestos industry. Perhaps that doesn't make that clear. One of the problems is that most of the studies that have been done to date, have not separated exposure in the asbestos industry into smokers and non-smokers. What we can compare is, asbestos industry as a whole versus smokers in the general population as a whole. Asbestos workers as a whole, have much higher incidents of lung cancer than exist in the general population as a whole, even if the

general population were all smokers.

Mr. Chairman: More directly Mrs. Watson, I don't really think that there would be any study that would be statistically valid that would really directly answer your question regarding smoking versus non-smoking and asbestosis.

Mrs. Watson: Mr. Chairman, the point I am trying to make is, we are alarmed and justifiably so that the effects of asbestos, people who are exposed to different levels of asbestos has on these people and the risk of cancer. But we accept it as an everyday fact, and continue to smoke and are not shocked at all. We know that the risk of cancer is there also. This is the point I am trying to make.

Mr. Schreiber: Can I make one comment to that Mr. Chairman?

Mr. Chairman: Yes.

Mr. Schreiber: I think one of the justifications for looking at cancer in the work place is that it is not a self determining exposure, were as smoking is a lifestyle factor just as drinking, and if you choose to be obese or whatever. That has a certain degree of self determination. We can educate the person and try to advise him what the risks are, but it is pretty difficult to force him to accepting what we say is right, whereas I think that we have perhaps a different level, a moral level of responsibility for someone that is in the work place to ensure that his conditions are as free from health effects as possible.

I think on that justification that we are on the right track when we are considering legislation in occupational health, not just for asbestos, but many of the compounds. The men, many times don't even know what the harmful effects are of some of these substances that they are exposed to. In many industries there are say hundreds of times more cases of bladder cancer and the men aren't really aware of what the substances are and what they can do to avoid those exposures.

I think we have to critically look at this and advise them and protect them. It is after all, their way of making a living.

Mr. Chairman: Mrs. Whyard

Hon. Mrs. Whyard: Mr. Chairman, I would just like to comment that the subject of the additional risk associated with smoking is covered in one of the recommendations of the report.

We have seen some other literature that has been introduced here today that the unions are now lining up to support a non-smoking edict in some of these areas.

I think that this Legislative Assembly is responsible for the policy which is going to be implemented in these regulations we are asking for based on the recommendations of the task force, but I think also that there are areas which will have to be covered by the unions and management such as whether or not this is possible at all, the ban on smoking. It has got to come from the employees or it is not going to work.

There is a question I would like to ask and I don't think it has been asked before during our discussion. That is has there been any cases of asbestosis reported in the Yukon? Does the workmen's Compensation Board have any figures on this?

Dr. Connolly: I sought out this information approximately two months ago and at that time there were no reported cases of asbestosis in the Yukon. And this information was received from the Workmen's Compensation Board.

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: And another important factor I think in considering this past report, Mr. Chairman, would be do we know, did this Task Force consider any submission from management when coming to this conclusion. And did the Union have an active voice in the preparation of that Task report?

Dr. Connolly: Yes, I'm hesitant to speak on behalf of Task Force not being the chairman or clearing information that I am going to submit, but there was a submission made by the manager. It was a lengthy submission and a very comprehensive one.

Mr. Schreiber: Can I make one or two comments? The first comment is that it isn't surprising that there are no cases of asbestosis yet reported in the Yukon. Since the mine and mill to my knowledge only started operations in about 1967. So that the latency period is still fairly long for asbestosis. It isn't surprising that we haven't seen any cases. As far as mesothelioma, if we are talking about a latency period of 20 to 30 years, then we should start seeing our first cases in around 1987.

Hon. Mrs. Whyard: Mr. Chairman, in the case of the asbestos industry in other jurisdictions, at what time period do you see then as asbestosis first appearing upon employees.

Mr. Schreiber: We're talking usually in the neighbourhood of 15 to 20 years.

Mr. Chairman: Ms. Millard.

Ms. Millard: I was going to caution the Assembly on the same thing. Because it is such a short period, and there is such a latent time to go through. However, I know of one case personally, where the man was discovered to have asbestosis after he went out to Clinton, there's a special test they put you through. They discovered he had asbestosis, so they just didn't hire him. So no wonder we don't have any asbestosis in the Yukon, because if it is apparent at all, then he's not hired in the mine industry. Where it comes from is another thing.

Mr. Chairman: Mr. Berger?

Mr. Berger: The Honourable Member from Ogilvie brought up the matter of winter conditions in the mine

sites. I have a question of Dr. Connolly on this Task Force report. We talk about workmen, we talk about adults. There's children over there, in Clinton Creek. Babies, anything up to 16 years old. I wonder if there are any studies available that possibly may have worse effects on children than on workmen?

Dr. Connolly: There are studies available that suggest that there are asbestos related diseases in the family members of workers who work in asbestos industries. It may be if I could just draw a parallelism to the previous discussion about smoking. There is an increased incidents of smoking related disease among family members of an individual that smokes. There have been studies done on the fibre levels in the air at the townsite of Clinton Creek. If you use it when you deal about, talk about individuals who aren't related in an occupation way but who are related because of association, they usually accept the level that is 1-50. In the studies that I have seen, and the results of the studies I have seen within the acceptable limits for the townsite of Clinton Creek.

Mr. Chairman: Mr. Berger.

Mr. Berger: The thing that my concern comes from I am aware because I have been working over there since 1957, and that millsite is on a very, I would consider a bad location and high winds sometimes, the dust coming out of the millsite, it just covers the whole valley. What I'm wondering actually, I mean those conditions don't prevail at all times. I was wondering how much danger would this have on especially children, I'm especially concerned about.

Dr. Connolly: The answers I am giving you are my own impression at the present time and I have been to the town site on two occasions and the conditions for which you are referring to were not present on either occasion and it would be difficult for me to give you the answers.

There is no doubt that there is some danger to people who have very low exposures to asbestos. We get levels, like on the bus that transports the workers back and forth from town. There is no doubt that if the worker comes home and takes off his clothing and shakes the dust around that this is probably—increases the risk factor more than any air transported fibres.

Mr. Chairman: Ms. Millard.

Ms. Millard: I might just point out, Mr. Chairman, that there are lots of other conditions besides dust in the air. Asbestos has been found in the fish that are being fished out of Forty Mile River near Clinton and a study is being done by Environment Canada on that right now.

It is a very vast subject and especially as asbestos is being transported from Clinton to all over the world and those trucks are going up and down the interior of the Yukon. There was a load of asbestos dumped twenty miles south of Dawson last winter and stayed there for a good 6 months.

There are many many areas where we have to look

at for sure.

Mr. Chairman: Yes, Mr. Schreiber.

Mr. Schreiber: The report that was done initially by Health and Welfare which is March 7th, 1975, might answer some information for Mr. Berger. In here they state that concentrations of asbestos fibre found in general atmosphere at the tailings pile in the vicinity of the discharge from the swivel piler range from zero to 131 fibres per milliliter or fibres per cubic centimeter, a wide variations in counts is probably were related to variations in wind direction and velocity.

Then they go on to explain some of the problems encountered with sampling et cetera. I think that there is probably no doubt that probably portions of this City are being exposed to fairly high concentrations at specific times. There is data now available to indicate that there is a community risk of mesothelioma associated with exposure from asbestos plants or from being in the vicinity. Whether that situation exists here or not, it is impossible to tell from the limited sampling that was done. The levels generally that were taken in the City or at the townsite were below the levels that would be considered harmful but it was done at very limited sampling time and perhaps the conditions didn't prevail where there might have been higher concentrations.

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman, I think that all of us around this table have heard sufficient today and in our previous discussions, to make one or two point eminently clear.

One of them was reinforced this morning. That is that there is no point in this Assembly waiting for any other jurisdiction or authority to take steps on our behalf, it is up to us to do our own dirty work.

The Second is that we have already seen some amazing examples of inter-departmental skirmishing regarding who has authority to do what in what jurisdiction of what health field. Most of us who are not involved with government on a daily basis, just cannot understand this approach. We have always assumed that if there was someone in the department in Ottawa who know what we needed to be told we would hear it. This is not true, Mr. Chairman. We are not going to hear it unless we ask the right department.

We are not going to get the information unless we push the right button on a computer. This is becoming more and more clear to me.

I am grateful to Mr. Schreiber for all he has given us today. I would hope that some member is now prepared to come forward with a motion regarding the recommendations in this task report and I would ask only that whoever is charged with the responsibility of framing those regulations will please include in that committee competent and knowledgeable representatives from other federal departments than our own Indian Affairs and that they would include Mines Energy and Resources and the Department of the Environment and National Health and Welfare, please.

Thank you Mr. Chairman.

Mr. Chairman: Thank you Mrs. Whyard. Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, I do have a motion and I am going to put it forward for consideration of this House. It is moved by myself and seconded by the Honourable Member from Kluane, Resolved that the Yukon Territorial Government immediately amend the Mines Safety Ordinance and appropriate health Ordinances to provide for specific publicity and awareness measures as well as the mandatory provision and use of protective clothing in connection with asbestos mining, plant and transportation operations, and that all new asbestos operations within Yukon should provide that worker exposure be no more than two fibres per cubic centimeter and existing operations within Yukon should meet a standard of five fibres per cubic centimeter until July 1st, 1977 at which time then should comply with the two fibres per cubic centimeters standard.

Be it further resolved that the Yukon Territorial Government immediately investigate possible exposure hazards related to asbestos areas outside the mining operations specifically to that of the transportation and industrial sectors within Yukon.

Mr. Chairman: Thank you, Mr. Lengerke.

Are there any other members who wish to take part in the debate on this? Are you ready for the question?

Mr. Berger: Maybe I missed it, you will have to excuse me, in existing mines, you stated five fibres per cubic centimeters. I think we should emphasize that if it is a mine, there is a possibility that the mine might continue for another 15 years or 20 years or whatever, that they should eventually reach a level of two fibres per cubic centimeter.

