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Speaker: The Honourable Donald Taylor



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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.
We will proceed with Prayers.

(Prayers)

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

Hon. Mr. Lang: Mr. Speaker, I would like to rise on a point of privilege. I would like to welcome from the prominent riding of Porter Creek, the Grade Six class of Jack Hulland to the Legislature.

(Applause)

ROUTINE PROCEEDINGS

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

TABLING OF DOCUMENTS

Hon. Mr. McKinnon: Mr. Speaker, I have certain documents to table in response to Motion for the Production of Paper Number 5. If I could, Mr. Speaker, just add a short note of explanation. There are several voluminous files pertaining to applications for water board licences for Local Improvement Districts, which contain numerous quotes, numerous copies of correspondence, engineering designs and specifications, transcripts, applications and licences.

I'm taking this opportunity, Mr. Speaker, for producing just the actual applications and licences to Local Improvement Districts. I have, Mr. Speaker, instructed my officers to be available to any Member of this House and assist in providing any further information required.

Mr. Speaker: Are there any further documents for tabling this morning? Reports of Committees? Petitions? Introduction of Bills?

The Honourable Member from Whitehorse Porter Creek.

BILLS: INTRODUCTION AND FIRST READING

Hon. Mr. Lang: Mr. Speaker, I beg to move, seconded by the Honourable Member from Whitehorse North Centre, for leave to introduce a Bill entitled An Ordinance to Amend the Public Service Staff Relations Ordinance.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Whitehorse North

Centre, for leave to introduce an Ordinance entitled An Ordinance to Amend the Public Service Staff Relations Ordinance. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

(Motion carried)

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

Hon. Mr. Lang: Now, Mr. Speaker. I move, seconded by the Honourable Member from Whitehorse North Centre, that a Bill entitled An Ordinance to Amend the Public Service Staff Relations Ordinance be read a first time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Whitehorse North Centre, that an Ordinance entitled An Ordinance to Amend the Public Service Staff Relations 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 as carried.

(Motion carried)

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

Are there any Notices of Motion for the Production of Papers?

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

NOTICES OF MOTION OR RESOLUTION

Mr. McIntyre: Mr. Speaker, I give Notice of Motion regarding an appointment to the Territorial Water Board.

Mr. Speaker: The Honourable Member from Kluane?

Mrs. Watson: Mr. Speaker, I would like to give Notice of Motion regarding Liquor Inspectors, seconded by the Honourable Member from Whitehorse Riverdale.

Mr. Speaker: The Honourable Member from Ogilvie?

Ms. Millard: Mr. Speaker, I would like to give Notice of Motion, seconded by the Member from Hootalinqua, that the Green Paper on Policy for Recreation Development be moved into Committee of the Whole for discussion.

Mr. Speaker: The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Mr. Speaker, I would like to give Notice of Motion, moved by myself, seconded by the Honourable Member from Kluane, that an independent committee be appointed under the provisions of the Yukon Act and Public Inquiries Ordinance, in accordance with the wishes of this Assembly, as expressed by their approval of Motion Number 17 on December 10th, '75.

Further, that the committee, to be known as the Committee for Yukon's Economic and Social Future, in its responsibility in defining a pattern of strategy for Yukon's resource, economic and social development and by virtue of its terms of reference, will bring up-to-date the Carr Report, examine the question of provincial status in terms of economic and social factors, and provide direction with respect to the required and essential participation of Yukon's native people.

Mr. Speaker: The Honourable Member from Ogilvie?

Ms. Millard: Mr. Speaker, I would like to give Notice of Motion, seconded by the Member from Klondike, that the White Paper on Energy Policy for Yukon be moved into Committee of the Whole for discussion.

Mr. Speaker: The Honourable Member from Hootalinqua?

Mr. Fleming: Mr. Speaker, I would like to give Notice of Motion this morning on the matter of the Teslin sewer, that the eductor truck and sewage lagoon be discussed in Committee of the Whole.

Mr. Speaker: The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Mr. Speaker, I give Notice of Motion that regulations be developed with respect to a domestic animal herd law which can be enforced under the Provisions of the Highways or Pounds Ordinance; further, that these regulations be introduced by next Session of the Yukon Legislative Assembly.

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

The Honourable Member from Whitehorse South Centre?

Mr. Hibberd: Mr. Speaker, I would like to move, seconded by the Honourable Member from Whitehorse Riverdale, that the Yukon Housing Corporation be brought under the jurisdiction of an elected Member of the Executive Committee.

Mr. Speaker: Are there any further Notices of Mo-

tion or Resolution?

The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Yes, Mr. Speaker, Notice of Motion that a Department of Resources, Industry and Development be created within the Yukon Government and brought under the jurisdiction of an elected Member of the Executive Committee.

Mr. Speaker: Order, please.

The Honourable Member from Whitehorse South Centre?

Mr. Hibberd: Yes, Mr. Speaker, I would like to move that the pensions of the Department of Highways and Public Works be brought under the jurisdiction of an elected member of the Executive Committee.

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

Are there any Statements by Ministers?

This brings us, then, to the Question Period. Have you any questions this morning?

QUESTION PERIOD

Mr. Speaker: The Honourable Member from Kluane?

Question re: Written Answers from Ministers

Mrs. Watson: Mr. Speaker, my question is: do the Ministers have any written answers to questions that have been put forward?

Mr. Speaker: The Honourable Minister of Education.

Hon. Mr. Lang: Mr. Speaker, I have for tabling the legislative returns to written questions number 13 and 14.

Mr. Speaker: The Honourable Member from Hootalinqua?

Question re: Campground Permits

Mr. Fleming: Yes, Mr. Speaker, I have a question this morning for the, Mr. Commissioner, re the campground permits for the current year. How many permits were sold and how much money was collected and how much did the program cost?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, I don't have that information with me now. I would appreciate taking that question under advisement and responding back to the House at a later date.

Mr. Fleming: Mr. Speaker.

Mr. Speaker: The Honourable Member from Hootalinqua.

Mr. Fleming: I neglected to say that it was a written question. I meant to say at the start that it was, is, a written question.

Mr. Speaker: Thank you.
The Honourable Member from Ogilvie?

Question re: Training of Justices of the Peace

Ms. Millard: Mr. Speaker, a question for the Minister of Health, Welfare and Rehabilitation. I notice from the information that she gave us on the Justices of the Peace in the Yukon that there is a conference held annually. Does she feel that this is enough training for J.P.s and, since there was not a conference held this year because of lack of funds, will more money be in next year's budget for this thing?

Mr. Speaker: The Honourable Minister for Health and Welfare?

Hon. Mrs. Whyard: Mr. Speaker, I am not responsible for that department, as the Honourable Member knows. However, I will enquire of the Executive Committee Member who is responsible, and provide information.

Mr. Speaker: The Honourable Member from Kluane?

Question re: Telephone Exchange in MacPherson Subdivision

Mrs. Watson: Mr. Speaker, I have a question for the Minister of Local Government. Yesterday he brought forward the plans for the development of the new subdivision at MacPherson, and part of the plans was the provision of telephone services within this subdivision. My question is, is it the plan of CNT to add an extra exchange to accommodate the extra 55 subscribers that will be on the service on that subdivision?

Mr. Speaker: The Honourable Minister of Local Government.

Hon. Mr. McKinnon: Mr. Speaker, I will attempt to find that, the answer to the Honourable Member's question, from the Crown Corporation, CNT. I must warn her that my batting average with the Crown Corporations CBC, CNT and CPC are not very good.

Mr. Speaker: The Honourable Member from Kluane.

Mrs. Watson: It's supplementary, I appreciate that the Honourable Member makes the effort to get the answer. I wonder if the Honourable Member would be prepared to enquire of CNT at that time whether they are also considering providing better and additional telephone service for the residents of the Yukon who live on the Mayo Road and the Takhini Hot Springs Road, who are tax-payers in the Yukon and who have been ignored by so many government departments in the services that they receive.

Mr. Speaker: The Honourable Minister of Local Government?

Hon. Mr. McKinnon: I would be happy to, Mr. Speaker. I just would like to say that we have an ongoing committee structure dealing with land development on which people like NCPC, Yukon Electrical, CNT, WHTV, all sit. Sometimes, Mr. Speaker, the meetings have to be cancelled because of the lack of interest shown by representatives not even showing up at the meetings.

Mr. Speaker: The Honourable Member from Klondike?

The Chair will recognize the Honourable Member from Kluane.

Mrs. Watson: Yes, Mr. Speaker, my supplementary question is that I would prefer if the Honourable Member himself undertook, rather than the committee, to ...

Mr. Speaker: Order, please. The Member is making a statement.

Mrs. Watson: No, I'm asking a question. I'm asking if he would personally undertake to make his representation to CNT on behalf of these citizens who have been ignored by so many government departments?

Hon. Mr. McKinnon: I have already given that personal commitment, I thought, Mr. Speaker, and I don't accept the proposition that the people on the Mayo Road have been ignored by the government.

Mr. Speaker: The Honourable Member from Klondike?

Question re: Energy in Yukon

Mr. Berger: Yes, Mr. Speaker, I have a written question for the Honourable Member from Whitehorse North Centre. What steps is the Yukon Territorial Government taking to avoid running out of usable energy in the Yukon? Since nobody has an idea of the extent and size of the coal, oil and gases there is in the Yukon.

Mr. Speaker: Are there any further questions? The Honourable Member from Whitehorse South Centre?

Question re: Workmens' Compensation Ordinance

Mr. Hibberd: Mr. Speaker, we have received information regarding the establishment of the Workmens' Compensation Advisory Board here in the Yukon, which I'm very pleased to see. Will this require changes in the present Workmens' Compensation Ordinance and when does the government intend to bring in such changes to this Ordinance to fit with the establishment of this Board?

Mr. Speaker: Whom is that question directed to?

Mr. Hibberd: The Executive Committee Member is not here, so I'll direct it to the Commissioner.

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, since that Executive Committee Member is not here, I will get the information from him and bring it back to this House

Mr. Speaker: The Honourable Member from Ogilvie?

Question re: Project Coach Yukon Plan

Ms. Millard: Mr. Speaker, a question for the Minister of Education, on the subject of Project Coach Yukon Plan.

How much money is set aside in this Plan, how much spent thus far, and how many people are enrolled? It could be a written question.

Mr. Speaker: The Honourable Minister of Education?

Hon. Mr. Lang: Mr. Speaker, I'll bring in the financial implications. The enrollment at the present time, I'm happy to say, is in the area of 22, I believe, for this weekend workshop, and apparently it appears it's going to be very successful.

Mr. Speaker: The Honourable Member from Klondike?

Question re: Government Policy on Energy Development

Mr. Berger: Mr. Speaker, I have another written question for the Honourable Member from Whitehorse North Centre. When can we expect Yukon Territorial Government policies for future development of energy and policies which would bridge immediate intervening gaps?

Mr. Speaker: The Honourable Member from Kluane?

Question re: Emergency Fire Protection Services

Mrs. Watson: Mr. Speaker, my question is for the Minister of Local Government. Is it the intent of the Department of Local Government, to negotiate with the City of Whitehorse to provide fire protection services on an emergency basis, for residents on the North Alaska Highway, directly adjacent to the boundaries, on the Takhini Hot Springs Road, and on the Mayo Road?

Mr. Speaker: The Honourable Minister of Local Government?

Hon. Mr. McKinnon: Mr. Speaker, even though nearly all of the people who have signed arrangements with either the Federal or Territorial Government, have agreed by a clause in their lease that they know that they are not provided fire protection. We are arranging a tri-level meeting in the Federal, Territorial and Municipal authorities, to see what we can work out for some type of fire protection outside the city boundaries, but adjacent to Municipal boundaries.

Mr. Speaker: The Honourable Member from Ogilvie?

Ms. Millard: Mr. Speaker, a supplementary to the Project Coach Yukon Plan, I note that there are 22 people involved in this, registered in this plan already, but the qualifications are a Bachelor of Physical Education or the equivalent.

Mr. Speaker: Order please.

Ms. Millard: The question is ..

Mr. Speaker: The Member is making a statement, could you get to your question, please?

Ms. Millard: The question is — do all these 22 have these qualifications?

Mr. Speaker: The Honourable Minister of Education?

Hon. Mr. Lang: Yes, this is correct, Mr. Speaker, that's my understanding.

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

Question re: Use of Lynn Building

Mr. Hibberd: Mr. Speaker, I have a question for the Commissioner regarding the Lynn Building. I understand the lease that the Government undertook has not yet expired. I would like to know what this building is now being used for, in terms of Government use, and what other uses do they intend to put it to?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, again I will have to respond by going to the Executive Committee Member in charge of that particular aspect, and endeavour to bring the answer back to that.

Mr. Speaker: The Honourable Member from Kluane?

Mrs. Watson: Mr. Speaker, I don't know whether this is the time on a point of privilege, but I would like to extend my apologies for using a disrespectful tone of voice to the Speaker while he was in the Chair.

Mr. Speaker: The Honourable Member from Ogilvie?

Question re: Responsibilities of Territorial Agent

Ms. Millard: Mr. Speaker, a written question for Mr. Commissioner. Does the definition of the position of Territorial Agent include the following responsibilities:

- (1) To provide an access for individual citizens to Territorial regulations, and
- (2) To advise individuals concerning the Government policies?

Mr. Speaker: Have you any further questions this morning?

The Honourable Member from Klondike?

Question re: Feasibility Study of Dawson Sewage and Disposal System

Mr. Berger: Yes, Mr. Speaker, I have a question for the Honourable Member from Whitehorse North Centre.

The City of Dawson was given a deadline to 1980 to fulfill the sewage treatment plan, and I believe the Federal Government, the local government is presently undertaking a study on the feasibility of sewage and disposal and stuff like this in Dawson. Is any information available ..

Mr. Speaker: Order, please, could the Honourable Member get to his question?

Mr. Berger: Is there any information available on this study?

Hon. Mr. McKinnon: I would be happy to provide the Honourable Member with what has occurred up-to-date, and what we see taking place in regards to the study in the next fiscal year, Mr. Speaker.

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

Hon. Mr. McKinnon: Mr. Speaker, I have for tabling, a Legislative Return to written question number 18.

Mr. Speaker: We will then proceed at this time under Orders of the Day to Motions.

ORDERS OF THE DAY

MOTIONS

Madam Clerk: Motion 19, standing in the name of the Honourable Member, Mr. Lengerke.

Mr. Speaker: Is the Honourable Member prepared to proceed with Motion Number 19 this morning?

Mr. Lengerke: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Whitehorse North Centre, that the Department of Territorial Secretary be brought under the jurisdiction of an elected Member of the Executive Committee.

The Honourable Member from Kluane?

Mrs. Watson: Yes, Mr. Speaker, I would move that Motion number 19 be referred to Committee of the Whole.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Klondike, that Motion 19 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 carried.

(Motion carried)

Madam Clerk: Motion 20, standing in the name of the Honourable Member, Mr. Hibberd.

Mr. Speaker: Is the Honourable Member prepared to discuss Motion 20 this morning?

Mr. Hibberd: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse South Centre, seconded by the Honourable Member from Pelly River, that the Government of the Yukon Territory Procedure Directive PR02/106 be amended to reflect the contents of Mr. Speaker's ruling in this Legislative Assembly on November 10th, 1976

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

Mrs. Watson: Mr. Speaker, I would move that Motion Number 19 be referred to Committee for further discussion.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Klondike, that Motion Number 20 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 is carried.

