



The Yukon Legislative Assembly

Number 19

7th Session,

23rd Legislature

Debates & Proceedings

Friday, December 3, 1976

Speaker: The Honourable Donald Taylor



The Yukon Legislative Assembly

Volume 11

Debates & Proceedings

First Session, 1979

Whitehorse, Yukon Territory.
December 3rd, 1976.

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

Madam Clerk: There is, Mr. Speaker.

Mr. Speaker: I will now call the House to order.
We will proceed with Morning Prayers.

(Prayers)

ROUTINE PROCEEDINGS

Mr. Speaker: This morning, it gives me a great deal of pleasure to draw to the attention of the Members of the House to the presence in the Speakers' Gallery of three very distinguished gentlemen: Mr. Lyle Fisher, Mr. Bob Studenburg, and a long-time resident of the Yukon Mr. Chappy Chapman. These gentlemen constitute the Local Improvement Board of Watson Lake in my own constituency. I would bid them welcome to these Chambers this morning, and I'm sure all Members would join me in expressing our well wishes in all their endeavours in behalf of those they serve.

(Applause)

Mr. Speaker: Are there any documents or correspondence for tabling this morning?
The Honourable Minister of Education.

Hon. Mr. Lang: Mr. Speaker, I have for tabling a copy of the 1953 Haines-Fairbanks Pipeline Agreement between Canada and the U.S., which was requested in Motion number 2.

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

I would like to table from the Chair a letter from the Council for Yukon Indians, addressed to the Assembly.

Are there any Reports of Committees? Petitions? Introduction of Bills? Are there any Notices of Motion for the Production of Papers? Are there any Notices of Motion or Resolution? Are there any Statements by Ministers?

This brings us to the Question Period.

QUESTION PERIOD

Mr. Speaker: Are there any replies to questions?
Mr. Commissioner:

Mr. Commissioner: Mr. Speaker, on November 24th, Dr. Hibberd asked the following question: The present system of appeal under the Workmen's Compensation Board, of necessity, involves referral to doctors working outside of the Yukon; that is in the Ordinance and not in the Regulations. How can you then carry on with Regulations without altering the Ordinance?

The answer is that Section 10 of the Yukon Territorial Workmen's Comp. Ordinance provides that the Commissioner may designate a person to act as referee. The Regulation merely appoints a Workmen's Compensation

Advisory Board to act as referee instead of the Alberta Workers' Compensation Board, and does not affect the powers and jurisdiction of the referee under the Ordinance to refer claimants to medical doctors outside of the Yukon.

Mr. Speaker: Are there any further replies to questions?

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

The Honourable Member from Ogilvie.

Question re: Northern Yukon Research Project

Ms. Millard: I have a verbal question for Mr. Commissioner, supplementary to the Legislative Return received yesterday on the Northern Yukon Research Project. I'm asking for his expertise as a scientist. Part of the reply says that the annual report of the NYRP contains detailed information on the site location which is confidential and may only be released on specific authorization of the Project Director. Why is the site location of a scientific expedition confidential? And can it be obtained — will the Commissioner see that we have the permission of the Project Director to obtain this information?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, I will certainly ask the Project Director if we can release that information to the House, but the reason that they would like this information to remain confidential is that the scientists and people exploring historical information, archeological information, these sites could be damaged very easily and unnatural alteration to these sites by present-day people would adversely affect the research that they are trying to carry out to honour what human and other activities occurred in the Yukon 20, 30, 40, 50 thousand years ago. So they would like to make sure that people do not get into these sites and amateur archeologists start digging around.

Mr. Speaker: Any further questions?

We will then proceed on the Order Paper to Motions.

MOTIONS

Madam Clerk: Motion 41, standing in the name of the Honourable Mrs. Watson.

Mr. Speaker: Is the Honourable Member prepared to discuss Motion 41?

Mrs. Watson: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Kluane, it is seconded by the Honourable Member from Whitehorse South Centre, that the First Report of the Standing Committee on Yukon Land Claims presented December 2, 1976 be concurred in.
The Honourable Member from Kluane.

Mrs. Watson: Mr. Speaker, yesterday we gave a fairly comprehensive report to this House that was prepared by the Standing Committee and I have nothing

further to add to the report, Mr. Speaker, but I would be very interested in hearing what Members who are not on the Standing Committee, their views on the report.

Mr. Speaker: The Honourable Member from Ogilvie.