Hon. Mr. McKinnon: Perhaps the witness could be excused and we could have copies of the motion and be able to examine it before the question is called on it.

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

Thank you very much gentlemen. I will now declare a brief recess.

Recess

Mr. Chairman: I will now call this committee to order. Mr. Lengerke, I believe you had some revisions to the motion.

Mr. Lengerke: That is correct, Mr. Chairman. I will read the motion again. I think you have been provided with copies of it and maybe if you would insert this change. Resolved that the Yukon Territorial Government immediately amend the Mines Safety Ordinances and appropriate Health Ordinances to provide for specific publicity and awareness measures as well as the mandatory provision and use of protective clothing in connection with asbestos mining plant and transportation operations and that all new asbestos

operations within Yukon should provide that worker exposure be no more than 2 fibres per cubic centimeter, and this is where we have got the change, for eight hour time weighted average with maximum ceilings to be established as per the task force recommendations, and existing operations should meet a standard of 5 fibres per cubic centimeter until July 1st, 1977, at which time they should comply with the 2 fibres per cubic centimeter standard.

Be it further resolved that the Yukon Territorial Government immediately investigate possible exposure hazards related to asbestos areas outside the mining operations specifically to that of the transportation and industrial sectors within Yukon.

Mr. Chairman: Do we have the concurrence of your seconder in this alteration? Mrs. Watson?

Mrs. Watson: Yes, Mr. Chairman.

Mr. Chairman: Mr. McIntyre.

Mr. McIntyre: Mr. Chairman, I think we need a further amendment to change Mines Safety Ordinance and Mines Safety Regulations because only this House can immediately amend the Mines Safety Ordinance, but the government can amend the regulations.

Mr. Chairman: Does that have your concurrence, Mr. Lengerke?

Mr. Lengerke: Yes.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Yes.

Ms. Millard: Mr. Chairman, are we at the point of discussing the contents of the motion?

Mr. Chairman: Yes, we are.

Ms. Millard: I would like to raise an objection about the date that is imposed here. I think it is nice that it has been reduced by one year but that is still means that we have to wait a year and a half before these things are put into force.

I really feel that there is a lot that can be done immediately. There is a lot that can be done 6 months from now. There is much, much more that can be done a year from now.

I would like to amend this motion to read January 1st '77 rather than July 1st.

Mr. Chairman: Are you—

Ms. Millard: Yes, I would like to move that as an amendment.

Mr. Chairman: Is there a seconder? The proposed amendment is changing the date July 1 '77 to January 1, '77. Is there a seconder?

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman I am just won-

dering if there is anyone here who can give me some kind of time frame for how long it will take to establish, or define these regulations? Then I would be able to project from that date to the date of imposition of the regulations. If we say now, July 1st, 1977 and the regulations don't come back to us for approval in this government until, when, how much time are you giving a company? I am a little concerned about that point. I don't know how many jurisdictions are involved in the writing of those regulations. Maybe Mr. McIntyre can give us a time guess.

I haven't had enough experience in that field, and he has.

It has taken us at least six months to get a task force study done. How many months will it take to frame the regulations, and then that is the starting point for imposition, I would think.

The Chairman: Good point, Mrs. Whyard. Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, I'm concerned about the change of the year of '77, from '78 to '77. I think we are all agreed that we should get down to the 2 fibres per cubic centimeter level. But we don't know what the ramifications are to specifically Clinton Creek in regards to what modifications have to be made to the mine. I think that's a very important factor in regards to this. What can be done to modify it to even get down to a 2.5 level in the winter or whatever. To take it from this Task Force where they recommend 1978 and us within three hours or five hours of discussing asbestosis. We decide to knock it down by another year, I find it very difficult to why were doing this. Because I myself, personally am no expert on asbestos, I don't know if anybody else around the table is.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: I think it's the Honourable Member next to me that's called the question.

Mr. McCall: Thank you, Mr. Chairman. I am concerned with this Motion. I support a concept of it. Only I'm concerned about is the stipulation in here about exposure and all we're dealing with is asbestos exposure. Under the Mine Ordinance that is governing all mining operations and to amend the existing language at this point in time could be some what dangerous, but if it is the suggestion of the Honourable Member that made the Motion to include an amendment covering specifically asbestos operation, I have no trouble with it. What I am concerned about when you are dealing with an amendment to existing language in the mine safety which is -- Mine Safety Ordinance, is governing the total mining operations. I'm a little concerned because we also have the same types of problems, although I wouldn't say its as dangerous as asbestos. But I would like to ask the Honourable Member who put forward this Motion, if it is the intent of this Motion to consider an amendment concerning asbestos exposure or is it a Motion to cover an amendment to the existing Mine Safety Ordinance language covering all mines in operations.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: Mr. Chairman, in reply, I would like to say that I feel the motion covers it. It says specifically with regard to the asbestos mining plant and transportation and it is not my intention to make any changes to the regulations concerning any other mining aspects whatsoever. It is strictly in relation to asbestos operations.

Mr. Chairman: Mr. Taylor.

Mr. Taylor: I was just going to make much the same point and just point out that we're really not asking the Mine Safety Ordinance be amended at this time, but it would be the development of specific regulations as I see it. Referring specifically to asbestos operation.

Mr. Chairman: Mr. Lang?

Mr. Lang: Yes, Mr. Chairman, I would like to refer to that point that I brought up earlier. I'm concerned about it, why are we changing it from 1978 to 1977. Unless anybody can give me a valid reason why we are, I think what should be amended to read 1978, because I would sooner go along with the recommendations made by the Task Force, than some helter-skelter reason to change it by a year. We really don't know what the ramifications are behind it. I don't think we have enough background. I would like to make a Motion that we amend the Motion to read 1978.

Mr. Chairman: A seconder?

Mr. Lang: I think it's very important.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: Speaking to that particular matter. I did change it to 1977 and I put it in there to see what sort of reaction we would get.

Now, my way of thinking in this particular matter is that I've seen a number of reports that have indicated to me, that the asbestos mining operation in Yukon, certainly could meet an earlier date. In fact, apparently we have even, through the questioning, established that they do meet the 2 fibre limits right now at many times. I felt that this wouldn't be asking too much of the mining operations to come within the '77 range. Now, certainly I realize that the Committee recommended 1978, and this was, I developed my thoughts through the questioning. However, other members may have other reasons and if they want to bring that limit back up to 1978, well this is something that this House should certainly consider.

Mr. Chairman: Mr. Lang.

Mr. Lang: Well I think we have to seriously consider it. We haven't had any representation from the mining aspect of the operation in Clinton Creek, and this is our major concern. I know they are attempting to get the level down to a respectable level, but I can't

see us voting to knock it down by a year, when we don't know what we're voting on. We don't know what effect it is going to have, and I seriously think that we should have representation from them, if that's the case. To see whether or not they can comply with the regulations. We don't know how much it is going to cost to modify this and it is a very important factor.

Mr. Chairman: Mr. McIntyre.

Mr. McIntyre: Mr. Chairman, I just obtained some information on preparation of regulations, and the information I received was no work had been done on drafting regulations and that it would take from 4 to 6 months to prepare them, once we had given direction to the people who would be preparing them.

Mr. Chairman: Mr. Fleming.

Mr. Fleming: Yes, Mr. Chairman, I have to rise in support of the Honourable Member from Porter Creek because I myself, feel that this is quite a thing. This is 1977, July and some other member suggested we do it sooner than that. You after all when you are in business you must have sometime to prepare yourself. I don't think anybody should just jump on these people and ask them to just do it tomorrow, because these things just can't be done.

I am a little leary although I do wish to see some safety precautions, everything we can have. I just can't see taking a company to hand momentarily just on the evidence that we seen here today and say you do something tomorrow.

I am in favour of say January 1st, 1978 or — he didn't say a definite area, but I am for giving them a little more time because I don't think as this motion reads here, I don't think it is enough time.

There is many many things that can happen if the regulations go through they must look after all sorts of aspects of the — the wind blowing it over the town, all these things that just can't be done in a day. Give them a little more time.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: Mr. Chairman in view of what has been said and the fact that it appears that it will take the government wheels probably longer than the industry itself to make the changes, I think maybe we better go to the 1978. I am sure that if industry were pushed they would meet those requirements. It looks like that if government is pushed that we have any regulations whatsoever. I will go for '78 then, as long as we get some action in regard to this.

Mr. Chairman: Mrs. Watson, do you concur with that change?

Mrs. Watson: Yes, Mr. Chairman.

Mr. Chairman: Mr. Berger.

Mr. Berger: Mr. Chairman, I just wanted to get up and speak on 1978. We seem to be jumping back and

forth and changing things around here.

I think if the Honourable Members would think for a minute. We were told by Mr. Trevor, one of the witnesses we had here, in most areas the existing fibre count was below five, it was around 2.5 or 3 or so. I don't think that we put mining in any real hardship by enforcing any future regulations for July 1977.

If I can recall correctly, and maybe the Honourable Member from Ogilvie can correct me if I am wrong in that, I think the highest concentration of fibres was a matter of housekeeping. It was just a matter of instead of using a broom to sweep up an area they use a vacuum cleaner. Surely, I mean they could go out and buy a vacuum cleaner in 6 months time.

The other thing is, I recall when we were over there in July I believe it was, they had ordered a new ventilation system. It maybe installed by now, I am not aware of it. It is possible that it is installed. I don't think we put the mine management to any hardship at all to leave it as it is July 1977.

Mr. Chairman: The motion as it now stands is 1978.
Mr. McCall.

Mr. McCall: Thank you Mr. Chairman. I would like to state a point that I differ with the Honourable Member from Hootalinqua. I don't think he would be able to see the forest for the trees for the simple reason that if we allow as much time as the companies are requesting with the amount of information that is at hand right now, and the proposed standards that we are looking for which have been in effect for many many years in the United Kingdom, which now the British Columbia government is looking at.