(Motion carried)

Mr. Speaker: In as much as there are no Bills for processing this morning, may I now have your pleasure at this time.

The Honourable Member from Pelly River

Mr. McCall: Yes, Mr. Speaker, I would now move that Mr. Speaker leave the Chair and the House resolve into Committee of the Whole concerning Bills, Sessional Papers and Motions.

Mr. Speaker: It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Whitehorse South Centre, that Mr.

Speaker do now leave the Chair and the House resolve into Committee of the Whole for the purpose of discussing Bills, Sessional Papers and Motions.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

(Motion carried)

(Mr. Speaker leaves the Chair)

COMMITTEE OF THE WHOLE

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

(RECESS)

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

We will proceed with the clause by clause reading of the amendments to the Liquor Ordinance. When we recessed yesterday, we were discussing Section 103.

I might mention at this time that we have received representation from the C.Y.I. that they may wish to appear as witnesses before this Committee on this Ordinance. I have not yet received confirmation, but we expect to this morning.

Is there any further debate on Clause 103.

Mr. Fleming.

Mr. Fleming: Yes, Mr. Chairman. I must rise again because in this section I think covers pretty well what I've wanted to do all along is have us go back and be straightened out. I'm speaking of public drinking now.

I would like to explain what happens in some of our places, especially in the town of Teslin again. But I think that so far, that it's possible that people don't feel that it is as bad in one place as another, but I say it's just as bad everywhere. Whitehorse is no different really in this respect than Teslin. Public drinking goes on along the riverbanks and all over the place. People really don't see, the public don't see it. However, in a small town they do see it.

On our lake, our beaches are polluted with bottles and drunks are loitering along the beach throwing glass into the rivers so that the children can no longer swim there, which is a fact. Last summer they had to swim on the ramps that were put in for the boats because they didn't dare get off them and into the bottles.

I wish to speak a little bit about the responsibility in this section, that we're referring to people drinking in a public place. Somehow or other we feel that a person, when he's drinking is not really responsible for being drunk. He is sick. I agree, we have, we do have a problem. He goes to the centres and so forth and they are filled with them, but you know, we have no laws in the section whatever, really. No teeth in the Ordinance and I feel we should have because a person that is drunk, I feel is still responsible for some of the things he does.

To prove my point, I would like to ask you what they do when they find a drunk driving a car. He is fined for driving a car. He is drunk, he is responsible in that respect and he can be fined and his licence can be taken away and so forth. However, if we find him just drunk and he goes, we put him overnight, take him out and turn him loose again. He's not responsible then. If he is throwing bottles and so forth on the street or is causing a nuisance to people he is considered responsible for that act and he can be taken and fined again. Yet when we find him drunk he's not responsible for being drunk. I just can't get the picture at all. He is responsible, he was responsible before he got drunk.

This type of people are the ones that are really causing the problems because they can break into places after they get drunk and they can be picked up and they have been in my area, and taken to court and they are not responsible for breaking into a place and robbing it at night and so forth. And it has been done. They are getting away with it, because of as we say, moreorless, that they're not responsible when they are drunk.

The policeman, trying to serve the largest, I would say amount of people in the Territory, and the good people of this Territory, have a problem when they stand and look out their window, or they sit and have a cup of coffee somewhere where there's liquor being sold, and they see this type of person getting drunk. They see him getting drunk, getting prepared to keep them up all night to protect the rest of us, and I think we want to look at that situation, and say is that person responsible now, or is he responsible after he's drunk? I say he's responsible before he gets drunk too.

I'm not going to belabour it too far, because I know you get tired of listening to the same old story over and over again, but the facts are there, and this section covers most of it, and I would like to see, as I say I don't think there's any way that any of us could just sit down now and make a bunch of amendments to this Ordinance.

I would like to see this Ordinance go back and have them bring it forth here, with some of those teeth in it.

My recommendations would be to change the hours, it's not in here, it's a recommendation under the same thing, the L.I.D.'s responsibility, set those hours ourselves here, take the public drinking off the streets and the car drinking which I think is already possibly covered here and another thing I think we should look at is the litter problem while we're in this Ordinance. It's going to come up in the regulations and find a way to pick up not only the beer bottles, which is causing the public nuisance which is in this section, but cleaning up the Territory a little more than we have by just picking up beer bottles, which I will commend the Government for doing that, when they put in that Bottle Buy Back Plan, they really did clean up the Territory, especially in my area, I know it has helped tremendously.

You no longer walk through the bush and find as much as you did before, and they are trying to clean up, there are people who are responsible and they know they can get a nickel for the thing, they will try to clean it up. Those are the things that I really worry about, and there is nothing really in this Ordinance other than let the L.I.D.'s try to do this, and I think that it's going to come back and really be a problem.

We may slow this Ordinance down by not doing this,

but you know, if we let it go through the way it is, it will be a year or two years before there is anything done anyhow in any of the Territory, and I think we should do it right. Now is the time.

Mr. Chairman: Ms. Millard?

Ms. Millard: Mr. Chairman, my objection with this section is the same as with section 44, and that's the involvement of the local Government agencies, particularly since yesterday we heard from both the City of Whitehorse and the City of Dawson that they wouldn't support efforts to pass a Motion to take the responsibility for recognizing no public drinking, nor the off-premises beer sales.

My other problem I have with this section has been detailed under 103(3)(d), "Such other places as may be prescribed". I wonder if that's even necessary there. Who is going to prescribe what, and where. Is it going to be in regulations? Is it going to be through the Ordinance? If it's going to be through the Ordinance, why does that section even have to be there?

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, it only applies if there's an area enforcement. If the City of Whitehorse decided to ask the Commissioner to pass an area enforcement Ordinance, or an area enforcement order, that there would be no public drinking within the Municipality, the Municipality could ask that such places as may be prescribed, other than a public beach, public park or public campground, a garden terrace or pool front patio of a licensed premises.

Say, within the city boundaries that they didn't want, even though a public park was omitted under section 3, that they didn't want drinking in say Rotary Park here, they could ask that area also to be prescribed in the area enforcement, so the city could limit even further the sections of the exception under (3) if they so desired.

If we say that they should still be allowed, people to drink in a public beach or a public park, but if the people of the City of Whitehorse said we don't want it, that could be prescribed in the Order.

Mr. Chairman: Ms. Millard?

Ms. Millard: Mr. Chairman, supplementary to that, I find it surprising that the Government is willing to allow the Municipalities to make a decision on the definition of public place. It just rises my further objections to having the — that section involved.

Hon. Mr. McKinnon: Mr. Chairman ..

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: .. I'm sorry, I just don't think that the Honourable Member gives enough credit to the ability of the elected Members of the Municipal Council.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Thank you, Mr. Chairman. I think I said previously that I commend the Government on bringing in the amendments to the Liquor Ordinance

and I still do, but I believe very firmly that the question of liquor control must be directly with the Territorial Government, and not with the Municipalities and the L.I.D.'s.

I'm convinced that if we are to achieve the results that the people have expressed to us, that we must fully take on the responsibility and make the rules ourselves, and I am not prepared to vote in favour of the Bill, unless the matter of consuming alcohol in public places is a universal, or a Territorial wide rule.

I also question the role of the proposed inspection function, and I would like to stress that in my opinion that Inspection Department is required directly under the jurisdiction of the Corporation or Board, and I would like, Mr. Chairman, to have some clarification on 103(2), as the Member from Hootalinqua did. "Consume liquor", does this mean that the person has to actually be caught consuming liquor and there is no other area that he can be apprehended or questioned?

For instance, if he has unsealed liquor, could I get a clarification of this, because this is of very vital concern, that I think as the Mayor of Whitehorse stated, to prove the consumption of liquor in that state is a pretty hard and difficult thing to do.

Mr. Legal Advisor: Mr. Chairman, "consume" is intended to mean consume, that is to drink it. We have run into problems about possession in the Territory before, notably in one particular case where a person was charged with possession of liquor — unlawful possession of liquor and at that time possession and consume were more or less the same. It was found in the law courts, by Magistrate Trainor at that time, that it was illegal for a person to transport a bottle of liquor from the liquor store to his car.

He could possess it because of the exception in his car when he got home, but it was illegal to move it from the car to his house unless he brought the car into his lot so you run into lots of problems over this, but it wasn't the intention to prevent the person from having a bottle of liquor. It was the intention to prevent his consuming the bottle of liquor, in other words, drinking it.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, further to that, we reflected in section 2, exactly what the City of Whitehorse asked us to reflect, and their Motion read that City Council was opposed to consumption of alcoholic beverages on public streets.

We did what they thought they wanted, placed it exactly as they asked in the Motion and then got chastized yesterday for placing their Motion exactly as they asked us to in section 2, 52. It's just another one of those things you just can't win.

Mr. Chairman: Mr. Berger?

Mr. Berger: Yes, Mr. Chairman. I have a couple of questions, actually.

All through the Ordinance, and especially in 103, we're talking about offences. I can't find anything what the offence will be, and I was wondering if there is an answer to this.

Another question I have is about enforcement of all

those restrictions we're proposing in here. We have places in the Territory where there's no R.C.M.P. station and so what will we do in those places? Is the Territorial Government prepared to lay out more funding to have additional enforcement officers in those areas?

One main question I have is why wasn't there two Bills presented to us, to separate the Liquor Corporation from the Liquor Ordinance. I think it would have made much more sense to have two Bills instead of having one Bill, and the way the thing's going in this House, it is possible to have a good Ordinance and Liquor Corporation turned down with a bad Ordinance on liquor consumption.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, I will answer the last question first. We're continually getting berated in Government for making legislation too difficult for people to find under one section and to be able to know everything dealing with one subject, and we had the argument presented to us that we should present two different Bills, and the Government said, you know, let's attack this situation where under liquor, you would go to one Ordinance, so people know everything concerning liquor under the one Ordinance, because Honourable Members and members of the public are constantly saying to the Government that it's just too difficult, because of the myriad of Ordinances and regulations, to find out where to go to find out anything.

So that's the way we answered, by bringing both into one Liquor Ordinance.

The answer to the other question, of course, if you throw out certain sections and amendments to this Ordinance, that the rest of the Ordinance doesn't say anything, it's as simple as that.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I would like to commend the Honourable Member from Hootalinqua on some of the points that he made, and I would also like to commend him on the position he's taken constantly during this debate, on the fact that we should take the courage to put some teeth into the legislation.

I can understand why the administration and the Government brought forward this legislation. They were trying to please everyone, and by so doing, they have more or less not really pleased anyone.

I think the trend in our society now is beginning to become more conservative in our approach, and more restrictive, and I think we're going back into the old responsibility — not the broadening of the freedoms that seemed to be the thing to do a few years ago and I welcome this approach very much.

I agree with the Honourable Member from Mayo. I don't know whether he made a motion or whether it was just a suggestion that in section 103, we delete subsection (1), leave in subsections (2) and (3) and delete all the rest of it. I know that I would support that suggestion. I know I wouldn't be pleasing all the people in my constituency and I know that I would not be pleasing all the people of the Territory, but I have to make a decision.

I think with the situation that we have in the Yukon

today, it is up to us here to make that decision, to be just a little daring and to provide a little bit of leadership in the fact that we want a few more controls in our Territory.

I think that we also must realize that we have to provide the ability for the Corporation to administer properly the legislation and to supervise properly, the legislation. The motion that I proposed this morning, that I gave Notion of Motion on, will ask the Members to support the fact that Y.T.G. Liquor Inspectors should be completely under the jurisdiction and control of the General Manager, the Board of Directors of the Liquor Corporation.

I think in this way this will give the Corporation the ability to properly supervise the legislation that we are passing now. Too often, we pass legislation and never ever provide for the enforcement and supervision. We don't seem to accept the fact that it's going to cost us money. I don't think any of us are kidding ourselves this time that our profits from liquor are not going to be as great but that we have to be prepared to spend the money for the liquor inspections services.

Also I think that many people who are involved in the liquor business will welcome properly trained and, as the Honourable Member, the Minister of Local Government said this morning on the radio interviews, "professional liquor inspectors", they would welcome them. At the present time they walk in the door and they don't know whether they've got their Workmens' Compensation hat on, their Labour Standards hat on, or just what hat they're wearing. It's a little disconcerting for these people who have to work with them. In most instances, are very prepared to work with them and want to co-operate, with them.

Of course, I think the enforcement is going to be a very important part of it. Also I think that the fact that we are now declaring under the definition section that R.C.M.P. will be inspectors under this legislation, not, I don't think, with the full powers of liquor inspectors, but in certain outlying areas that they can step in if there is an emergency situation.

Mr. Chairman, as I said, I'm not pleasing everyone, but I think maybe we can be providing a little bit of leadership in the direction that our Territory is going to proceed.

Mr. Chairman: Mr. Taylor.

Hon. Mr. Taylor: Yes, Mr. Chairman. You know, I've done a lot of thinking on this subject during the very interesting debate that we had on this question. I've talked to quite a broad range of people on this question in order to reassure myself that the stand, that the position I've taken in this debate is representative of as many as I can find of the majority of people in the Yukon.

I keep coming back to the fact that the majority of people of Yukon, in my opinion, from my research, are opposed to losing their privilege of public drinking as it exists today.

Most of those I speak with, do express the concerns that pretty well all Members have expressed in this House about those who abuse the privilege of public drinking. Perhaps, this legislation, as the Honourable Member from Whitehorse North Centre has said, was a

very difficult thing to arrive at and is an attempt, perhaps, to cure this problem.

Who are these people? Who is creating the problem in the first place? It isn't every John Q Citizen in the Yukon Territory that is doing this. The average citizen in the Territory has proven himself and I'm saying again, proven himself to be a mature individual when it comes to drinking in public and, by and large, I think he's done very well. So who is it that's causing problems? Who's throwing the bottles in the street and out of cars and creating the circumstance, for instance, as the Honourable Worship, the Mayor of Whitehorse stated yesterday in one situation? Who's doing this?

If you change the law, what difference is this going to make? Is that person still going to do it? I say to you, yes, that person will continue to do it. So, you know, you make it a little more difficult for him to get booze, or — these people, you know, it's something like the gun law, and I certainly respect the man who said, well you know, if we can get all the guns away from the citizens, then we'll solve the problem, but if you always know and everyone of us knows, Mr. Chairman, that certainly the criminals will always have guns, so this is quite the same situation.

You could make this legislation as restrictive as you bloomin' well want, Mr. Chairman, but the people who are offending will continue to offend, and they will always have liquor 24 hours a day whenever they need it. We just bring back bootlegging to the Yukon. That solves that one real easy.

So, you know, I don't see that this approach is going to solve the problem, although I do respect the fact that the administration have worked very long.

Now, the lobby. I understand I have been provided with a sheet of some of the names of the groups and associations who have submitted representations to the administration in this regard. But I don't see that a majority of this, you know, unless one saw the individual representations, I don't see that that speaks for all the people in the Yukon.

I don't see how this, in this legislation, we are going to in any way deal with the social end of drinking. You know, we can't legislate morality, as I've said before. We're not going to change anybody; we're just going to make it a little tougher on them.

I said yesterday that I noted that the Indian village of Teslin, as I said, made a submission and the Honourable Member from Hootalinqua has also reasserted the position, and this is great. It's interesting, as I said, to see people taking an interest in their problem.

But it seems to me that there must be a social cure for this problem, not a legislated cure. If there is drinking rampant in the villages and if people are not looking after their children as a result, and doing all these things that occur — burning down their buildings as a result, whatever it might be — the change in this legislation is not going to do a whit of good because these people will still have liquor, they'll still continue to do the same thing, and they'll continue to do it until somebody starts some social education at the community level.

