

# The Yukon Legislative Assembly

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Number 16

7th Session,

23rd Legislature

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Debates & Proceedings

**Tuesday, November 30, 1976**

Speaker: The Honourable Donald Taylor

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November 4th, 1976.  
Whitehorse, Yukon Territory.

**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.

*(Prayers)*

#### ROUTINE PROCEEDINGS

**Mr. Speaker:** We will proceed at this time with the Order Paper. Are there any documents or correspondence for tabling this morning? Are there any Reports of Committees? Petitions? Introduction of Bills? Are there any Notices of Motion for the Production of Papers? Notices of Motion or Resolution? The Honourable Member from Klondike?

#### NOTICES OF MOTION OR RESOLUTION

**Mr. Berger:** Yes, Mr. Speaker, I would like to give Notice of Motion, moved by myself, seconded by the Honourable Member from Mayo, that the White Paper on the community hearings on the Alcan Pipeline Route be referred to the Committee of the Whole.

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

**Mrs. Watson:** Mr. Speaker, I'd like to give Notice of Motion, seconded by the Honourable Member from Whitehorse South Centre re the formation of the Standing Committee.

**Mr. Speaker:** Are there any further Notices of Motion or Resolution? Are there any statements by Ministers? Under the question period, can we first have any replies to questions. The Honourable Minister of Education?

**Hon. Mr. Lang:** Mr. Speaker, I have for tabling the Legislative Return to written question number 25.

**Mr. Speaker:** Commissioner?

**Mr. Commissioner:** Mr. Speaker, I have a response to an oral question presented in the House on November 25th by the Honourable Mr. Berger. In the near future, the Yukon Territory, as proposed last spring, will take over the tax collection, Income Tax collection. My question is: Under this proposal, is it possible for companies operating in the Territory to defer their taxes? The other question is: In connection with this, how many companies in the Territory are deferring taxes right now, who are they, and how much money do they owe to the Federal Government?

The answers are: The Income Tax Ordinance proposed by the Yukon follows the Provincial and Federal Acts. As a precondition of entering into a tax collection agreement with the Federal Government, it is necessary to accept the basic Federal Act. Therefore, companies operating in Yukon would be able to defer their

taxes. The information with regard to what companies are deferring and how much they owe is not available and would not be available by company even if the Yukon passes its own legislation.

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

**Hon. Mr. McKinnon:** I would table the answers to questions asked by the Honourable Members concerning evacuation and a question asked by Mr. Fleming on November 25th concerning the snowplowing right-of-way.

**Mr. Speaker:** We will then proceed to the question period. Are there any questions?

#### QUESTION PERIOD

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

#### Question re: Monitoring of Strontium 90

**Mr. Berger:** Yes, Mr. Speaker, I have a written question for the Honourable Minister of Health and Welfare. What is the considered safe level of "Strontium 90" in the Caribou for human consumption? Is the Game Department or any other National or International agency monitoring that level?

**Mr. Speaker:** As there are no further questions ... The Honourable Member from Hootalinqua?

#### Question re: Tagish Subdivision

**Mr. Fleming:** Yes, I have a question for the government as to the subdivision at Tagish, the new recreation establishing as to how many lots have been sold to date and the other one was a query from the people why the road was not graded off in the summertime.

**Mr. Speaker:** The Honourable Minister of Local Government.

**Hon. Mr. McKinnon:** I will attempt to bring back these answers from the Federal Department who is in charge of this from that subdivision.

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

#### Question re: Salmon Harvest on the Yukon River

**Mr. Berger:** A written question for Mr. Commissioner. What surveys have been done on the Yukon River and its tributaries between the Alaska Border and past Whitehorse, to determine:

(a) The harvest capacity of the "King and Chum salmon run;

(b) The reason for the dramatic decline of both salmon runs this year and if it is the Fisheries Department's intention to increase the salmon harvest by issuing more licences. Will, then, the department station a quality inspector in Dawson the following seasons so some of the harvest could be exported out of



Yukon?

**Mr. Speaker:** The Chair might have to rule on that inasmuch that, I've heard it from the Chair, that it may give a direction of the House, but I will so rule at a later moment.

The Honourable Member from Whitehorse Riverdale?

**Question re: Commissioner's Recommendations for Fourth Member of Executive Committee**

**Mr. Lengerke:** Thank you, Mr. Speaker — excuse the voice this morning. Mr. Speaker, I have a question for Mr. Commissioner. Mr. Commissioner, there are a number of motions before this House pertaining to the appointment of a fourth member to the Executive Committee of Council, to be responsible for the functions right now that are under the purview of the Assistant Commissioner, Mr. Miller. If this House were to support this motion and make recommendations and in fact a fourth member should be appointed to the Executive Committee, I believe that you're required to convey that message to the Minister of Indian Affairs and Northern Development, possibly with your own recommendations, and I want to know what would your recommendations as Commissioner of the Yukon be for such a plan, such a proposal?

**Mr. Commissioner:** Mr. Speaker, it would be impossible to answer a hypothetical question. When I see the motion, perhaps I could then answer the question.

**Mr. Speaker:** Order, please. I think I must disallow the question.

Are there any further questions?

We will then proceed to Orders of the Day.

**ORDERS OF THE DAY**

**Private Member's Bill Number 1 - Second Reading**

**Madam Clerk:** Second reading, Private Member's Public Bill Number 1, "An Ordinance to Amend the Homeowners' Grant Ordinance".

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

**Mrs. Watson:** Mr. Speaker, I move, seconded by the Honourable Member from Hootalinqua, that Bill Number 1, "An Ordinance to Amend the Homeowners' Grant Ordinance", be now read a second time.

**Mr. Speaker:** It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Whitehorse Riverdale ... Is this correct? I'm sorry.

It has been moved by the Honourable Member from Kluane, seconded by the Honourable Member from Hootalinqua, that second reading be now given to Bill Number 1, "An Ordinance to Amend the Homeowners' Grant Ordinance".

Are you prepared for the question?

**Hon. Mr. McKinnon:** Mr. Speaker?

**Mr. Speaker:** The Honourable Minister of Local Government.

**Hon. Mr. McKinnon:** Mr. Speaker, I made a point yesterday of asking Mr. Speaker to rule as to whether or not the amendment to the Homeowners' Grant was considered a money bill. I am of the opinion — I would like to know whether Mr. Speaker supports me or not, but we are acting *ultra vires* of our, the, ability in this House and I would refer to annotation 249 at page 214 of Beauchesne's which says,

"No cases can be found of any private member in the Canadian Commons receiving the authority of the Crown, through a Minister, to propose a motion involving the expenditure of public money."

Mr. Speaker, no matter which way you slice the cake, if the Homeowners' Grant period is extended to December 30th it's going to involve the expenditure of more public money of the Government of Yukon. I have no objection to the Bill, I just want to warn Honourable Members and Mr. Speaker that in my opinion I wish Mr. Speaker would rule that we will be acting *ultra vires* of the rules of Parliament and the privilege of this House.

**Mr. Speaker:** I have undertaken to view the Bill, as I indicated I would do yesterday, and I find that the provisions contained in the Bill, Private Member's Public Bill Number 1, are similar in content to that which exists in the Ordinance the Bill is intended to amend. It would make mandatory what is now permissive and I have satisfied myself that the Bill would be in order on this ground.

Is there any further debate on second reading?  
Are you prepared for the question?

**Some Members:** Question.

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

**Some Members:** Agreed.

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

(*Motion carried*)

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

The Honourable Member from Pelly.

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

**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 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 carried.

*(Motion carried)*

*(Mr. Speaker leaves the Chair)*

#### COMMITTEE OF THE WHOLE

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

*(Recess)*

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

**Mrs. Watson:** Mr. Chairman, just for the record, I should briefly commend you on your Honourable Member's Report to this House. We hear so much from the Government of Canada, the Government of the Northwest Territories, but in our own Auditor General's Report it was very obvious that we have a very sound and very responsible administration of our financial aspects of the Territory and I would draw attention to this so that people in the Government ...

**Mr. Chairman:** We'll consider Private Member's Bill Number 1, "An Ordinance to Amend the Homeowners' Grant Ordinance". The Ordinance will be distributed to Members in the next few moments. I mean the Ordinance itself, not the amendment. Clause one:

*(Reads Clause 1)*

**Mrs. Watson:** Mr. Speaker, this amendment is very straightforward, and if you will note, we have repealed all of Section 4 and amended sub 1 and dealt with sub 2. Because of the amendments of 1, sub 2 really isn't required; it is the discretion of the Treasurer to extend the application date, December the 31st, for people who wanted to comply with 182 days residency.

*(Equipment problem)*

**Mr. Chairman:** We're having trouble, I think, with our sound system.

*(Recess)*

**Mr. Chairman:** I will now call this Committee to order. Mrs. Watson, would you like to try again?

**Mrs. Watson:** Mr. Chairman, should I repeat what I said or just continue?

**Mr. Chairman:** Repeat it.

**Mrs. Watson:** The purpose of this Bill, this amendment, is to make provision for people who have not applied for their homeowner grant by September 30, and I don't think it's going to affect this year very many people, but even if it affects 10, 12, 15 or 20, they're people who are eligible for a homeowner grant and should receive the benefits of this programme. We have

people in the Territory whose work is fairly seasonal and which takes them away from their home during the summer months. There are people who are prospecting, who are working in mines, who are working away from home on construction projects, and we have outfitters; for this reason, I think that we should give them the benefit of the doubt and extend the period. We should also consider that, because we have people who are on an almost-seasonal basis, that by the end of June, first of July, their financial situation often isn't that healthy and they are forced to wait until they receive some payment for some of their contractual work during the summer so that they can pay their taxes so that they can be eligible for the homeowner grant. And all this amendment is doing is making provisions to make sure that there are no people excluded from the grant who should really receive the benefits from this programme.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman. On seconding this motion, I did so for the same reasons and one or two more. As you know, every taxpayer pays his taxes due and payable by the date in more or less in the middle of the year which those taxes are supposedly payable. However, if he does not make the payments at that date, he is charged naturally his, an, interest rate from there to January 1st or December, the last day in December. I think that person should have also, seeing that he is paying that extra interest rate on his taxes up until that date, I think that he should have also the right to apply up to that date for his homeowner's grant.

And there are also other factors such as, this year especially, some of the people that have business places and they have homes attached did not have the time and also the assessor did not assess the property yet. So they are actually going to lose this year unless, possibly, it may be done yet.

So therefore, I seconded the Bill and I'm going to, I think it's a very good reason.

**Mr. Chairman:** Is there any further debate on Clause 1 or on the principle of the Bill?

Mr. McKinnon?

**Hon. Mr. McKinnon:** Mr. Chairman, we have no difficulty at all with the content of the Bill, but we have a little problem with the format and the way it was introduced. We, in the Executive Committee, feel and we thought that what it would be, it would be a motion with an expression and consensus of the House and then we would bring in a Public Bill because I don't see, no matter how Mr. Speaker and Members of the Committee want to slice it, that it's not the further expenditure of public money. We have very great difficulty in really thinking that this is being done in the proper form. And, as we say, because we don't object at all to the principle of it, it was for administrative ease that the 183 days was put in and taxes are due and payable, I think, on June 30 of each year, that there was still three months following the payment of taxes to apply for a homeowners' grant and we thought that it was all the leeway in the world that members of the public needed.

If Members of the Assembly are finding hardship in their constituencies because of it and people who are



eligible are not applying, we want it to get to the broadest base that is possible. What we can't understand is how we get berated for not bringing Members amendments to the Liquor Ordinance when there is no consensus of this House that we could find and where there could be a consensus and where it could be brought forward that it couldn't be questioned or challenged in any way, shape or form when the government is prepared to bring in amendments, that it comes up and what we have to say is a questionable point, but we just hope it's not challenged.

We're going to support it because with the opinion of the House through motion, we would have brought the amendments to the Bill and there would have been no question whatsoever as to their validity and they wouldn't be able to be challenged in any way, shape or form. I don't see how you get around that the extension of the period is going to bring a charge upon the public purse, it's going to be for public expenditure. It's just a basic rule of any democratically elected legislative assembly that only come from the Crown. We'll support the amendments that we do have problems in where there is no consensus being told to bring amendments and where there could be a consensus and we wanted to bring amendments, it comes through a private Member's Bill.

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

**Mrs. Watson:** Yes, Mr. Chairman. One of the first questions I asked in this House when we went into this Session was questions regarding the expiry date for the applications for Homeowners' Grant. I thought there was quite a hint to the government that I would like to see an extension on this. Now the Legislative Return — Legislative Return No. 3. And it was brought in quite some time ago. I brought in, this is true, the Legislative Return. I brought in the motion the other day, gave Notice of Motion, withdrew it when I looked at the timeframe, because I know that when the government, if they were going to be required to prepare the amendment, they have to go into legislative programming and all the rest of it and it was going to take time and there would be a possibility that the Bill wouldn't get through before we prorogued.

The best thing to do was to proceed with the Private Member's Bill. I don't share the Honourable Members' concern about it being a money Bill. A money Bill or a resolution is one which is a charge upon the public purse and it has to first be delivered in a message from the Commissioner.

Now, this Homeowners' Grant was delivered in a message from the Commissioner during last budget session and the interpretation of a money Bill or a money resolution says nothing about amending; a message that has brought in, it says nothing at all, and I think if we are going to fall into this trap of saying these things are a money Bill, then the government people better reassess their situation when they come to us and say bring in a Private Member's Bill, because under the same criteria that you use, if we brought in a Private Member's Bill on drinking in public places, it would require an expenditure of public funds because it would require enforcement.

It would absolutely. So you're saying on one hand bring in a Private Member's Bill and when it gets in

here you're saying, can't do it, it's a money Bill, because it commits the Government to an expenditure of money and it would if we would bring in more restrictive laws for drinking. As a Private Member's Bill, it would certainly require more expenditure for enforcement.

I wasn't deliberately trying to embarrass the government with this. We've heard this so often, if you don't like it, bring in a Private Member's Bill. I don't believe in bringing in Private Member Public Bills and I wouldn't bring in a complex one at all.

This is a very simple changing of an expiry date. I wasn't trying to make a political issue out of it. I was only trying to accommodate — I was only trying to accommodate several people who have come to me.

Mr. Chairman, I really am rather astounded at the attitude of the government who jeer and ridicule someone for trying to do a job, who has used the approach of a Private Member's Bill because they've been instructed to by the government. Then when you use that approach, you're jeered at and ridiculed for trying to politically up-stage everyone. You don't make many brownie points on changing the expiry dates for a Homeowners' Grant. All you're doing is accommodating a few people who have been unjustly denied the right of a programme and you were given full time to do it. Thank you, Mr. Chairman.

**Hon. Mr. McKinnon:** Mr. Chairman?

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** Mr. Chairman, I won't even rise to debate that the Honourable Member would certainly wish that I would because the government is trying to be as gracious as we possibly can under the circumstances in just allowing those people who were cut off by the September 30th deadline of being extended to December 30th. We're going to support the Bill because we agree with that and I'll answer the Honourable Member another time on the statements which she has made.