The position on the B.C. Government will be brought down very soon as to the ruling on the fibre standard at Cassiar British Columbia operation. If we are going to start playing around for the next couple of years with five fibres I think we are going to look a little ridiculous, personally.

I am not against allowing enough time for companies, but I don't see why we should start expanding the issue by two years or whatever amount of time.

We may get a substantial brief in two years time saying that the company hasn't had enough time and they may ask for another two years.

I think we better think very carefully when we define the time we are going to allow the company to conform to certain standards once we have further information on that before making the initial decision on that point 2 count.

We must be very careful with the time factor.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Yes, Mr. Chairman I think we have to be very careful in what you are passing. You know what you are passing. All I have heard is people say well I don't think it will affect the mine too much here or there. Nobody knows. I want to know before I am going to pass something.

I think it is a matter you have to have representation here. I am surprised, you know, here we are playing around, now whether the mine is going to close in '77 or '78, it is apparently slated for that time. I am

surprised that the Member from that area hasn't brought a motion to the effect that we start looking into the aspect of Clinton Creek the way they are hygrading.

I think this is an important point. They have terminated the time of the life span of the mine from approximately what it was supposed to be, 20 years to 9. When it first initially started out it was supposed to be 60 thousand tons and maybe up to a limit of 80 thousand tons and within 3 years they are up to 105 thousand tons. What you have got is a major Klondike.

I think that is very important as well. I mean this goes for another, in the aspect of responsible government. If you had responsible government you tell them okay you are staying at 80 thousand tons, but nobody seems to be keeping a look at any of these mines and the production that they are going at.

I think it is one of the important aspects that we, in this Assembly have to look at in all these mines in attempting to regulate the lifespan of these mines. Otherwise we can wake up one day and we will have one vacant lot.

Mr. Chairman: Thank you. Ms Millard.

Ms. Millard: Mr. Chairman, I look forward to the great glorious socialist day when we can control what is happening in the mines. I think that you have made a very good statement. I agree with it wholeheartedly. We certainly should regulate what is going on and the great day when that happens I will come and shake your hand. I don't think it would be realistic now, by talking about. Hygrading is being done all over. There are many problems up to that point. Many things have to be considered and one of them is what we are doing today.

It has nothing to do with hygrading. I cannot see why we cannot give a year and a half time, which is January 77 to doing the regulations four to six months to get the regulations in. Okay, there is one year for the implementation of regulations.

Certainly we are not such an isolated government that we are not going to talk to Clinton Creek during the time that the regulations are being done. Certainly we should have another task force if that is necessary to discuss with the mine what the implications of it are, in fact that was my first complaint was that the task force report did not take into consideration the things it should have done.

One of them was what was going to happen to the mine if we did impose it. To me was the first question. And certainly is the first question that the people of Clinton Creek are asking. Will we have a job if these things are implemented. These things have not been answered and will be, I should hope before regulations are going to be put in. We are not going to sit in isolation and put in regulations. So we give 4 to 6 months for doing that, for confirming with Cassiar Asbestos and putting down the things that are economically proper for the Yukon. And then we give them a year to do it. I can see nothing wrong with the date January 1st, 1977. Certainly our Motion isn't so earth moving that we can't change that date, if it's absolutely necessary.

Mr. Chairman: Mr. McKinnon.

Hon. Mr. McKinnon: I haven't been involved in the debate as I have been prepared to allow my Honourable Colleague, the Minister of Health, Welfare and Rehabilitation carry the can on this. But I am very worried about the question that hasn't been answered to this point. The Honourable Member from Porter Creek does bring it up as well. What does the mine feel about these regulations at this time, and it's so strange for me to see us here not asking that question about people, when I know under the Legal Professions Ordinance, we've had the Consumer's Association in to speak about it. The Consumer's Association on the Legal Profession, the Yukon Bar Association to speak on it. The regulation we've had the Yukon Chamber of Mines and the Conservation Society. Great, I think that that's the kind of witnesses we should be having.

What have we heard on this. We've heard people from Health, Welfare and Rehabilitation. And that is all. I just think that there might be a little change in thinking if the people of Cassiar Asbestos were sitting at the table and said if the regulations come into effect in '76 or '77, we're sorry we agree with you because they're necessary for health. We can't pay that in the period of two years, so we're just going to close the mine tomorrow and go away. Good-bye.

I think there might be a little change in the attitude that if Cassiar Asbestos said you know, we're prepared to put these into effect in this period of time and it will cost us that amount of money. We have now by the monitoring we're doing down to 2.5 fibres per cubic centimeter. None of this information has been brought out by the people most vitally concerned.

If we have to sit another day, even to ask for this vital information, certainly we've got to be prepared to this and to act on this motion at this time, Mr. Chairman, I'm sorry, would be just premature to me and with all the input, we've had from every organization at this table, at this Session, not to allow this most valuable input and this most needed input into this deliberation. I think that unfortunately we're just acting too hastily and certainly we have to hear the other side of the story prior to passing this resolution.

The Chairman: Thank you. Mr. Berger?

Mr. Berger: Actually I just wanted to make a Motion and say why not go ahead and get witnesses from Cassiar Asbestos into this House, and ask them about it and find out how they feel about it. We talked about it, we wasted another 20 minutes of talking about nothing. If the Honourable Member from Porter Creek is so concerned, he could have made that Motion. Well I am prepared to make the Motion to say let's bring a witness in from Cassiar Asbestos and that's it.

Mr. Chairman: We now have a Motion on the floor. Mr. Taylor?

Hon. Mr. Taylor: Yes, Mr. Chairman. I agree with

those who say we've got to give the mine certainly an opportunity to make the necessary adjustments to meet the standards that have been set forth. I agree with the Honourable Member from Whitehorse Porter Creek that 1977 is too close a time. Perhaps 1978 is as well. I have received information while we've been discussing this point, from Mr. Peter Steen, the President of Cassiar, which advises me if this was implemented right now, they simply would have to shut down. And so perhaps the suggestion is that, before we set a top date on them, maybe we had better have a talk or have the administration talk to the Cassiar Asbestos people and find out. Because if you make the wrong mistake in this dating, you just shut her down. That's all you're doing.

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman, some time ago, I did try to clarify this point specifically by asking the witnesses and they answered. And we asked the same question earlier. The question was did the Task Force consider a submission from management. And they did. As a result of considering all the facts and figures provided to the Task Force, by the management of Clinton Creek, they came up with a recommendation which we have before us. Now, I have every faith in the ability of the people on that Task Force to assess the economic impact of any decision in that recommendation. And the recommendation they made was 1978. But the facts and figures and the annual statements and the production and the tonnages, all of that, was presented in a specific submission to the study, the Task Force study, and it was considered. Now, I'm not saying that they shouldn't be asked more questions if you have more questions. My only point is they did make a submission and it was considered.

Mr. Chairman: Do you wish to speak further, Mr. Lengerke?

Mr. Lengerke: Yes, Mr. Chairman. I welcome the comments from the Honourable Minister because I felt this too, that the report that the Task Force certainly had talked to the mining people about it and I thought that really the report was probably drawn up in concert with some of the officials from Cassiar.

I probably made the error in this House today of putting in 1977, which I probably shouldn't have. I really did that with a purpose in mind. I wanted to spark a reaction around this table. I felt that the subject was certainly serious and needed some attention drawn to it. I think this has been done.

I also stood up just a few minutes ago and suggested, and I know the seconder of the motion did, that it be put to 1978. I would like the motion to be considered on that basis.

Mr. Chairman: That is the motion that is on the floor now.

Mr. McCall?

Mr. McCall: Thank you, Mr. Chairman, in view of what the Honourable Member has just stated I am a little alarmed that he would play around with figures just to get a bloody reaction. I am little concerned about the mentality behind the motion. I am beginning to wonder what I am doing here.

A Member: You are reacting.

Mr. McCall: I am reacting, yes, Mr. Chairman, definitely reacting. What I am concerned about here is, we seem to be getting off the beaten track, concerning an operation that can carry on its mining process or operations irrespective of the safety regulations to its employees. We seem to be losing that as the governing factor in which we are going to make a decision on.

I say this is a little ridiculous. What the Honourable Minister brought up a moment ago about bringing in these witnesses. Yes, I am all for that idea and I think we should do before we go ahead with this motion.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, one additional point that I meant to make when last I rose to speak. It seems to me by accepting the motion at this time we make it quite clear to in this case, the only asbestos operator in the Yukon, or anyone else who is anticipating an asbestos operation, what our intentions are. I think in that it does good. I think the company will take a look at this and say yea, it is clear to us that we have to knuckle down if we are going to continue operating and I think any new operator is going to say yes, there is a great concern being now generated at the legislative level, and at the administrative level in the Government of the Yukon Territory and perhaps in that light they will safety up their operations or make an effort to safety up their operations concurrent with requests and discussions at this table today.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, I just wonder why we had a task force. We are the task force now. We have had our health, people, our medical people and now we are having witnesses and representation and I know that we are going to wind up with the recommendations that the task force made.

As far as I am concerned I don't know whether we need another witness or not.

I am not going to oppose it, but I would recommend that the government not establish a task force in the future maybe we could just establish our own within this frame.

Mr. Chairman: Ms. Millard.

Ms. Millard: Mr. Chairman, my suggestion is along that line, if we change the date to July 1st, '78 we are actually implementing the things that the task force wanted.

Why don't we just make the motion say that we support the task force paper and forget the mining industry because it was already in on the whole task force in the first place.

I still disagree entirely that it should be July 1st, '78. I would vote against supporting that task force paper at any means.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, the only reason I bring up 1978 is because it is in the recommendations. I think it is a very valid point. Unless the Honourable Member from Ogilvie, who happens to represent that area, can bring up some valid reason why we should change it, I can't see any reason changing it.