Now, that's where to get at the problem. Get down and work with them; it's social education and it's not this Liquor Ordinance, by changing it it's not going to cure that problem.

We have been, in this respect of public drinking, prob-

ably leaders in — and in other parts of our Ordinance — leaders in Canada in liquor legislation. What a shame to start backing off at this point, backing off on something which has worked well in the Yukon, with the exception of these few people you're trying to legislate in respect of.

Now, I would just like to at this point, Mr. Chairman, reiterate that there are laws on the books and the Statutes of the Criminal Code of Canada, the Territorial Legislation, Municipal Bylaws, which are not being enforced and perhaps, if they were being enforced, we might slow down some of the people who create this problem.

Now, one I mentioned was the litter, and this is where this whole subject came into being, as I said earlier, was in Dawson after one of the Discovery Day celebrations when the question came up about what a mess with all these beer bottles laying around. Okay. They have no litter bylaw. If they're concerned about the, you know, the question of litter, any municipality, not just Dawson, Faro or Whitehorse, you have a litter bylaw and under that litter bylaw you have enforcement.

Now, the City of Whitehorse have a bylaw officer and they have a litter bylaw and, as I said in the House yesterday, I phoned the Mayor, or the bylaw officer I should say, no, they had never prosecuted anybody under the litter bylaw; they have under the garbage bylaw for garbage falling off people's pick-ups, but never anybody under the litter bylaw, and yet the complaint is steady about the empty beer bottles being broken in the streets of Whitehorse.

Now, why should we attempt to change legislation in the House? It's up to the Municipality of the City of Whitehorse to look after that problem, the same as it is if it becomes a problem in Faro; it's up to their municipality, and the same in Dawson. Instead of saying, well, we are not going to do that job, we will come down and ask you legislators in the Legislative Assembly, you just change this Ordinance, and all this problem will go away.

Bunk, Mr. Chairman! The laws are there, I'm sure, under the Criminal Code, you can be placed and charged with being a public nuisance. There's got to be laws enforced in the Territory before we go to the drastic approach of drastically changing liquor laws which are by and large working fairly well.

Now, we are creating in this Ordinance a Liquor Board, a Liquor Corporation, which will be headed by a General Manager of a Board, and the Board will control, in effect, the whole liquor business in the Yukon Territory. Why not put this problem to the Board and have them study the problem? If they're going to be in the liquor business for the next — assuming that this Ordinance passes and they're going to be in the liquor business in this Territory from now on, let's give them a year and let them do the research and the leg work necessary to determine where the problems are, if there are indeed problems. Let them — they will be involved everywhere in the Territory, and let them find out, and if indeed — and I'll tell you how tough this issue is out on the streets to John Q. Citizen, who's extremely worried that this rights, these new-found rights, are going to be taken away by this Assembly at this time. He's concerned.

So, rather than listen to the few people who have made

these submissions and changed the laws based on their submissions and their problems, why not get an opinion from all of the people of the Yukon Territory and I would wager you, Mr. Chairman, if you did that you would have a clearcut majority for retention of the existing laws.

There is one very easy way to do that and that's to hold a referendum on this question, either by itself in the Territory or in conjunction with the next Territorial election.

Now, that's the route to go. But to change, at this time, as outlined in Section 103 and 44(3), the laws to that extent, I think would be not working to the best interests of the people of the Territory. But I do agree that it is an honest attempt by the Executive Committee and the members of the Administration to meet the problem, but I don't think it solves the problem.

Just with those remarks at this point in time, Mr. Chairman, I'll take my seat and I would like to hear some of the opinions from other Members on this question, but I think it's important that this be deleted at this time; that the Board, when created, be instructed to study and make recommendations back to the Administration and eventually back to this House as to (a) whether there is a problem; (b) who's creating the problem, and where is the problem occurring? And make some recommendations as to how we could best meet the question in the best interests and with the concurrence of the majority of the people, the citizens of our Territory.

Secondly, if it's necessary and found to be desirable to do so, then put it in a referendum form across the Yukon Territory and let the people speak.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman. I'd like to add to the words of the Honourable Member from Watson Lake.

Here we go again, legislating for .05 percent of the population. A transient population more so than a permanent population, that abused the privileges of public drinking. In the City of Whitehorse we have one area where this is abused, the Main Street and possibly Second Avenue. Two streets within the City of Whitehorse where this abuse takes place, by people that really do not even live here.

Here we go. I've been in this House for two years and I've seen us put legislation in here and we're legislating against the offenders which is always about .05 percent of the population.

Now, I've heard the various views of some of the Members here on public drinking throughout the Territory. There's obviously a difference in opinion. One area, the Municipality of Faro, it appears that it is not that concerned about the public drinking. Apparently they do not have a problem. Apparently in the area of Watson Lake they do not have a problem. But if they do have a problem with this Section 103 they can send in a resolution. If public drinking is a problem within the Territory — there's a case of approximately twelve communities came forth to this government and said, listen, we do not want public drinking.

Now what happens to the individual that goes out on a hunting trip, or goes out on a picnic, and he wants to have a beer? If you change this section, you're going to

make it illegal for 95 percent of the population to go out in the outlying areas and possibly have a beer at Marsh Lake or wherever.

I think, Mr. Chairman, that the basis of the whole Liquor Ordinance is enforcement. The RCMP have told us, just recently, that they — any laws passed by this Assembly, they will be more, they will go out of their way to do the proper enforcement, which is a major step in the right direction because it is enforcement. The drunk on the street — they will go out of their way to pick these people up. They've said that to us.

As far as I'm concerned, if public drinking is a concern of people of the Yukon, we should have twelve resolutions within the period of a month after this Bill is given assent.

Mrs. Watson: Mr. Chairman, on a point of privilege, we have 12 Members in this House representing the people of the Territory, who are accepting the responsibility of their positions and who must go back to their electorate to answer for the position that they've taken.

I think too often these days elected representatives are saying, well, send in a petition; do this, do that. Besides, elected representatives are so reluctant to get off the fence.

I was so amazed at the Honourable Member from Watson Lake. The different alternatives that he made, other than making a decision. Let someone else; let's have a referendum; let the Liquor Board, Liquor Corporation, make the decision. He doesn't want to make this decision.

Mr. Chairman: Mrs. Watson, I don't think you are standing on a point of privilege.

Mr. Berger?

Mr. Berger: Yes, Mr. Chairman. I just rise to maybe get the answers to two more questions that I raised. I raised three, I got one answer, but I'm still waiting for the other two questions.

Mr. Chairman: What were those questions?

Mr. Berger: Well, maybe the Honourable Members should take the cotton out of their ears because I asked what would the offence be and what would the fine be?

I can't find anything in this Ordinance that provides anything like this. And the other thing is, what will — is the Territorial Government willing to expend further monies to get more RCMP in the outlying areas where there is no RCMP at present?

Mr. Chairman: I think, Mr. Berger, that there is a section on penalties in the Ordinance as it now exists. Section 88 and on.

Mr. Gillespie?

Mr. Gillespie: I'm sorry, you've answered my question, Mr. Chairman; you've already given the answer I was about to give.

Mr. Chairman: And the other question was regarding RCMP. Mr. Gillespie?

Mr. Gillespie: If the question was, how would the

RCMP enforce the amendment as proposed in this Bill versus — I'm sorry, would the Member please repeat the question?

Mr. Berger: Yes, and I make it a specific point. There's two members of the RCMP in Carmacks, there's no RCMP in Pelly, there's no RCMP at Stewart Crossing, or anywhere in-between Dawson and Mayo, so what are you going to do and what are you prepared to do to enforce this Ordinance?

Mr. Gillespie: Mr. Chairman, the RCMP have a responsibility under the Police Services Agreement to enforce the laws of the Territory throughout the Territory, and they do travel from outside of the communities where they are situated through other communities and along the highways. If there is a special problem that crops up in another community or in another place, then they do move to that place, and it would be their duty to do so in this instance.

Mr. Berger: Mr. Chairman?

Mr. Chairman: Mr. Berger.

Mr. Berger: Well, you can only stretch one person so far. The thing is, I can see if you're outlawing public drinking for instance in the community of Pelly, you're going to have one RCMP member stretched from Carmacks or from Mayo right to Pelly, and how are you going to do this?

Mr. Gillespie: Mr. Chairman, one of the things that can help in this regard is if there is a problem in a community, the public has two options: one is to get in touch with the RCMP, the other is to get in touch with the Board or the Corporation itself, and the Corporation will take upon itself to get in touch with the RCMP and ask for assistance in that area.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I've been waiting for some time, because irresistably the remarks always made by the Honourable Member from Watson Lake invite me to debate, and I'm sorry that we've gone on to more interesting fields since then.

But I think, for clarification Mr. Chairman, perhaps it would assist Mr. Berger, the Honourable Member from Dawson, if I perhaps clarified what the RCMP are doing now about people who are found intoxicated in a public place. I would like also to say at this time that there is an inter-departmental committee on alcohol problems, and Liquor Ordinance enforcement, which is ongoing, and they have discussions regarding current problems in enforcement of the Ordinance, and they come up with the best answers possible with the tools at hand.

The members of this committee are the Department of Liquor Control, a representative from our Alcohol and Drug Services, RCMP representatives from the Headquarters of 'M' Division and one from the Whitehorse detachment, and one from the Department of Legl Affairs, and these people are all concerned with exactly the point the Honourable Member has raised. What are the police supposed to do with a drunk?

Now, the recommendations that they are currently operating on are that they take into custody intoxicated persons who have lost physical and/or mental control of themselves or who are a danger to themselves and to others. This particularly applies to people who are in control of a motor vehicle, as well as being drukk at the back door of City Hall!

These people are released as soon as possible to someone who will be responsible for them. That is the ultimate goal; it isn't always possible, but this is what they try to do, and they do not release them until they can be released with safety, based on their own condition.

Now, since the opening of the Detox Centre in Whitehorse, the RCMP have welcomed this as a resource centre for the kind of people they have to take into charge. They are also trying to work out a system with the Territorial agents throughout the Yukon who are responsible for the administration of the Liquor Ordinance, and the resource people in each area, so that there will be somewhere for these people to sober up, for their own safety and the safety of others.

Now, the current policy has been that if someone has had to be picked up on that basis three times and taken into custody they are charged. That, Mr. Chairman, is the direct route at the moment.

We, as you know and I have said in this House previously, are trying very hard to establish additional resource people and resource facilities in other communities outside of Whitehorse and we are actively planning the extension of that program now, but we can't have a Detox Centre in every small community.

I know the problem that the Honourable Member is referring to, and no-one knows it better than the RCMP, and this committee I referred to has been trying for some months to come up with some more practical solutions than we have had to use in past months and past years and will probably have to deal with in future, if RCMP are given the mandate to take into custody everybody who is found drinking in public as well as being intoxicated in public.

There were just one or two remarks I can't resist making in reply to the Honourable Member from Watson Lake, Mr. Chairman. When he says that the problem is not one of control of sale or use of alcohol, but it's a matter of social education, then we get right down to the nitty gritty. I would direct his attention to the fact that there has been a program of this type of social education been going on for some years in the Yukon, which has been stepped up considerably in the past 12 months, at considerable expense.

But I would like to tell the Honourable Member, that one of the most serious applications for restriction in our amendments to this Ordinance at this Session, came from just such an agency charged with social education, and that is the Inter-Agency Committee at Teslin, which involves all the people that the Honourable Member would call do-gooders. They are social workers, they are court workers, they are Outreach workers, they are representatives from the Band Councils and from the community at large, the Public Health Nurse, all the people who are stuck with dealing with this problem first hand, and picking up the people who have fallen flat on their face.

These agencies, Mr. Chairman, are the ones who have

asked for these changes, so if he is suggesting that we should go back again and try to ask these people all over again to come up with solutions, he can save himself a lot of time. We have already done that, and if he thinks, Mr. Chairman, that the proper route is to have a public referendum or a plebiscite Territorial wide, I think that he is ignoring the presence in this Chamber of 12 people who have been sent by the public to this House, to make those decisions.

I don't think you can have it both ways, Mr. Chairman. The wishes of the people at the grass roots level, as the Honourable Member says, are known to us. I don't know if he has consulted the Inter Agency Committee at Watson Lake regarding their views, but I know that they are very similar to the Inter-Agency Committee at Teslin. We have in writing the wishes of all these people, and we have tried to implement them in this Ordinance.

Mr. Chairman: Mr. McCall?

Mr. McCall: Thank you, Mr. Chairman. I've been sitting through this debate for the last few days. I've listened to the many arguments being bounced back and forth.

One thing I was to say first, Mr. Chairman, is the Ministers involved in drafting this legislation should be commended, because as I spoke on this particular Bill very early in the debate, I said then and I say again, it is not strong enough. I consume alcohol like many people. I would never be afraid of this legislation. I think it is one giant step in the right direction. Any person who says it isn't is a hypocrite.

You know, we hear many times and I believe in one of our debates and sessions not too long ago, where the Municipalities were crying because they were seeking more autonomy, more responsibility in making decisions, and here we are giving them this opportunity, now they don't want it. Is it any wonder some of the Ministers are scratching their heads most of the time, saying what do people really want?

I think when this legislation was formulated that there was a substantial amount of input by many people in this Territory. It was fortunate, Mr. Chairman, that I could not debate with the Mayor of the City of Whitehorse, some of the remarks that were passed were not true.

The Municipality of Faro has a very severe alcoholic problem, and everybody wants to bury it in the nearest hole, to forget all about it. There are many people — or should I say, there were many people living in the

Municipality of Faro that are now dead because of alcohol. They were killed because of alcohol within the Municipality of Faro, but nobody seems to want to bring it up.

We have a number of prominent people in Faro that suffer from alcohol, in fact they are dying from it.

These same prominent people are advocating nothing to do with this legislation. It makes me sick, Mr. Chairman, to hear people who call themselves elected representatives of people say they want nothing to do with this legislation. Or they want to amend it in such a way that it is worthless.

I believe that if we are to show leadership, Mr. Chairman, it starts right here, not in a bar, not down the street with a case of beer. It starts right here. As I said,

it's not strong enough, Mr. Chairman.

No I don't believe in 100% prohibition, but I don't mind going on record and saying, Mr. Chairman, that the nearest thing to it would suit me fine because it's costing this Government and the taxpayer many millions of dollars to look after the people that are suffering from alcohol poisoning. If you don't believe me, check the records. And here we are, we say, no, pass it on to somebody else. It will go away, Mr. Chairman, you know. I think that is ridiculous. Childish. The Honourable Member from Watson Lake — referendum. If that should be the case we might as well just pack up our gear and go home. I know that if I wish to reach the Honourable Member from Watson Lake, I know where I can reach him at any given point in time in Watson Lake, Mr. Chairman.

No, I think we should stop playing around with the legislation. I think it's about time that we get this thing through this House and let's start showing leadership like we were elected to.