**Mr. Chairman:** Is there any further debate? Shall Clause 1 carry — Mrs. Whyard?

**Hon. Mrs. Whyard:** I would just like to add that as Chairman of the Legislative Programming Committee, I am in a position to state that it does not take weeks to take an amendment back and get it processed and bring it before this House. It takes one day, Mr. Chairman, with some notice from the Honourable Member.

**Mr. Chairman:** Shall Clause 1 carry?

**Some Members:** Agreed.

**Mr. Chairman:** Clause 2.

*(Reads Clause 2)*

**Mrs. Watson?**

**Mrs. Watson:** Mr. Chairman, I'd just like to comment that I hope assent is given to this Bill while we're still in session so that people can take advantage of it, because if assent isn't given, then the whole Bill is use-



less for this year. We're looking at four weeks.

**Hon. Mr. McKinnon:** Mr. Chairman ..

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** .. we already said that we agreed with the principle of the Bill. You know, does the Honourable Member really suspect that the Government would pull a trick in asking the Commissioner to deny assent to the Bill just because the Honourable Member has moved a Private Member's Bill? I'm sorry, Mr. Chairman, there is no question at all that the Bill would be given assent to.

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

**Mrs. Watson:** That's the reassurance I require.

**Mr. Chairman:** Shall Clause 2 carry?

**Some Members:** Agreed.

**Mr. Chairman:** The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory enacts as follows: An Ordinance to Amend the Homeowners' Grant Ordinance. Shall the title carry?

**Some Members:** Agreed.

**Mr. Chairman:** Shall the Bill pass Committee without amendment?

**Some Members:** Agreed.

**Mr. Chairman:** The Motion is carried.

*(Motion carried)*

We'll now deal with Motion Number 31 regarding Legislative Return No. 3. Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, the Legislative Return No. 3 is the question I asked regarding the Homeowner Grant and I think the question has been dealt with now, so I'm prepared to drop Legislative Return No. 3 with the concurrence of the Committee.

**Mr. Chairman:** Very well. Motion Number 35. That is relating Y.T.G. policy of annual rental for leased land.

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

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

**Mrs. Watson:** I'm prepared to deal with this Motion, but I believe the Honourable Minister of Local Government felt that he should have a chance to bring some information forward before we dealt with the Motion.

**Mr. Chairman:** You're now prepared to deal with this.

**Mrs. Watson:** I am. I'm prepared to go, but I don't

want to proceed with the Motion if the Minister of Local Government would prefer to have it stood aside until he has an opportunity to bring more information forward.

**Hon. Mr. McKinnon:** I'm prepared to have a general discussion on it. I asked for some specific information which involves considerable amount of research from the Department of Local Government, so that we could have a good discussion on matters pertaining to the return for production of papers that are a result of this Motion. If Members are not prepared to wait until such specific information is available from the Department of Local Government, which does involve considerable research, then we can have a general discussion on it, I have no objection.

**Mr. Chairman:** When would this Motion be available, Mr. McKinnon?

**Hon. Mr. McKinnon:** I have no idea, Mr. Chairman, I have asked the Department of Local Government to get an actual account of the absolute, of the individual number of leases that the Government of Yukon Territory actually has, so that it entails the research of the total land files of the Government of Yukon Territory to come up with the specific answers, which I think would be very valuable to all Members of Committee. I know it would be very valuable to myself, but it does involve the research of all the land files of the Government of Yukon Territory.

**Mr. Chairman:** Would this possibly be available this week, in view of the fact we might not be sitting beyond this week?

**Hon. Mr. McKinnon:** I can check as to how far the research is going at this time, but I can't give you any guarantee at this moment as to when this information will be available.

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

**Mrs. Watson:** Mr. Chairman, I'm quite prepared to proceed with the general discussion and wait for the specific information. Actually when I put the question I didn't expect the extensive research that the Department is going into to be done. Maybe I should have been more specific, but I appreciate the fact that they are doing the research and I appreciate the fact that the information will be available to us, even at a later date. I think it will be very enlightening, very valuable, and I'm prepared to proceed and receive the information even if we are not sitting at that time. We can always use the information for further discussion at further sittings or use it for our own personal information in any other research we may want to be doing.

**Mr. Chairman:** We will continue with this Motion at this time.

**Mrs. Watson.**

**Mrs. Watson:** Thank you, Mr. Chairman. And some of my comments are quite general and some of them are specific, and some of them deal with the Ordinance and some of them deal with the Regulations, but I think that every Member of this Assembly is faced with the prob-



lem of their constituents when the constituents are having problems with land, whether it's an agreement for sale, whether it's an agreement with a purchase clause, whether it's a lease, and I think that when you look into them you often find out that people have entered into an agreement without fully realizing the ramifications of them, and they've got themselves sort of involved and there's no way out. And it also makes it very, very difficult for our government to bring forward a very fair land disposal policy.

Now the Territorial Lands Act was brought in, I believe, in 1972. I was one of the people who was responsible for bringing forward the Territorial Lands Ordinance, the Lands Ordinance which applied to Yukon lands. And if we were dealing with the Lands Ordinance today, there are many things in it that I would require to be changed before I would accept it for the simple reason of the inflationary time that we're in and that the spiralling of land costs all across the country, and also in the Yukon Territory.

I must commend the Land Disposal Policy that the Government has in residential, commercial, or industrial subdivisions. That's for an agreement for sale, not for lease. That policy requires the purchaser to pay no cost for the land. This is for lots that are developed by the Government. When the person can buy the lot and the price of the lot is the price of the improvements, they are not paying for the land.

Also, when people under residential, commercial or industrial subdivisions enter into an agreement for sale for a piece of land, they have some very, very specific instructions of what they are required to do, and how they are required to pay, so that they can in fact get title to that land. Very specific. Anyone who has bought a lot in any of these subdivisions realizes now the conditions are very specific.

So, there isn't that much problem. People enter into these agreements. They know what the name of the game is. They know when they have to pay it and they know what they have to do, and I believe they have three years. It's too bad the Minister of Local Government isn't here, but I believe it's three years. Once they comply with the terms of the agreement for sale, once they pay for the property, then they are in the position where they can receive title or they can become the owner of the land.

However, several years later — I think this is quite important, they can turn around and sell that land and the improvements on it for a much greater value than what they paid for the land originally. So, they are able to personally benefit from the inflationary or the ever-increasing cost of land, anyone who — under an agreement for sale.

And they can also, because of the market value of land. It's going up all the time, particularly in the last five years. They can also, because they own it, financially benefit from any — in some instances, not all the time — from any re-zoning or re-defining of the use of the land. So, a person who acquires land under this situation, they don't pay for it. They only pay for the improvements. They get title and because they are the owner, they are able to take advantage of increasing costs, market values and they themselves can gain financially from it.

Now, let's look at the agreement for sale for areas for land outside of developed subdivisions in organized

communities. In some instances, where this land is given, the terms and conditions are not very explicit. They're not nearly as explicit as they are if it's within a municipality or an L.I.D.

So, there's some doubt often or some difference in interpretation between the person who enters into the agreement and the Government people who have to inspect and make a decision on the terms of agreement. So there's one area of disadvantage. But people who enter into an agreement for sale for that land are getting no improvements. They have to — they know that when they buy it, they have to provide their own water, their own roads, their own lights, their own whatever.

Yet, they have to pay for the land and the land is appraised under our legislation. It must be appraised. There's a requirement. They have to pay the market price for the land. Now, these people are getting nothing with it, no improvements, but they're paying for the land. People who are getting it in a developed area, they pay for the improvements and they pay nothing for the land.

I hope that any Member will correct me if I'm wrong in some of the statements I'm making because I — there are several people in this Legislature who are specialists on land and could certainly — I'd be happy if they'd correct me if I make any incorrect statement.

Because the terms and conditions are not explicit, however if they fulfil their requirement and they are given title to the property, then they are the owner and they can take advantage themselves of an increased market value of the land they now own.

Now, we've heard a lot about leasing in the recent — in the last five or ten years, where the only way that people can get land is through leasing with no agreement to purchase clause in it. This is the area that I was most concerned with. I first of all looked at residential leases. Now, the regulation says you cannot get a residential lease for more than one acre of land. The recreational residential lease, I don't think this is specific on that — well, it probably is more — the one acre probably applies to it, but a recreational residential lease shall be not for more than three years.

Compliance with the terms of release for a period, renewable on compliance with the terms of the release for a period of more than twenty-two years. The people enter into a lease arrangement and their annual rental — the market value of that land at that time, might be two thousand dollars an acre. That's what it is appraised at. Their annual rental is ten per cent of that — \$200.00 a year.

They could only have that lease for three years, in which time they have to build their cottage or whatever they're supposed to do. After the three years, the lease will be renewed, but every time a lease is renewed it must be reappraised. Now, we all know that in three years the market value of the land could increase considerably, and has. So you're looking at a reappraisal possibly of, say, four thousand, five thousand dollars.

The people who's in the lease, he's got — he spent the money to comply with the terms of the lease. Now he's looking at ten per cent of four thousand or five thousand. He's looking at an increased cost of annual rental. But he still doesn't own the property. He can assign it, but he can't sell it. I think we have to look at that very, very carefully.

I would like to ask the Minister of Local Government



at this time — that, during our Spring Session, I asked a question about residential leases and I realize that there are some old leases that are really great headaches for all concerned and the Minister said he was going to review some of these residential leases and make a decision whether the people who have the residential leases would be given the opportunity to purchase. I'm wondering whether he's been able to come up with some decision in this regard?

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** Well, Mr. Chairman, as I've indicated that we're not going to be able to have anything but a general discussion on this problem, as some of the specific points that the Honourable Member or some of the general nature of her remarks I'd like to bring down to specific points and give the actual answer, because the only figure I have now is an overall figure which combines Territorial and Federal leases.

In that we have a number throughout the Yukon which totals 3,288. I would suggest to the Honourable Member that the vast majority of those would have to be Federal leases, because I've only got 361.6 square miles of the Territory under the control of the Commissioner. The only figure I can give to the Honourable Members that these people aren't really all that hard done by is that of those 3,288, before last year, only 540 of them in acreage property were paying over the minimum tax; fully 2,748 of the 3,288 and you must imagine that these are all acreage properties, were paying under the minimum tax of a hundred dollars for acreage properties in the Yukon.

They've been boosted an exorbitant amount of \$100.00, these 2,748 out of the 3,288 which presently were all under \$100.00. These sometimes go up to 500 — 600 acres; it depends if they are agricultural and grazing leases that were signed by the Federal Government. So when people tell me that they're really hard done by in different areas where they have leases with the Federal and Territorial Government, after examining the situation in the instance and talking with them, I think that they are quite satisfied that, even with the \$100.00 minimum tax, that they're doing pretty well in having acreage property under lease with the Territorial Government.

The other point that the Honourable Member mentions, that, yes, I said I was going to attempt to change the regulations that would allow a person who had an agricultural lease or a residential lease with the Territorial Government to buy the area on which he has his improvements — this has been discussed and it is and has been accepted by the Executive Committee. We would like to think that the Federal Government would follow our lead in allowing the same type of ability for people under Federal leases, which is the vast majority of leases in the Yukon, and correspondingly have asked the Federal Government and written them asking whether they'd be prepared to proceed on the same basis. We have not, as yet, received an answer for them and that's been several months since we sent our inquiry. We've had follow-up messages asking when we could expect an answer from the Federal Government, so we said that we would ask; we did ask, and it is now, if the Federal Government is not willing to reply to our inquiries, that we will promulgate the changes in the

regulations regardless of whether they do or not. The only thing being, then we've got the whole issue confused once again because there's two different land owners with two different land policies and we'd like to think that, to ease the confusion in the public, that we would be able to act in concert after consultation in these areas.

So, as I say, I think there is much information of a specific nature which would allow us to have a much more meaningful debate on the generalities that the Honourable Member has raised and perhaps, when that information becomes available, which I think will be quite surprising because we'll realize the small number actually of leases that are under the Territorial Government's control. And we should also remember that all of these leases, and this is really a majority of them, were transferred from the Federal Government to the Territorial Government, and when we've tried, on renewal, to ask for lease changes, it's the lease holder who likes how obtuse the regulations presently are because it gives them the flexibility of just about interpreting anything in the lease to be anything that they've said no, we'd kind of like to have the lease arrangements remain the same. We don't want to have to get too specific and really have to do anything that would mean an agreement development type of clause which the Territorial Government likes to include in any property that they have under their control and that they've put under agreement for sale.

So, I'm sorry that I can't be more specific because I have attempted to obtain information that would help all our Honourable Members, including myself, on this problem and the only ones that I can give is general information that is available to us and, perhaps, when the information is available I'll be prepared to send it to all Members of Committee and perhaps at some future time we'd be able to have a more meaningful discussion with specific information available on the question of leases under the control of the Government of Yukon.

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

**Mr. Lengerke:** Thank you, Mr. Chairman, I have a question for the Minister of Local Government with respect to one of the points that Mrs. Watson has raised. I'm kind of interested in this myself. Is there not a raw land cost assigned to your development cost when you're developing a new subdivision? Is this not a practice of assigning a raw land cost? I think this would seem to be a concern of the Honourable Member and this would also apply to where you had land with no improvements. There certainly should be a raw land cost applied there and this should be taken into account in the appraisal.

The other question I have is the terms of lease. She was mentioning her concern that the cost of rentals and the fact that the improvements would increase the market value and there would be a reappraisal after three years. I was just wondering, are the terms of the lease not spelled out and the people that are taking on a three-year lease are they not notified that this in fact is going to happen, that if they do put improvements on it, that they are going to increase the market value and that there is going to be a reappraisal done in considering a new lease?



**Hon. Mr. McKinnon:** All the leases — the vast majority that we have — have been turned over to us by the Federal Government. There is no such thing as a standard lease. Every one of them — there must be hundreds of variations in every lease. When a person phones you and says, look it, I'm having problems with my lease, the only thing you can tell him is bring it in, because there is just no such thing as a standard lease that was developed by the Federal Government when they gave out lands on a lease basis. The Honourable Member from Mayo can answer this question far easier than I can because he's been involved with different people in the Lands Department over his total history in the Yukon and the variety and difference in leases is just incredible from one property beside the other property.

It would be lovely if the Government of the Yukon could standardize these leases when they come up but it's generally the lease holder that doesn't want it standardized because the lease is more favourable to him as it is presently written. So all we do is renew the lease as it is presently written, so we're not really solving any of these problems that are inherent with the variety of leases that have been given over the years.

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

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

**Mr. Lengerke:** Mr. Minister, do you assign a raw land cost in the case of new subdivision?

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** Mr. Chairman, I have information on how the cost of a subdivision and the cost of land are arrived at. I just received it on my desk the other day and I haven't perused it to the extent that I can answer the Member's question at this time, but I think it would be interesting to bring this information to the Assembly because it takes into account — I asked for a delineation of how prices are arrived at in a recent subdivision. We took the one in Porter Creek and it's all designated as to why it ended up at \$70.00 per front foot. I think that would be extremely interesting for all Members because it includes a total costing of the servicing, the survey, everything that happened in that land development and how Government arrived at the price, and it will also reinforce the Honourable Member from Klwane's position that there is no charges other than just the cost of the development of the land.