She seems to say that she has all the answers, yet she says that she doesn't think that it would really take that much of a modification. Well I don't want to be sitting here thinking that it doesn't take that much, I want to know what it does involve.

Hon. Mrs. Whyard: What is the motion Mr. Chairman?

Mr. Chairman: I will read the motion if you are ready to vote on it.

It was moved by Mr. Lengerke, seconded by Mrs. Watson, Resolved that the Yukon Territorial Government immediately amend the Mine Safety Regulations in appropo to the Health Ordinance to provide for a specific publicity and awareness measures as well as mandatory provisions and use of protective clothing in connection with asbestos mining plant and transportation operations and that all new asbestos operations within Yukon should provide that worker exposure be no more than two fibres per cubic centimeter for an 8 hour time weighted average with maximum ceilings to be established as per task force recommendations and existing operations within Yukon should meet a standard of 5 fibres per cubic centimeter until July 1, 1978 at which time they should comply with the 2 fibres per cubic centimeter standard.

Be it further resolved that the Yukon Territorial Government immediately investigate possible exposure hazards related to asbestos areas outside the mining operation specifically to that of transportation and industrial sectors within Yukon.

Are you ready for the question?

Some Members: Question.

Mr. Chairman: Are you agreed.

Some Members: Agreed.

Mr. Chairman: Disagree?
May we have a show of hands please?

Those in favour?

Against?

The motion is carried.

Motion Carried

Mr. Chairman: Mr. Berger.

Mr. Berger: I don't know, I might be out of order. I would like to speak on this thing that you people just

passed. We are playing around --

Mr. Chairman: Mr. Berger, it is out of order. I am sorry.

We will declare a brief recess and then we will go on to Land Use Regulations.

Recess

Mr. Chairman: I will call Committee to order. We have for further consideration this afternoon Sessional Paper number 5 regarding Territorial Land Use Regulations.

Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman over the weekend some members who were in Whitehorse got together and considered the brief submitted by the Conservation Society and the Chamber of Mines and did a great deal of work, or many hours of work in trying to come up with a proposal for the House, which may or may not meet with the approval of the House.

I think all members have been provided with a motion I have proposed. It has been seconded by the Honourable Member from Kluane.

I will just read the motion. That the Yukon Legislative Assembly having consideration to proposed federal land Use Regulations in Session Assembled, make the following recommendations to the Honourable Minister of Indian Affairs and Northern Development in respect thereof, that having respect to the regional differences between the two territories the Yukon be considered a Land Management Area separate and apart from the Northwest Territories; that the Yukon be divided into Arctic and non arctic Yukon sub zones with a boundary established at 65 degrees 45 minutes north latitude.

That separate Land Use Regulations be applied to each subzone and that proposed Land Use Regulations October 1975 apply to the Arctic Yukon subzone only, that is the northern area and that in respect of the non-arctic subzone the proposed regulations be amended as recommended in schedule one of this motion.

That Mr. Chairman is the motion.

The amendments we have proposed are attached to the resolution for your consideration and consideration of committee.

Mr. Chairman: Thank you Mr. Taylor.

Mr. Lengerke?

Mr. Lengerke: Maybe if I just bring to the attention of the House in considering the motion, in considering the first part of the motion having respect to the regional differences between the two territories, the Yukon must be considered a Land Management Area separate and apart from the Northwest Territories. I think it very important that indeed we do understand why this is to be done and why we agree that the Yukon should be divided into arctic and non-Arctic subzones.

What I would like to point out is that—

Mr. Chairman: Mr. Lengerke could you avail yourself of a microphone, I think the reporter is having trouble. Okay.

Mr. Lengerke: She is not as concerned as you are, Mr. Chairman.

I think we can indicate this very simply here, we have got natural vegetation regions and this is a map done of Canada showing these areas.

What we have got here, just to give you a very good example, if anything north of 65 is in a transition forest region, we are talking of the vegetation regions right now, and a tundra region. Those areas only appear in anything above 65. Anything below that is actually in a boreal forest region where it is really non-arctic considerations.

We go to soil regions, which again is indicative. We have a soil region that extends right from the tip of British Columbia, the southern part of British Columbia right up to the top end of Yukon which indicates to me mountain soils.

The only, probably arctic consideration would be to the east of us in the Northwest Territories where in fact we do have arctic soils to be contended with.

Again the same thing happens with the muskeg areas. Anything north of 65 we do have some areas of a permafrost limit and muskeg considerations, but south of that, again we are home free. There are isolated cases, no doubt. These are the things, certainly when we were looking at it, the Committee considering it took into account.

Mr. Chairman: Ms. Millard.

Ms. Millard: Mr. Chairman, since Mr. Lengerke is our expert, maybe I should ask him the questions. The difference between the non-arctic and the arctic zone and isn't there a possibility that there are arctic conditions south of 65. Especially in the Alpine area.

Mr. Lengerke: Yes Mr. Chairman. In answer to that, certainly the arctic areas where we have permafrost in the arctic zone, we do have permafrost conditions that do exist. I think the record, as I was trying to point out, does indicate that certainly north of that parallel, that we do have many conditions of that nature. But certainly below that 65th, there are not and there are a few, but they would be what we would say would be on site, or site specific considerations. We do take this into account in our regulations, that if a condition such as this were to be found that the inspectors and the engineers can make certain recommendations with respect to how that would be handled. In other words they could impose regulations that would be the same as in an arctic zone.

Mr. Chairman: Mr. Berger.

Mr. Berger: Yes, Mr. Chairman. I'm in complete disagreement of this Motion for one simple reason. I don't want to contradict the Honourable Member from Whitehorse Riverdale but in the appendix of this motion, it says delete section 21. To me, this is the only protection for this particular area south of 65 - 45 degrees. So as the Honourable Member from Ogilvie states you still have Arctic conditions. I may quote from Shultz report on the Dempster Highway, which is quite concerned with this region. The largest potential is on page 56, "adverse environment impact is considered to arise from man's activity after the highway

is built. These activities are most difficult to control." And this what I would like to point out here. It's up to us to control these activities. By deleting Section 21, we are not controlling anything.

Anyway I have other things in here too. In the same token, to go back on mining activities, as long as you have a section in the Quartz Mining Act that requires you to assessment work every year, you are going to have abusers of it and I can't see us discussing the Land Use Regulation without us discussing the Quartz Mining Act.

I am not too concerned with the large mining companies in this respect, because they are trying to be in most cases, they are pretty good about it. But it's the line speculators that follow up a discovery from the mining company that are joining mining claims hundreds by the hundreds and sometimes those discoveries are not finalized in a year's time so the speculators sends in the bulldozer and first of all he groups his claims so he can do all his assessment work on one or two claims, irregardless if there is something there or nothing. It might be just a plain old moose pasture. And in most cases it is. I've been in the mining game. I went out staking. I know what I'm talking about. This is what I'm really concerned about.

I think we have to retain those safeguards in here and we're not even touching them. We are talking about we're going to amend them things, and I have to say the same thing what I wanted to say before when we talked on Clinton Creek on asbestos. I got the feeling this House is trying to rush away from here without taking proper considerations of all the aspects of these things. We heard witnesses from the mining site. We heard witnesses from the Conservation Society but I think it is up to us to discuss them properly without rushing through those things.

I see pictures on the wall there and I don't know what Dawson City does on the wall there, because this is the worst example anybody could have given there. Dawson City is sinking in mud right now. It is sinking in permafrost. In the zone which is proposed here has no adverse effect, you can go in there with anything. There's many, many areas like Dawson City here. Look at the Klondike Mining operation. Sure it's nice and green on the picture, but look underneath the greenery, what do you see? Gravel piles where nothing will grow for the next 200, 500 years. This is the thing we have to consider in this thing and I don't think we're doing it properly. I think we are rushing through those things.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: Mr. Chairman, in respect of what Mr. Berger has said, I don't know, he was looking at me when he was giving that comment and I just want him to know that I'm not trying to rush through anything in this House. I'm quite available to be here as long as you want, believe me. The other thing is that my comments earlier, were certainly just with respect to the first part of the Motion. Why we, why we had thought there was certainly some common sense behind the idea of trying to divide Yukon into two zones. And certainly it was apart from the Northwest Territories in the same kind of regulations that so should be imposed.

That was the only point that I was trying make at that time, Mr. Chairman. I certainly hadn't got into any debate with respect to any of the other regulations and I just want to make that point clear.

Mr. Berger: I assure the Honourable Member from Whitehorse Riverdale, I may be was looking at him, but it was unintentionally.

Ms. Millard: Mr. Chairman, I certainly have to agree that I can't sit here and look through these amendments and digest them in the next ten minutes. I really think that if we are going to put these amendments through that we should have some time to really discuss them. I don't who it was who was in Whitehorse that got together to do these regulations; certainly no one phoned me to see if I had any contributions. I would think that we should spend some time on these things rather than rush it through right now.

Hon. Mr. McKinnon: Mr. Chairman, I have no problem at this time in rising to support the revisions to the Territorial Land Use Regulations. I was one of the strongest opponents of the original Territorial Land Use Regulations and was proud to be a part of the lobby that included the Yukon's Member of Parliament, this Assembly and all interested people in the Yukon who just thought that the original, original Land Use Regulations could not work in any way shape or form and they couldn't have and we really would have had problems. So we mounted lobbies on all fronts and got really meaningful changes to the regulations to which even the mining companies have agreed have not been too restrictive over the past few years.

The revisions I see in front of me to those regulations, after the experience of trying them over several seasons, seem to me quite sensible. The Yukon Legislative Assembly recently saw fit to divide the whole of the Yukon in Game Management Zones so that we could have control over the total territory as far as game management was concerned.