Thank you, Mr. Chairman.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Just in remark, in regard to the remarks just made by the Honourable Member from Pelly. I was very interested to note that he said the closest thing to prohibition would suit him fine and downed my suggestion that we have a referendum. I'd just like to point out, Mr. Chairman, that I don't think it's just what suits the Member might necessarily suit the rest of the people of the Yukon. I think a referendum might show just exactly what the people of the Yukon feel.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: Thank you, Mr. Chairman. As I say, I can certainly concur with many of the remarks that the Member from Faro did make, but in response to the Member from Dawson, he was speaking of enforcement, R.C.M.P. I just wanted to say to you that, certainly in the position that I have taken with respect to this Ordinance, that I'd be fully prepared to support the request for more R.C.M.P. or enforcement in those areas that you're talking about, if that in fact is what is required. I certainly have supported to strengthen the position of the Liquor Inspection Department and the enforcement there. I also have to say that it isn't just a matter of enforcement. Position of enforcement must be realistic in concert with the Alcohol Education and Awareness Program that is going on and I must commend the Government on that.

Mr. Chairman: Mr. McCall?

Mr. McCall: I don't have much to say, Mr. Chairman. I thought I'd get into a knock-down fight with the Honourable Member from Watson. It seemingly fizzled out very quickly, but I'm not ashamed of going back to my constituency and saying that I agreed and supported this Bill 100%. I'm not ashamed to do that, Mr. Chairman. I'm quite prepared to do that.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman. I have a question for the Minister of Health.

You outlined the inter-departmental committee that was working on alcohol problems, just as liquor control, the alcohol and drug abuse, and so on, and the R.C.M.P.

They are investigating means of dealing and handling this problem. Have they recommended that additional R.C.M.P. staff is required in the Yukon Territory to properly enforce the legislation that we have relative to liquor?

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: I can seek further guidance on this from the witness but to my knowledge they have not.

Mr. Chairman: Mr. Gillespie?

Mr. Gillespie: The R.C.M.P. have not requested additional staff to deal with this problem. They have indicated quite strongly to me that if the amendments go through, as indicated here, that their job, their enforcement responsibilities will be made very much easier than they are at present.

At present, under section 84 of the Ordinance, it reads "that no person shall be in an intoxicated condition in a public place".

There is a legal definition, which I don't have, of what an intoxicated condition is, and it's a difficult one for the police to use in their enforcement duties. With the proposed amendment under section 103, the police have indicated that with the staff they have now, that their job of enforcement will be made very much easier.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I heard some mention earlier this morning regarding a motion coming forward upon certain sections of 103, and I have also heard from the Chairman that there is a possibility we will be hearing from the C.Y.I. and I would ask the indulgence of this Committee to hear representations of the native people before we take any action on eliminating any of these sections.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman. It's very interesting, the Honourable Member from Watson Lake so many times, law enforcement, throw it out the window because after all, my rights are going to be stepped upon.

I would like to maybe wonder what he would do in the case of 24 hour sales we have now, and if we put the law into effect and the R.C.M.P. were to pick up these people on the streets for consuming liquor, and just how far do you go to say that person is consuming liquor, that he's allowed to have a bottle in his hand that's open. I wonder what the Honourable Member would do if some of his constituents came to him, or he himself was taken on the streets and said hey, you're drinking and he had only had a few sips, and he was put in the jug or put somewhere, there would be an awful upcry I think the other way, it would be terrible. The R.C.M.P. would be over-

stepping their rights entirely and stepping on his rights entirely.

I was interested in what the Minister of Health said on regards to the people being put in overnight, you know, and then letting go, and I realize that this is a deterrent they have been trying, but I can't quite agree with the thought that they were kept until they were safe and then put on their way again. You know, they were let loose after they were considered "safe" for the public, because I don't really feel that a drunk when he gets drunk continually is ever going to be turned loose and considered safe, because two hours later he's in the same position and off again. I can't agree with that.

It does worry me that we'll have — the way it's written, I agree with this, you know, you can get the rules changed and say your Municipalities or L.I.D.'s can take the drinking off the street, and I have to agree with it, and I agree with the Member behind me, even though he almost called me a hypocrite, I think, that we need some laws. But here's what I am worried about, it's going to be different all over the Territory, how are the police going to enact that law properly in a place where you have not taken the public drinking off the streets.

I don't know, you know, they haven't enacted that law very well in the last years, and nothing, no discredit to them, they have tried, I realize this. But they haven't because, and I have talked to some of them, I get a little input, we have them as the Minister said, I have that petition right here from those people, the R.C.M.P. were there too, and they have this problem.

How do they enact that law today without infringing upon the rights of actually people that are not really being a nuisance or being drunk or anything, but just having a little drink? It's a problem to enact that law unless we have some more law in here, and I think that's what the Honourable Member from Faro is actually speaking about too.

I think we do need more laws. As I say, I can't vote on the Bill, I'm hoping that we really do get it universal across the Territory, and I do agree with the section here that says you know, you can anyway, at least we can, we're going to get it. I think if we want to, but I'm really worried about the consequences later.

Mr. Chairman: Mr. Berger?

Mr. Berger: Thank you, Mr. Chairman. I think everybody that stood up in this House and everybody that submitted letters to the Liquor Board up to now, has a sincere desire to see the problem, the alcohol problem be removed in the Territory.

But nobody so far can come up with a solution. To me, this legislation is just like joining the bird world and becoming an ostrich. We stick our head in the sand and the problem is gone.

Well, Mr. Chairman, I think the problem's going to stay here and it's been here with us for many, many years.

I agree with the Honourable Member from Watson Lake that it is a social problem. I attempted to get some figures on unemployment in the Territory. They aren't available. But I suggest to you Members that there's a large percentage currently unemployed; they are not employed at all, period, because of alcohol problems. There's a large percentage in this Territory, places in

this Territory, where there are no jobs on a year-round basis. This also creates alcoholism. And unless we solve those problems first, with this legislation, we're not going to solve it.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Thank you, Mr. Chairman. Mr. Chairman, I'd like to say that on Section 103 I've spoken as often as I'm going to as a government member and a Member of the Executive Committee, and I would ask Honourable Members to bear with me speaking on behalf of my constituents as the duly elected member for Whitehorse North Centre.

I think I've used a phrase once before and I'll use it again in connection with this Ordinance, and particularly in Section 103, and the phrase is, please, for goodness sakes, let's not retrogress and, under pressure from over-reaction, throw the baby out with the bath water.

You know, we're not a very sophisticated group of people in Whitehorse North Centre, Mr. Chairman; I think about the time most of us will have a suit and tie on is when they put us six feet under. We aren't very formal, you know, and we don't know the ways of society and we don't go to cocktail parties, our wives very seldom dress up in formal dresses. We're one of that dying breed of people that actually go to work for a living, as tradesmen and catskinners and as truck drivers. We pay our mortgages and we, you know, actually do pay our bills and we try to raise our families in the best methods we know how. We join school committees and do all these things.

You know, it might sound corny and it might sound trite, but one of the reasons we're all in the Yukon and Whitehorse North Centre and the reasons we do things is that we think, you know, one of the real joys of being in the Yukon is loading up our families in a boat and going down the Teslin or the Yukon River; going down a chain of lakes. Some of us go out and play a game of golf. None of us are saints. Some of us do stay in the grog shops too long on occasion; some of us have been picked up for impaired driving; many of us, before the Ordinance was changed. Now that the Ordinance is changed again, we actually do, on Friday night when we're going out to the lakes, snap open a can or a bottle of beer and we drink it on the way to the lake and I think that we're pretty well a microcosm and pretty well general majority of the Yukon population.

All of us have accepted with great maturity and responsibility our new-found drinking privileges under the Liquor Ordinance. All of us are proud of the way that we have reacted, the mature way we have reacted. All of us are happy that no longer are we treated as criminals when we actually do go down the river, when we do go down the lakes, when we do go out fishing, when we open a can of beer or have a bottle of wine. I just think that it was senseless and I know that my constituents would rebel at the thought of going back to the general ban on public drinking, which has been suggested by Members of the Legislative Assembly.

You know, I know some of you will say, well, you know, so what; you'll never be caught if you're down the river or down on the chain of lakes or that nature. It's the psychological feeling of the grassroots of this Ter-

ritory that the law should not be against, as the Honourable Member from Porter Creek said, those 99.8 percent that are able to handle it, and once again we react and make a general prohibition on public drinking throughout the total Yukon Territory for those few yahoos who are transients in the summer, generally, who abuse the privileges because the first time away from Mummy and Daddy and they can't handle their newfound responsibility.

So I'll tell you what the people of Whitehorse North Centre think. They do not want, and they have asked me, and I will stand here and fight against once again going back to the general prohibition on public drinking. I just can't accept the philosophy that we should be making criminals out of the majority of the population of the people of the Yukon Territory.

They have no problems in any way, shape or form, of accepting a ban on drinking on the streets and lanes and within the Municipality of the City of Whitehorse. None of them do it, none of them want to do it, none of them could care less if you put the prohibition on in the City of Whitehorse, so we get a unanimous Resolution from the City of Whitehorse saying we want the Territorial Government to put the ban on in the streets of Whitehorse.

We asked the Mayor yesterday what if we did that in the Ordinance; she said we wouldn't support it. We've got one other request, one other Motion so far, from Teslin. We're willing if Teslin, through any kind of referendum or plebisite, come up with a Motion of the L.I.D.s saying this is what our people want, we're willing to go along with it, and we just get it from all sides that the people of the Yukon are too dumb to be able to know that you can't drink publicly in Whitehorse or Teslin.

Our Sister Territory, the Northwest Territories, have seven different villages under seven different types of prohibition. We've already been told that if we gave the City of Whitehorse the opportunity they wouldn't even accept it. I feel that I'm being politically used, and I don't like it; I don't like it at all.

So, Mr. Chairman, that's the feeling, and that is the voice of the people, of the constituents, of Whitehorse North Centre, and I am not scared to go to election on this issue because I know full well that they would support these amendments that are presently in the Ordinance and they would do it without any problems whatsoever. They can see the abuse on the streets in Whitehorse; they don't like going to the Post Office and seeing the transients in the summer, probably because most of them would like to join them and know they can't, and they simply object to it, but whatever the case, they have no problems at all in taking away the abuse by the few "yahoos", and I'm telling you it is a few "yahoos" who can't handle the responsibility, but they object strenuously, and they object most strenuously.

I tell you, if you go back to your constituents, and I agree with the Honourable Member from Watson Lake, if you really go back to your constituents and find out, you'll find that they do not want their privileges on public drinking in the Yukon taken away, and it's just incredibly impossible to be able to delineate the 1,000 lakes, the 5,000 stopping places, where people could, if we tried to delineate public place under the Ordinance, could say have their beer or have their glass of wine. It can't be done.

So if we do this general overall prohibition, I'm telling you that we are not going with the majority wish of the people of the Yukon, and we are doing them a disfavour in taking away a right and a privilege that just about without exception the majority of the backbone of this Yukon Territory have no problem in accepting, have no problem in coping with, and no problem in dealing with in a very mature manner; and let's not overreact, and let's not get ourselves panicked back to the medieval times when it was against the law to have a beer or a drink or a glass of wine when you're out with your family on a picnic, and I tell you, that's why the majority of the people who pay their bills are up here, and let's not take those privileges away from them, Mr. Chairman.

Mr. Chairman: On such a note of eloquence, we will recess until 1:30.

(RECESS)

Mr. Chairman: I now call this Committee to order. When we recessed, we were still debating Clause number 52.

Mr. Lengerke?

Mr. Lengerke: You can pass me for now, Mr. Chairman.

Mr. Chairman: Is there any further debate? Mrs. Watson?

Mrs. Watson: Mr. Chairman, I think there is some confusion, and I think there has been for some time. This morning when I spoke, my interpretation to the suggestion by the Honourable Member from Mayo was that we would amend, we would ask the administration to amend this Liquor Ordinance that they placed before us, and requesting that public drinking right across the Territory would be restricted to the interpretation of public place as defined in Section 3.

Now, I would like some comments from the other Members as, talking to them, some Members have, I think, different ideas. Now I would certainly like to be on the same wave-length with everyone before I even endeavour to come to a consensus of opinion around here.

Mr. Chairman: I don't think there is a consensus of opinion.

Mrs. Watson: Before I attempt to ...

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Well, Mr. Chairman, over the noon hour I have received communication resulting from a meeting of the Local Improvement District of Watson Lake, and the decision was that they felt that they ought not to have that decision-making process as found in 103(1) of this Bill. They felt that they would like, and the people of Watson Lake would like, to retain the same privileges that they exercise today and I just thought I would pass that along because that is at least one Local Improvement District heard from.

I would like to say a few comments with respect to the

remarks made before recess by the Honourable Member from Whitehorse North Centre on behalf, and speaking obviously on behalf, of his constituents as an M.L.A. I would think that those remarks would very much fit the bulk of the Territory, that the people do not wish to have the drinking in public restricted just particularly because of the inadequacies of a few, a very, very small few.

I think it's important that we retain this privilege in the Yukon and, you know, it was my intention to move an amendment which would have the effect of deleting 103(1) entirely, but at this point in time, and having listened to the debate going on in the House by some Honourable Members, I am very much afraid of some of the things that they are proposing here happening in the Yukon and if I was given a choice of having no drinking at all in public in the Yukon or accepting 103(1), I certainly would accept 103(1) as it stands.

But these are the views that I am representing on behalf of my people, and I think a majority, a large wide majority, of the people of the Yukon in this question, and I know that there will be no vote taken on this matter until possibly Monday or so, but I would just like to caution those Members who would suggest the cutting off of these privileges at this time across the Territory. Because this is not in the interests or in the opinion of the majority of the people of the Yukon.

Hon. Mr. McKinnon: Mr. Chairman, to attempt to answer the Honourable Member from Kluane's question, it is my opinion and it is shared by Mr. Legal Advisor that, if a section, if the amendments were passed, as suggested by the Honourable Member from Mayo and Kluane, were the majority decision of this House, it means that public drinking would be prohibited throughout the Yukon, except in public beaches, public parks, public campgrounds, gardens, terraces, or pool-side patios. Everywhere else, it would be against the law to drink.

I'm of the opinion that many Yukoners are like myself. They don't like public beaches, public parks, public campgrounds, don't know what garden terraces or pool-side patios are, so we would be breaking the law constantly by doing our thing out in the bush.

Mr. Chairman: Mr. McIntyre?

Mr. McIntyre: Mr. Chairman, the reason that I didn't move the amendments that I suggested might be made was that these amendments would probably drastically affect the situation of all types of drinking in public, some of which we don't want to exclude.

Therefore, rather than pass a, have a Motion pass in the House, amending the Ordinance to eliminate Section 1 and everything after Section 3, that if that kind of amendment would be contemplated it would be far better for the administration to take the section back and reword it to provide for the type of consumption of alcohol in the public place that the Minister is thinking about.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, the administration has tried exactly that and we cannot define the

thousands of places in the Yukon and we don't have enough paper to define the thousands of places in the Yukon that all Members would say should be excluded from a place where you can't drink in public. It would mean that, you know, how do you define if you're, if you're cruising down the Yukon River and you stop at a place for lunch. You know, how do you define that? Is it Selwin? Is it a point in-between Point A or Point B on the river? Do you take every lake in the Yukon where you know that there has or is public usage, where people fish, and include that? And pages and pages of —

Even if we do, we're going to miss thousands of them anyway! And then, if you think the law is ridiculous, I hear Members say no-one will understand it as it is now! Well, Mr. Chairman, I couldn't even bring in that type of amendment to this Legislature because I would know the total futility and impossibility of attempting to make it work.