So, I'd be willing to table that information to Members as to how the cost of developed land is arrived at by the Territorial Government.

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

**Mrs. Watson:** Mr. Chairman, my question was answered.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, Mr. Chairman. I'd be very glad to have the information the Honourable Member from Local Government is speaking of, too. There's a couple of other points I would like to bring out in this and the

idea is that also other than the price being fixed in a municipality or a subdivision where you have to buy properties that you have leased in the country, there is also another added expense in the fact that you are also obliged to pay for the survey.

Sometimes it might not be very much but it will not, I presume, be less than \$500.00 to survey any piece of property. Therefore, I think it should be incumbent on the Government to at least take into consideration, Mr. Chairman — they cannot go out and survey every property. I realize this. I'm not asking that, but I think it should take into consideration some of the expenses that are incurred by the people who wish to own the land when they are transferring it and bringing it around to ownership.

I think they should consider these things. I'm a little concerned now. There may be not many of them and I agree with the Member from the Local Government that the leases were so flexible that there wasn't — they really can't handle them in the way they should be handled. But again, I would say that anybody that is, at this time, trying to buy the property because of the progress that has been made in the Yukon and is now possibly going to be in business along the highway or something to this effect, that they would consider just the land and consider the amounts that he's going to have to pay for his surveys and so forth, in coming up with a price they are going to charge him for the land, and the right to own it someday.

I think if these were all taken into consideration, that maybe they wouldn't be asking so much in some cases for the man to buy the property he now has leased. Other than that, I have nothing more to say on the matter, I guess.

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

**Mrs. Watson:** Mr. Chairman, I don't want to be misunderstood. I don't want to even imply that I feel that people who are buying land in subdivisions, developed subdivisions, should be paying for the land because land, just to pay for the improvements, makes the land expensive enough and we want to make as many people able to purchase their own lots or property, to be able to develop their own homes, as possible.

So, I wasn't implying, but I was trying to show that there are some sort of inequities and I think the Honourable Member from Hootalinqua brought it out. Too often we hear that people who are living out of organized communities are sort of getting along. You know, they're getting a little bit of a free ride. When you look at the land and now they are paying for the raw land and they have to pay for the survey costs and they have to pay for their own roads, their own telephone, their own power, the whole bit. They have to provide it. They won't get water delivery or sewage pick-up or garbage pick-up or anything like this.

I'm trying to indicate that these people often are not riding along on someone else's back and often they live in some very, very (blank) situations — they put up with something in order to be able to develop it and own it for themselves one day.

These people often — a question for the Minister of Local Government. You stated, I think, that there were 3,288 leases at the present time. Now what kind of leases would those be? All kinds of leases or just residential?



**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** This is exactly the breakdown that I'm asking for. This is all, this is Federal and Territorial throughout the Territory. These are properties that we know of that we're putting a tax on improvements. This is all-encompassing. Every type of a lease arrangement under Territorial or Federal jurisdiction.

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

**Mrs. Watson:** Thank you, Mr. Chairman. A lot of these leases require some inspection to be done to see whether they're complying with the terms of the lease. With the manpower that the Department of Local Government and the Federal people have now, are you able to do this review on a yearly basis, when it should be done?

**Hon. Mr. McKinnon:** Well, Mr. Chairman.

**Mr. Chairman:** Mr. McKinnon.

**Hon. Mr. McKinnon:** We had a position vacant for two years, as a lands inspector, in the Department of Local Government, and it was finally filled on November 1 of this year. So with that amount of land and the expertise required that we're not in the salary range or somehow we're not appealing to the people who can do this type of inspection by the advertising that we're presently doing, and as I say, a two year vacancy in a position which is obvious that we all know was needed was finally filled on November 1 of this year.

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

**Mrs. Watson:** Thank you, Mr. Chairman.

I think that the Minister will agree with me that this not only creates a hardship for the Government, but also creates a hardship for some people who have leases and who require some review and inspection to be performed. I, the Minister also stated that some of their clients, people who are lessees I guess is the word, like the terms of the lease to be obtuse rather than general, I think that was the word he probably meant, rather than specific. Now any instances where I've had people come to me with leases, one of the biggest complaints is that they misunderstand or misinterpret the terms of the lease because they're so general. Then, when they have an inspector come around, the inspector has a different interpretation and, if we look at the regulations, I know someone has to make a decision on this. Someone, the inspector has to make a decision. You've got to assign it someone. And if you look at your regulations, it's there— in the opinion of. It has to be. But on the other hand, if you leave it very general, it gives an awful lot of room for discrepancies and for judgment on the part of the inspector. Where, if it's more specific, the interpretations are more exact for both the lessee and the inspector, and I would ask the Minister of Local Government whether, isn't this one of the reasons you had so many complaints on some of these leases?

**Mr. Chairman:** Yes, Mr. McKinnon.

**Hon. Mr. McKinnon:** It's just the other way around.

I've always found that most of the Federal leases that came up said that it had to be in the opinion of the Minister that certain things were done, you know, how stupid could you get? How are we going to know what the Minister thinks constitutes improvements on property. And in just about every instance where that kind of ridiculousness has been presented in leases, that we've taken the Minister's mind to be very flexible and open and the person has generally received full benefit of the doubt entitled to the property on improvements.

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

**Mrs. Watson:** Mr. Chairman, now, going back into the leases again, I think that all governments, and our government, are looking very much at, rather than giving ownership of property, they're looking at leases. And if we look at the regulations and the Lands Ordinance that we have in the Yukon Territory, there is no incentive whatsoever for people to take out a lease, rather to try to get purchase. For the simple reason that the leases are such short term and I think that the Honourable Minister realizes from the Peake Report on agriculture and particularly grazing in the Territory, that the leasing arrangements that people can enter into for grazing or for agriculture are completely inadequate and there's certainly not an incentive. But I'm also looking at commercial leases and leases for residential purposes. And when you think of leases for a commercial proposition, they have to be long-term leases, with the very specifics laid out.

People who are on a lease are going to be paying on a continuing basis for the increased cost of land. Whereas people who buy it out pay the price that the land is at that time and they're finished with it. When you have a lease, you have to keep — it has to be renewed or there is a reappraisal and you have to continue to pay the increased costs which is 10% of the appraised value.

Would the Minister consider, or would he agree that our leasing policy at the present time does not give any incentive to anyone to go the route of leasing property, than ownership of property?

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** No, I can't accept that any longer, Mr. Chairman, because of the representations that were made by Honourable Members. It was part of the same Executive Committee decision that we would be going into the terms of long-term leases with a three year — original three years and the twenty-seven year renewal clause so that it would be in line with the Federal Government's new recreational policy of leasing and that is also on the Federal Government's door at the present time; whether they will accept that residential leasing and other types of leasing should be in the same time frame as recreational leasing because that is the area in which the Territorial Government has already decided to move.

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

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

**Mrs. Watson:** I can't agree with the Minister of Local Government. What is your policy? What is the



Government's policy on appraisal of land? All through the regulations and the legislation, there's a requirement for appraising the land. How is your appraisal done? Any general information you have on the methods you use to see that lands are appraised.

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** I'm so surprised because we've gone from three to thirty years and the Honourable Member doesn't agree with me.

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

**Mrs. Watson:** Mr. Chairman, that's only in one specific type of lease. That's for recreational/residential. There are many other leases.

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** We suggested a plan that has passed the Executive Committee; that the same rules of the game should be applied to all leases, whether they be residential recreation, whether they be residential, whether they be agriculture or not.

But we've agreed with the representations on these short-term leases, that a person can't do anything on them. So we've said that all Territorial leases will have the renewal clause if the original terms of the lease are lived up to for twenty-seven years which is — or, I think it's twenty-five, which is the maximum under our Ordinance and we've asked the Federal Government to follow our lead and follow suit.

And regardless of what the Federal Government does, land under the control of the Commissioner will be available on long-term leases, which is only presently available on short-term leases.

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

**Mrs. Watson:** Mr. Chairman, there is no indication in the regulations of the change of policy.

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** I've already told the Honourable Member that there's been two changes of policy which we are awaiting word whether the Federal Government will agree with our changes in policy and act in concert with us so the issue will not be completely confused once again. Even if they're not, that we're ready to promulgate the two changes in the regulations which I have told the Honourable Member of today; that the one acre of property on a residential — or on any types of lease where the improvements are, will be available for purchase and that where short-term leases are now in effect, under the control of the Territorial Government, that if the lease conditions are filled, that long-term leases will be available to that person holding the lease.

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

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

**Mrs. Watson:** I asked for the policy on leasing of land and I got the regulations. That's all I got and I specifically asked and now you're standing up and giv-

ing us the details of this policy that the Government is following. This is the type of information I was looking forward to when I asked the question.

**Hon. Mr. McKinnon:** I'm telling the Honourable Member that there is new policy and I have outlined the policy, that the regulations have not been promulgated at this point in time because we are presently meeting and negotiating with the Federal Government departments to find out whether they'll accept the very liberal and far-reaching changes that the Territorial Government wants to see in land policy. We would rather act in concert with the Federal Government and are making every attempt to, prior to promulgating our changes in policy and the new regulations.

I think that's the sensible way to go. We've been dealing with them for two months now and we hope that in the very near future, that they'll agree to go along the same lines we have, and if we aren't then we'll promulgate the regulations and the changes in policy anyway from the Territorial Government level.

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

**Mrs. Watson:** Mr. Chairman, but I asked for the policy related to annual rental of Yukon lands leased for residential/commercial. You know, a lot of this information was not forthcoming because your annual rental is tied into your reappraisal and it's tied into the length of the life of the lease. The number of times that a renewal is required and the reappraisal at every time that there is a renewal and it would have been most helpful if I'd have had some of that information. I again would like to ask what is the Government's policy; how do you appraise land? For renewal of a lease, this type of thing. It has to be reappraised. How do you do it?

**Hon. Mr. McKinnon:** Through our appraiser which we have on staff who is Mr. Jack Chaney, who follows the Alberta Assessment Manual, which has been tabled in this House at one time. He's available to the Honourable Member if she wants to discuss any appraisal that he makes and how he does it. It's a very technical, a highly sophisticated and very few experts in the field of appraising. I wouldn't even attempt to answer, not being a qualified appraiser, as to how the appraisal is done and arrived at. But I can bring — or the Honourable Member can see how an appraisal is done by asking for any individual appraisal of property. Every one is done and accepted.

**Mr. Chairman:** Yes, Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, I certainly didn't want the Handbook on — you've answered my question by saying that the Territorial Assessor is the appraiser and there's nothing in here that says that. Another question.

**Mr. Chairman:** Order, Mr. McKinnon.

**Mrs. Watson:** Does the Territorial Government ever go to private enterprise to provide an appraisal of a property?

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



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

**Mr. Chairman:** Yes, Mrs. Watson.

**Mrs. Watson:** Is there an appeal? Everyone has a board of revision now when you get your tax notice, you can appeal an assessment. Is there an appeal to an appraisal that's put on land when the appraisal is done for renewal of a lease?

**Hon. Mr. McKinnon:** Generally the Territorial Government appraisal and the private appraisal are so close that the difference of them which is so minimal is accepted by both parties. We haven't had the problem because of the closeness of appraisals.

I just went through one the other day where our appraiser and we had an appeal from the person who is — to the appraiser, we went to a private appraiser and it was so bang on that there is just no room for appeal and we have .. This has been just a policy of mine since I've been in, that when we do have these problems, that there is a private appraisal. There isn't an appeal section presently, and we'd have no difficulty in an appeal section, in this area. We just haven't, with the policy of asking for a private appraisal, we haven't had the problem of people being upset at the closeness of the Government's appraisal and the private appraisal. All it's done is cost us money by having to go to the private appraisers, none of which are qualified at present in the Yukon Territory. So generally when one comes up to do a specific job, like the escarpment area, we get him to do these other appraisals, which are under question from our appraiser and in every instance they've been so close that it hasn't needed an appeal.

**Mr. Chairman:** Yes, Mrs. Watson.

**Mrs. Watson:** Mr. Chairman, do you always get two appraisers to do your appraisals?

**Hon. Mr. McKinnon:** Mr. Chairman, under regulations, our assessor is named the appraiser and generally speaking, with the way that the appraisal is done is that there is really — when the person sees the results of the appraisal, is generally very satisfied with the appraisal that has been done.

It is only in areas where we have disagreement that we then go to the second appraiser from private industry. In fact, many times we have asked the other person that if they feel so strongly about it to go to a private appraiser which is always available to them of course and they don't feel it is necessary to do so.

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

**Mrs. Watson:** Mr. Chairman, I wonder if the Minister could tell us the difference between an appraised value and the assessed value?

**Mr. Chairman:** Mr. McKinnon?

**Hon. Mr. McKinnon:** Not today, Mr. Chairman. I have all that on file and available to bring in. If I was a little sharper today I could do it off the top of my head but I'm not capable of it.

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

**Mr. McIntyre:** Mr. Chairman, Section 13 of the Ordinance requires that before land, any land is sold, an appraisal of the value of the land made by an appraiser should be made.

Now, in the case of lots in a subdivision such as Riverdale where you are selling the land with no raw land costs applied, and only at the cost of improvements, the Commissioner then is selling this subdivision land contrary to the provisions of this Ordinance.

**Mr. Chairman:** I think before we allow any further questions on this particular item ..

**Hon. Mr. McKinnon:** Mr. Chairman, I won't be available this afternoon so I wonder if we could finish this at this time or come back to it another day.

**Mr. Chairman:** Thank you, Mr. McKinnon. Do you have anything else, Mrs. Watson, before we end the discussion? Do you have anything else to add to this discussion?

**Mrs. Watson:** No, Mr. Chairman, but I would like to continue another day if we can. It will give me an opportunity to get more questions.

No, I would be very happy to continue with it another day if there is time and maybe at that time the Honourable Member would — I am not — I think that there is an impression that I am trying to find fault and to criticize. I am trying to get information because there is a great misunderstanding within the Territory on land policies and I am trying to get clarification on these policies for the benefit of some of my constituents who have come to me with some problems. I don't feel that I can speak knowledgeably unless I am familiar with the policies and the legislation.

I have found this most enlightening and I would be very happy to pursue it at another day.

**Mr. Chairman:** Thank you, Mrs. Watson. On that note, we recess until 1:30.

(RECESS)

**Mr. Chairman:** I call this Committee to order.  
Motion Number 8 — Matters relating to the Motor Vehicles Ordinance.  
Mr. Lengerke?

**Mr. Lengerke:** Thank you, Mr. Chairman. The motion where it was not — I believe there are a number of other Members that also want to discuss matters pertaining to the Ordinance. My specific reason for dealing with the Ordinance is Commissioner's Orders under the Motor Vehicles Ordinance and the Commissioner's Order 1976, Number 31. I've got some material that I'd like to distribute to Members.