Ms. Millard: Well, Mr. Speaker, it appears as if my fears expressed two days ago concerning the striking of this Committee have been well-founded. This Committee is recommending that the official YTG negotiator, the Commissioner, act on the recommendations of the Executive Committee. I need not remind everyone that all the Executive Committee Members are also Members of the Standing Committee. The Committee is also recommending that one of its members be present at all formal and informal meetings relating to Land Claims.

Mr. Speaker, I am shocked. In other words, the Committee is taking upon itself, without the sanction of all the Members, to represent the views of this entire Assembly in an official capacity as a negotiator of Land Claims. I am shocked that this Committee forced through its own formation and yesterday attempted to have this Report concurred in without consultation of all Members.

This Committee has taken it upon itself to split our Assembly into two kinds — those who belong and those who do not belong. It has used despicable means to attempt to force its own view on all Members and all Yukoners. It has used the method of its status to discuss an address which was meant for all Members without giving all Members an opportunity to reply to the address. I refer, of course, to Mr. Johnson's speech.

This Committee should be condemned for its irresponsible actions, not concurred with. People are ...

Mr. Speaker: Order please. It is not competent for a Member of the House to cast aspersions upon any part of the House.

Ms. Millard: I will continue. People are already saying that this Committee does not represent Yukoners' views, that it obviously has a bias. Already this Committee has lost any credibility it may have had from the Yukon public. I am not concerned with how they will be received. I already know that. I know no-one of any sensibility will accept the recommendations put forward by a biased committee. I will not allow this Committee to stand for views without objecting strongly.

This Committee purports to respond to the honest attempt made by the C.Y.I. to discuss matters with the whole of our Assembly.

For the public record, I would like to read the letter from the C.Y.I. which we received yesterday and which was tabled today, concerning discussions with the Yukon Territorial Government:

From Mr. Johnson: "As we listen to the news media and to comments made by some of the Members of the Legislative Assembly, it becomes apparent to us that there needs to be some further explanations by us on our stand taken on November 22nd 1976 when we accepted your well-intended invitation to attend to the Committee of the Whole. We ask that you read and table our letter for the benefit of the Members of the Yukon Legislative Assembly.

"We appreciated the opportunity extended to us to

present our views to you on the crucial issue of talking and exchanging ideas, opinions and concerns and ideals, but I must say the setting was hardly conducive to any form of relaxed exchange. We felt that there was little to be gained in inviting discussion which could have led to confrontation, so we declined to answer questions.

"We did feel obligated to appear so in the light of this we attempted to explain well our position under the circumstances. We did so with the intention of explaining to the Members of the Legislative Assembly and the general public our position on those issues which had been raised during this Session and to make some positive and constructive recommendations for your benefit as well as ours.

"We used the example of the Game Branch as an illustration of what we meant by being represented by your government, by being involved in it. We were not saying that the Director of Game had to be an Indian person. We were saying that it could be. We are not demanding that the Department of Game be taken over by any native organization, but we are saying that it is game for native participation.

"We see it as a department which would reflect our needs and concerns, not only those of the government. This should indicate to you that our concerns and recommendations reflect what it is that we have at stake here.

"Essentially we are simply requesting the opportunity to discuss ways and means of getting along at the local government level.

"Rest assured that the expertise is available should we agree to various changes to the infrastructures of departments and programmes.

"We did make certain recommendations which we feel we have a right to make to our elected representatives in this Territory, and we did express our views on certain statements made in the Legislative Assembly. The statements were made to clarify our point of view.

"As we have been asked for our ideas respecting discussonal exchanges between the Yukon Territorial Government and the native organizations, we simply would like to know your thoughts on this matter.

"Please accept this letter as your formal invitation and the formal invitation to all the Members of the Assembly to begin talking about our different goals which we hope may become common goals as time goes on."

Mr. Speaker, I must emphasize and repeat that Mr. Johnson, in this letter, says that "this letter is the formal invitation to all of the Members of the Assembly" and I want to emphasize that very clearly because I am afraid that this Committee is going to try to represent all the Members of this Assembly, which they do not.

I call upon all Yukoners to recognize this Committee for what it is and what it is not. Because we are white, we seem to forget the basic fact that in our position we must also represent an Indian view in this Assembly. I know that not one Member on this Committee can publicly state that, primarily, he has Indian views at heart. This Committee has lost its meaning for existence by its wrong use of power. It does not have the courtesy or the political sensitivity ...