We went to the Ordinance in '70; we did the same exercise; all the Members just define what public place is and we started the same exercise, trying to define public place and we came to the same point, you know, it's got to be one or the other. Let's face it.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Mr. Chairman, I would ask then, under the Ordinance, if the L.I.D.s and the unorganized communities come in and make, you know, an application to have their area banned from public drinking, how is the Commissioner, the Board, or anyone else, going to define that area then, if they can't define it themselves here and say that outside of that area we can have public drinking? And define the areas — we're going to have to do it under this Ordinance because they are allowed to ask for that.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, it's the simplest thing in the world, there's a total prohibition on drinking within that area, except for a public beach, public park, public campground, garden terrace or poolside patio, and within that Municipality, within that Area Enforcement Ordinance, within that L.I.D., within those defined boundaries, it is against the law to be drinking in public, except at a public beach, public park, public campground within that defined area, or a garden terrace or poolside patio, within that defined area.

I say, Mr. Chairman, that it is a simple thing to define those few places within a designated area. I say it is impossible to define those areas throughout the total of the Yukon.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Mr. Chairman, I just can't quite understand the Honourable Member either, because we have to define somewhere — now he's speaking of the confined areas in this case and he has defined what's going to go on there, but it makes no difference whether we make the law or whether the law is made after we leave here. You know, if you are going to be able to drink one place and drink another, it's going to be the same

thing.

Actually when we are finished, I think that we are coming up with the same answer again, and — I am going to give up on it, we could argue all day here.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, if the amendments are accepted as the Honourable Members from Klauane and Mayo are suggesting, fine, throughout the Yukon in a public campground, you will be able to go to the Teslin Lake Public Campground, which is a public campground, specified and operated by the Yukon Territorial Government. You then may drink in that campground.

No longer will you, Mr. Honourable Member from Hootalinqua, be able to stop anywhere else on Teslin Lake, or while fishing out on Teslin Lake, be able to have a bottle of beer or a drink.

That's what it means.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, it also says public beach and every beach in the Yukon, believe, is public property, is a public beach. So if you want to go fishing in Teslin, and you want to pull over the the side and have your lunch and have a bottle of beer or a bottle of wine, it's legal to do so.

Also residence defined in the legislation, which was not amended or repealed states, "A building or part of a building", so on that a person lives in, a private guest room in a hotel, a camper unit, trailer or tent, and I would suggest if you're going out you take your tent, and a vessel that is actually in bona fide use by the owner, lessee or a tenant as a private dwelling, a boat.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, here we go, ExCom and subcommittee on legislation all over again, and we'll be here for days. All right, you go, it's not defined whether a vessel or if a vessel is a residence, that's fine, and a tent. A public beach is a real difference of opinion on the definition, so here we go, the Yukon River, the banks of the Yukon River, if you sat in your boat and had a beer, you're all right. If you sat in your tent, you were all right, but if you sat on the banks, which doesn't include a vessel, tent or public beach, you can be arrested.

We'll be going on like this for days in these definitions of public places, and we've tried it since 1970 when this Ordinance was first amended, to attempt to get these definitions down to a sensible form, and I tell you, if you think that a few places where by resolution everybody knows that you can't drink in public is difficult, wait until you get into this one.

Mr. Chairman: Mr. Berger?

Mr. Berger: Yes, Mr. Chairman. I would like to ask a question, what is a public beach? I'm quite concerned with this. What are you going to do in Dawson? The Yukon River is right in Dawson and one side of the street you have the residential area of Dawson, and on the

other side you have a public beach, so what are you going to do, have a bottle deposit section on one side of the street, and nothing on the other side of the street, or what? I don't know.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, if we go for this section, they would have the Yukon River on the beach. What about Chadburne Lake, you would have the same problems within the Municipalities and as the Honourable Member from Klondike said, Dawson would be the same thing.

That's subject to ..

Hon. Mr. McKinnon: Her Worship, the Mayor, has already said that the Members of the City Council agree with the exclusions of public place as they are under section (3) of the Ordinance.

Mr. Chairman: Mr. Berger?

Mr. Berger: Mr. Chairman, maybe Mr. Legal Advisor could help us, I don't know if he could or not. What is a public beach?

Mr. Legal Advisor: It's too simple, Mr. Chairman, it's a beach which is public. I know that sounds ridiculously simple, but I can't make it any simpler than the two words themselves.

Mr. Chairman: How rocky does the beach have to be, Mr. Legal Advisor, before it's no longer a beach?
Mr. Gillespie?

Mr. Gillespie: Mr. Chairman, if there's any question as to whether a particular place is or is not a public beach, then it is possible under sub. (3)(b), "Such other places as may be prescribed", to indicate and define that area.

Mr. Fleming: Why are we not doing something like that now? I don't know, from every angle comes a different jargon. I can't understand what we're really arguing about when we talk of public places and public beaches. If the Ordinance was to be made so that you can read it and it says that you will have public drinking in the area, in Whitehorse, in a designated area, and you will have it in another designated area in the town, those areas could be designated by the Commissioner or anybody else, it's no problem, I don't think for 10 or 20 places to be designated. That's it!

Hon. Mr. McKinnon: They said they would not accept it, unless it was total.

Mr. Fleming: That's not total. In the towns, in the areas — that is not total. Maybe because of the word "public place" or something, but I think Mr. Gillespie hit on it, just about hit it right there, maybe the answer to it, it was explained a little earlier, but that's where I see the answer anyway.

Mr. Chairman: Mr. McKinnon.

Hon. Mr. McKinnon: I refer him to the point that we just heard, that the Local Improvement District of Watson Lake, the elected members of the Local Improvement District, in a meeting last night, have voted that they do not want public drinking prohibited in the Watson Lake Local Improvement District.

Now the Honourable Member says that doesn't matter, the wishes of the Watson Lake Local Improvement District — let's include it in the place where they can't drink in public places!

I'm not prepared to do that — that goes against the total grain of everything I've ever tried to do in Government and that is to let the local people at the grassroots decide what is best for them. And we've heard the Mayor say that we passed a Motion, the Mayor of the City of Whitehorse, that we passed a Motion calling, the Territorial Government a bunch of names for not banning drinking within the streets, of Whitehorse, that if we put it in the Ordinance that it was one of the places where public drinking wasn't allowed, they wouldn't support it. So I'm not prepared to shove that kind of legislation down the elected Members' throats of the people of the Yukon.

Mr. Chairman: Mr. Fleming.

Mr. Fleming: Yes, Mr. Chairman, I think I've had the answer ever since I started into this Ordinance from the very beginning, that we make the law and we do leave something in there for these people to come forward and say we want to have 24 hours in our town. I think that's very simple. Because we are, we're not in this Ordinance, we're doing it exactly the opposite way, we're opening it to the whole country to come in and say we want, you know, to stop the drinking now.

This is all I've actually been arguing about in the whole Ordinance, that we're going strictly backwards. We're causing a big problem and it wouldn't be such a problem. Watson Lake is maybe an isolated incidence, maybe there's others. But I think there won't be near as many asking to change this Ordinance or asking the Commissioner to make recommendations and let them do things as if we passed it in the present form.

Mr. Chairman: Mr. McCall?

Mr. McCall: Mr. Chairman, with all due respect to the Honourable Member, I think he is, the way I see it, has got it mixed up. What this legislation is saying is exactly what he has said it is not saying. I'm a little confused myself now the Honourable Member is, I don't know, what the Honourable Member is wanting and asking for is right here in the legislation, staring him right in the face.

Mr. Chairman: Mr. McKinnon.

Hon. Mr. McKinnon: Mr. Chairman, I will try to get it straight — as clear as I can again. I see it as two methods. Either shove it down their throats and let them say no, or leave it up to them to say yes. We've taken the approach of leaving it up to them to say yes.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, all of a sudden, this morning the Honourable Member from Watson Lake had a list of people I can't find now, who had made submissions to the Government requesting that amendments be made to the public drinking. He didn't think they were representative of enough of the people of the Territory. So he is, three members, three members of a board of, duly elected, but only three members had a quick meeting last night or maybe at noon hour after he phoned, and they decided. Now have they gotten back to the people to get a determination?

We were elected to make this decision and I think we are looking very, very foolish and ridiculous. We've sat here for almost a week and we've gone round and round and round.

The Honourable Member from Mayo has, has suggested a course of action that we take. I supported his course of action this morning, several other people did. Let's see whether this is the course of action we should be taking and ask the administration to make the necessary amendments in the legislation when they bring it back.

We can argue all weekend on the same thing and not arrive at any other conclusion. We are going to have to make a decision sooner or later so let's make it.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs Whyard: Well, Mr. Chairman, I apologize for being late, but I don't think I have missed too much. It sounds like what I was hearing this morning when I left.

I had asked earlier, Mr. Chairman, if we could reserve any motions until we do hear the submissions from the native people that I understand are going to come to this Committee?

Mr. Chairman: I was over there this afternoon, Mrs. Whyard, and they are having difficulty because of the meetings that they are now involved in, they are going to try to get here at 2:30 this afternoon. I don't know whether they will be able to. They have not had time to go over the legislation very thoroughly, but they will try and make it if they can.

I have not heard back from them since then

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

Mr. Chairman: Mr. Taylor?

Hon. Mrs. Taylor: Perhaps then, Mr. Chairman, if whenever this debate on this section is concluded, we could set it aside and proceed on with the Ordinance until the arrival of the witnesses.

Mr. Chairman: Is Committee agreed?

With deference, we set aside every clause in the Ordinance so far, so that would be nothing new for this particular section.

Clause 52.

"The Liquor Ordinance is amended by adding thereto the following new sections:

104(1).

(Reads Clause 104(1))

Mr. Berger?

Mr. Berger: Both this section, the previous one was numbered 52, and this section is numbered 52, it must be a typographical error.

Mr. Gillespie: Mr. Chairman, that's correct. Very obviously we're going to have to change the numbering.

Mr. Legal Advisor: Mr. Chairman, this is the last section in this Bill, so it doesn't really make much difference.

(Reads Clause 104(2))

Is there any debate on Clause 104?
105(1).

(Reads Clause 105(1))

Hon. Mr. Taylor: Mr. Chairman, in 105(1), "The Commissioner may make such regulation or orders", what does "orders" generally include?

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: I can't give you an example without looking through it, but it's a fairly standard format, and there may be orders in relation to setting up of the places where you may or may not have public drinking, a designation of such thing, it may be done by an order. Order and regulation are virtually synonymous, except that one thing tends to be a permanent thing and the other thing tends to be more temporary.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, with all due respect, I'm just not so sure that I would want to give the Commissioner the right to make orders. Certainly, he has the right to make regulations, and if they are synonymous, perhaps the word "order" should come out of the legislation.

Mr. Legal Advisor: Mr. Chairman, there's no harm in taking it out, but in fact the regulation is established by an order, so ..

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, most of us realize that it is by a Commissioner's order that authority is carried through to the administration of any such policy. The Commissioner signs an order so that these things can be effected.

Mrs. Watson: Mr. Chairman, wouldn't you require that, or could you do it under the regulations, to appoint your Board of Directors to the Liquor Corporation? Wouldn't it be under the Commissioner's Order, so you wouldn't want to delete that.

Mr. Legal Advisor: If possible, no Mr. Chairman, but I am anxious to please.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: I have a question for someone, I guess. The beer bottle buy-back plan, does it come under the liquor regulations and I'm just wondering, because I see nothing to that effect in the Ordinance anyway here, but I realize now that the Commissioner could also come forth with a plan to buy back the booze bottles that are in existence, I suppose, in the Territory right now too, under the regulations?

Hon. Mr. McKinnon: Yes, Mr. Chairman, both assumptions are correct.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, it may be an opportunity to point out, because I hear a great deal of confusion in the press and from the public, they seem to be labouring under the misapprehension that we have provided here a new Liquor Ordinance, which we have not, Mr. Chairman. These are amendments to an existing Ordinance.

What they see here is certainly not the total package. They must read it in context with the present Liquor Ordinance.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I'm prepared to accept Section 105 if I'm assured that there's no conflict of 105 with that section 44, I believe it is, where we're giving the Board the authority to make regulations.

I think 44 will have to be changed, but we won't have to change 105, will we?

Mr. Chairman: Is there any further debate on Clause 105?

We have now completed the first clause by clause reading of the amendments to the Liquor Ordinance, and hopefully the witnesses will be able to appear, so I would like to declare a brief recess and recontact them.

(RECESS)

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

We now have — presenting Mr. Bill Webber on behalf of YANSI. Mr. Webber, would you like to take the witness chair?

I might have mentioned earlier, Mr. Webber has been very busy and has not had a good deal of time to go through the Ordinance clause by clause, but he did want to make a presentation to Committee, and would be pleased to answer questions regarding the amendments to the Liquor Ordinance.

Mr. Webber, would you like to present your brief first?

Mr. Webber: Mr. Chairman, Honourable Members, I would just like to make a few comments.

The Yukon Native People have just completed a workshop on alcohol, as many of you know. A draft report on the findings of that workshop has just been completed.

The workshop reinforced our opinion that people are

very concerned at all levels about the problems which are being caused by the use of alcohol.

We recognize that alcohol abuse is a very serious problem among Native people. We know also that we are not alone, because drug and alcohol abuse is becoming one of the major dangers to all people in North America.

We native people, because we are culturally different, need to take our own initiative to come up with policies and programs and, where necessary, suggestions for legislation to help us deal with the problem. The Liquor Ordinance can play a part in the solutions we seek.

At this point in time, I'm only prepared to discuss the general directions which we are beginning to get a glimpse of as the result of the thinking our people have been doing during the past few years and particularly in our workshop earlier this month.

The workshop participants, from all over the Yukon, know how they feel about it and they have told us what they think should be done. It is very important that we listen to their experience and their wisdom.

Let me quote to you some of the things said. For example, one person said, "Before alcohol, the people were proud. What made the people proud was their great health, such as their ability to run a moose down. The people also cared for the children. The people, before alcohol, kept themselves and their belongings clean because it was the responsibility of the family to train the young, the young were assured of a good education, good enough to marry at a very early age."

Another said, "Since alcohol has come to the people, much time is spent chasing alcohol instead of game. This has resulted in the loss of strength. A person does need strength when it comes time to work and provide for the family."

This statement was made: "With the coming of alcohol, not all has been lost. For a gathering as this workshop has brought together students, elders, prison inmates, community leaders, parents, and we have learned that there are, today, people who care and still people to care for."

And also another statement: "There is need to bring back pride in the Indian culture, strength to the person, education to young and old, centres to bring people together, to organize so that the people have a voice in the various organizations that work in the communities by way of representation from the people, selected by the people."

My final example — "This could result in a strong identity of being Indian with respect being close at hand, to be offered to the world. In short, to drink is not to be Indian."

In addition to saying these things, Mr. Chairman, the people also said, and I quote, "Alcohol abuse is our problem and we must deal with it." They made many suggestions about how to begin. I can tell you the general nature of some of these.

The people were in strong agreement that revitalization of a developing Indian culture is the most essential ingredient in any co-ordinated approach to reducing alcohol abuse among native people.

To do this, and to reduce the demoralization which leads to alcohol abuse, the people said there must be improvements in their living conditions. Selective economic development and job creation to meet local

needs must be increased by greater support for native projects.

They stated that the present fragmented and uncoordinated and economic and community development policies must be replaced by a more comprehensive and integrated strategy. This means less red tape, less infighting between government departments, and more native involvement in planning, organizing and operating such a strategy.

The people also have suggestions about alcohol regulations. They are angry that liquor outlets are permitted to operate to maximize profits. If and when this contributes to greater alcohol problems for the community, and for individuals within it, they want appropriate restrictions put on the operation of these outlets.