I think I will proceed, Mr. Chairman. On January 23 of '76, Commissioner's Order 1976-31 established fire extinguisher regulations with respect to requirements and, in sessions with various representatives of transportation industry as well as checking with a number of provincial jurisdictions, the following observations or



points of objection are put forth and I think some of the material that I've circulated will identify that. But the objections are these: that regulations are enforceable in a practical sense; the regulations are discriminating inasmuch as there is no provisions compelling outside carriers, that's those licensed in areas other than Yukon, to comply; and that no input was solicited from the representatives of the transportation industry prior to bringing in regulations and that the presence of an extinguisher, for instance, of the required size, 20 pounds I believe it is, and the weight within the confines of a tractor or truck cab could really create an unsafe and hazardous condition in the event of that truck turning over or having an accident in that that fire extinguisher would break away, it would really become something like a very lethal battering ram and even if it did trigger it would be just like a rocket within the cab of that truck.

This is something that must be considered. Another point I would think is that it has not been satisfactorily proven that, in the event of a vehicle fire (which most of them are), electrical in nature, that a twenty pound extinguisher providing the operator is able to even pack it around or release it is superior to the capabilities of a three pound or a five pound extinguisher that's normally carried. Then also, a question that enters my mind is what is the logic in compelling a truck which normally carries one or two times — one or two persons, to carry a twenty pound extinguisher, while a bus that would hold up to forty passengers only has to carry a five pound extinguisher.

I would say that the present law creates an unnecessary and undue hardship on truck owners today as really seldom they would use an extinguisher of the size of twenty pounds and once it's been totally emptied it has to be refilled, but many, many times an extinguisher of this size is not totally emptied but it still has to be refilled or recharged which is a very added expense to the cost of operating a truck fleet or an individual truck.

I say that the initial cost of purchasing this type of equipment and maintaining it is excessive in view of the other types of equipment available. Now, those are just some of the points. I think I circulated to you some information that shows you what the requirements are in British Columbia, Alberta, Saskatchewan and Manitoba. As you can see, our requirements, Yukon's Public Service and buses require extinguishers...

It is the Section B. The commercial vehicle one. We require a ten pound one, and in B.C. again it's an optional one. They can go from anywhere from two pounds to whatever. Alberta is five pounds and again the information I've circulated illustrates this.

Now, we get to 'C', the commercial vehicle one, where all of a sudden we require a twenty pound extinguisher and these are the commercial type vehicles I'm talking about — Yukon Freight Lines, Frontier Freight, White Pass — just general freighters really, and there's a lot of individual truckers that are now having to carry this twenty pound extinguisher. Whereas other jurisdictions, as you can see, only require a five pound extinguisher. Tank trucks, I don't think there's too much of a problem there because a twenty pound extinguisher is usually carried on the trailer part of the truck anyway and a guy will have to get out and use it.

So, there isn't too much question there other than the fact that I think we require that twenty pounder to be in

the cab, which is again contrary to good rules.

So, Mr. Chairman, I don't think there really is any more I can add to this. It's just that the situation has been drawn to my attention. I possibly am wasting the time of this House by bringing it to the attention here. I think this could have been handled in a different way. I should have maybe went right to the Motor Vehicle people and asked them to amend the regulations and whatever the House concurs with, but I think that it is a problem. It's something that isn't consistent with other jurisdictions and I'm just wondering how they arrive at the requirements for the Yukon.

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

**Hon. Mrs. Whyard:** Mr. Chairman, I don't think the Honourable Member is wasting the time of this House, and I have asked for the presence of Mr. Spray to assist us in this matter.

**Mr. Chairman:** Is Committee in concurrence?

**Some Members:** Agreed.

**Mr. Chairman:** Would you introduce the witnesses?

**Hon. Mrs. Whyard:** Yes, Mr. Chairman, I would like to introduce Mr. Doug Spray who is succeeding H. A. Taylor as Territorial Secretary, and Mr. Brackenbury. They are the people who are knowledgeable about this requirement for fire extinguishers and motor vehicles, and I think perhaps it might be fair to give them a few moments, Mr. Chairman, to find out what we're doing here.

**Hon. Mr. Lang:** Mr. Chairman, I think it's fair to say to the witnesses that the question before us is why, in the Yukon at the present time, we have to have twenty pounds and other areas in Canada they have to have five pounds.

**Mr. Lengerke:** Yes, Mr. Chairman.

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

**Mr. Lengerke:** Yes, my comments to the witnesses then will be this: we seem to have come up with regulations concerning the requirements of a motor vehicle and the biggest problem seems to be in the area of commercial vehicles over 27,000 pounds where you are asking for twenty-pound extinguishers. In the other jurisdictions that I checked — British Columbia, Alberta, Saskatchewan, Manitoba — I found the five pound requirements there, you know, they seem to think it's fine. And our point is that a twenty pound extinguisher is, you know, could end up being a pretty dangerous weapon inside a truck if it ever was triggered and sent loose by hitting something or accidentally triggered, you'd have a rocket in there. And the other thing is that the cost to change over to all those types of equipment in the motor industry is rather excessive. And I think this is where the alarm is being triggered and people just want to know how you ended up with these requirements.

**Mr. Chairman:** Mr. Spray.



**Mr. Spray:** The Fire Marshall of the day when these regulations were put through, discussed this problem with our Motor Vehicles people and our regulations are based on his recommendations as to where potential fire in the vehicle of that class is, with the commodities that they may or may not be carrying at the time.

**Mr. Lengerke:** Well, Mr. Chairman...

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

**Mr. Lengerke:** ... Maybe, you know, I'm not going to argue with the Fire Marshall, but I — in the regulations it says something that it should be an equivalent, and I don't know if this is really being clearly understood. Does this mean that it's equivalent in weight or does it mean that it's equivalent in the capabilities?

*(Equipment problem)*

**Mr. Chairman:** Mr. Lengerke, I'm sorry to interrupt you, but I think again we're having difficulties with the sound system.

*(Recess)*

**Mr. Chairman:** I now call this Committee to order. Mr. Lengerke, I think I cut you off in mid-sentence.

**Mr. Lengerke:** Thank you, Mr. Chairman. I appreciate the chance to be able to present this. As I say, to some people it may not be very significant, but certainly to the industry that is a significant industry in the Yukon and it is a major factor. I hope that I've presented in some way — to be able to at least present that there is a question with respect to it and I would think that the witnesses probably have a very good answer to me, if I allow them to say something about it, but I just want to make sure that they can clarify what is meant by equivalent and I think this is one of the problems that the industry faces today.

The other thing that I want to again say, Mr. Chairman, is that the industry feels very strongly that in any cases like this they'd like to be consulted. They feel that they have upped the standards within the transportation industry and would like to maintain those standards and if we are going to bring in Commissioner's Orders and new regulations they'd like to be part of that decision-making. With that, I'll wait for the witnesses' response.

**Mr. Chairman:** Thank you. Mr. Spray?

**Mr. Spray:** Yes, Mr. Chairman, in commercial vehicles where we state one twenty pound or equivalent multi-purpose extinguisher, et cetera, we are talking in terms of fire fighting capacity, and if they do not choose to carry a twenty pound but choose to carry a configuration of other extinguishers that will give that fire fighting capacity, that's quite alright.

The onus is on the carrier to show that he is carrying an equivalent amount of fire fighting capacity. Where we may differ from the provinces and where we may require greater fire fighting capacity is that our transportation system in the Yukon is a little bit different than southern Manitoba, Alberta, Saskatchewan,

where we have long distances on isolated highway between municipalities, between service stations, et cetera, and we may require and we think that it is better to have greater fire fighting capacity in the extinguishers carried in these vehicles.

That's maybe in some instances why we are exceeding the requirements in some of the provinces. But where we say "or equivalent", we mean literally that — fire fighting rating equivalent to a twenty pound multi-purpose dry chemical extinguisher.

We would be quite prepared to clear this and explain this to the Transportation Association.

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

**Mr. Lengerke:** Thank you, Mr. Chairman. That helps considerably and I would suggest then that the Commissioner's Order would be amended to say wherever it talks about equivalents that's its equivalent rating because I still want to get one more answer here. Mr. Spray said capacity and I hope he's not meaning that it would mean two five pound extinguishers and one ten pound one to make up the twenty pounds, because that would not be sufficient either.

So if it's equivalent rating, I'll buy that.

**Mr. Spray:** We will clarify this, Mr. Chairman, and we will communicate with the Transportation Association and consult with them and make sure that things are clear.

**Mr. Chairman:** Thank you, Mr. Spray. Are there any further questions for the witnesses?

**Mr. Lengerke:** Mr. Chairman, not pertaining to fire extinguishers, and that clears up that quite nicely and I really appreciate having the witnesses in and I appreciate the time of the House to bring this matter forward.

I know that when I first got up I did mention that I thought some other Members might have some matters pertaining to the Motor Vehicles Ordinance. I do myself have another one with respect to the licensing requirements. I know that I've had some representation made to me by a major U-drive operator in town and a garage owner and they were questioning the use of licensing on their U-drives.

They were questioning the fact that our Ordinance says that it's required that two plates are attached to every vehicle that operates in the Yukon, when in fact the Yukon Government have not been able to supply two plates. So in fact, we are operating vehicles in this Territory with only one licence plate on, contrary to the regulations that they wrote, and I think this is of some concern to some of these people.

These matters may be again insignificant, but maybe Mr. Spray can give me a hint as to if these regulations are going to be changed or if measures are being taken to rectify the situation.

Thank you.

**Mr. Chairman:** Mr. Spray?

**Mr. Spray:** Mr. Chairman, the licence plates, the registration plates for our motor vehicles are ordered very early in the preceding year to the registration



year. When they were ordered for 1976, we took the line that we would have one commercial plate per vehicle. Subsequently, the Ordinance and the regulations provided that such vehicles shall carry two plates. We were only able to provide one plate and we advised the R.C.M.P. at that time that we could not reorder the plates.

Therefore, commercial vehicles would carry only one plate. For 1977, the order has been made and the plates have been received. We have provided two commercial plates for every commercial vehicle, in accordance with the legislation.

We've gone through one year where we were unable to comply with the legislation. However, the R.C.M.P. had been advised of this and there should have been no charges laid for carrying only one plate on a commercial vehicle.

**Mr. Lengerke:** Thank you, Mr. Chairman, I was just looking through the material that had been given me and there was one other interesting point brought up, it says that we would like to point out that the public are subsidizing plates for Government vehicles. Various departments are charged a dollar and we are sure it costs more than a dollar to stamp the plate and process the registration. I realize that I could get a kind of unique answer to this, but I would like your comments from Mr. Spray about that. Are you intending to raise the charge to various departments.

**Mr. Spray:** Mr. Chairman, motor vehicle registration plates, in fact, do cost less than a dollar and Government vehicles carry the same licence plates year after year. They do not change. Therefore, we are probably making money in the long run on Government plates.

**Mr. Lengerke:** Good.

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

Thank you Mr. Spray and Mr. Brackenbury. You are excused.

Is there any further debate? Mr. Berger.

**Mr. Berger:** Yes, Mr. Chairman, I find a comment the Honourable Member from Riverdale made quite interesting actually. It pertains to everything we've talked about in this House here. He's talking about the trucking industry demands to be consulted on any changes in Government regulations. I think there's every group in the Territory could demand the same thing and I would like to hear a few points of the Honourable Member on this particular thing.

**Mr. Lengerke:** Point of order, Mr. Chairman, but just a comment. Mr. Chairman, I didn't say they demanded, I said they would certainly like to be consulted and I'm sure that every other industry who we're making regulations for would like to be consulted and in this particular instance, it is a major industry and they are readily at hand. There's an association, and by the way, I'm not representing them in any shape or form here. If it's possible, fine, I think they should be consulted and I concur that any other regulations that we make in this House, legislation, if we can confide in people that are

involved in that in the everyday, in their everyday lives, we should be talking to them about it. I think we endeavour to do that very often. And I hope we continue to do that.

**Mr. Chairman:** We'll proceed to Motion Number 16. It was moved by Mr. Berger that the Yukon Territorial Government explore as soon as possible the feasibility of publicly advertising via the sale of liquor, the health hazard inherent in the use of alcohol. This should be accomplished by affixing a label on every bottle of liquor sold in the Yukon Territory. This action should be in concert with any action that may be forthcoming from the Federal Government in respect to this subject. Mr. Berger?

**Mr. Berger:** Yes, Mr. Chairman. The Honourable Member if he would find his seat in his chair. The Honourable Member from Pelly River, I believe, has an amendment for this particular Motion. Maybe he would come forward with this. Maybe he could read it at this time.

**Mr. McCall:** Mr. Chairman?

**Mr. Chairman:** Mr. McCall?

**Mr. McCall:** I would be delighted to put my amendment forward at this time. I would move that the Yukon Territorial Government support the proposed Federal programme, I'm taking this as the Motion you're referring to, propose a Federal programme under the sponsorship of the Honourable Mr. Marc LaLonde requiring public advertising and the sale of liquor, of the health hazard inherent in the use of alcohol by affixing a label of every bottle of spirits and on the box of every dozen beer sold in Canada.

**Mr. Chairman:** Could I have a copy of that, Mr. McCall? Thank you. I'll read it again in English.

It has been moved by Mr. McCall that the Yukon Territorial Government support the proposed Federal programme under the sponsorship of the Honourable Mr. Marc LaLonde requiring public advertising via the sale of liquor of the health hazard inherent in the use of alcohol by affixing a label on every bottle of spirits and on the box of every dozen beer sold in Canada.

**Mr. Lengerke:** Read that again please.

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

**Mr. McIntyre:** Yes, Mr. Chairman, is this an amendment to Motion Number 16? It's not in the form of an amendment or is it a replacement for Number 16? What is this Motion?

**Mr. Chairman:** I think that Motion Number 16 be amended by deleting the words after "Yukon Territorial Government" and substituting the following and that would comply. I'll read it again.

That Motion Number 16 be amended by deleting the words after "Yukon Territorial Government" and substituting the following: "that the Yukon Territorial Government support the proposed Federal programme under the sponsorship of the Honourable Mr. Marc



LaLonde requiring public advertising via the sale of liquor, of the health hazard inherent in the use of alcohol by affixing a label on every bottle of spirits and on the box of every dozen beer sold in Canada." What about half a dozen, Mr. McCall?

Mr. Lengerke?

**Mr. Lengerke:** I second the Motion.

**Mr. Chairman:** Is there any debate on Motion Number 16 as amended?

**Mr. Berger:** Yes, Mr. Chairman, as I pointed out previously already, I think everybody shows very much concern about the alcohol problem and I think this is one way of going to pointing out the health hazards to people and potential consumers of alcohol, just the same way we do with the cigarettes. It's just as simple as this.