Mr. Speaker: Order, please. Order, please! I must caution the Honourable Member that she is bordering

on contempt in the House and perhaps she would tone down her phraseology a little bit.

Ms. Millard: It does not have the courtesy to discuss its conclusions with all Members. Because of that, it will not receive and has not received recognition except for what it really is. The C.Y.I. and the rest of native Yukoners want all of us to represent them in this vital matter. I cannot support this Report and I will not support future reports while this Committee continues to use devious means to gain its ends. It should never have the support of the Members who have gone on record as supporting our native people in their struggle for equality. This Committee does not and will not represent that view.

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

Mr. Fleming: Yes, Mr. Speaker. I also have some very strong thoughts about the Committee; however, I'm not prepared to take sides at any time for any group of people, because I am here to represent all of the people. This is one thing that I find wrong with the Committee as it is today, that being put together as an Assembly, a Committee of seven people from a twelve-member Council, is just something that is not democratic. I don't think it ever will be democratic.

I think also, when this Committee was formed, or before this Committee was formed, there was another Committee formed on our rules and proceedings, elections and so forth, and we have some guidelines in this little black book, which I'm sure all our Members have. And although the Committee has not brought forward, to this date, as to whether these will be accepted or not, I think it was more or less concurred with that possibly these rules apply and they are democratic. A case as we have here, there would be no more than three members on a special committee and five members on a standing committee. I think that's a democratic way, in any legislation where there is only twelve people.

The other was the way, of course, that it was formed. I have no problem with the personal views of the Members and I have no problem if they wish to do their thing. It's absolutely fine with me. However, I still like the democratic process. I'd like to have the knowledge of knowing what was coming before me before it bounced on me. I think any Member could walk up to me at any time and say, hey, I'm not going your way, I'm going to my Committee and I'm not going to have a different type of Committee and we're going to be the power in this House, and, fine and dandy, just let me know. I'm prepared to say yes or no. I could have had no part in the Committee like this anyway, if there was seven people.

As for the Report that the Standing Committee brought in — there was a lot of work done on it. There is a part in it that I do agree with and that was the resolution number seven, made at the Seventh National Northern Development Conference held in Edmonton, November 3 to 5, 1976, Mr. Speaker. I agree with that resolution. However, it wasn't actually made by these Members who brought it in.

I will read you it: "Whereas all responsible organizations in the Territories are on record as being in support of an early and just settlement of native land claims, and whereas there is considerable confusion and ap-

prehension both in the north and in the south over the implementation of the Native Land Claims, be it resolved that the Federal Government, with the backing of Parliament, press to an early conclusion their programme that will resolve the Native Land Claims in Yukon and Northwest Territories, on the basis of equality of opportunity and responsible participation in Canadian society."

Now, I can go right along with that, Mr. Speaker, but again I must say it was not made by the Committee that's formed today here. It came from somewhere else.

The rest of their paper I don't entirely agree with, because their recommendations are that the Commissioner of the Yukon shall act on the advice of the Executive Committee on all matters involving Native Land Claims. This, of course, in the first place I couldn't agree with that because there are twelve people here and there are a lot of people in the Yukon Territory and their voice should be heard from all areas.

That a member of the Standing Committee will attend all formal and informal meetings relating to Yukon Claims and that the services of the Land Claims Secretariat be made available to the Standing Committee on Yukon Land Claims. I agree with that part. I don't agree with really the one member of the Standing Committee because I don't agree with the Committee, so therefore I can't agree with that. A Member from this House, possibly, yes.

I'm wondering just who is giving advice to whom when we find on the Committee three members that are government, who are also appointed, or not appointed, they are put here by the people in a democratic matter and then they are put into their place by a democratic manner and I agree on this. But nevertheless, the position they hold is government. When I see them on a Committee of seven and that Committee of seven is advising them, and they are advising themselves to advise the Commissioner, to advise somebody else, I don't see all the people's voices there, when there is twelve of us here.

I say that that section of the recommendations does not go along with the first section of their report, where it says "the Members of the Yukon Legislative Assembly listened with great interest to the views of Council for Yukon Indians last week. Some of the issues raised were controversial and, in the heat of discussion, some statements perhaps misinterpreted." I agree with that part of the section.

"As elected members of this government, each of us must note and consider objectively the views of Indian constituents within our individual ridings", and I agree with that.