With respect to program directions, the people are very adamant that if native people are to come to grips with their problem when native people themselves — then native people themselves must initiate, plan and administer programs directed towards reducing native alcohol abuse.

They want to do what is necessary to help themselves and to assume self responsibility.

Permit me to summarize the people's concerns by quoting the conclusion reached by one of the delegates: "There are three great losses: one is pride, two is respect, and three is culture; and through this gathering, we can come up with solutions to bring these back."

We are ready now to sit down and think together with officials of the Territorial administration and other agencies and groups about the development of appropriate legislation for the Yukon. We have not yet had that opportunity.

Consequently, we are not prepared at this time, on such short notice, to give a detailed critique of the proposed revisions to the Ordinance and to make constructive suggestions for improvement.

I am therefore suggesting that this legislation be put over until the next Session. In the interim, I suggest that you ask the administration to develop and undertake a genuine participative process to gain the input of people from all walks of life, and particularly people at the village level, who are experiencing the problem.

This will provide for the communication with native people that you have expressed a desire for.

Some of the quotes I gave you from our workshop session should indicate to you that there is much more wisdom among our people than is sometimes recognized.

As a representative of Indian people, I insist that we must be given this opportunity to participate in an organized but informal way, so that we may develop the best possible legislation. After such a process is completed, I will be most willing to come back in front of this Council, with more specific and detailed comments, and be available for detailed questioning.

Mr. Chairman: Thank you, Mr. Webber.
Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I think we all appreciate very much Mr. Webber's taking time out of a hectic day to come over, at what might be a very inconvenient time for him.

I appreciate also the comments which came out of the

last Alcoholism Seminar that his group organized, and I am happy to say that some of our people were part of that seminar.

I would ask Mr. Webber if there is any hope of getting some of this concrete input into the legislative process within the next week, so that we can incorporate it into the amendments that we have to pass before proroguing at this Session.

I know the timing is awkward for the organizations involved, but for some months, for a period of at least two years, we have been getting specific recommendations from native groups such as Band Councils, specifically, for example, Mr. Chairman, from Teslin, and I think Mr. Webber is very familiar with the position being taken from there. It has been published and widely circulated, and we are very anxious to implement as many of those recommendations as possible.

I wonder if there is any way that we could have widespread support for those specific recommendations or others, which we could then compare with what is in the Ordinance now being amended.

I would like to add another word, Mr. Chairman, and that is that we have found great support from native people as our Alcoholism Program extends out into other parts of the Yukon from Whitehorse, and one specific example I would like to give is that, in our discussions regarding how a program could be established in Dawson City for example Mr. Chairman, we have certainly agreed through Mr. Kline that anyone who is on the Committee locally appointed to ascertain what is the best kind of community program will certainly be a representative of the native group, and that we have two volunteers for that Committee, and this I think is a very happy sign of co-operation in a community project in a place such as Dawson.

I don't know if there is anything we can do to assist Mr. Webber or his organization by providing them with all the information which has been made available to us on which we based the drafting of these amendments. I'm trying to assist you to meet our time needs in the face of some of your difficulties with your Assembly on now, and I'm not even aware whether the subject of alcoholism will be discussed during the Assembly or whether your time schedule is going to permit such a discussion so that you could come back with specific recommendations.

Mr. Chairman: Mr. Webber?

Mr. Webber: Yes, Mr. Chairman, I appreciate Mrs. Whyard's comments on that and I think a week is really a short time. I think I've had the Liquor Ordinance in front of me for a week already and there's just so many activities in stream right now that we just haven't had the opportunity to really review it, and also in some of my comments I stated that the community process, the participative process, should take place, you know, to implement some of the ideas into Legislation.

We don't expect to legislate away all our alcohol problems, but we certainly see some areas that can help us a great deal.

Mr. Chairman: Mr. Berger?

Mr. Berger: Yes, Mr. Chairman. I would just would

like to thank Mr. Webber also and would also express my appreciation for the presentation he made and I'm glad that he's thinking in the same line that I am thinking of, especially what goes on at the community level. I sometimes felt that I was standing here all by myself, because we're trying to legislate something which is not going to happen. Like I said before, we're sticking our head into the sand and pretending it doesn't exist.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Yes, Mr. Chairman, I just simply wanted to rise and echo the thoughts that were expressed by the Honourable Minister of Health and Welfare in this regard and I, too, am very, very pleased at the excellent presentation that has been so hastily prepared by Mr. Webber for this afternoon.

I was just, had one thought in mind, Mr. Chairman, that perhaps, inasmuch as the bulk of this Ordinance relates to the establishment of a Liquor Board and a Liquor Commission, really the real meat of the Ordinance, perhaps, is in Section 44 and Section 103. This might narrow down the chore that Mr. Webber might be able to undertake and it is really surrounding these two sections that we are having our greatest difficulty, Mr. Chairman, in coming to a solution and perhaps I thought that might be of assistance to Mr. Webber.

Mr. Chairman: Mr. Webber, I think a lot of the problems to which you're referring which you think that the consultative process would be valuable, are not actually involved in the problems that we're now dealing with, as far as this Ordinance is concerned. And although these suggestions are very valuable and no doubt would bear fruit, they could carry on independent of this legislation in itself.

Does anyone have any further questions for Mr. Webber?

Mr. Fleming: Yes, Mr. Chairman.

Mr. Chairman: Mr. Fleeming.

Mr. Fleming: Yes, I'm really glad to see Mr. Webber here and for his presentation. I'm wondering if he has had any input at all as to the feelings of some of the native people, other than the ones that I have seen on whether they would wish to, with this Ordinance the way it is, bring forward recommendations and have the government put in those recommendations, or would they maybe sooner have the recommendations there and then come forward and try to change some of those recommendations.

In other words, you know, the legislation as it stands today, if we change that and this Ordinance, if we change that and made some actual regulations that are here or some laws in the Ordinance which we really don't have. If you've read them I think you will see that we don't really ban anything. We are waiting for the communities to say ban it in this area, in that area, ban it in other areas.

What is your thought? Should it be a universal thing across the Yukon when you make a law saying that it's banned off the streets? Or do you think it would work; in other words, each individual community having these

hours of sale and the public drinking on the streets?

Mr. Chairman: Mr. Fleming wants you to come out with a statement about what you feel about public drinking.

Mr. Webber: Yes, Mr. Chairman, in regards to each community having their own say on their hours of sales outlets or whatever, I agree with that, that the communities should have some say in that and I'm just not sure how it should, how it would be worded in legislation, but I agree with that. The communities have to have input into controlling liquor.

Mr. Chairman: Mrs. Whyard?

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

That's exactly what we are trying to do in this Ordinance, Mr. Webber — provide a very simple procedure for each area to say whether they want to ban drinking in their streets and how to control it, and we're having some difficulty here in this House with some Members who feel that this is not a workable procedure and that it's going to be confusing.

Those of us who have been involved in the drafting of this Ordinance base these sections on requests from the people in the communities and Band Councils and Inter-Agency groups and discussions and seminars and concerned individuals, who may be in a specific area where there is a very real problem which they know could be controlled in that local area with a very simple ruling.

It is because we have made the machinery possible here to do that, control it according to the wishes of the local area, that we have been stalled for some time in the Committee of the Whole because we haven't got agreement of all Members of this House.

I'm very pleased to hear the reaction that Mr. Webber has given, Mr. Chairman, because it reinforces what the people who have been drafting this Bill have believed.

Mr. Chairman: Mr. McIntyre?

Mr. McIntyre: Thank you, Mr. Chairman.

Mr. Webber expressed his opinion on hours of sale, but really the problem that we have is with section 103 which deals with public drinking, and as I see it, we have three options in dealing with this particular problem.

The first one is what's in the Ordinance, and that is to leave it up to the individual community to make an application to the Commissioner to apply prohibition of public drinking to that particular community.

The second option is for the Council to pass legislation which prohibits drinking in communities, that is in the Municipalities, the L.I.D.'s or in designated unorganized areas, and the third option is a general prohibition which would apply everywhere in the Yukon, and this is where we're hung up.

There are some of us think that one circumstance should apply, and others think that another one should, and that's what we would like to have the advice on, public drinking only.

Mr. Webber: Mr. Chairman, as stated previously

in my presentation, I didn't feel that we had the time or the opportunity to date to really get into the guts of the legislation, and I don't feel prepared to comment on some of these issues right now.

Mr. Chairman: Very good, Mr. Webber, you do feel, however, I gather from your remarks, that you are concerned about public drinking, and there should be some local input into whether there should be drinking in public in the local area. Am I right in making that assumption?

Mr. Webber: Really, I don't know if that's a decision for the communities, if you're talking about just public drinking. I think, you know, I don't know what the sense behind public drinking is, you know, like I don't know if any of the Members here have ever stood on Main Street and drank a bottle of beer, or anything. I know I haven't, and the only people that really do are transients that are coming through, generally, and I have never really seen anyone really use that particular law, and I don't know why it's even necessary, you know, to allow public drinking in that manner, like on Main Street.

I think like if a family wants to go on an outing to Marsh Lake or some type of thing, and they want to have a beer with their lunch, I think that's — something like that could be allowed, but drinking on Main Street is kind of unrealistic.

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

Mrs. Watson: Mr. Webber, you were saying that you felt that local communities should have some involvement, and also that you would like more opportunity to try and get some consensus from your people before you take a position, which is quite understandable, because it is rather a very complex piece of legislation, as we have found.

I think we all found here that when you say local communities, it's ideal, it's good, but I think even my own community, where the L.I.D. boundaries do not encompass the Indian village, now it would be a disaster, and I think you would agree that if the L.I.D. opted for one type of public drinking laws, and the Indian village opted for another, it would be just absolutely terrible, where you would cross a line in one place, maybe you could drink a bottle of beer or sit along the side of the road and drink a bottle of beer, and take another step and you can't. It would be the most confusing thing for anybody who lived in that area.

So, it's very easy to say that the communities should be consulted. Everyone in the Yukon, when the legislation affects everybody, should be consulted.

When we look at the Northwest Territories, and the Honourable Member, the Minister of Local Government often refers to the Northwest Territories, where they have prohibition even in some — but they don't have the road connection, but we have that here, where the communities were isolated, we could look at that.

So I hope that when you people look at it, you look at it from the point of view of all of the people of the Yukon. We're all going to have to live under one piece of legislation and it's got to be possible for us all to live under it.

But I am looking forward to having — to seeing what

kind of recommendations your people would be prepared to bring down.

Mr. Chairman: Mr. Taylor:

Hon. Mr. Taylor: Yes, Mr. Chairman, I just didn't, you know it's pretty hard to ask the witness to answer questions until he's had the opportunity to consult with his colleagues and so forth, but I didn't want to allow the witness to leave with the impression that we're talking about necessarily going one way with this Ordinance or going the other. Really, we need some more input, and this is the type of thing.

The Honourable Member from Kluane was making some suggestions that just don't necessarily apply until the decision of this House is made.

Mrs. Watson: I certainly hope that Mr. Webber didn't feel that I was trying to twist his arm or influence him in any way. I'm sure that he's much above that.

Mr. Chairman: Are there any further questions for the witness? On behalf of the Committee, thank you very much, Mr. Webber for appearing this afternoon. We're sorry we couldn't give you more advance notice, but perhaps we'll be able to take your remarks into consideration.

Mr. Webber: Thank you very much for the opportunity. I appreciate it.

Mr. Chairman: Before proceeding again with the clause by clause reading, in view of what Mr. Webber has presented to us, is it the wish of Committee that we proceed at this time with final clause by clause reading, or that we defer it until next week.

We're through, but we have to go back to carry these clauses and to get in the amendments. We have to go right back to section 31, page 15.

Mr. Taylor:

Hon. Mr. Taylor: Mr. Chairman, also we have a Motion before Committee at the present time. I'm just wondering, is the presentation of Mr. Webber the presentation of the C.Y.I. in toto, or are we still expecting a witness from C.Y.I. at the first part of the week?

Mr. Chairman: I don't think that they have had the opportunity to discuss the matter fully. As you know, they're involved in a conference of their own and have not had the opportunity. He is not really representing C.Y.I. in itself.

Hon. Mr. Taylor: Well, Mr. Chairman, then perhaps, while we await this information, we should perhaps set the Bill aside and allow the Legislative Programming Committee to consider those matters which have been set aside and take it up again at the first part of the week.

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

Mrs. Watson: Mr. Chairman, I, it must be very difficult for the Legislative Programming Committee to

begin amending when they haven't any clear instructions on this.

Mr. Chairman: I think it would be just a question of setting it aside until we could consider it further and if we had more witnesses appearing. It wouldn't be a question of having Legislative Programming Committee consider anything until we had reached that stage.

Mr. McIntyre:

Mr. McIntyre: Mr. Chairman, in view of the complete controversy over section 103, and the fact that we haven't had any input from the community that is very much concerned with this, I think it would be a good idea when section 103 comes around to delete it from this and ask the Committee to bring it back at our next Session, just this one section. We would have more information and we would have representations from the communities that probably are more effected than any others and we can make a more reasonable decision.

Mr. Chairman: Mr. Legal Advisor.

Mr. Legal Advisor: Two sections which have roughly the same mixture of feelings of the House. In respect of one of them, the earlier section, with respect to input for renewal of licences. I'm just pointing out to the House that the program of the Bill is that objections must be lodged before the renewal date and that would hit on January 1st. So it's difficult to see how that section could be put off until the Spring, because it means a postponement for 12 months. But, this other section comes under a different category.

Mr. Chairman: Thank you.
Mrs. Watson.

Mrs. Watson: Mr. Chairman, I have the gut feeling that, again we're not facing the issue and we've sat here now, we've used a lot of taxpayers money in our indecision and it looks like we are not going to be making a decision again.

I was quite disappointed to hear Mr. Webber say that they hadn't been consulted or hadn't been advised that the legislation, possibly they have, I'm not sure, but I don't know.

The Government has placed this legislation before us, I would like to see us deal with it now. If the C.Y.I. who will eventually be going into details of it and the organization that Mr. Webber represents, come forward to the Government, then by all means — I'm sure it will take them at least six months to a year to completely review, to go to the communities as he has indicated, come forward with the suggestions, then we can certainly consider opening the legislation, or we will open the legislation and attempt to accommodate the wishes.

Meanwhile, it would give us a great trial period to deal with public drinking in section 103 as was suggested by the Honourable Member from Mayo, and the idea that so many people in this Chamber this morning seemed to favour.

Mr. Chairman: Ms. Millard?

Ms. Millard: Thank you at least, Mr. Chairman.

Just to clarify. A long time ago I was wanting to clarify just who Mr. Webber represents. He is making a presentation on behalf of a workshop that was put on jointly by Y.N.B. and YANSI. He does not represent C.Y.I. and we shouldn't confuse the affiliation between these organizations.

I think I agree wholeheartedly with Mr. Webber, that we must have more input from the local areas, particularly in decision-making of this sort. I feel that the Ordinance should include Band Councils as well as L.I.D.'s. I think there should be an awful serious look into how much input there is in this Ordinance already.

We've been told that the two city councils have disagreed with it, so I think the best suggestion I've heard today, and/or the last week, has been to deal this section until we have had a lot more input.

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Yes, Mr. Chairman, in light of the remarks made by Mr. Webber, and a suggestion by the Honourable Member from Mayo, that sounds like the logical thing to do.

I will tell you another reason why I think that this is perhaps the route we should follow at that time, or this time, that is that the people of the Yukon really never heard about what the contents of this legislation were, until it was given second reading in this House. Up to that point in time, it was a confidential document.