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

**Mr. Lengerke:** Yes, Mr. Chairman, as the seconder of the Motion I support it as well, but I'd like to have some clarification of what the word "support" would mean in this particular Motion. Maybe the Honourable Minister of Health and Welfare could enlighten us on this, or possibly the mover of the Motion would tell me a little further. What does it mean that Yukon has to do? How many dollars are going to be involved?

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

**Hon. Mrs. Whyard:** Mr. Chairman, I am glad the Honourable Member asked that question. I just happen to have with me, Mr. Chairman, some statistics. The original motion proposed by the Honourable Member from Klondike, as you know, would have had this action being taken at a Territorial level and so, some of our department officials had a look at this, not being opposed to the principle of the motion, but being concerned about the cost and the practical mechanics of affixing such a label. And we discovered that current figures showed that we would be handling 595,156 bottles of spirits, 281,361 bottles of wine, 496,139 dozen beer bottles, or 5,953,668 bottles of beer. Yeah, a lot of labels. 10,706 kegs of draught. The cost to the Territorial Government's liquor department, to comply with this proposal, we think, would run around \$100,000. In an attempt to obtain the objective of the motion without incurring any such expense, we have welcomed this amendment, which would mean that we are supporting a national campaign, sponsored by the Federal Minister of Health and Welfare.

Further, we would be imposing our opinion that alcohol is a poison at a national level, which achieves a great deal more than restricting it to our own Territory. I think the only action required, if this Motion passes the Committee, is a letter furthering this information to the Federal Minister and asking his cooperation. I would think that it would be a great thing for the Yukon to do.

**Mr. Chairman:** Mr. McCall.

**Mr. McCall:** I'd like to thank the Minister for enlightening the Members as to the consumption level which we are at at this point in time. I failed in my amend-

ment, proposed amendment, to include kegs, so I don't know about that. I find it rather fascinating that it's going to cost approximately a hundred grand just to put a label on a bottle or whatever, on a box. It's quite fascinating and quite interesting.

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

**Hon. Mrs. Whyard:** It's an overall estimate and I'm assuming it includes the cost of printing, as well as the manual labour required to affix it. In the good old days, Mr. Chairman, when our numbers were smaller and our sales total was additionally smaller, this was a kind of procedure which could be handled locally. I think some Members will recall the days when we used to slap an extra little label on the top which was for the school taxes. I recall a !.25 per bottle, which was for higher education as well as other purposes.

**Mr. Chairman:** Is there any further debate on the amendment to the Motion?

It has been moved by Mr. McCall, seconded by Mr. Langerke, that Motion Number 16 be amended by deleting the words after "Yukon Territorial Government" and substituting the following therefor: "support the proposed Federal programme under the sponsorship of the Honourable Mr. Marc LaLonde, requiring public advertising via the sale of liquor of the health hazard inherent in the use of alcohol by affixing a label on every bottle of spirits, and on the box of every dozen beer sold in Canada."

All those in favour?

**Some Members:** Agreed.

**Mr. Chairman:** Contrary?

With Committee's permission, shall we now pass this Motion without reading it again, I'm just rereading the same thing again.

Are you in favour of the Motion?

**Some Members:** Agreed.

**Mr. Chairman:** The Motion is carried.

*(Motion carried)*

**Mr. Chairman:** I intended dealing with another Motion but the Member is not here, so perhaps we could proceed with the Motor Vehicle Ordinance being papered. Is it the wish of Committee that I read this Paper?

Motor Vehicle accidents in the Yukon in 1975 resulted in 338 persons being injured and 7 deaths. Statistics maintained do not provide the information which would indicate the number of these injuries or deaths which resulted because of excessive vehicle speed or the fact that the injured persons had not used seat belts. However, maximum speed limits on provincial highways have been lowered in an effort to reduce the number of motor vehicle accidents and many jurisdictions have or are considering legislation making the use of seat belts mandatory.

Ontario has reduced speed limits and has enacted legislation requiring the use of seat belts in motor vehicles. There is a reported decrease of up to 18% in the



number of injuries and deaths for vehicle accidents in that province since the legislation was enacted. Other provinces and states where reduced speed limits have been implemented report decreases in injuries and deaths from vehicle accidents of up to 20%.

It is accepted that the proper use of seat belts in motor vehicles will reduce the risk of injuries in an accident, however, legislation making the use mandatory is difficult to enforce. The publicity campaign sponsored by Transport Canada encouraging the use of seat belts has been received favourably by the public and the decision can now be made whether to enact legislation or to continue to publicize the advantages of using seat belts.

In view of the Yukon's relatively high vehicle accident rate, it may be appropriate to establish now the maximum speed limit on all Territorial highways at 55 miles per hour.

If we are to be successful in reducing the injuries resulting from motor vehicle accidents, we should continue to encourage the use of seat belts. This could be accomplished through a Yukon-sponsored publicity campaign emphasizing the Territory's accident record and the advantages of using seat belts when travelling on our highways.

Accident statistics would be maintained and compared with previous records to determine the impact of the campaign. If it became evident that encouraging the use of seat belts was not sufficient, then amendments to the Motor Vehicles Ordinance would be brought forward to make their use mandatory.

Mrs. Whyard?

**Hon. Mrs. Whyard:** Mr. Chairman, the Executive Committee Member responsible for this particular Green Paper is not in Whitehorse today. However, I am sure he would wish us to proceed to discuss it, because as a Green Paper, he is seeking the opinions and advice of Members of the House.

There are two topics covered in this one paper. One regarding the mandatory use of seat belts, and the other the subject of possible reduction of the speed limit on our Territorial highways.

I don't think I need to add anything to what is in this paper. There are sufficient statistics there to show what reasons other provincial jurisdictions have had for charging theirs. I think we've all seen at one time or another the most effective advertising campaign conducted by the Federal Department of Health with the great big orange pumpkin squashing all over the highway.

Anyone who watched television in the last six months must have been exposed to that one. They were pretty powerful messages advocating the use of the seat belt. I would simply ask for opinions from the Members here today, Mr. Chairman, so that we could take this information back to the Executive Committee Member.

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

**Mr. Lengerke:** Yes, Mr. Chairman, I see in the third paragraph that they make mention of the Transport Canada sponsored publicity campaign and they now say that maybe legislation should be enacted. But I gather from the Green Paper that we've been presented here that it would be the desire of Mr. Gillespie at any rate and the Executive Committee that we would do this by

continuing to encourage or by using a publicity campaign to encourage the use of the seat belts and not necessarily legislation to make it mandatory to have it.

What would the cost be involved to carry on this kind of publicity campaign? Is it a pretty intense campaign or just what have you in mind?

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

**Hon. Mrs. Whyard:** Up until now I would say the cost has been nil to the Territorial Government because it has been a Federally-sponsored campaign both by your Transport Canada group and Health and Welfare. I have no idea. There would have to be — first of all there would have to be a recommendation that there'd be this campaign and secondly, there would have to be an estimate provided in the coming year's budget.

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

**Mr. Lengerke:** Mr. Chairman, supplementary to that, that was the point of my question. I just don't know if it's a Transport Canada sponsored one any longer or not and obviously by the comments by the Honourable Minister, she doesn't know this either at this point if the campaign is going to be available as sponsored by Transport Canada or we're going to have to expend funds on our own.

So this would certainly have to be determined, Mr. Chairman, before we could really say yes, we'd like to encourage it. Certainly I can encourage the use of a campaign. I'd be all in favour of it, but I think we'd also like to know what cost it would involve. I realize you can't put a cost on human lives and certainly I think at budget time we'd certainly have to be cognizant of this and be prepared to vote in a fairly healthy budget to carry this kind of programme out.

**Mr. Chirman:** Mr. McCall.

**Mr. McCall:** Thank you, Mr. Chairman. I'm a little concerned about the two suggestions put forward in this Green Paper. I don't personally agree with it. I have seen many accidents and I've seen what can or cannot be done with the use of seat belts. I do not feel that there is enough information for us in order to adopt a principle of mandatory seat belts. And I would strongly oppose it at this time.

The second point, the 55 miles per hour, I'm also opposed to because speed does not necessarily kill. I've seen more accidents where there's been very serious injuries and deaths in most cases with speeds less than 45 miles per hour. More so than over 55 miles per hour, as suggested here. I am also opposed to that principle because I do a lot of driving on the highways and I think there'd be more accidents less than 55 miles an hour than over 55 miles an hour. And, as I've spoken before on the trucking routes, most of our trucking is geared to around about 60 miles per hour so we'd be putting an added problem there in slowing down the industry itself. So I'm really opposed to the two concepts of this Green Paper. I don't think they're necessary at this point in time and when you look at the facts that the Honourable Minister pointed out, all they're doing is referring to speed limits. They're not giving us facts as to cases or accidents that have taken place at various speed limits



which have been determined when an accident takes place. I think that sort of information should be presented to us when this type of a Green Paper is presented to us also.

**Mr. Chairman:** Mr. Fleming.

**Mr. Fleming:** Yes, Mr. Chairman. I'm going to rise in support of the one section that the Honourable Member has brought up. That a seat belt be mandatory because I cannot agree with that either, due to the fact that I have seen so many accidents on the highway and I've seen definite accidents where the people would have been definitely killed if they would have had a seat belt on. Now it don't happen many times, but we're speaking of a life, so I think it should be a person's choice in this case for some time yet just to say whether he wishes to buckle himself into a car or not. My thoughts on the thing is also that we here are in a more unique position than in some places where the city driving — where there is people available all the time and there's a lot of traffic, whereas the Alaska Highway is a place you could be on at night and there isn't a soul within 50 miles of you and you're going to be, possibly, in that car if it tipped over, you can't undo your seat belt and can't get out due to the fact that the seat belt is on and regardless of how fine they make it so that it will come loose almost automatically and all this and that these things sometimes just can't be done and the person may be there for a good many hours before he gets out of his vehicle. I think that in some cases possibly we may take a life instead of saving one.

And as I say, I've seen more accidents where actually a person went out through the front of a big truck that had a big load behind it; in fact, it was in this one particular case it was a highboy loaded on the back of the truck, onto a highboy, and when that vehicle went off the road and struck the trees the truck jack-knifed slightly and the vehicle that was on the truck went right through the cab and cut the cab right completely off half of one side. But that fellow on that side was thrown out in front of the vehicle, was lying in front of the truck when we picked him up, and he was okay. He wouldn't have been, there wouldn't have been anything left of him if he had been fastened to his seat belt. The driver did have his seat belt on and, luckily, when the truck jack-knifed, he was on that side, went past him and he didn't get hurt. And there are cases like this. So I could never, at this time, not while we are remote up here in this area, more or less, I could not vote for mandatory seat belts.

On the other one, I don't entirely agree with the Honourable Member of course, because I think that 55 miles an hour — of course, maybe I'm getting old and don't want to drive too fast, but 55 miles an hour is more or less an adequate speed. However, I agree with him in some senses where there's a person on an icy road in a hilly country, at 20 miles an hour, trying to get momentum to get up hills and so forth, he would be the one who causes the accidents and this is where the real accidents will happen, while if they could be driving a little faster they would make the grade and have no problem whatsoever.

They're the only comments I have on the Paper at the moment.

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

**Mr. Lengerke:** Yes, I have just one question of the Minister if she'll maybe answer this for me. I was interested in the statistics that they gave, which are very few, but in reporting 338 persons being injured and 7 deaths in the number of accidents, is there any indication of how many times the use of alcohol is involved?

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

**Hon. Mrs. Whyard:** Mr. Chairman, I don't have those statistics before me. I doubt whether Mr. Gillespie had them available either or they would have been quoted. But we do have statistics available regarding the number of deaths in the Yukon annually attributed to the use of alcohol. If you want those brought in... I think we're handling that subject in another Bill at this Session.

However, there are a number of Members I would still like to hear from because I am told that they fly pretty low when they're using the roads on the way home to Dawson et cetera, and I would like their opinions on this proposal.

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

**Mr. Berger:** Thank you, Mr. Chairman. Actually, the reason I wanted to rise on this point was to ask the same question as the Honourable Member from Riverdale. I'm convinced that a large percentage of the statistics in here are caused by alcohol. If we could get the true figures, I think you'd most likely find that seventy-five per cent of those figures are caused by alcohol.

And to the statement that the Honourable Minister made of certain people flying low, I agree with the Honourable Member from Pelly River that I think the person who drives — has a tendency to drive faster — is much more alert of the road condition and everybody else on the highway, because he has to be alert, because it's my own experience of driving back and forth for many, many hundred of miles and hundreds of times and maybe moreso over these highways, if I drive a slow speed I have a tendency to completely relax and maybe even fall asleep on that highway. I think in that particular instance, it would be much more dangerous then to cut down the speed limit.

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

**Hon. Mr. Taylor:** Yes, Mr. Chairman, I would more or less echo the comments made by the Honourable Member of Hootalinqua in respect of seat belts at this time. I would agree with the proposals that he has set forth. With regard to the speed limit on our highway, I don't see that 60 miles an hour is too great a speed for our highways. I've noted in the appendix to the Green Paper that in most jurisdictions the average seems to be about sixty miles an hour. In Manitoba it's a statutory limit. Saskatchewan at night — 65 in the daytime, 60 at night, and so forth.

I think you've got to remember, too, we're dealing with two types of highways in the Yukon. We're dealing with pavement which is quite often posted differently than when we are dealing with the gravel roads. I think that naturally we want to move traffic as fast and as safely as possible, but I certainly wouldn't want to see



any change at this point in time unless it can be very clearly shown to me that this is a danger. I think on our gravel roads, our highways, that there's no reason to ask someone to drive along at 55 miles an hour. I just can't see it. I would hold with what we have today.

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

**Mrs. Watson:** Mr. Chairman, I'm very reluctant to rise since I'm a fifty-mile-an-hourer, but I get good mileage out of my gas. I would like to ask the question of the people who brought forth this Paper; would the width of the road make any difference to the speed limit that's being considered, because I believe the roadbed of the Alaska Highway is not uniform and I think there are certain areas of the north, part of my constituency, where the roadbed is a lot narrower, quite a bit narrower, than the rest of the Alaska Highway.

I do know that these people have requested a review of the speed limits on the Highway, particularly in the wintertime, and they maintain that the speed limit can be set at 55 or 60 and a lot of the larger vehicles go through at 70. The local residents are, in their own small private cars, winding up in the ditch when there's quite a bit of snow and it's becoming quite a problem there over the past few years.

I think that this Paper should somehow or other take into consideration the differences on the type of roads, particularly even on the Alaska Highway, and one thing the Paper doesn't say is how they are going to enforce the speed limits and one of the biggest problems now is C.B. radios. You just don't catch anyone any more. If you catch one, you don't catch any more. You can set your speed limit at what you like. You might catch one, but all the rest of them down the road know and it's become a problem. And the speeding is a problem in that area of my constituency.

Also, I'm aware that on the Takhini Hot Springs Road the R.C.M.P. sort of went around and asked the people in that area what type of speed limit they'd like on that road because it apparently is sometimes used as a drag strip and the residents, the local residents, requested 30 miles an hour.