"We wish to assure the C.Y.I. Chairman of our sincerity in dealing with the concerns of all our constituents" — and I like that word, "all our constituents", because, Mr. Speaker, in their recommendations they are not really including all the constituents when there is such a place as Watson Lake, Teslin, Old Crow, Riverdale, you know, that are really not going to have a voice in there unless we wish to go to a Committee that was formed undemocratically and beg our way into it, which I am not prepared to do.

All I have to say on the paper from the Standing Committee, I'm not going to butt my head up against the wall trying to stop it going through or being accepted by

this House, because there is no way that it's not going to be accepted by this House if the Members in the Committee decides it will, so I don't belabour the subject other than to state the facts that are in there. It is not for a democratic society of any kind.

I'd like to carry on, because I'm going to be in opposition apparently to the Committee and again I must stress the fact that I am not in opposition to the Members that are in that Committee in other dealings in this House, other than Land Claims. Also I'd like to be sure and go on record as saying that I am not going to take any personal views on the Indian side or the white side because I don't think we're going to gain anything by doing that. The native people have a problem with the Federal Government and I'd like to see the native people solve that problem with the Federal Government, and if we don't like the way it's solved then it's our turn, as they say.

I think that advice, yes, from this Council here, from this Assembly, going to the Government, to the Federal Government, where it should go from all of these Members, whether it be for or against, is a wonderful thing and I think that Government, the Federal Government, should listen to some of it. But in no way can I see the Federal Government listening to this Committee. I would hope that, if they had good objectives and wished to get the Federal Government to listen, that this would happen. I really am for them. They are doing their thing — go ahead and do it, but I cannot see the credibility of this Committee because they do not and did not to start with do it under a democratic process.

The size of the Assembly, Mr. Speaker, is only twelve people in the Yukon and I have always belaboured this subject a little bit. That when you have only those few and if you were political actually it would be a real dog's breakfast, too, because there is not enough people to really come up with good parties. However, I'm not against the system whereas the people put in the representatives for any particular party, be they political or otherwise, but if they come in this House with the vote and a mandate from the people to operate as the government, I'll be for them even if I'm the opposition, to see that they do a good job. I may argue a point if they're not doing a good job, but I'll be for them. But I can't be for something that comes in here that is not democratic, that was decided upon by a certain amount of people here after they were elected and put in here by the people to do a job and not really as a political party.

Although there is a couple, I will say this, that did run under the political lines and I agree with those two people. I have no bone to pick with them whatsoever. They're here for the party, if they are, if they aren't I have none either but if that's their thing it's okay. However, this was formed in more or less the same principle but without the democratic process.

As I said before, I will not let any personal feelings come into this House, in any affairs of this House, from me. I have many personal feelings, but I am not here to voice them. I wasn't put here to voice them. I don't know how right today the people in my constituency would, what they would say about this type of a committee. However, I have a feeling, and I'm only going to voice that feeling now, I'm not going to say that my people feel that way about it because maybe they feel otherwise — I'll find out. But I am surely worried about this Committee and, as I say, I am not here to advise them, I don't

think, unless they wish to accept it. I'm not here to belabour them or try to stop them from doing what they are doing if they are doing it meaning well for the people, but I would caution, possibly, the Members of this Committee now that it is formed and is such a thing in our House, and I expect that it probably would stay due to the fact that there is not much chance of moving it away, that they look at the problems of the Yukon Land Claims, the Native Land Claims, which they are supposedly to be doing as that group and, hopefully, they do not group together on all other matters in the Yukon Territory too.

I hope that they use that group for that purpose and I hope they do not have any personal views when they come forward with any more paper such as this one, this morning, and I don't like to be disrespectful, Mr. Speaker, but this should have come from the Department of Education, somewhere I think, and taken the name from the recreational committee on this piece of paper, which is C.R.A.P. I would have felt much better.

Hon. Mr. Lang: On a point of order, I don't think that's necessary. I'd like to have the Member apologise.

Mr. Fleming: Mr. Speaker, I just merely say that I think the paper is that way. No offence to the Minister — absolutely no offence to the Minister.