As I see the revisions to the Territorial Land Use Regulation, they really do nothing more than provide, through the total of the Yukon, that once the prospecting is over and that something is going to happen to that land, that you now need a land operating permit to be able to do something on that land; which I think is wise so that the garbages, the petroleum and everything else is taken care of in the operation. It still excludes the exploration of minerals, and, as far as I understand, that includes trenching; and I had the opportunity this summer of going over the Three Gold Mines in Minto area, and I think that everybody would be disturbed if they flew low over that area and saw the trenching that has been done indiscriminately by different operators over the last twenty years without any type of controls on it.

There is just gouges and cat trails through that area as if someone had got up at eight o'clock in the morning; worked a ten-hour day with his blade down and just hoped that he'd come across a mineral prospect by knocking over a rock that looked interesting. I think probably even mining people who are very much concerned, and so many of them are, with the environment of the Yukon, are disturbed when they have to fly over that area.

I have no problems; I like the concept of the "A" and "B" permits, that the "A" permits are for the larger type operation; that the "B" permits are got without any undue delay and that they are for small operations. I think that this is a natural type of evolution from the original regulations which took an awful lot of debate and awful lot of lobby to make them in some sensible form; and with these revisions at this time, Mr. Chairman, as I say, I have no trouble supporting. I think it's just going to the next step to make sure that the total land in the Yukon Territory is protected under the Land Use Regulations.

I don't think that you should get away from the fact that the prospecting and the search for minerals—and as far as I am led to understand, this goes right to the level of trenching—is excluded from these regulations, and it's when the person finds something interesting that he says "Lookit, this is just a—I just want to explore this a little further, it's not going to be a big thing, but I'll want a Land Use Permit" and he can get a "B" type permit and go on—which states on it that you've got to clean up your garbage and you've got to protect your petroleum caches and things of this nature.

I'm getting a little concerned that perhaps we might be protesting a little too much, because I have the distinct impression that with the cooperation with a good set of regulations that have been worked out in cooperation over the years, that with the acceptance of these revisions, that we would see very, very little problems in exploration continuing in the Yukon. And I think that it's pretty reflective in the revisions to the regulations that the Federal Government, once bitten were twice shy, were much more careful in drafting these revisions than they were in the original regulations, which I say is good and more power to them, maybe they learned a lesson.

So with those comments, Mr. Chairman, if this motion goes forward as it is, I'll be opposing it. But I would have no problem proposing a motion accepting the revisions to the Land Use Regulations as presented to us by the Federal people at this time.

Mr. Chairman: Any other members wish to take part in debate on this motion? Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I have to support the Honourable Member from Whitehorse North Centre, and I also support the amendments made in this Bill. I don't have any problem with the concept of having two zones because of the fact that I think I worked a bit in the areas where there are permafrost problems and where there aren't permafrost problems.

There will be some areas in the lower part of the Yukon that does today have permafrost problems and others that don't.

The north is practically all permafrost and it is more of a silt condition. Just for example of what may happen, if you take a large cat and you trench a downhill slope somewhere in that type of ground, which is frozen ice practically half ice and silt, you leave it for two or three years, it thaws and starts to run and erosion will be terrific. It will tear everything out below it and water will be running out of it day in

and day out.

If you go to a place which is right across the river here somewhere where it is dry, hard material, even in the permafrost was there, and many places it isn't, but if it was froze and you trench it and it is gravel and clay and hard ground, which is in the southern part of the Yukon more so, that will dry out in the sun and it won't make a big erosion.

Therefore I have no problem with the concept of the two areas at all.

Other than that, as I say, the Yukon Conservation Society has said here, they go on to say the damage and so forth and then they say, it is fair to say that pollution and damage save a company money in the short run. It is cheaper to make a mess than clean it up. I have got to agree with that too. On the other hand I do have to agree to that.

If we make good regulations to see that it is cleaned up and costs them money if they don't clean it up then we will be okay.

I have no problem with it at all.

Mr. Chairman: Mr. Taylor.

Hon. Mr. Taylor: One other point, Mr. Chairman, and Honourable Members, that is with the passage of the Highways Ordinance, perhaps involving roads, streets, lanes and trails and so forth, we might be in a position to administrate to some extent these operations at a territorial level.

I think this has got to be determined by the administration, perhaps over the next number of months to find out just how far we can go in administration in these areas. They would have to do this in conjunction with Ottawa and determine just how far we can go in the area of providing, perhaps, our own administration over these areas.

I would hope that irrespective of whether the motion carries or doesn't carry that the administration would continue to look into this whole question and just see how far we can go.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, I would like some clarification in reference to what the Honourable Minister of Local Government just stated in regards to the trenching and this type of thing. I was under the opposite impression that he was that this is one of the qualifications of a Class A permit in the use of any self propelled power driven machine for moving earth or clearing land and (h) the levelling, grading, clearing or cutting of any line, trail or right of way.

I think I am correct in saying that as far as the staking and this sort of thing is exempt, but I thought once you got from that point and you were actually going to do some development to the extent that you brought in a cat in order to put a diamond drilling machine on or whatever, this is when the Class A permit came into effect. In other words a Class A permit takes in the considerations that Mr. McKinnon was talking about in reference to trenching and anything of this nature in the initial stages of developing a mine.

I think this should be taken into consideration. I

worked on these over the weekend attempting to understand them because I don't think a person should be passing legislation that they don't understand. I think I have got a fair knowledge of this. One of the reasons it has been divided into, maybe some of the members will correct me if I am wrong, but my understanding is that the reason that they are dividing the Yukon into two zones is because of the two types of permafrost.

One is what they refer to as a thaw-unstable which is the northern part, in other words, if you go over it with a heavy machine, rather than the environment coming back and covering it over like in this picture here, you get a big hole. Whereas in regards to the thaw-stable it will more or less come back over a period of time to some semblance of what it was before.

I think this is one of the major reasons in dividing it into two subdivisions, sub zones.

I think it is pretty important that we take a hard look at that rather than rashly saying that we will keep it into one Land Use Management Zone.

I mean, some members who have been associated with this longer than I have, said, well, hell this is made for the oil industry. Well, hell we are not in the oil industry. I think it is a very valid point.

I think we have to look at it in the light of the mining industry, I don't care whether you like the mining industry or not, but one of the main things is the mining industry makes the Yukon go, whether you like it or not.

I think we are walking a very thin line in regards to the conservation of the environment and the mining industry. I realize that you have got to walk that thin line.

I think we have to take a hard look into the aspect of dividing into two sub zones.

Mr. Chairman: Mr. McIntyre.

Mr. McIntyre: Just to clarify the question for the Honourable Member from Porter Creek brought up, land use regulations are authorized under the Lands Act. A section 33 of that Act says: Nothing in this act shall be construed as limiting the operation of the Yukon Quartz Mining Act or the Yukon Placer Mining Act. Therefore these regulations that we're discussing do not apply to a staked mineral claim.

In the future sometime next year maybe, there will be a Yukon Mineral Act passed which will authorize that these land use regulations be applicable to all mining operations, whether they're on mineral claims or off mineral claims.

Hon. Mr. McKinnon: Except Mr. Chairman, during the normal course of prospecting or locating a mineral claim.

Mr. Lang: This is the definition of location a claim. This is my understanding is actually going out and staking a claim, which is a very thin line through the bush if you've ever done it. Well, my understanding is from what I've read, these regulations the Yukon Mines Industry will be directly under the force of them. The Territorial Lands Act and these regulations.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. Lang: I realize they have to be adopted by Parliament.

Hon. Mr. McKinnon: Up until this time there has been no control over the mining organizations as far as what I consider to be blatant abuses of the landscape in the course of trenches. With the advent of the Yukon Minerals Act, as I understand it, the mining industry will come under the Territorial Lands Act and the land use regulations, which they haven't up until this time. At that point in time, mining industry will still be exempted from anything done in the normal course of prospecting or locating a mineral claim.

I'm making the point, Mr. Chairman, that I don't think that these regulations as they are in the revision, are too restrictive on the total Yukon being declared as one land management zone. Some people are saying, "no they are too stringent on a sub-arctic area and they are just right for above arctic area." I say that I don't find them too stringent for the revision as it invaginates the Yukon as one management area, land use area.

Mr. Chairman: Mr. Lang?

Mr. Lang: Well, I happen to disagree. If I was in business and I had an expert hired by the Federal Government, it sure as hell shouldn't take him 42 days to figure out whether or not I should go on that property, he should have an idea what he is talking about.

I think this is a very major area, in the time element that it takes to get a permit and to get acceptance to do any work on that ground. I think that this is one of the key areas, that you have to centre in. I think it's very important because in 42 days, you're short season for work is almost terminated. It's almost finished. I think that surely the Federal Government can accommodate the Yukon with a person with expertise who can decide within a two week or ten day period whether or not it's permissible. I think these are some of the areas, I don't think we can just flippantly say yes we accept these. I think there is a hell of a lot more behind it than what meets the eye.

Hon. Mr. McKinnon: Mr. Chairman, I just don't want us to get carried away in an emotional debate on this because 42 days is only whether it is a major type of operation and there is very, very few major type operations that are going to be considered, are considered under the permit system. Most of the B type operations which will be the vast majority of permits, 98 or 99 percent of them, will be issued in 10 days by the engineer.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, rather than going on with this debate, why don't we read the amendments that are suggested because actually you find that all the suggested amendments are not changing the force of the regulations, but changing some of the time frames, changing the qualifications of the inspectors,

the powers and duties the inspectors and engineers, so actually there sort of icky-picky things that bother the smooth operation of working on a mineral claim rather than — there are not amendments to restrict — The restrictions are left there. We are not trying to make it easier for the people to work within the restrictions. So I would suggest that we go over them.

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

Some Members: Agreed.

Mr. Chairman: Mr. Berger.