Now, I think they've changed it again and I'm wondering — I've not been able to determine why it went down to 30 and then back up again — whether you're going to be looking at the wishes of the people of the area or whether we're going to set a uniform rate.

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

**Mr. Lengerke:** I forgot what I was going to ask, Mr. Speaker. I'm sorry — Mr. Chairman.

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

**Hon. Mr. Taylor:** Yes, Mr. Chairman, in respect of the comments made by the Honourable Member from Kluane, I see no problem; I was referring to the general highways as we are here. If you're talking about zoning, for instance, Haines Junction, you simply zone it the way we zoned Watson Lake as you come down from 50 miles an hour to 40 miles an hour and then down to 30 miles an hour through your community, and perhaps this would be the answer. Here I assume that we're talking about out on the highways and not talking about

locally established speed limits at all, and if that be the problem, that's simplified, but if you're out on a trunk highway you just can't slow traffic down just here, there and everywhere, you've got to move some traffic somehow. But, I didn't want my remarks to be thought of as including through organized and, you know, fairly sizeable communities.

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

**Mrs. Watson:** Mr. Chairman, no, I wasn't, I was referring to the area around the White River to Beaver Creek. I believe the Alaska Highway road is narrower there. And there is a problem in wintertime. And maybe areas like this should be given special consideration because I know the local residents are worried, particularly in the wintertime.

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

**Hon. Mr. Taylor:** Just so long, Mr. Chairman, that the rest of the Territory does not have to suffer from this.

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

**Hon. Mrs. Whyard:** The information provided with this Paper reveals that in other jurisdictions they have done exactly what the Honourable Member suggested and where, for example in Saskatchewan, a narrow surface is posted at 50 instead of 60 and there are different speed limits at night rather than daytime and all of these limits can, of course, be adjusted to the circumstances in the areas and the driving conditions. I would certainly not wish the Honourable Members to think that if a maximum speed limit on all Territorial highways was established at 55 miles an hour that anyone travelling the Alaska Highway to the airport area would zoom through there at 55 either. There is a restricted area there of 30 and this applies anywhere. The maximum speed limit would apply outside of these areas where there is local traffic problems. I would think there'd be no great difficulty in implementing what the Honourable Member has suggested regarding narrow roads.

Now you're going to get up, Mr. Chairman, and say the Alaska Highway is not a Territorial Highway.

My remarks, of course, refer to the Territorial Highways of the same area.

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

**Mr. McIntyre:** Yes, Mr. Chairman, it's all very well for the recommendation to reduce the speed to 55 miles an hour. It's 60 now and in my experience everybody, but me, driving the road drives between 70 and 80 and nothing's being done about it, so what difference will it make?

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

**Mr. Lengerke:** Mr. Chairman, that was going to be my question. Who is going to enforce it any more than it is being enforced now. The other thing that I might mention in respect to the Member from Kluane, I do believe that they do control speed limits on the Alaska



Highway right now by reason of road conditions and certainly in the area you speak of, if there is a concern by residents there and why maybe make representation to the authorities and have that section of the road posted the way you see fit because certainly, if the road conditions are such that you can't drive 60 or 50 anyway, that should be posted.

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

**Mr. Berger:** I wanted to rise before, but I think we already have those conditions enforced anyway. If the road conditions are in bad condition, normally the Territorial Government's Highway Department are posting signs and warning the travelling public of certain conditions on the highway. And I think that if certain areas on the Alaska Highway, and I do agree with the Honourable Member that there are such areas, then all we need to do is post a warning sign there of narrow road conditions and maybe lowering the speed limits for that particular area.

But I also wanted to rise to the point of asking whoever is willing to answer who is going to enforce all those things we're talking about? On that highway between Whitehorse and Dawson and Mayo, you very seldom see a police car on that highway. So how — we can come up with the nicest legislation, but who is going to enforce it?

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

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

**Hon. Mrs. Whyard:** Mr. Chairman, I think that the Honourable Member has asked a very reasonable question, but basically it comes down to whether or not you're interested in your own safety and that of the passengers in the vehicle you're driving as to whether you require them to button-up seat belts and whether you drive faster than the speed limit posted.

It's always been my experience, Mr. Chairman, in this country that the engineers who build our roads do a good job and when they say slow to 30, they mean slow to 30, not slow to 40 or 53 or 50. The curves on those roads are engineered for the speed for which they are supposed to be driven and I respect the signs on our highways.

I also respect the fact that the manufacturers of automobile vehicles throughout North America are providing safety equipment in every vehicle now and it must be for a very good reason because it costs money and it costs the purchaser more to have that equipment and to say that they're not using it seems pointless, Mr. Chairman.

We all know that seat belts do save lives and if you want statistics brought in, I'm sure the Executive Committee Members will provide them. I cannot tell you whether more people die because they were drinking while driving, than die because they didn't have a seat belt on. I would just think that anyone who drives in the Yukon would take advantage of every safety factor available and seat belts are one of them. I'm not promoting the suggestions in this Green Paper. It is a Green Paper for the very reason that we are seeking advice and opinions.

I think the message is coming through very clearly today, Mr. Chairman, that Yukoners are still rugged

individuals. They ain't going to put up with no nonsense. They ain't going to buckle up their seat belts and they're going to drive as fast as they think they want to. I quite agree with the Honourable Member, there is no way to enforce a speed limit on the road from here to Dawson City. It's a matter for every citizen to face up to individually.

I'm going to continue to do up my seat belt the minute I hit any highway and I will continue to observe the speed limit.

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

**Mr. Berger:** Thank you, Mr. Chairman. I don't want to get into a technical argument on what road is safe to drive on with which car or anything like this, or what car is designed for what road, but I think the Government could quite easily also point out to the public and I think the Honourable Member from Klwane touched on it on the economic factor of driving slow.

I think more people are much more concerned of saving money than to read the traffic signs on the highways.

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

**Mrs. Watson:** Mr. Chairman, I agree with the Honourable Member from Dawson that if you keep track when you're making a hundred mile run or a two hundred or three hundred mile run, you can pretty well keep track of your mileage and the amount of gas you use, and the cost of your gas and it makes quite a difference if you drive 60 or 65 or 70 or if you drive 50 in the dollars that you spend on that trip, a great deal of difference. And I save money.

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

**Hon. Mrs. Whyard:** Mr. Chairman, am I getting a message from this Committee that if we sponsor some kind of advertising regarding speed limits and/or safety belts, the main factor should be that we're going to save money by driving slower? I'm getting that message, Mr. Chairman.

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

**Mr. Lengerke:** Yes, Mr. Chairman, I think that's probably what's happened across the provinces, that the energy crisis has been a Godsend and that they've been able to reduce their speed limits by virtue of that and now statistics are starting to show that the accident rate is coming down. Probably if they took a look — as I said, we're lacking that statistic year with respect to the use of alcohol, so we really can't confirm that.

But I would expect that what we would really want here now is to have the speed limit remain the same but a programme for the use of seat belts would be encouraged by use of a publicity campaign. Probably the Honourable Minister, if it doesn't cost too much money and the Canada Transport still sponsors it, and probably that I think we should be compiling statistics, the best possible, to indicate the excessive speed or otherwise, the use of alcohol, and the use of seat belts to see how these were involved in those particular accidents.

Then I'll throw this one in that I would think that



someplace along the line we're going to see some liquor legislation that would tighten up the use of alcohol in motor vehicles.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** I'm sorry, the Member just quoted what I was going to say.

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

**Hon Mrs. Whyard:** Mr. Chairman, I was just going to say that I'm sure that if the Executive Committee Member responsible for this Department were here, he would accept these words of wisdom and would assure Members that that is the way his Department will proceed.

I think probably it would be useful to obtain from the Federal authorities, the advertising which has already been used regarding seat belts and repeat its use in the Yukon for a minimal expense, because obviously a large number of people have not got the message from that. That is one course we can pursue. I would also commit the Honourable Minister to bringing in monitored figures in the coming year with the assistance and the cooperation of the Royal Canadian Mounted Police, so that Members here will have a breakdown of the actual causes and whether or not seat belts would have made any difference. I am sure that Mr. Gillespie will be reading the Votes and Proceedings with great interest.

**Mr. Chairman:** If I may have a comment, regarding statistics as far as accidents and of deaths involving motor vehicle accidents. It's difficult on us in a small area to get statistics that are specifically valid, but there is considerable statistical evidence to support the contention that both lower speeds and seat belts has drastically reduced both injuries and deaths and that, I think, is an indisputable fact. No matter who would cite particular incidents of a person who might have lived had they been wearing a seat belt or not been wearing a set belt that is true, there are some deaths that occurred because of seat belts. But there is no doubt that the weight of evidence over several years has established beyond a doubt that the seat belts certainly are of benefit to that end.

The Yukon Motor Vehicle Association, while I'm not a, certainly not a spokesman for them, had a meeting recently and at that time they voiced considerable concern over the use of seat belts and I do believe they were going to be contacting the Minister regarding this possibility of making seat belt legislation mandatory. That is their particular concern.

**Mr. Lengerke:**

**Mr. Lengerke:** Thanks, Mr. Chairman. In respect to the seat belt legislation and the enforcement, I think that most jurisdictions realize that the use of seat belts is certainly an advantage and has cut down the seriousness of the accidents and the rest of it. The problem has been of enforcing with respect to seat belts and so I know that the industry, I know the American Safety Council, for instance, and you've all heard of George Nadar and his great campaigns, and I don't know if he's removed from that particular aspect of it now or not, but I think

the industry will be coming out very shortly with vehicles that will be so equipped that it will be mandatory that the seat belt will have to be fastened in order for that motor vehicle to operate. And there is this possibility right now that what they're doing is they're trying to get a concensus across the country that this is in fact what people want because of the very nature that it's a very hard thing to enforce on an individual basis and if they build it right into the vehicle that we're using then it's really mandatory at that point.

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

**Mrs. Watson:** Mr. Chairman, further to the recommendations that the Member from Riverdale made, of course money's involved in this, too, but wouldn't it be wise to have some publicity from the Government encouraging people to recognize and to abide by the speed limits that we have at the present time. They're not extensive. And if for safety and for monetary reasons, our speed limits, when you read the ones in other areas are quite reasonable. These people are prepared to abide within those speed limits and maybe that should also be part of our safety campaign.

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

**Mr. Berger:** Thank you, Mr. Chairman. I was quite pleased to hear that the industry's working on seat belts. I also know that they're working on safety cars and all sorts of things, but it's not the point. What I'm trying to get at is I think we could also recommend to the Territorial Government to upgrade their sign systems they have in the Territory existing in some highways. In some instances, highways being changed and straightened out and you still have corner signs on the wrong places, too close to corners — dangerous corners, and I think by recommending to them to take a good hard look at some of the corners and signing systems we have in the Territory, I think we could avoid accidents also, especially with strangers coming into the Territory.

The other point I also would like to make and it involves the results if injuries and deaths in the Territory and we talked to the Honourable Member from Riverdale who brought it up the other day, is livestock on highways. I think if we look at just this one particular item on the deaths and injuries occurring on the highway, we have to take a good hard look at everything.

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

If not, Mrs. Whyard, do you feel that there has been sufficient information forthcoming so that the Executive Committee Member can proceed or do you wish a motion?

**Mr. Lengerke:**

**Mr. Lengerke:** Has the point been made, and I think it has, that one of the recommendations would be to certainly take a look at the present signing of the roads and that it be updated and that a programme by the Public Works and Highways Department right now, that they be encouraged to get on with updating the signing of the roads on the particular sections that are bad.

**Mr. Chairman:** I gather from the debate that has



been going here, there is divided concern regarding the speed limits, that one major concern is that there should be enforcement of the speed limits as they now exist, that signing should be looked into and that seat belts will not be considered to be mandatory at this stage but will certainly be encouraged to be worn. Is that a fair consensus of the discussion?

**Mr. Lengerke:** Yes, the statistics ..

**Mrs. Watson:** I prefer to drive within the speed limits.

**Mr. Chairman:** Yes.

**Mr. Lengerke:** Mr. Chairman, the statistics will be compiled as best as possible to identify these uses of alcohol, seat belts and excessive speed and I realize that's a tough one but ..

**Mr. Chairman:** I think it's impossible, Mr. Lengerke. They won't be statistically significant. If you have a figure of seven deaths, you can't make that significant in terms of the number of accidents there are.

**Mr. Lengerke:** I can relate, Mr. Chairman, to 338 persons being injured. I could probably find out how many people that were injured in circumstances that were involved in the use of alcohol. I'm sure the R.C.M.P. reports indicate that. I don't know. I'm just asking.

**Mr. Chairman:** Well, my point, Mr. Lengerke, is that there are plenty of statistics now available from larger areas, larger population areas, with the same driving conditions that are now available. They've been published for years.

**Mr. Lengerke:** Makes sense.

**Mr. Chairman:** And that we can use that right now.

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

**Mr. Chairman:** Is there any further debate on this Green Paper? If not, I'll declare a brief recess.

(RECESS)

**Mr. Chairman:** I now call this Committee to order. I refer the Committee to Motion Number 12 regarding the White Paper on Y.T.G. Land Claim Negotiator. Mrs. Watson?

**Mrs. Watson:** Mr. Chairman, I'm not prepared at this time to proceed with this Motion.

**Mr. Chairman:** Very well. Motion Number 15. Mr. Lang?

**Hon. Mr. Lang:** Mr. Chairman, if you recall, we discussed this Motion very briefly the other day and it's, in my opinion and the Department's opinion, a very important Motion and I think before any Members can discuss this Motion I think that they should have the background knowledge of what has gone on for the last

twenty years in the education system of the Yukon, of where it's changed and why it's changed and how it's changed.

I'm attempting to compile that information and it would appear that that information will not be forthcoming prior to the end of the Session. I would like to think that the Honourable Member from Hootalinqua would be prepared to possibly withdraw the Motion on the commitment from myself that I would be prepared, once I get all the information that we possibly can compile together, I would send it to all Members so that they can study it prior to the forthcoming Spring Session.

At that time, we could discuss it at great length because I think you're dealing with a very important topic here and I think that every Member should have all the background so that they know what they want. So, Mr. Chairman, with that I would like to think that the Honourable Member from Hootalinqua would be prepared to withdraw the Motion. I feel it's a very important area and I think that every Member should realize the background prior to making any decisions of what we're going to do in the future.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** In answer to the Honourable Member, the Minister of Education, I just can't quite see the reasoning and gaining information now is exactly what I want to do in this Motion. I want to get some information. I have been trying to get that information especially in this House for the last two years and I just can't seem to get any information. Now, all of a sudden we are going to have all sorts of information brought forward to us hopefully.

I did let the Motion be deferred last week hoping that there would be something come in on it that we might be able to use. However, I cannot see any information coming here that really could do us any good. We ask the Government of Canada and the Government of the Yukon Territory to get together and state the facts as they are, as to what we should be doing or they are preparing for us to do so that we know where we're going. I was very interested today when I read in the paper when Mr. Miller commented, I presume the paper is right, that the Yukon Territorial Government now pays all the costs of Yukon Indian children education. Now, this may be a little far fetched in some ways because I think we do get Federal monies.