Perhaps the Members themselves have not had an opportunity to get back through their constituencies to find out what their constituents really think about this question, and perhaps the Spring is the time to meet the requirements of Mr. Webber's group, and perhaps might better suit the people of the Yukon Territory, and if Mr. — or the Honourable Member from Mayo is willing to propose such an amendment, I would be more than pleased to support it.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, I just would like to say that the Government will not be supporting such an amendment. We think that we are duty bound to proceed with the Ordinance, for the main reason that it's nothing mandatory in the legislation. It's purely enabling and the communities affected, the Municipalities, the L.I.D.'s or the unorganized areas can either act or not act on the legislation as it stands.

They can do anything they want, to be able to get the feeling of the people before coming back to the Commissioner and asking for an area enforcement order to be determined or not. So we can't see where there would be any advantage, because all the vehicles and the avenues are open for the local involvement, all the way along the lines, that people are asking for.

So we find from all the discussion that's gone on, from all the arguments that have been offered, that what the Government did come to this Assembly with still seems to be the best course of action at this time.

Mr. Chairman: Would you be willing to accept the compromise of one week, or do you wish to continue it at the present time?

Hon. Mr. McKinnon: Oh, Mr. Chairman, all we're saying is that we wouldn't support the amendment that is being offered to hoist section 103 for a year, but of course we are going to abide by the decision of this House, the majority certain, just that we won't be supporting the amendment to give it the year heave-ho.

Mr. Chairman: The problem we are really facing now is whether we are going to consider the Bill at the present time, next week, or during our next sitting.

Hon. Mr. McKinnon: Well, Mr. Chairman, what I would really like to suggest is that because of all the argument that I've heard, that we could go on to something else. We've been through the total Bill once, and it would give everybody the opportunity to try to digest all the rhetoric that's gone on in the last few days and get back to it fresh sometime next week.

Some Members: Hear, hear.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, I would certainly like to say that I am certainly prepared to proceed with this Bill right now, but however, if it's the wishes of this House, let's take a vote and find out if they want to proceed or not.

Mr. Chairman: All right.

Mr. Lengerke: I don't see — in fact, I would say this, that rather than delay any further, that I would look at voting in favour of the Bill in its entirety, if we are going to start delaying our decisions on this Bill.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, I certainly welcome that point of view, and that it would be great to pass this Bill now. Nobody could be happier than I would be, but Mr. Chairman, only five minutes ago, I made a commitment to Mr. Webber who was here giving us some views, in a preliminary unofficial way, and the commitment I made was that we would like to have him come back to us, and his reply, as far as I understood it was that there was some possibility of this happening in the next week. Am I not correct?

Mr. Chairman: No, I think what he said was he would prefer it be deferred until the next session. He may have some input next week, but he would prefer ..

Hon. Mrs. Whyard: Well, Mr. Chairman, then, if that is truly understood, I have no problem with dealing with this Bill right now.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I don't think we should be dealing — I think we are panicking into a situation, I think we should deal with section 103, not to deal with the whole Bill. Everyone here was opposed, almost everyone here other than three Members, were opposed to have the possibility, the possibility of not having un-

iform legislation across the Territory. I think a lot of people were concerned about this. If we accept the whole Bill, there is that possibility of not having uniform legislation.

There are other things that are missing from the Bill that I would like to bring up, so I just couldn't entertain dealing with the whole Bill now, but let's deal with section 103 and it gives us a wonderful opportunity. We've had submissions asking for some restriction on public drinking, and the proposal before us is to let somebody else make the decision.

I say, let us make the decision here, now, today, within the next five or ten minutes.

Mr. Chairman: We've had a wide variety of suggestions, but I think I am going to have to put it to Committee one way or the other, and I am going to ask whether the Committee wishes this Bill in total to be deferred until next week.

All those in favour? The Bill to be deferred for consideration until next week.

Mrs. Watson: Disagree, division.

Mr. Chairman: There was no division in Committee.

Mrs. Watson: Disagree.

Mr. Chairman: Those who wish to have the Bill considered now?

We will therefore continue with the clause by clause reading of the Bill at the present time. Would you please turn to Page 15? Shall Clause 18 carry?

Mrs. Watson?

Mrs. Watson: Mr. Chairman, there were other Sections before 18 that I think — that there were some requirements for some reconsideration. I hope the administration have these.

Mr. Chairman: Yes, they have been noted and have been stood over. The others have not been acted on at all.

Mrs. Watson: Thank you.

Mr. Chairman: Shall Clause 18 carry? Are you in favour?

Some Members: Agreed.

Mr. Chairman: Clause 19. Shall Clause 19 carry?

Some Members: Agreed.

Mr. Chairman: Clause 20 ...

Hon. Mr. Taylor: Mr. Chairman, was there not — last time 'round, was there not a question about the numbering in about line 5, Sections 26, 27 and so forth? Are we clear that they are all correct?

Mr. Legal Advisor: I don't think this is the Section, Mr. Chairman.

Mr. Chairman: No. Where are you considering, Mr. Taylor?

Mr. Gillespie: Mr. Chairman, that's in Clause 21 that that comes up.

Hon. Mr. Taylor: I see, these are correct then?

Mr. Chairman: Shall Clause 20 carry?

Some Members: Agreed.

Mr. Chairman: Clause 21?

Hon. Mr. Taylor: This is the Section I was referring to, in sub(five), there are corrections to be made there, and I believe in subsection (six) I think it was the intention of the House to change the words "at the same time the objection is served" to say something else at the time.

Mr. Chairman: "Filed it with the General Manager".

Hon. Mr. Taylor: Right.

Mr. Gillespie: Mr. Chairman, are those to be treated as typographical errors, or are ...

Mr. Chairman: Our understanding was they were to be treated as typographical errors. The corrections were in (five); it would read: "Sections 24(2), 27, 29(2), 31 and 32" and in sub (six): "As the objection is filed with the General Manager".

Mrs. Watson?

Mrs. Watson: Mr. Chairman, in Section 21, before I'm prepared to agree with Section 21, there might be a necessity to make some amendments in order to accommodate what we do to Section 44 or Section 29, 28.

Mr. Chairman: We will stand Clause 21 over.

Mrs. Watson: Thank you.

Mr. Chairman: I think Clause 22 has been stood over.

Clause 23 — shall Clause 23 carry?

Some Members: Agreed.

Mr. Chairman: Clause 24, shall Clause 24 carry?

Some Members: Agreed.

Mr. Chairman: Clause 25 — shall Clause 25 carry?

Some Members: Agreed.

Mr. Chairman: Clause 26 — shall Clause 26 carry?

Some Members: Agreed.

Mr. Chairman: Clause 27 — shall Clause 27 carry?

Some Members: Agreed.

Mr. Chairman: Clause 28 — Mrs. Watson?

Mr. Legal Advisor: There's a change in that, Mr. Chairman.

Mr. Chairman: Yes, that is to be changed. I will stand Clause 28.

Clause 29 — shall Clause 29 carry?

Some Members: Agreed.

Mr. Chairman: Clause 30 — I think that Clause was stood over.

Clause 31.

Hon. Mrs. Whyard: Mr. Chairman, if it could be considered as a typographical error, we don't have to redraft it.

Mr. Chairman: Is Committee agreed?

Some Members: Agreed.

Mr. Chairman: Does Clause 31 carry?

Some Members: Agreed.

Mr. Chairman: Clause 32 —

Hon. Mrs. Whyard: Mr. Chairman?

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: I believe there was something to be considered in 32 regarding beer as well.

Mr. Chairman: No, I think that problem was solved in view of ...

Mr. Legal Advisor: It is a question which is asked, Mr. Chairman, and the response was given by the Minister of Local Government.

Hon. Mr. McKinnon: Was it right?

Hon. Mr. McKinnon: The answer was given that I didn't think the permit was needed to manufacture home-made beer, and I was going to find out whether that answer was correct from Mr. Legal Advisor, which I haven't at this time. Is it correct?

Mr. Legal Advisor: I thought the Minister of Local Government was going to do the finding out, Mr. Chairman.

Mr. Chairman: Clause 33.

Mrs. Watson: Is there a typographical error in 6? We want to leave out the word "special".

Mr. Chairman: Both 5 and 6. "May issue a liquor permit" on 5.

Mr. Chairman: Shall 33 carry?

Some Members: Agreed.

Mr. Chairman: Clause 34. Shall Clause 34 carry?

Some Members: Agreed.

Mr. Chairman: Clause 35. Shall Clause 35 carry?

Some Members: Agreed.

Mr. Chairman: Clause 36. Shall Clause 36 carry?

Some Members: Agreed.

Mr. Chairman: Thirty-seven. Shall Clause 37 carry?

Some Members: Agreed.

Mr. Chairman: Clause 38.

Mr. Legal Advisor: Mr. Chairman, while we're on subsection 2 of that section, to put in the words in subsection 2 "in the opinion of the General Manager", he was querying who would make the opinion.

Mr. Chairman: Clause 39. Clause 39 will be stood over. Clause 40.

Hon. Mr. McKinnon: Mr. Chairman, I don't think that 39 has to be stood over. The Member from Kluane raised a point, which I think she is correct on, Section 62(1) of the old Ordinance wasn't changed to reflect the new makeup and we said that we would look at 62(1) in Committee and bring it back.

Mrs. Watson: You mean the new 39 is all right?

Hon. Mr. McKinnon: Yes.

Mr. Chairman: Clause 40.

Some Members: Clear.

Mr. Chairman: Does Clause 40 carry?

Some Members: Agreed.

Mr. Chairman: Clause 41. Shall Clause 41 carry?

Some Members: Agreed.

Mr. Chairman: Clause 42. Shall Clause 42 carry?

Some Members: Agreed.

Mr. Chairman: Clause 43. Does Clause 43 carry?

Some Members: Agreed.

Mr. Chairman: Clause 44. Mr. Fleming?

Mr. Fleming: I'm going to agree with Clause 44. I'd

like to ask a question of Mr. Legal Advisor. "In cases where a premises is not within a Municipality or Local Improvement District by petition, public newspaper notice, public meeting, door to door canvass of the opinions of the residents of that area, or such combination of these that the Board directs." I'm presuming in this combination, if there is a ...

Mr. Legal Advisor: Which are we on, Mr. Chairman?

Mr. Chairman: Clause 44.

Mr. Legal Advisor: The Section 44 you have, Mr. Chairman, repeals Section 76.

Mr. Chairman: We are dealing with — in our present Ordinance, deals with the old Clause 76. We are on page 28. Shall Clause 44 carry?

Some Members: Agreed.

Mr. Chairman: Clause 45, shall Clause 45 carry?

Some Members: Agreed.

Mr. Chairman: Clause 46.

Mr. Legal Advisor: Mr. Chairman, we were going to refer that back to rewrite it, Mr. Chairman.

Mr. Chairman: Clause 47. Pardon? I wasn't present during the initial reading of these, so I'm not aware of what went on.

Clause 48 — Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, in Clause 47 there had been a suggestion someone was forthcoming with a Motion adding another section, Section 9, but is this the time it would have to be proposed, Mr. Chairman?

Mr. Chairman: It would be preferable to be proposed at this time.

Mrs. Watson: Mr. Chairman, it was what I suggested, I didn't realize that a Motion was required, and that is, was the requirement for a minimum fine of \$100.00 on conviction of a minor, and it was the — it was on the legislation that was given to us by the representative from the Hotel and Motel Association.

Now I can put a formal Motion to that, but I would just hope that the administration would take it and review it and bring it into the legislature.

Mr. Chairman: Mr. Gillespie?

Mr. Gillespie: No comment, Mr. Chairman, except we would be prepared to take it and look at that recommendation.

Mr. Chairman: Mr. McIntyre?

Mr. McIntyre: Mr. Chairman, I hoped this wouldn't be considered a recommendation from this Committee,

because I certainly wouldn't be in favour of discriminating against one section of the population when we have a general penalty section in the Ordinance, and then to take another section and impose a special fine on one particular group of people to me isn't the kind of legislation we should be passing and I would certainly object to that.

Mr. Chairman: I would suggest, Mrs. Watson, that perhaps you should come forth with a Motion. You could do that at a later date.

Hon. Mr. Taylor: Mr. Chairman?

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: I was just about to say, if anyone did propose a Motion other than a procedural Motion at this time, it would be quite out of order as there already is a Motion before Committee.

Mr. Chairman: I don't think there is, Mr. Taylor.

Hon. Mr. Taylor: I'm afraid ...

Mr. Chairman: The Motion was presented, but it was not read from the Chair; it was not accepted as a Motion.

Hon. Mr. Taylor: Yes, Mr. Chairman, it was both read from the Chair and it's waiting attention of Committee, perhaps, before we deal with 103, and it has been read from the Chair formally and it's now deferred until we next consider the new Section 44.

Mr. Chairman: There are no other Motions ...

We had better deal with that Motion now in that case. That clause had been stood over, I don't know why you didn't speak up when we were going through it.

It has been moved by Mr. Taylor, seconded by Mrs. Watson, that Bill Number 5 entitled "An Ordinance to Amend the Liquor Ordinance" be amended as follows:

That in Section 28, new Section 44(3) be deleted.

Hon. Mr. Taylor: Yes, Mr. Chairman, perhaps I think the Honourable Member from Hootalingua had some questions he wanted cleared up, and I believe this is the Section that he was intending getting his answers on.

Mr. Fleming: Yes, Mr. Chairman. After reading (b), I was just wondering if in the instance of somebody who wanted to put in — you asked them to put in anything say, in an area that was not in a Municipality, or if they had an area, you had a business there and there was no people in the Territory there except themselves, I would like to know just what sort of a canvass would they take in? Would they just go to the place and ask the owner if everything was all right, and wanted to change it?

Hon. Mr. McKinnon: Mr. Chairman, there is nothing mandatory in these Sections. They're all enabling, nobody has to do anything that they don't want to.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, could we have that Motion read again please?

Mr. Chairman: It was moved by Mr. Taylor, seconded by Mrs. Watson, that Bill Number 5 entitled "An Ordinance to Amend the Liquor Ordinance" be amended as follows: That Section 28, new Section 44(3) be deleted.

Mrs. Watson: Mr. Chairman, I believe it's a typographical error, Section 28(o), Section 44(3), isn't it, to be deleted? Possibly that's what the Honourable Member from Watson Lake said.

Hon. Mr. Taylor: Mr. Chairman, this is a new Section; it doesn't appear in the old Ordinance, subsection 3, 44.

Mr. Chairman: Mr. McCall?

Mr. McCall: I would like to ask the mover of the Motion, Mr. Taylor, the reasoning behind the deletion of Section (3), and am I to take it it's the total of Section 3?

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, I didn't get the last part of that about the total ...

Mr. Chairman: He's asking if you are, by your Motion, proposing to delete the entire subsection (3).

Hon. Mr. Taylor: Mr. Chairman, it's not my intention to propose that we delete subsection (1) or (2). It's my proposal that it be allowed to stand as it does in the existing Ordinance. Subsection (3) is the section that would provide the — well, kind of the local option question, and it means — yes, this is in the case of off-premise beer, as long as that's understood.

It means that in the case of issuing or renewing licences that now the L.I.D.s, the Municipalities, the un-organized districts by petition, public newspaper, notice, this would all have to be gone through in order to get or to issue an off-premise beer licence, and it's my contention that this ought not to be.

Mr. Chairman: Mr. McCall?