Mr. Berger: I would like to make one more point to the Honourable Member from Porter Creek. If he goes to page 4 of the proposed regulations or the changes to the regulations, Section 31 B says these regulations do not apply to anything done in a normal course of prospecting or locating a mineral claim.

This was my point that I first made and the Honourable Member from Whitehorse North Centre made. That you can go in there, and it is done every day, in the summertime with a bulldozer and work on your mineral claim just to keep the assessment work done which you are supposed to do. The thing is once this whole prospect, dissolves in thin air, you have a great big hole there. I disagree with you on the two types of permafrost existing, south and north of that line, because I was involved in the development of Clinton Creek and we lost a cat in permafrost. It just disappeared in mud. Under the same conditions that you have up on the Eagle Plain where I also worked. This is why I'm trying to protect in the whole area.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, on that question, I have seen cats disappear down at the bottom end of the territory in the Watson Lake area as well. Obviously site specific should cover this question and the Engineer upon looking at the stability or instability of the thaw-stable or thaw-unstable situation will make the necessary decisions and I don't think this is going to become a problem.

I would just like to talk for a second about prospecting and what is meant by prospecting in those Land Use Regulations.

There was a lot of work went into these things between the government and the joint Chambers of Mines. I believe the last meeting was in Saskatoon sometime ago. This question arose, and prospecting in this sense means just exactly that, and that is a person or a prospector or geologist or whoever with a hammer and a pick. It doesn't include cats and bulldozers and trenches and geophysics. It means what it says. It means a prospector who has a prospector's pick and a glass and picking through the territory. I can assure you this is creating no hardship upon the ecological balance of the land.

In so far as location is concerned it is as was stated by the Honourable Member from Whitehorse Porter Creek, it is locating a mineral claim, cutting posts and

blazing a line through the trees to identify that claim mark.

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman I have not had the advantages of helping to phrase these proposed amendments. They were put on my desk a few moments ago. I had no opportunity to relate them to the revisions. Can we go through them otherwise I will not vote on this motion.

Mr. Chairman: I intend to, given the opportunity, Mrs. Whyard.

The proposed amendments as in the motion. Title. Amend to "Regulations respecting Land Use Operations in Yukon non-Arctic sub zone."

One. Delete and substitute therefor: One (a)
(Reads Section 1(a))

Mr. Chairman: (b)
(Reads Section 1(b))

Mr. Chairman: Two, Class A Permits. (b) delete.
Class B Permit. (b)
(Reads Section 2(b))

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Just by way of explanation. A Class A permit includes trenching and road building.

Mr. Chairman: "Engineer", and this refers to on the revision on the top of page three. Engineer means (a) add "who shall be qualified by education and experience in mining."

Hon. Mr. Lang: I think it very important that the engineer has some qualifications in regards to the industry that he is being watchdog over. I think it is imperative that they be put into the Regulations.

Mr. Chairman: That is the basic meaning, I gather, of what this addition is.

Hon. Mr. Lang: Yes.

Mr. Chairman: Fifteen.
(Reads Section 15)

Mr. Chairman: Seventeen (a).
(Reads Section 17(a))

Mr. Chairman: Add new subsection (d).
(Reads Subsection 17 (d))

Mr. McCall: On a point of order Mr. Chairman, why aren't we dealing with the motion that is on the floor and not these amendments that you are discussing now.

Mr. Chairman: It is part of the motion.

Mr. McCall: Are you sure of that?

Mr. Chairman: Eighteen.
(Reads Section 18(4))

Mr. Chairman: Section nineteen, one (b)

(Reads Section 19 (1) (b))

Mr. McCall: Mr. Chairman, on a point of order here. Are we establishing two subzones as far as these amendments go or what? I don't think this fact has been established yet. We are talking about sub zones, sub arctic zones, whatever. What is actually, what are we talking about today? The Regulations and Amendments thereof to what?

Mr. Chairman: There is a motion now on the floor, Mr. McCall, which is proposed amendments of the amendments that we were previously perusing and I am trying to bring te two together so that we can undertand it.

Mr. McCall: I take it then, Mr. Chairman, that we are establishing the fact that there is two sub-zones.

Mr. Chairman: That is part of the motion that is now on the floor.

Mr. McCall: Well, Mr. Chairman, would it be in order to get that amendment through first and recognize two sub-zones before we go through the amendment.

Mr. Chairman: It is all part of the same motion, Mr. McCall.

Nineteen. one (c)

(Reads Section 19. (1) (c))

Mr. Chairman: 19. (2) (a). Delete 19.3.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman I think that needs a little clarification in relation to deleting (a) and (b). In other words what you are saying is you're giving the Engineer a set time in order to come up with something rather than leaving it as a discretionary time period in there for the Engineer to determine what time should be made to make this decision. I think it is pretty imperative that you deliniate accordingly exactly what the time frame is that Engineer has. Some of this industry is pretty important to the life of the Yukon.

Mr. Chairman: Nineteen three

(Reads Section 19 (3))

Mr. Chairman: Nineteen, four, (C), delete. Twenty-one (one) (1) Delete. Twenty-eight.

(Reads Section 28)

Mr. Chairman: Thirty-one (one)

(Reads Section 31. (1))

Mr. Chairman: Thirty-five. One, delete and substitute therefore; thirty-five (one) a(a).

(Reads Section 35)

Mr. Chairman: "(c) as proposed, subsection 35 (1)."

Some Members: Clear.

Hon. Mr. Taylor: This just leads to the fact that input must come from the department's experienced mine officials.

Mr. Chairman: "(d) final appeal shall be to the Courts"

(Reads Schedule A)

Hon. Mrs. Whyard: I apologize to the House for the delay in going through these proposed amendments, because if someone had simply said "Those are the recommendations brought in by the Chamber of Mines the other day when they were with us", I would have understood what it was about. I have not had an opportunity to read it till now, but according to my notes those are exactly the recommendations brought in by the Chamber of Mines. We could have saved a lot of time, Mr. Chairman.

Mr. Chairman: Are you ready for the question?

Some Members: Question.

Hon. Mr. McKinnon: Mr. Chairman, I'd just like to say that I agree with the majority of the suggestions of the Chamber of Mines. I don't agree, in the motion, of the difference between the Arctic and the sub-arctic zones, but as far as the method that they suggest to make it easier to work with the-inspectors and the engineers, I do agree with those motions. But the big thing to me, is dividing into the Arctic and the sub-arctic, so I'll be voting against the motion.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, I think that's the point that the member from Ogilvie was trying to make: is that we should probably establish first if we are going to divide the -- you know, if we are in agreement that we want to divide this area into two zones.

Mr. Chairman: You now have a motion on the floor which covers this entire thing. If it is --

Hon. Mr. McKinnon: I think I was just explaining for the motion; I'm just stating my objections to the --

Mr. Chairman: Yes, right, I agree. Now I think we should go ahead with the motion, and if you have another motion to bring forward, so be it.

It was moved by Mr. Taylor, seconded by Mrs. Watson, that the Yukon Legislative Assembly having

given consideration to proposed Federal Land Use Regulations in Session assembled, make the following recommendations to the Honourable Minister of Indian Affairs and Northern Development in respect thereof: That, having respect to the regional differences between the two Territories, the Yukon be considered a Land Management Area separate and apart from the Northwest Territories.

Hon. Mr. McKinnon: I agree with that part.

Mr. Chairman: That the Yukon be divided into Arctic and Non-Arctic Yukon sub-zones, with a boundary established at 65 degrees 45 minutes North latitude. That separate Land Use Regulations be applied to each sub-zone. That proposed Land Use Regulations, October, 1975, apply to the Arctic Yukon sub-zone only. That in respect of the non-Arctic sub-zone, the proposed regulations be amended as recommended in schedule one of this motion. Are you ready for the question?

Some Members: Question.

Mr. Chairman: All those in favour?
Contrary?
Carried.

Motion Carried

Mr. Chairman: We will now proceed with the last item of business before Committee. I am referring to Motion number 22, which states: "The Liquor Ordinance be referred to Committee of the Whole for discussion."

Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I wonder if at this time it would be possible to get the Territorial Government representative? I should presume Mr. Gillespie, I think, would be the one that this Liquor Ordinance would be under.

Mr. Chairman: Are you requesting a witness to come to Committee?

Mr. Fleming: Yes.

Mr. Chairman: Is that the wish of Committee?

Mr. Fleming: Yes.

Mr. Chairman: Mr. Fleming is requesting that Mr. Gillespie be brought forward as a witness.

Some Members: Agreed.

Mr. Chairman: I'll declare a brief recess.

Recess

Mr. Chairman: I now call this Committee to order. We have with us this afternoon Mr. Gillespie.
Mr. Fleming.

Mr. Fleming: Yes, Mr. Chairman, my apologies for

being late. The reason I brought this motion to the House and have it discussed more or less in Committee was because there are some liquor problems in the Yukon Territory which I think we are becoming aware of. Because the government is now in the process of when an awareness program. I think to help the awareness program we must also get some comments from the people from the business places and some ideas across to the territorial government people as to what might help the situation.

I won't elaborate too long. I go on to say that in the field of liquor outside of Whitehorse, and I want this specifically understood that I am not speaking against some hotel owners in town here or somebody that is selling off-sales beer, and I am not speaking for them. They are entirely different business people than the Alaska Highway and the small places. You just couldn't make regulations actually that would fit both environments, and I am sure that is what we have now.

We have that kind of set up whereas they are trying to meet both environments with one ordinance. Of course the Commissioner in all of these cases has a right in the ordinance to change a few things and make a few regulations here and there.

I am hoping that maybe giving them some information they may be able to make some. For instance a cafe licence, outside of Whitehorse, say on the highway, can ask for a 24 hour off sales licence to sell beer. Okay, that is very good. I am just wondering now, there is nothing anywhere that says he will sell - two hundred dollars worth of beer and ten dollars worth of food, or so. It is just a matter of him getting a licence and selling whatever he wishes.