However, he also states that there is no agreement, which the Commissioner did tell me too the other day, between the Territorial Government and the Federal Government and in his remark he says that possibly we may gain by this if we ever have provincial status, where we do have an agreement. I must say, Mr. Chairman, whether we have a provincial status or not, with this type of an agreement I think we're going to gain.

Now, I sympathize with the Minister of Education but I think I've been asking enough questions in the House that any information regarding education should have been brought here before now. I'm not really prepared to wait again till next Spring and have the problem arise every day. I would like very much to hear what the other Members feel on the situation and I'm prepared to let this Motion stand.



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

**Hon. Mr. Lang:** Mr. Chairman, I rise in defence to some of the statements the Honourable Member made. Any questions that he has asked in this House up to this time to my knowledge have been answered, and if I'm not mistaken, satisfactorily. Any questions asked in this House, my Department goes to a great deal of work to make sure that a very concise answer comes back so that the Honourable Member is fully aware of what is happening in relation to the questioning. I take exception to that because I think it's an insult to my Department and my Department, I can probably say here, are very, very good people and they work very, very hard.

But my point in this Motion, Mr. Chairman, is that there are a lot of ramifications in this Motion. What you are asking for at the end of that Motion is appropriate legislation. I mean, I think that you had better have the full background before you make a decision to decide whether or not this House is going to bring in legislation. I think you had better have the background of what's gone on.

All I can do, Mr. Chairman, is assure the Honourable Member that I'm attempting to get that information. I know the Department is working very hard in this area. I was speaking to the Department the other day and they said they're just starting to scratch the surface. They're coming up with more and more information all the time. I think it would be to all Members' benefit to take the forthcoming three months, if I can get the information to you within the next two or three weeks, and review it and then come to this House fully knowledgeable on the subject that you're speaking of and then discuss it.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** I wonder if the Honourable Member could answer the question as to what type of information he is actually going to bring forward or what type of information are they bringing forward. When I have asked questions and the Honourable Member on my left has asked questions and we get answers, I realize that the Department gives us answers, and the answers, although I will not admit they are satisfactory, they are probably the truth but they never seem to solve the problem.

So therefore, we are still trying to solve the problem. Would the Honourable Member tell me just what type of information he's trying to bring forward?

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

**Hon. Mr. Lang:** Mr. Chairman. What we're attempting to do is to go into the whole background of the education of Yukon in the various files. At one time in the Yukon history, the churches were responsible for the education of the native children of Yukon to a great deal, to a great degree. From that point, I understand that in the early sixties we had an agreement with the Government of Canada, then it was cut off. I'm trying to find out all the various ramifications and reasons these, why this was discontinued. I realize, I realize, Mr. Chairman, the dilemma that the Honourable Member from Hootalinqua is in and so are we as a government. I realize the Federal policy at the present time. You know

and I know that, in Canada today, you either say you're a Francophone, you either say you're a native, you either say you're non-native, you say you're an easterner, you're a westerner, and the last thing you say is you're Anglophone and the very, very last thing you say is that you're a Canadian. I realize that is the policy of the Federal government. I'm trying to find out where they're going. But when you start asking for appropriate legislation, I cannot support that until I know what appropriate legislation you are speaking of.

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

**Mr. McIntyre:** Mr. Chairman, I think that we could pass this Motion without very much debate on the contents, at least the information that is being requested, because if we pass the Motion this just confirms that we want the information. And as far as the 'B' part, we would like to see a policy paper setting forth the intentions of the government in respect to these matters and, if required, we would like to see appropriate legislation. So I think we could have the question put in this Motion, have it passed and get it off the Order Paper and this would give the Minister of Education three or four months to investigate the, I know the horrible situation that was created in the 1960's and he needs the time.

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

**Mr. Lengerke:** Yes, Mr. Chairman, I think the remarks from the Honourable Member from Mayo are quite appropriate, but I would think and I would like to ask the Honourable Minister of Education that he could certainly answer, I think, within the next day or today the 'A' part of this Motion. Surely to God there must be a present policy being carried out that you could answer. And if there isn't one, well, that's fine. Tell us that. I think that could be done; now I may be wrong and I may be absolutely way out in left field on that one, but I would hope that some of those answers could be forthcoming. 'B' and 'C' — I certainly concur that, you know, I think you need some time to develop that.

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

**Mrs. Watson:** Mr. Chairman, I realize the frustration that Mr. Fleming is going through. He just feels as though we are just scratching the surface and there is information and he wants to get his hands on it and I don't quite — I think he realizes that he's stirring up the hornet's nest and it is time that hornet's nest was stirred up, but as the Minister of Education says 'we've got to make sure we've got all of the information that's in that mess'. I'd like to have all of it and I'm sure that the Honourable Member from Hootalinqua would like to have all of it.

I would agree that there's no problem voting on the Motion now, giving our support to the Motion which, in fact, would tell the Minister that this is what information we want and when he gets it, if we're not in Session, please send it to us and if we have to wait until the next Session — fine. I would hope that he has it available before then. Now, I don't think anyone who hasn't been involved in it realizes the files and the complexity of the whole thing. You cannot answer a part just off the top of your head. No, you can't, there are too many other



things tied into it. So I would certainly support the Motion at this time; I would support it wholeheartedly and give the Minister the opportunity to bring it all in and if he has it ready before this Session send it to us because we really want to get our hands on it.

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

**Hon. Mr. Lang:** Mr. Chairman, the major portion of this Motion that is bothering me is 'C', "Appropriate Legislation", and I find it very difficult to pass a Motion with that type of direction until we have made a commitment in this House of where we're going. I would ask that at least that portion of the Motion be deleted and in that time, with the forthcoming Spring Budget Session, the Members around this House could have the opportunity of looking at what we have come up with and then possibly at that time give direction to the government.

**Mr. Chairman:** Mr. Fleming.

**Mr. Fleming:** No, Mr. Chairman, I don't agree. I don't agree at all. If the appropriate legislation, by chance, happened to be there now, there is no problem. If the appropriate legislation is not there now, then I think it's time we started thinking about maybe getting it there. And when they say we've been hiding our heads in the sand, I'm sure we've been hiding it there because, but we have a reason, because we don't know what to do many times. And when the answer comes back that there is no legislation for this type of thing which we know is in the Territory today, the native children, possibly there should be some monies from somewhere that is supposed to be paid to somebody and it's supposed to be spent by somebody, and there's just nothing forthcoming, I see no reason for it whatsoever. I see no reason for not passing the Motion at this time. If by chance the legislation is finally dug up somewhere in the woods, fine and dandy. If not, let's see that they start looking for it.

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

**Mrs. Watson:** Mr. Chairman, I would like to see that 'C' section in and I think the Minister is a little afraid of it and feels that it would involve a great deal of work. But I think that if your future policies are going to involve an agreement then you just have to have the enabling legislation to enter into an agreement and if it is not then you're not going to have to have it, legislation.

So really, the legislation part of it is really quite minor.

**Hon. Mrs. Whyard:** I would concur with the question, Mr. Chairman.

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

**Hon. Mr. Lang:** Mr. Minister, I just want to make all Members aware that I'll be attempting to come up with a policy for this House this forthcoming Session, but as far as legislation is concerned I'm not putting any guarantees in relation to this Motion as far as legislation is concerned because I'll tell you, you're going to be in all probability making major, major decisions as far as

legislation is concerned and I'm not prepared at this time to make a commitment in relation to legislation.

**Mr. Chairman:** Are you ready for the question?

**Some Members:** Question.

**Mr. Chairman:** That, whereas pursuant to Section 114 of the Indian Act the Minister of Indian Affairs and Northern Development is empowered to enter into agreement with the Commissioner of the Yukon Territory for the education in accordance with the Act of Indian children; and whereas this House has been informed that there is currently no agreement between the parties; and whereas this House considers that the policy of the Government of the Yukon Territory should be formulated in accordance with law, pursuant to an Ordinance of this House empowering the Commissioner to enter into such an agreement and carry out its terms in accordance with policies approved by this House, NOW, therefore, be it resolved that this House request the Commissioner of the Yukon Territory to prepare and place before this House for its consideration without delay:

A — a statement of the present policy being carried out in respect of Indian children's education by the Governments of the Territory and Canada, including appropriate information with respect to the services provided by the Government of the Territory and the Government of Canada, including:

- 1) the cost of these services;
- 2) the person is entitled to the benefits of these services;
- 3) the method of the delivery of these services;
- 4) the respective payments made by the Governments of Canada and Territory to meet the cost of the services.

B — a policy paper setting forth the intentions of the Government of the Territory in respect of the matters mentioned in paragraph A in the future.

C — appropriate legislation authorizing the carrying out of the policies of the Government of the Territory. All those in favour?

**Some Members:** Agreed.

**Some Members:** Disagreed.

**Mr. Chairman:** I'll ask for a show of hands. All those in favour? Contrary? The Motion is carried.

*(Motion carried)*

**Mr. Chairman:** I refer to Motion Number 17. This is a Motion actually of mine regarding the Arctic Winter Games. I believe there have been three reports on the Arctic Winter Games and I don't think the Government has had time to consider any of them as yet, so I would ask that this be deferred until the Government has had the opportunity to review them.

Motion Number 32 — It was moved by Mr. Fleming that the Minister of Indian Affairs and Northern Development consider nominations from the Yukon Legislative Assembly when appointing members to the Federal Territorial Lands Advisory Committee. Mr. Fleming?



**Mr. Fleming:** I am prepared to proceed as soon as I find the Paper.

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

**Mr. Berger:** Yes, Mr. Chairman, I'm also quite concerned with this Federal Territorial Lands Advisory Committee because I believe there is absolutely no local input in this type of Committee. There's decisions made for the Territory in Whitehorse here without considering local conditions and asking people what they think is appropriate for their area. I think it's high time that we get some sort of a local or elected representation or appointed representation from this House on this type of Committee.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Mr. Chairman, in presenting this Motion, I did get some facts first. I would like to say this now, that there are eight — one, two, three, four — eight members on the Federal Territorial Lands Advisory Committee now, and for the information of this House if they don't have a copy of this we could get a copy for you.

However, five of those Committee Members are DIAND and three of the members are from the Yukon Territory but they are also directors of Government branches in the Yukon Territory. One is to be filled by the director of a Game Branch. This is to be appointed now. That one will be in progress probably right now.

The other one is the Director of Tourism and Information, and the other one is the Director of Local Government.

Now, I ask you Mr. Chairman, as an Advisory Committee in fact to their own departments, I just don't quite see how they could come forth with what people in the Territory would really want to be done with their lands when advising themselves. I feel that those spots should be possibly filled by somebody other than directors of the Government and possibly some of the others that are filled by all the members of the Federal Government could possibly be private citizens in this Territory, that lived here, and have gone through the frustration of trying to get anything done on the land and wondering just where the advice comes to the Government now.

I might cite the little thing that happened this summer at Teslin, for an example, where the Federal Government put in a recreation subdivision, as they call it, at Teslin, six miles from town, which you can rent and stay in for six months or so and you have to move out, which you can't live in when the people in that area really would have liked to have probably a different set-up entirely, whereas they probably could have bought some land, owned some land.

I was wondering if our Territorial Government knew about this actually, what the Federal Government was doing, and I asked that question in the House and I have the answer here, that the Territorial Government, through the Federal Territorial Lands Advisory Committee, was kept advised of the development of the Federal recreation subdivision at Teslin by the Federal Government.

The Territorial Government was not involved in the original decision and it says all I think it's supposed to

mean on location or design. Plans and subsequent development were discussed by the Committee and approved for disposal, which means that that Committee more or less had a hand in that very, very thing. I don't recall any of them ever being to Teslin to find out about whether people wanted any property that way out there or anything, and I think this is the very thing that we need and I think in this Motion that is all I'm asking for, is the Member probably that will be on that. I think probably the Member that's going to be put on there now could be appointed by this Council, or this Assembly, pardon me.

I think we would have a much better Advisory Committee if it was made up of different types of people rather than all Government employees.

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

**Mr. Lengerke:** Mr. Chairman, I'm seconding the Motion. Obviously I concur. I think it's time that we had a membership that comprised of some non-Government representation.

I realize, of course, that this Federal-Territorial Lands Advisory Committee is probably an In-House Committee and served its purpose in the initial stages of Yukon's development, but I think now we're getting more sophisticated in our development and it's time that there was a little more input from the private sector as well. When I say private sector, I'm also talking of municipal representation, L.I.D.'s, the Municipality of Whitehorse for instance.

I know that I was involved when I was City Manager. I was asked to sit on one of the meetings with respect to a development that was going on involving Municipal lands, Territorial and Crown lands and it just seemed to me that some of the topics they were discussing certainly were of interest to me and I think I could have added some support or at least some criticism of some of the policies they were formulating.

I see that the Committee, as Mr. Fleming has said, is made up of eight people. It also allows for two observers and if the Minister of Indian Affairs doesn't really want to consider the nominations of this Assembly, I would hope that he would even consider that naming a number of observers from a non-Government situation as well.

The terms of reference and the objectives of the Committee, as probably most of you got them, point out and I was just looking at the third one:

"To provide a forum for coordination at the Regional level of the interests and concerns of the native peoples with respect to the administration of Federal Crown Lands."

I just might point out that, you know, here's a good place for the Minister to put some action to some of his words, that maybe he should at least appoint a native person to this Board as well, because I'm sure that there's some concerns there that they'd like to express and not only through the Department of Indian Affairs' agent.

I think the fourth one:

"To provide a forum for the exchange of ideas related to improving the quality of land and administration services provided to the general public by the adoption of complementary land and administrative methods, procedures, legislation ..." and so on.

I think it's high time that we had some non-



Government input into this, Mr. Chairman. Thank you.

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

**Mrs. Watson:** Mr. Chairman, I would hate for us to call question on this debate before the Minister of Local Government has an opportunity to speak on it. I think it is rather important, it deals very much with his Department and I would certainly, I think it's only out of common courtesy that we not take question on it until he is prepared. It says here that the Minister appoints. I don't know under what legislation the Committee is structured, if anyone maybe the Honourable Member from Mayo can tell us under what legislation the Committee is structured, whether it's under the Territorial Lands Act. I don't know and also how would the Minister?

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

**Mr. McIntyre:** Mr. Chairman, I agree with the Honourable Member from Kluane that we shouldn't call question on this without hearing from the Minister of Local Government. As far as this Committee is concerned, I believe it started a good many years ago on an informal basis and at one time it included two Members from this House. And this particular format was found to be a disastrous situation, with two political members on a body of this nature. And there were all kinds of things happened that should never have happened as a result. The appointment of these people by the Minister is beyond me. I don't know what legislation these people are being appointed under or whether they'd be appointed by order-in-Council or merely by a letter. But, I agree that the Advisory Committee seems to have assumed some decision-making, that they have no right to assume and they're doing things that they have no right to be doing. The purpose of this Committee really is to see that in an application for land, it does not encroach on any of the legislation that, say is being handled by the Department of the Environment, that there is no danger of pollution and so on, but I don't think that it extends to the point where they can make policy decisions which obviously they have been doing.