As I said before, there is no credibility whatsoever in the Committee. I'm cautioning them to keep their personal views, hopefully they'll keep their personal views out of anything that they bring forward. If they don't they will be in the same position as we were here when it first came to this House and we sat here and looked at it and it was a Motion to form a committee of seven people which, naturally, some of us didn't like, and we looked at it, didn't know what was going on, you know, but there was no use jumping up and arguing the point and banging your head against the wall because you'd only come away with a headache, because the voice was over there, not here. So we did keep very quiet and do just our thing, which we have to do too, and hopefully they will do the same because if they don't, Mr. Speaker, I'm afraid that possibly, again, if they try to put too many views to the Government of Canada or to the native people or to any other peoples, that they will be banging their head up against a wall, too. And they'll not only come home with a headache, but they'll go home with bumps on it.

Thank you, Mr. Speaker.

(Applause)

Mr. Speaker: The Honourable Member from Mayo.

Mr. McIntyre: Mr. Speaker, I certainly go along with most of the objections that the Honourable Member from Hootalinqua stated. However, we are greeted with it, an accomplished fact, and it's something I guess we'll have to put up with. Perhaps the Members of the House will not now be kept in the dark as we have been in the past by the Executive Committee on the matter of Indian Land Claims. I sincerely hope that the Yukon Land Claims Committee will adopt a positive, rather than a dog-in-the-manger, attitude and that the preoccupation of its members with the pursuit of provincial status will not divert them from the real goal: a just settlement of the Indian Land Claims.

I regret that the size of the Committee, a majority of the House, will result in a diminution of the powers of this Assembly in the matter of Yukon Land Claims.

I am amazed that the Committee does not include the one Member who has made the most practical comments regarding Indian problems in this House, the Honourable Member from Hootalinqua, Bob Fleming.

Thank you.

(Applause)

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

Mr. Lengerke: Thank you, Mr. Speaker. I can't really add too much to what the Honourable Members have said. I certainly concur on many, many of their comments.

I think I stated on Wednesday that I had no objection whatsoever to the formation of the Standing Committee on Yukon Land Claims. It was only in the way it was presented, only in the way it was done. Excuse the voice again, Mr. Speaker, I am having a bit of a difficult time.

I think it is time that we took a positive approach to this question and quit talking about it — put our words and thoughts into some action, and action I think that must benefit as many people as possible, an action that is generated not from those of narrow and unimaginative thinking and not from those who don't understand the problem of the native people in the first place and why we have the problem in the first place.

This is a bit of concern to me. I hope this Committee has got some of those types of people with imagination, but I wonder. I have some real concerns.

I say now that we have got the Committee I wish you well in your endeavours. I think we all know the task you face. I really hope the methods and the approaches that you are going to use and your individual attitudes will be of such a nature that you will develop and make recommendations based on a fully open expression from a majority of our people.

The other thing is, I hope it is not your intention to obtain the services of a consultant or consultants, but take the task on yourselves.

My objection the other day was due to the fact that you asked me to vote on something that I didn't even know any idea of what the cost was going to be. I didn't have any terms or objectives or anything else to the thing. I know we have got eight thousand dollars in the pot earmarked towards committee work. I think that is great and, if your committee stays within that realm of expenditure, I see no objection.

I offer one suggestion to you right now and I hope you concur and the Honourable Member from Mayo said so: I think you'd better appoint and put on your Committee the Honourable Member from Hootalinqua who probably has more knowledge of what you want to do than anybody else in this House. That is my wish. If you want to react and say this isn't going to be a closed shop, then I will see some kind of recommendation coming out of this House immediately to put that man on your Committee.

I will very briefly comment about your first report dealing with the recent address of Dan Johnson.

You know, what you stated in your report that you tabled, I can find very little argument — I really can't ...

Mr. Speaker: Order please. I don't think that the Chair has tabled any reports in this House.

Mr. Lengerke: Excuse me, Mr. Speaker, the report of the Standing Committee that is before us for discussion. I am talking about that.

I was really pleased in the way you reacted. I don't think you over reacted — I think you used a tone that will not generate confrontation again. I am sure you were all aware of my own reaction to Mr. Johnson's speech. I really wasn't too surprised or alarmed by what he said. I questioned, as you did, that statement about Yukon being happy to be a mere colony ...

Mr. Speaker: Order please. I have made no such statement.

Mr. Lengerke: The Committee, Mr. Speaker.

I question the fact of trying to find additional funding going to the Government of Canada doing so in some sort of irresponsible way, but those are the only parts that I really did have any question about at all in Mr. Johnson's speech.

I think I believe, and I understand the position that they took with respect to the native participation, say, in the Game Branch. I really didn't get too upset about that; in fact, I personally questioned why we need a director of Game that has to possess the academic qualifications as is currently being advertised. That is a different question, I realize.