Mr. McCall: Mr. Chairman, I don't want to differ too much with the Honourable Member; that deletion, would you consider it being a conflict as to the business licences in the Municipalities?

Mr. Chairman: Mr. Taylor?

Hon. Mr. Taylor: Mr. Chairman, I don't see any conflict with any business licence. We are talking about off-premises beer licences only under the Liquor Ordinance, but as I say, I have already had the views of my Local Improvement District who phoned me at noon and gave me their views, and they do not want this Section left in.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, I think perhaps, if there is any confusion, I would like to clear it up on behalf of the elected Members of Ex-Com at any rate.

We had had some representations from some Honourable Members that they weren't absolutely clear in their mind what 44(3) did and what the intent of government was. We made it very clear that we're willing to take it back and reword it so that it can't be mistaken, but it will not be mandatory for the Board to go to the L.I.D. or the Municipality each time there is an off-premise beer licence reissued.

All we want is that if they want to make a general representation concerning the hours in the community of what they feel an off-premises beer licence should be, that they'll have that ability to do so.

I think what we are voting on now is whether the philosophy and the policy of whether this type of enabling legislation should be allowed or not, is what is coming about by the Motion. If the Motion were passed, that would be the end of 44(3). If the Motion were defeated, we're still desirous of coming up with a crystal clear intention on Section 44(3).

Mr. Chairman: Yes, that was my intent actually, just depending on what happens to this Motion, the clause is still stood over for consideration.

Mr. Lengerke?

Mr. Lengerke: Yes, Mr. Chairman. I recall discussing that particular one, and I think I raised some point on the matter of "shall" and I had asked the House if they would consider some rewording this way, and I just bring it back to their attention.

I was saying that it should be done in considering whether to issue or to renew an off-premises beer licence pursuant to subsection (2), the Board shall consider a presentation, if made.

Mr. Chairman: And that, I believe, was what was going to be reconsidered.

Mr. Lengerke: Yes, is that the rewording of the clause that it would be reconsidered?

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I agree with the Honourable Member from Watson Lake; I seconded the Motion. I don't see any necessity for sub (three) at all.

I remarked on it yesterday, there's provision for it in (3) and (4), adequate provision. I have had assurance from the administration; they will be advertising the renewal applications before the 1st of January, and if L.I.D.s or Municipalities want to get involved in objecting or supporting they can do so.

I think there's an implication here that we want them to be involved. I think we should leave Section (3) and (4) in, possibly rework it a little bit, and take out (3) altogether. There's no need for it. If what you say in (3) is not your intent, why reword it when you are saying it in (3) and (4) of the other Section?

I would hope we could get this clarified and that we

vote on the Motion. We have had it before us for some time.

Mr. Chairman: Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman, I have no strong feelings if the Honourable Member wants to take that section out, because I have already ascertained that there is going to be a concerted effort made on the part of the administration to provide information to all communities regarding the final dates for submitting any objection or pretty well regarding granting and renewal of licences, particularly renewal for which the effective date is the first of January.

I think that's the whole purpose, which is to provide a means, an education program, if you like, information program, so that these people know how to go about it and when to do it. That was the point of this section and if we are going to accomplish through an administrative information sheet, no seat, Mr. Chairman. I still am happy as long as the people ask how they can go about objecting to the renewal of a licence which they consider a problem in their community, they now know how to go about it.

Mr. Chairman: Mr. McCall.

Mr. McCall: Yes, Mr. Chairman, I will be objecting to this motion. I think it is destroying an intent here. I think the opportunities should be given to the Ministers to stand this over and reconsider the structure of the language. I don't think it should be deleted completely.

Mr. Chairman: Mr. Fleming.

Mr. Fleming: Mr. Chairman, just before question is called, I wish to stand, possibly I have a conflict of interest and should not vote on this, however, in reading it all through and in listening to the Motion, I don't feel I have conflict of interest if I vote for the present Motion on the floor.

I think that if I voted to have this left in there I would have a conflict of interest, definitely, because I would be giving the rights to people around me that I live with to more or less say you can have the business, Mr. Fleming, or somebody else can have it and you get out. But if I'm voting for that Motion to have that removed, there is absolutely no conflict because I think, I'm going to ask the Legal Advisor in this case.

Mr. Legal Advisor: Mr. Chairman, it's not really a decision for me to make, it's a decision of the House to make. I could speak privately to the Member some other time, but I would prefer not to be asked for this kind of decision in public in the House.

Mr. Fleming: Then I will not vote on the Motion before us now then if there's any possibility. I don't want any involvement.

Mr. Chairman: Very well, Mr. Fleming.

Mr. Chairman: Are you ready for the question? It's been moved by Mr. Taylor, seconded by Mrs. Watson, that Bill No. 5, an Ordinance to Amend the Liquor Ordinance be amended as follows: that in Section 28, this

Section 44(3) be deleted.

All those in favour?

Contrary?

The motion is defeated.

(Motion defeated)

So, Clause 28 will be stood over.

Are there any other motions.

48. Shall Clause 48 carry?

Some Members: Agreed.

Mr. Chairman: 49. Shall Clause 49 carry?

Some Members: Agreed.

Mr. Chairman: Clause 50. Shall Clause 50 carry?

Some Members: Agreed.

Mr. Chairman: Clause 51. Shall Clause 51 carry?

Some Members: Agreed.

Mr. Chairman: Clause 52. Shall Clause 52 carry?

Some Members: Agreed.

Mr. Chairman: Those in favour of Clause 52 carrying, please stand. Shall those in favour of Clause 52 carry, please stand.

Hon. Mr. Taylor: There can only be one person standing at a time, Mr. Chairman.

Mr. Chairman: Those voting against Clause 52. Against 52. Clause 52 does not pass this Committee.

Mr. McCall: It's possible, Mr. Chairman, in Committee that if you take this section out, you're going to destroy the whole amended legislation. I suggest that it be studied thoroughly.

Mr. Chairman: It's a little late for that, I'm afraid, Mr. McCall.

With the amendment, Clause 53, I'll deal with this individually, shall Section 104 carry?

Some Members: Agreed.

Mr. Chairman: Shall Clause 105 carry?

Some Members: Agreed.

Mr. Chairman: Section 106(1).

(Reads Clause 106(1))

I will declare a brief recess.

(RECESS)

Mr. Chairman: I now call this Committee to order. Mrs. Watson?

Mrs. Watson: Mr. Chairman, on a point of privilege. On the question that was put to the House, the question — we were given two alternatives, leaving section 103 or taking section 103 out completely.

We have been talking about leaving section 2 and 3 in, but we could not vote to leave section 2 and 3 in as they are written, because they are meaningless. They would have to be amended to bring in the intent. They alone wouldn't be enough for sections to be left in.

I would hope that Mr. Chairman would reconsider rephrasing the question as it is put to the House, to give us the opportunity to ask that section 2 and 3 be redrafted and then the question put. In that way, I think you would get quite a different response.

I don't think the Chairman, in all respect, realized the position you were putting us in, that we couldn't leave 2 and 3 as they are now. We have no choice but to take the whole thing, or leave the whole thing in.

Mr. Chairman: You had the opportunity to bring in amendments to these clauses as we were going through them. You also had the opportunity, as the procedure has been through the reading of every Bill, I call out each clause. I then ask if the clause shall be carried. A vote was then taken and it was defeated.

If you wish, I will have the Speaker take the Chair.

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

Mr. Chairman: Very well.

(Mr. Speaker resumes Chair)

Mr. Speaker: I now call the House to Order.

May I have a report from the Chairman of Committees?

Mr. Hibberd: Yes, Mr. Speaker, on a point of privilege, a Member has arisen questioning the decision of the Chairman regarding the calling on a clause by clause reading of the Liquor Ordinance, the problem being that as is usual procedure being done is the clause is called, and then it is called that the clause shall carry.

This clause was defeated in Committee by a vote and this is now being challenged.

Mr. Speaker: Might I ascertain from the Chair, if the Chairman determined the numbers in favour and the numbers against in reaching his decision?

Mr. Hibberd: Yes, Mr. Speaker, the vote was 6 to 4 against.

Mr. Speaker: Well, if the Honourable Chairman has ascertained the numbers of those yea and those nay in such a fashion, I would think that the Chairman would be quite in order, and I would so rule.

The Honourable Member from Klwane?

Mrs. Watson: Mr. Speaker, on a point of privilege, I believe our rules state that we must vote — that every Member must vote when the question is put, and we were not given an alternative in the question, that many of us wanted. This is the point of privilege that I think

that many of us are bringing forward, that there were three alternatives to this question, and as the question was placed, and I don't think it was deliberate by Mr. Chairman, it was just an oversight, many of us were put in this position. We had to vote, and yet we couldn't vote for what we wanted to vote for.

Mr. Speaker: Well, as the House or the Chair understands it, that in Committee of the Whole, Committee reached a decision on a question and I believe the Honourable Member suggests that there was further debate perhaps on whatever this question may be.

It is the prerogative, I'm sure, of each and every Member to rise prior to the question being put, to, you know, state their desires, before the vote is taken and if the Members have perhaps unfortunately erred in that respect, it cannot be a fault imputed, I would think, to the Chairman. It would be a fault imputed to the Members by not dealing with the question at that time.

However, inasmuch as the question has been decided, it most certainly cannot be considered again, and I would so rule, that the Chairman was correct in the manner stated in his report to the Chair.

The Honourable Member from Kluane?

Mrs. Watson: Mr. Speaker, another point of privilege also. I don't believe any of the Members asked for the question to be put at that time.

Mr. Speaker: I have ruled that the Chairman was correct, in so much as the report, and I believe that this will put an end to the matter.

I hope the Honourable Member will accept the ruling in good spirits.

May I have your further pleasure at this time?

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

Mr. Speaker: Is there a seconder?

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

Mr. Speaker: It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Hootalinqua, that Mr. Speaker do now leave the Chair, that the House resolve into Committee of the Whole for the purpose of discussing Bills, Sessional Papers and Motions.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

(Motion carried)

COMMITTEE OF THE WHOLE

Mr. Chairman: I call this Committee to order. We will continue with the clause by clause reading of Bill No. 10, Financial Administration Ordinance. I have requested that the Assistant Commissioner, Mr. Miller, appear with us during the clause by clause reading of this. Is Committee in agreement with this?

Some Members: Agreed.

Mr. Chairman: Clause 1.

(Reads Clause 1)

This is the opportunity for general debate on Bill Number 10, Mrs. Whyard?

✓ **Hon. Mrs. Whyard:** Mr. Chairman, I think it might be helpful to all Members, as it was to me, to hear an explanation from Mr. Miller as to the meaning of accrual accounting in Government circles.

Mr. Chairman: Mr. Miller.

Mr. Miller: Mr. Chairman, this term is normally a technical term that is used in the accounting profession. What it basically boils down to in the case of accounting for governments, our past Ordinance provided that we could only charge to appropriation, those things that we had actually received and the bills that we had received to the end of the year.

One of the common criticisms that is made of all governments, including the Government of Canada is that there are considerable goods and materials received at the end of the year that are not paid for until the next ensuing year. We're trying to correct that in our case in this Bill by allowing us to charge to the appropriate year those charges that belong in that year.

In the case of revenues, similar things have happened in that only revenues received during the fiscal year have been included in the accounts, even if they were due in that fiscal year. So again, under this Ordinance, we can now put into our books of accounts those revenues that we have received and were due and payable as at the end of the year. So that's basically what accrual accounting is all about.

As we go through the Bill, you'll find that there are a number of sections that deal with this particular subject, and there is full disclosure provisions in the Bill, which would allow all Members of the Assembly to see what in fact transpires, or has transpired during the year.

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, in effect, we are getting the Government method of handling accounting into the same structure that a normal business would approach it, as accounts receivable and year ends are considered.

Mr. Miller: That's correct, Mr. Chairman, we're essentially moving to the more modern accounting principles that business people use.

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

Mr. Chairman: I am going to declare a brief recess.

(RECESS)

Mr. Chairman: I now call this Committee to order.
Mr. McCall?

Mr. McCall: Yes, Mr. Chairman, at this time I would like to move that Mr. Speaker now resume the Chair.

Mr. Chairman: Seconder?

Ms. Millard: I second that Motion.

Mr. Chairman: It has been moved by Mr. McCall, seconded by Ms. Millard, that Mr. Speaker do now resume the Chair.

Are you ready for the question?

Some Members: Question.

Mr. Chairman: Are you in favour?

Some Members: Agreed.

Mr. Chairman: The Motion is carried.

(Motion carried)

Thank you, Mr. Miller.

(Mr. Speaker resumes Chair)

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

Could we have a report from the Chairman of Committees?

Mr. Hibberd: Mr. Speaker, the Committee of the Whole has considered Bill Number 5, "An Ordinance to Amend the Liquor Ordinance", and Bill Number 10, Financial Administration Ordinance and directed me to report progress on same, and ask leave to sit again.

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

Some Members: Agreed.

Mr. Speaker: Leave is granted.

May I have your further pleasure? The Honourable Member from Hootalinqua?

Mr. Fleming: I move that we call it 5:00 o'clock, Mr. Speaker.

Mr. Speaker: Is there a seconder?

Mr. Hibberd: I second that Motion.

Mr. Speaker: It has been moved by the Honourable Member from Hootalinqua, seconded by the Honourable Member from Whitehorse South Centre that we now call it 5:00 o'clock.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the Motion carried.

(Motion carried)

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

(ADJOURNED)

THE FOLLOWING SESSIONAL PAPER WAS TABLED

76-3-33
Response to the Motion for the Production of Papers Number 5

THE FOLLOWING LEGISLATIVE RETURNS WERE TABLED

76-3-15
Statistics in Yukon
(Written Question Number 13)

76-3-16
Unemployment in Yukon
(Written Question Number 14)

76-3-17
Future Energy Demands
(Written Question Number 18)

LEGISLATIVE RETURN
1976 (Third) Session

Mr. Speaker
Members of the Assembly

On November 15, 1976, Mr. Berger asked the following question:

"Statistics Canada announced they are compiling separate statistics for Yukon. Is this information available to the public?"

The answer to the above question is as follows:

Statistics Canada do provide certain Yukon statistics. This information is available to the public through purchase of Statistics Canada bulletins. In addition, the Economic Research and Planning Office within YTG will make available this information when possible.

November 16, 1976.



M. E. Miller,
Member,
Executive Committee.

LEGISLATIVE RETURN
1976 (Third) Session

Mr. Speaker
Members of the Assembly

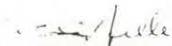
On November 15, 1976, Mr. Berger asked the following question:

"What is the current unemployment figure in Yukon?"

The answer to the above question is as follows:

Unemployment figures are not available for Yukon. However, approximations can be made from U.I.C. claims adjusted for maternity leave, temporary unemployment resulting from work stoppages, etc. Attempts will be made following staffing of the Economic Research and Planning Office to produce statistics of this nature.

November 17, 1976.



M. E. Miller,
Member, Executive Committee.

LEGISLATIVE RETURN
1976 (Third) Session

Mr. Speaker
Members of the Assembly

On November 16, 1976, Mr. Lengerke asked the following question:

"If there is to be any further resource development in Yukon and if we are to even maintain our present domestic energy requirements, we require additional expanded resources."

What is the Yukon Government actively doing to ensure that the future energy demands are going to be met?"

The answer to the above question is as follows:

We are maintaining ongoing discussions with the Chairman of Northern Canada Power Commission to ensure that they are aware of future resource developments.

November 17, 1976.



M. E. Miller,
Member, Executive Committee.