Of course, I must say I really would like to be free myself, too, and go out and do things. But where the government is handling the liquor, and it is causing a problem I think maybe they should look into these kind of things.

Possibly the remedy is there. Your main licence is a restaurant or a cafe. I think that should be looked into and say there is the reason he has the other licence. The same thing with anything he serves. If he gets a licence to serve beer and wine, I think maybe it should be looked into to see that he does curtail his operations to his main business licence.

Another one I would like to speak on is the bootleg situation.

I really don't, don't wish to go into it too far, except for the fact that many of the lodge owners and the people selling have wondered about this. Why, you know, we have a dollar and a quarter extra along the highway on a bottle that is bought at the liquor store here.

I am wondering myself. They wouldn't let us bootleg it at one time, and now we are doing it more or less that way for them, at a small scale, of course.

I think maybe it could be looked into a little whereas there may be a licence issue where you possibly pay the freight over and above and there is a little profit for the owner. The way it is now, you are bootlegging. They are paying more out of town for the liquor than they are here. You know, different places along the way. I don't see that. I think it could be just looked into. The 24 hours, there is many people possibly outside of this town in the small villages don't need 24 hours.

Last spring some of them came with the idea of turning it over to the L.I.D.'s hopefully, and the Commissioner answered this and said he couldn't do such a thing. I agree with him too on more reasons than one.

One is that these are small towns and there is three people being paid a dollar a day to run that town, but they are certainly not being paid a dollar a day to make that type of a law or regulation amongst friends of theirs in the town and small business places. I think it would cause quite a disturbance.

On the other hand, I'm agreeable they should be able to go to the majority of the people, to the L.I.D.'s, to the Commissioner and that's where the regulation comes from. I'd like to ask this question but I'll just carry on. The meaning of a meal therein, you know. This is one of the places where the restaurant must have a sandwich, or you must sell a sandwich or a doughnut, or a chocolate bar, or a cookie, or something with a beer. If you have that type of license. I've always fought this one for the last 30 years and there are 27 years in the Yukon, ever since I came here. It was in then. It's in now, nobody has ever told me what a meal is. I've looked through many dictionaries and all I can find is it is something to eat. It could be a pill, it could be anything. So it is something that is being abused, and can be abused, and very legally abused. So, because all you have to do is give him a cookie and say there you are and give me a nickel extra.

(Recess due to power failure.)

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, after that little delay, we'll get on with it. I was at the bad part of this ordinance as I seen it in 41. If you want to look in the ordinance, where it says you must serve a meal therein. And of course, as I explained, I don't think that is really anything. It's been there for years, years and I don't mean anything. Because it's not something you have to abide by, because you can cheat on it and it has been cheated on and I even got to jail almost myself because it was cheated on. And it will be again if it is left there. Now I have another little beef which has come from many of the operators out in my area. And this is the seasonal operators. And should they or should they not be given a license in the summer time to sell liquor, or if so if it is found they should really be given it. Why sould they not pay more for that license. I've spoken here many times on that before. That anybody running a seasonal operation. It is the summer time and creaming off the gravy and heading for the sunny south, should be charged a little bit extra for having a licence. I think he is running a recreational business, and only that. And he's not serving the goodness or serving the people of the Territory and the people on that highway the year round when it's really tough and you should be serving them, if you're going to stay in business. So that was another one which I had. It could be covered again under Section 44, where the Commissioner is allowed to make certain recommendations and regulations and so forth, and so on. And it might pay the government just to look into

that. It's merely all these things I'm saying the same thing. I would just ask them to maybe take a closer look at some of them.

There is something that has always bothered me and this is one I fought many years ago was when they took out the one hour closing time, in the beer parlours. Now again I want it understood, that I am not speaking for people in Whitehorse. I'm not speaking for any other businesses other than the ones that it might affect, as far as I'm concerned. Because possibly it is a better thing to have here. And maybe many other communities and maybe most of the people feel it is a better thing the way it is now, that there is no one hour closing time. But we don't know for sure because of the same thing. The Liquor Ordinance has never been looked at since the time we made the last change, which has been too many years I think. And at one time we used to close one hour and go home for supper. I found this very, very good in liquor outlets, especially where there's villages and small towns. And were after all the women had made supper and everything and you know the husband might go home and eat his supper, rather than sit in that beer parlour until 12 o'clock, after being there from 9 in the morning. If we're going to control alcohol a little bit, I don't think that ever hurt any thing. So when it came into effect, I did not close mine at that time. I think Mr. McKinnon will remember I was opened until such time as I sold out, which was 3 or 4 years later. I still sent them home at supper time and I closed my place for an hour and I got a few letters from the government and I continued to do so. Sold out and the chap that bought my place did the same thing. But finally, they said you close or away goes your license, so he closed for the hour. But it is just a thought that possibly in some of the communities they might appreciate it.

Other than that I don't think there's much. Except for the fact that possibly we're not policing the thing as exactly as we should. You know. We have a situation where we're allowed to drink on the streets. We're allowed to throw, we're not allowed to throw bottles and things around. We are allowed to have a drink and put our bottle away, actually. But you find them throwing them off sidewalks everywhere and this is not being policed. And we have a litter law, that you can hit them with \$500.00. I don't think there's been a soul ever touched on this. I think that's one of the places maybe they could police it a little bit better.

That is the only practical little complaints or beefs or advise, whatever way you wish to take it.

I would like to get to the territorial government so that they do have that input from some of the business places in my constituency.

In closing I would like to say that I think we all, when we go home, if we are going to help the liquor problem in the territory, when we go back to find out how your constituents feel about the liquor business and how their operations are run and get a letter or two or just go right in and mouth off to the territorial government and tell them how they do feel. Maybe they will have a chance to bring it in in the next year or so and change it to make a better situation of the whole thing.

I have no complaints without Liquor Regulations really as they are in the sense that they were changed at one time. I think the Honourable Member from North Centre had a lot to do with it and I think he did a wonderful job. We have tested it out over this many years and it is time we just looked into it and maybe made a very few changes possibly and make it a pretty good Ordinance.

Thank you, Mr. Chairmann.

Mr. Chairman: Mr. Gillespie.

Mr. Gillespie: Mr. Chairman I would just like to start by saying that I appreciate very much the remarks that Mr. Fleming has made and the advice that he has given. The Executive Committee as it went around the Yukon this fall in a number of places raised the same issue that Mr. Fleming has raised and that is, what do the people think about our liquor laws and our liquor regulations and the enforcement of those regulations and laws. What advice do they have to give to us on how these might be changed. We are very concerned about the whole question of liquor, as was brought out by the Sessional Paper that was introduced by Mrs. Whyard, not only with regard to prevention and matters of that sort.

We are also concerned about the kinds of issues raised by Mr. Fleming just now.

We are looking into changing the Ordinance. I am not sure just when we will be bringing in amendments to it, if we do so. We are also looking into changes to the regulations. We are looking into this very actively and the advice we are getting is very much appreciated.

Mr. Chairman: Thank you Mr. Gillespie.

Are there any further questions for the witness?

Thank you Mr. Gillespie.

The Chairman will now entertain a motion for Mr. Speaker to resume the Chair.

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

Hon. Mr. Lang: I will second that.

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

Mr. Hibberd: Mr. Speaker, committee convened at 10:40 a.m. to discuss Bills, Sessional Papers and Motions. Committee commenced by reading motion Number 24 regarding the Arctic Winter Games. It was moved by Mrs. Watson, seconded by Ms. Millard that motion number 24 be amended. The amendments were considered, question was called and Committee members agreed with Motion 24 as amended.

Mr. George Schreiber a representative of the Environmental Health Directorate, Health Protection Branch of the National Health and Welfare in Ottawa was present as a witness during Committee's discussion on the Report of the Task Force on the Tolerance Standards for airborne asbestos in Yukon mining plants and operations. Committee recessed at 12 noon and reconvened at 1:30 p.m. Dr. Connolly programs medical officer joined Mr. Schreiber as a witness.

A motion was moved by Mr. Lengerke, seconded by Mrs. Watson, regarding amendments to be made to the Mine Safety Ordinance re asbestosis. The witnesses were then excused and the Committee recessed to procure copies of the motion and to have an opportunity to peruse the contents of the motion.

Committee reconvened at 2:20 p.m. Discussion on the motion ensued, a number of changes were proposed and the alterations were accepted by Committee. Question was called on the motion, division was noted however. The amended motion was duly carried.

Committee recessed at 2:50 p.m. and reconvened at 3:00 p.m. to discuss Sessional Paper number 5, the Territorial Land Use Regulations.

A motion moved by Mr. Taylor, seconded by Mrs. Watson relating to the proposed changes to the Territorial Land Use Regulations was carried.

Committee recessed at 3:50 p.m. and reconvened at 3:55 p.m. with Mr. Gillespie, Assistant Commissioner as witness to the liquor Ordinance. Following a power failure which caused Committee to recess for 20 minutes, Mr. Fleming the Member from Hootalinqua continued to speak to the Committee on the Liquor Ordinance.

The Chairmen thanked Mr. Gillespie and excused him as a witness.

It was moved by Mr. McCall, seconded by Mr. Lang that the Speaker do now resume the Chair and this motion was duly carried.

Mr. Speaker, I wish to advise that this concludes the business of the Committee of the Whole.

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

Some Members: Agreed.

Mr. Speaker: The next matter of business prior to prorogation proceedings will be the question of replies to the Speech from the Throne. Is there any member wishing to reply to the Speech from the Throne?

The Honourable Member from Ogilvie.

Ms. Millard: Yes, Mr. Speaker, just a short note here. I am shocked to see that on the Order Paper the two questions that are left unanswered have to do with

Education.