**Mr. Chairman:** Mr. Fleming?

**Mr. Fleming:** Yes, with the consent of the House, I would also like to have it held over until the Honourable Member of Local Government is here because, as the Member from Kluane has said, it is his department and I think that he should definitely have a say in, against or for or whatever and he would maybe give us some more information. I'd be very happy to have it held over.

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

**Hon. Mrs. Whyard:** Could I ask the Honourable Member if, in his Motion, he is referring to the Land Use Advisory Committee, which is a Federal-Territorial one? Or just the Lands Advisory Committee? Because..

**Mr. Fleming:** No, Mr. Chairman, it's the Lands Advisory Committee. I am not very well informed about all

these things but this really this is, as far as I know, just a Federal appointment thing and I don't think it's on the lands use, not this Committee, I'm sure that it's just advisory committee on ... It does not, I don't think, they may be used for this, I couldn't answer the Member in that respect. Maybe the Honourable Member for Local Government would probably be able to clear up some of these matters and that's why I am quite willing to have it stood over for a day or whatever the Chairman wishes.

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

**Mr. Lengerke:** Mr. Chairman, I think the objective of the Committee is pretty straight forward and as I pointed out, there is no doubt about it that, as Mr. McIntyre said, that it was a committee that was very useful a few years ago, is still very useful as an in-House Committee. Maybe that is what it should remain and I would concur that we will listen to the Minister of Local Government but I still think personally, and it might be a very personal view, you take a look at the makeup of the committee and they are all very capable people and they have to be on it, but I still think that there would be room to have the appointment of one non-Government person and he could be at the municipal level, if that is the case, a representative of all municipalities or L.I.D.'s.

I think that it is time that we had that kind of input.

**Mr. Chairman:** Is it Committee's wish that we defer further debate on this Motion until the Minister is back in the House?

**Mr. Lengerke:** I would agree to that, sure.

**Mr. Chairman:** I think the flue seems to have taken the toll on many Members this afternoon.

Mr. McCall?

**Mr. McCall:** Yes, Mr. Chairman, at this point in time, I would like to take the opportunity to move that Mr. Speaker do now resume the Chair.

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

**Mr. Lengerke:** Just before we close this, could I make just one clarification? I heard a comment that may be wrong. I would hope that the resolution doesn't indicate that we want Members to be appointed from the Legislative Assembly.

In other words ..

**Mr. Chairman:** We can debate that tomorrow. We have a ..

**Mr. Lengerke:** Okay.

**Mr. Chairman:** ..motion on the floor.

**Mr. Lengerke:** Very good, thank you, Mr. Chairman.

**Mr. Chairman:** Can we have a seconder?

**Mr. Fleming:** I will second that.



**Mr. Chairman:** It has been moved by Mr. McCall, seconded by Mr. Fleming 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)*

*(Mr. Speaker resumes the Chair)*

**Mr. Speaker:** I will now call the House to order. May we have a report from the Chairman of Committees?

**Mr. Hibberd:** Mr. Speaker, the Committee of the Whole considered Motions Numbers 31, 35, 8, 16, 34, 15 and 32.

We have also considered Private Member's Public Bill Number 1 and have passed same without amendment.

We now 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 at this time?

The Honourable Member from Whitehorse Riverdale?

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

**Ms. Millard:** I second that.

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

**Some Members:** Question.

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

**Some Members:** Agreed.

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

*(Motion carried)*

This House stands adjourned until 10.00 a.m. tomorrow morning.

*(ADJOURNED)*

THE FOLLOWING LEGISLATIVE RETURNS WERE  
TABLED

76-3-39

**Unemployment in Native Communities**  
(Written question number 25)

76-3-40

**Evacuation of Escarpment Areas**  
(Oral question, page 339)

76-3-41

**Snowplowing Right-of-Ways**  
(Oral question, page 435-436)



LEGISLATIVE RETURN # 31  
1976 (Third) Session

Mr. Speaker  
Members of the Assembly

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

"What amount of money has been earmarked for the Environmental Impact Study in the recently-agreed upon Haines Highway paving?"

The answer to the above question is as follows:

No funds have been earmarked as yet for an environmental impact study in connection with the proposed reconstruction and paving of the Haines Road-North Alaska Highway.

The recent announcement by the Federal Minister of Public Works stated that negotiations between Canadian and American officials had been successfully concluded for an agreement for the reconstruction project and that the formal exchange of diplomatic notes between Canada and the United States would take place shortly. The negotiations referred to consisted of the Canadian and American officials reaching full agreement with respect to the details and provisions contained in the final draft of the international agreement. The formal agreement, however, has not yet been signed.

Once the formal agreement has been signed, the United States Government will seek the appropriation of a portion of the \$58 million dollars authorized under the U.S. Bill, for the purpose of covering the costs of surveys, pre-engineering and environmental impact studies, all of which will be carried out by the Department of Public Works (Canada) or under their supervision.

An environmental assessment is required both by the United States and Canada before any work can proceed. This assessment will be carried out by Canada with guidelines set by Environment Canada. The terms of reference for the environmental assessment and impact study will be developed by an Environmental Steering Committee established by the Federal Public Works Department and which has representation from U.S. Federal Highways Administration, Public Works Canada, Indian and Northern Affairs, State of Alaska, British Columbia Government and the Yukon Government.

Nov. 25 1976  
Date

  
Signature

LEGISLATIVE RETURN # 32  
1976 (Third) Session

November 25, 1976.

Mr. Speaker  
Members of the Assembly

On November 22nd, Mr. Fleming asked the following question:

"There was a survey taken last summer by the Federal Fisheries on Teslin Lake and I'm wondering how far they've gone with it . . . and if, when that paper work is finished . . . myself and Members of the House could have a copy of . . . the findings."

The answer to the above question is as follows:

In order to obtain a reply Federal Fisheries were contacted by the Game department on the 24th of November.

Federal Fisheries advised that a general survey began on Teslin Lake in June 1976 to determine a) the division between sport and commercially caught fish; b) location of spawning areas; c) general morphology of the lake.

Upon completing only two months of the project, well short of the objective, the employee responsible for the program left both Federal Fisheries Service and Yukon.

Most of the data collected during this two month period left Yukon with this employee. He has, however, been requested to submit a written report, outlining results to mid August.

When this report is completed both the Members of the House and interested persons in the community of Teslin will be supplied copies.



Peter J. Gillespie,  
Member,  
Executive Committee.

LEGISLATIVE RETURN # 33  
1976 (Third) Session

Mr. Speaker  
Members of the Assembly


On November 23, 1976, Mr. McCall asked the following question:

"In view of the increased exploration activity on the North Canal Road, are you aware of any plans to construct a bridge across the Pelly River at Ross River?"

The answer to the above question is as follows:

We do not have any immediate plans for a bridge across the Pelly River at Ross River as there has been no representations made and present traffic does not warrant a project of this magnitude.

November 24, 1976.

  
M. E. Miller,  
Member, Executive Committee.



LEGISLATIVE RETURN # 30

1976 (Third) Session

Mr. Speaker  
Members of the Assembly

On November 23, 1976, Mr. Fleming asked the following question:

"The former Commissioner made a commitment to this House that the plans for the new Tagish Bridge would be tabled so that Members would be aware of them. Is it also the intention of the Administrator to table plans for the road approaches to the bridge as well?"

The answer to the above question is as follows:

1. As of November 16, 1976, a total of \$6,752.23 had been spent on travel and entertainment. Of this amount \$2,572.70 was spent on travel and \$4,179.53 on entertainment and public relations.
2. No Territorial Government funds have been spent on renovations or extensions of the Commissioner's residence. Renovations were federally funded and initiated on a contract basis. The amount for this contract totalled \$20,489.02.
3. As of November 16, 1976, a total of \$972.00 of Capital Funding has been spent on furniture for the Commissioner's Office. Total amount committed is \$8,364.00.

Nov. 23/76  
Date

*AM Keown*  
Signature

The answer to the above question is as follows:

The Administration will table both the road approach and the bridge plans as they become available. This should be in time for the spring session.

LEGISLATIVE RETURN # 31  
(1976 Third Session)

November 25, 1976

Mr. Speaker  
Members of the Assembly

On November 22nd, Mr. Berger asked the following question:

"How many monitors are set up in the Yukon to check on possible danger levels from nuclear fall-out? Where are they located? Is the Territorial Game department doing any checking on the fall-out level in lichen, the main diet of the caribou?"

*M. E. Miller*

November 24, 1976.

M. E. Miller,  
Member, Executive Committee.

LEGISLATIVE RETURN # 32

1976 (Third) Session

Mr. Speaker  
Members of the Assembly

On November 16, 1976, Ms. E. Millard asked the following question:

1. Of the amount allocated in the budget for Mr. Commissioner's travel and entertainment:  
What amount has been spent since July first of this year and how has this been spent?"
2. Has any money been spent on renovations or extensions to the Commissioner's residence and if so, how much?"
3. Has any money been spent on renovations or furniture for the Commissioner's office and if so, how much?"

The answer to the question is as follows:

There is only one station in the Yukon that monitors nuclear fall-out, and it is located at the Upper Airspace station at the Whitehorse Airport.

The Yukon Game Branch is not involved in any research to determine the nuclear radiation level in lichens.

*Peter J. Gillespie*

Peter J. Gillespie,  
Member, Executive Committee.



LEGISLATIVE RETURN # 37  
1976 (Third) Session

Mr. Speaker  
Members of the Assembly

On November 18, 1976, Mr. Berger asked the following questions:


"What steps is the Yukon Territorial Government taking to avoid running out of usable energy in the Yukon, since nobody has an idea on the extent and size of the coal, oil and gas reserves in the Yukon?"

"When can we expect Yukon Territorial Government policies for future development of energy and policies which would bridge the immediate intervening gaps?"

The answer to the above question is as follows:

The Government of Yukon does not have either the legislative or the financial ability to bring into existence a corporation to handle the matters outlined above.

November 23, 1976.

  
M. E. Miller,  
Member, Executive Committee.

The answer to the above questions is as follows:

The paper on "An Energy Policy for Yukon" tabled as Sessional Paper #76-3-27 on November 15, 1976 is intended to cover the basic policy of the Executive Committee for both the present and the future needs of the Yukon. As the responsibility for developing future electrical energy rests with the Northern Canada Power Commission, this Government can only continue to liaise with NCPC to ensure that adequate supplies are available when required.

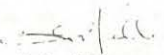
LEGISLATIVE RETURN # 37  
1976 (Third) Session

Mr. Speaker  
Members of the Assembly

On November 22nd, 1976, Mr. Berger asked the following question:

"Will the Yukon Territorial Government develop plans to combat the high unemployment figures, especially in the Native Communities."

November 24, 1976.

  
M. E. Miller,  
Member, Executive Committee.

The answer to the above question is as follows:

The Yukon Territorial Government currently has no plans for job creation programs but through the Manpower Needs Committee tries to ensure that Canada Manpower & Indian & Northern Affairs employment and training programs are applied in those areas where the greatest need exists.

LEGISLATIVE RETURN # 38  
1976 (Third) Session


Mr. Speaker  
Members of the Assembly

On November 22, 1976, Mr. Berger asked the following question:

"When can we expect legislation from the Yukon Territorial Government bringing into existence a corporation that has the power:

- a) to take over existing electric generating stations
- b) to extend existing facilities and to build new ones when needed
- c) to explore for non-renewable resources and possible take over known location of such resources."

November 29th, 1976.

  
P.J. Gillespie



LEGISLATIVE RETURN #40  
(1976 Third Session)

Mr. Speaker,  
Members of the Assembly

On November 22 1976, Mr. Hibbard asked the following question:

I would like to know at what stage the removal of people from the escarpment area has now reached. Are there many difficulties encountered in this evacuation process? I would also like to know how many of these homes are being disposed of as some of them are of considerable value.

THE ANSWER TO THE ABOVE QUESTION IS AS FOLLOWS:

The relocation of families from the escarpment area has gone very smoothly and this is, to a large extent, because of the City's policy of leasing back properties purchased from owner-occupants, which has enabled the previous owner to relocate and purchase alternate accommodation at his convenience with immediately available funds. Lease-backs to owner-occupants have been at the rate of one-half of one percent of the appraised value per month, with the occupant paying utility costs. Also to permit relocation at the convenience of residents, the City have continued existing rental arrangements with tenants for periods of up to twelve months.

To date fourteen buildings have been demolished and four buildings have been sold from properties acquired by the City, with three of the buildings being relocated within the City and one moved out of the City. The City recently called tenders for the demolition of an additional twenty buildings and the restoration of the sites, and the City expect to be calling tenders very shortly for the removal of one or two buildings that meet National Building Code standards.

Of all of the properties acquired, to date, only four are still occupied, and one of these is a building acquired last year while the other three were purchased in 1976.

The City is very pleased with the way the escarpment program has gone to date, and do not foresee any major difficulties in future, although expropriation action will doubtless be necessary in a limited number of cases. The City's main concern is that the initially approved funding of two million dollars fell short by approximately \$600,000. of the appraised value of the properties themselves, and did not allow any funding for fencing along the escarpment boundary. The City has agreed to provide the YTC with a detailed statement of expenditures to date, and an estimate of the additional funding required, at the end of the current fiscal year. It appears now that roughly \$800,000. to \$1,000,000. will be required in additional funds to complete acquisition of the properties, their restoration, and fencing of the escarpment boundary. As you know, it has been the firm position of the City from the start that they would accept responsibility for this program only as long as funding was available from the senior levels of Government. Also, the program of acquiring properties at the foot of the escarpment does nothing to solve the main problem of continuing deterioration of the escarpment itself. The City assume that some commitment in that respect will be made in the fairly near future by the Federal Government.

Until responsibility of stabilization of the escarpment has been assumed by someone the City suggest that it would be inappropriate for the Ministry of Transport to delete the portions of escarpment from the airport reserve, with those areas automatically coming under the administration and control of the Commissioner.

Nov. 30 1976  
DATE

*J. M. Miller*  
SIGNATURE

LEGISLATIVE RETURN #41  
1976 (Third) Session

Mr. Speaker  
Members of the Assembly

On November 25, 1976, Mr. Fleming asked the following questions:

1. "I would ask the Minister, when he said that they did plow it, the approaches, does that mean that they plow out the approaches to the edges of the right-of-way, or do they merely plow out the burn that is built on the highway, in the winter time with the graders?"
2. "If in fact, they do not plow any farther than the shoulder of the road and do not plow the perimeter of the right-of-way, and the person owning properties adjacent to this plowed that portion that is Crown lands, would he not be liable for prosecution if anything happened on there?"

The answers to the above questions are as follows:

1. The Government policy provides for plowing the entrance to the approach only. We do not plow the full right-of-way.
2. It is difficult to imagine the type of situation that is being envisaged, however, this Government would not prosecute for the individual plowing his own road.

November 29, 1976.

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