I am more shocked to see that both of them have to do with Indian education. One question is one that I put forward on the financing of Indian pupils at least two weeks ago and there has been plenty of time to do research this and to bring back an answer.

The other question has to do with the tutor program which also involves Indian people because it happens that most people in the tutor program are Indians.

I feel that it is dispicable — that these two questions are left to die on the Order Paper.

It is also regretfully indicative of this government's attitude towards social problems, and particularly to Indian social problems.

I want to point out that the priorities in the budget are not reflective of the problems which we know exist in the Yukon. The costs involved in social disintegration are far greater than the amount of money that everyone seems to complain about in things like the tutor program and taking a close look at our education system and seeing what are the problems in doing something about it.

The cost to us as individuals is far greater as well as the financial costs. I am shocked to see that this government is not looking at the real problems in the Yukon.

Mr. Speaker: The Honourable Member from Klwane.

Mrs. Watson: Mr. Speaker, very briefly, I would like to commend and congratulate the government, particularly the representatives of this House who sit on the Executive Committee for some of the legislation that was brought forward during this session.

I would refer more specifically to the Highways Ordinance, which I think is a great step forward in our own self determination, and to the support that the government is giving both through legislation and through financial commitments in the last budget and hopefully in the next budget to providing television programming for the small communities outside of Whitehorse.

This is certainly commendable from my point of view and I am sure from many members from the outlying areas.

The Medical Professions Ordinance and the Legal Professions Ordinance; really quite controversial legislation. I believe the members did their homework; did the necessary consultation with the professions, that was required; tried to look at it in a very objective way; and, I think, came forward with a very, very good legislation under which these two professions will be able to operate.

I would also like to commend the Consumers at this time for doing their own analysis of these two pieces of legislation, and bringing forward some very valid recommendations whether we acted upon them or not.

To me, there were two very discouraging aspects of this Session, and I believe the Honourable Members who represent this House in the Executive Committee, will likely have learned their lesson, and that is to recognize amendments to such important legislation as the Labour Standards legislation, through a Private

Member's Bill. I've expressed this concern before and I will continue to express it. This is important legislation affecting the whole Yukon, and the Government of the Yukon is responsible for this legislation. And the Executive Committee Members sitting in this House may have agreed with the concept put forward in the Private Member's Bill, but they adopted it as policy for the Territorial Government through the back door, instead of standing up in this House and saying, "This is our policy". And I would hope, Mr. Speaker, that we do not seek Private Member's Bill on very important legislation which is the responsibility of the Government, to be embraced by the Government through the back door.

Legal Aid legislation; I can understand why the Executive Committee Members representing us brought this forward. There was a commitment made to this House and I was part of the Executive Committee at that time when the commitment was made. However, I really question the judiciousness of bringing forward this legislation at this time, when we are faced with prospects of even cutting existing programmes. And when one listens, on the news every day the Federal Government is going to be cutting back Information Canada, L.I.P., Opportunities for Youth; who knows what priorities they give to legal aid, or even assistance for our Medicare programme?

And one other aspect that I would like to bring up, involves this Session of Council; not so much to the Commissioner's address, and yet the Commissioner's address quite obviously did not include amendments to the Elections Ordinance that were brought forward in this House. Again I believe that it was the Government's responsibility to bring forward amendments, proposals through the amendments to the Elections Ordinance. I very much feel that important issues that affect the Yukon people are being discussed and determined in caucus and then being brought forward to this house as a consensus. I have been party to it; and I feel just as responsible, but I don't think that we are responsible to each other here, other than the Executive Committee Members. We are responsible to the Yukon people and our constituents and by determining a consensus or a position in caucus, we are depriving the Yukon public and our constituents the opportunity to hear, understand both sides of an argument and a debate. I am not saying I would have voted against the Elections Ordinance or would have taken any other position, but what we did by determining the amendments to the Elections Ordinance, we closed every member's mouth, sitting around these Chambers. And I don't think we should do this. So, I am giving fair warning: in the future, important things, controversial things, can not be resolved in caucus of the Whole and then brought back cut and dried.

I will have to excuse myself from that type of a caucus situation. I accept the responsibility of what will happen this time. I was a party to it. But I could see the path we are going through, what it would be leading us into. A position where the public are deprived of both sides of an issue, and I don't think we can let this happen. Thank you, Mr. Speaker.

Mr. Chairman: The Honourable Member from

Whitehorse Porter Creek.

Hon. Mr. Lang: On a point of order, Mr. Speaker, I would like to commend the member from Kluane for such an elegant speech. I would also like to make reference to the member from Ogilvie in regards to the two written questions left on the Order Paper. I would like to point out first the remedial tutor is a budget item, I don't have an answer. Second the answer is being compiled and once the answer has been compiled, I will notify the Honourable Member from Ogilvie, so she keeps in touch with the government. Thank you.

Mr. Speaker: Are there any further addresses.

Mr. Speaker: Madam Clerk, I wonder if you would determine if Mr. Commissioner is prepared to give his closing address.

Mr. Speaker: I will now declare a brief recess.

Recess

Sergeant-at-Arms: Order, James Smith, Commissioner of the Yukon Territory.

Mr. Speaker: The House has at its present sittings thereof, passed a number of Bills to which in the name and on behalf of the said House, I respectfully request your assent.

The Clerk: Bill Number 1 - Highways Ordinance, Bill Number 2 - Legal Aid Ordinance, Bill Number 3 - An Ordinance to Amend the Area Development Ordinance, Bill Number 4 - an Ordinance to Amend the Companies Ordinance, Bill Number 5 - an Ordinance to Amend the Game Ordinance, Bill Number 6 - an Ordinance to Amend the Hospital Insurance Ordinance, Bill Number 7 - an Ordinance to Amend the Legal Professions Ordinance, Bill Number 8 - an Ordinance to Amend the Medical Profession Ordinance, Bill Number 9 - an Ordinance to Amend the Motor Vehicles Ordinance, Bill Number 10 - an Ordinance to Amend the Community Assistance Ordinance, Bill Number 12 - an Ordinance to Amend the Pharmaceutical Ordinance, Bill Number 13 - Third Appropriation Ordinance 75-76, Bill Number 14 - an Ordinance to Amend the Election Ordinance, Bill Number 20 - an Ordinance to Amend the Labour Standards Ordinance.

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker the Bills as numerated by the Clerk, I am very happy to give my assent to at this time.

If I may, Mr. Speaker, I would like to congratulate the Members on a very productive session on behalf of the electorate of the Yukon Territory. I cannot at this time give a definitive date as to when we would be asking the Council to come back into Session but it would appear that with the various budgetary requirements, that undoubtedly have to be dealt with prior to the end of this fiscal year or at least early in the new fiscal year, the date is going to be sometime during the month of February.

We will attempt to give as much notice to Honourable Members as possible and likewise attempt to maintain the same routine with non-money Bills with what was established prior to this current session.

To each and everyone of the Members and to yourself Mr. Speaker, I sincerely trust that you enjoy a very pleasant Christmas season and that 1976 will indeed be a kind one to you individually and collectively, to everyone who is present here and every one of the people in the Yukon that I have the honour of representing.

I sincerely trust that all members will have a safe journey home, Mr. Speaker, and most of all that the current very inclement weather conditions that we have not been enjoying for the past couple of weeks will cease and desist and that the warm sunny, warm breezes from the south will thaw out what is temporarily a very cold Yukon.

Thank you very much, Mr. Speaker.

Mr. Speaker: You have spoken in your closing address of a productive session. I am sure in speaking on behalf of members in the House that they would join me, in stating this would, of course not be possible but for the hard work put in by your officers and your staff and those members of the administration who have contributed in anyway to the success of this Session.

I am sure the Members would wish me, Mr. Commissioner, to extend to you and all members of the public service and your officers and staff, also a joyous festive season and we look forward to sitting again when next we meet in the spring.

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

Prorogued

**LEGISLATIVE RETURN NO. 11
(1975 THIRD SESSION)**

December 11, 1975

**Mr. Speaker,
Members of Council**

On December 11th, 1975, Councillor McCall asked the following question:

"It is my understanding, Mr. Speaker, that DND aircraft was utilized to transport a water tanker and other machinery to Old Crow last week. Will the Commissioner inform me whether local aircraft operators were given the opportunity to bid on this freight haul?"

The answer is as follows:

A Department of National Defence C-130 Hercules aircraft, which was scheduled to fly empty to Old Crow on December 4th, stopped at Whitehorse en route and carried a water truck and a quantity of building materials to Old Crow. The building materials were

required to finish the garage for the truck. The total combined weight of freight was 25,500 lbs.

The truck in question had been especially ordered by Indian-Eskimo Affairs and one of the specifications required that it be air-transported by a C-130 Hercules aircraft. It could not be loaded aboard any other type of aircraft operating in Canada.

No local aircraft operators possess C-130 Hercules aircraft.

The Director of Indian-Eskimo Affairs contacted PWA in Yellowknife and was informed that it would cost in excess of \$18,000 for a PWA Hercules from Yellowknife to airlift the truck. In view of this, the Minister of Indian and Northern Affairs was informed that the truck could not be moved until barge operations commence, unless DND were able to perform the task. The Minister therefore requested that DND do so in order that the service of the fire fighting equipment be available to the Community immediately.

**J. Smith
Commissioner**

**LEGISLATIVE RETURN NO. 12
(1975 THIRD SESSION)**

December 12, 1975.

**Mr. Speaker,
Members of Council**

On December 4, 1975, Councillor Watson asked the following question:

"Does the Commissioner have any idea of the terms and conditions of that agreement that the U.S. is negotiating with Canada, and the specific effects this

agreement will have upon the Yukon Territory?"

The answer is as follows:

We have been unable to this point to obtain a copy of the agreement or the U.S. bill. As soon as this information becomes available and we have had an opportunity to assess its impact on the Yukon, we will advise all members.

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