I was personally not in favour of Mr. Johnson appearing before us in the Legislative Assembly, a forum that was unfamiliar and not conducive to communication as required. I don't know, I think a lot of you are aware that on November 3rd I tried to get a seconder to a Motion that said something like this: that whereas the definite need exists for better understanding and more meaningful communication between established Yukon Indian groups, that it resolve that a special committee of this Assembly be forthwith named or set up to carry out a continuing liaison and discussions with respect to any problems or matters that may be of interest to both parties, but mainly to establish an informal but recognized forum for communications.

I was probably wrong in that, or I could have been right. In any case, Mr. Speaker, I think the point, the fact that Mr. Johnson did appear here, it was correct or not correct but I guess it was required. I think it really served a useful purpose because now we do have a Standing Committee and, as I said, whatever objections I have to the forming of it, that it is here and I know we need it.

We also have an excellent letter, we have got an excellent response from Mr. Johnson explaining quite clearly the reasoning behind his remarks in this House the other day, and I hope we read that.

In conclusion, I offer my assistance to the Standing Committee and I also hope you will accept my invitation some time to attend a forum, as a committee, in the Whitehorse-Riverdale constituency in the not too distant future.

I think my own task in standing alone will be one of trying to convince all sides in the Land Claims issue to establish a system whereby, excuse me, Mr. Speaker, agreement can be gained through the present, not through the present process of negotiation as we know it

today but by the use of a participatory planning leading to solutions. And this doesn't mean a give-away.

Mr. Speaker: Is there any further debate?
The Honourable Minister of Health and Welfare.

Hon. Mrs. Whyard: Mr. Speaker, the Honourable Member from Mayo has, as usual, put his finger right on the point. He has had a great deal of experience in this Government, both at the administrative level and as an elected Member and as a Member of the Executive Committee. I quite agree with him that it is unusual to have three Members of the Executive Committee on a Standing Committee of this House. But he can understand, I realize, from his remarks that this is the only way to ensure that the elected Members on the Executive Committee can communicate back to Members of this House what they know is going on in discussions regarding Yukon Land Claims. As a former member of Executive Committee, the Honourable Member from Mayo had to take an oath, as have we, that what is discussed in meetings of Executive Committee is confidential. And I have never discussed this matter with the Honourable Member, but I am sure that he must have had the same frustrations that I frequently find when the matters we are discussing in that Executive Committee do affect the people of the Yukon and the Members of this Legislature, and my complete and initial urge is to come and discuss it. I am not permitted to do so because of that oath. And when you are encompassing a region as all-important as the decisions which are going to be made in the settlement of the Yukon Land Claims, I cannot accept the fact that there should be secrecy involved. I see no reason why there should be secrecy involved, Mr. Speaker, when our friends on the other side of the river who are negotiating at the same table do not have that restriction applied to them. Their representatives in this negotiation discussion are permitted to go back to their Council and their twelve assembly chiefs and back to the members of every community and discuss the issues with them. Mr. Speaker, this has never been permitted to us.

Mr. Speaker, I have to be part of any committee at that table, representing this House, or I cannot know and repeat to Members what is going on.

Mr. Speaker, I would remind all Members that, at the beginning of these negotiations, the Yukon Territorial Government was in a very ambiguous position. And because of the efforts of former Members of this House, in former Sessions, there was an opening made so that the views of this Territorial Legislative Assembly might be made known through a representative, somehow, at the two-way talks which were taking place at that time, between the Federal Government and the native people in the Yukon. Mr. George Shaw was named to be our observer only to Members, elected Members, from every part of the Yukon at those talks. Later, as you know, Mr. Speaker, Mr. Willard Phelps was named by all Members of this House to be there as a channel for views from Members to somehow be placed on the table during discussion. As we all know, regrettably, Mr. Phelps' presence was no longer in the House because of electoral problems, and we were left again without an elected spokesman in any of those dialogues.

The former Commissioner, Mr. Speaker, had been involved from the beginning in establishing a compe-

tent research group for this government which would be on top of all available information and all the factors and the discussions taking place for the record, for prosperity for the Yukon, and for assistance for anyone representing this government in those discussions. Following the resignation of the former Commissioner, there was a Motion from this House that he should be continuing in his appointment as representing the elected people, as negotiator of the Land Claims. You will all recall that that Motion passed this House unanimously. There was no response to this Motion, Mr. Speaker, until the former Commissioner, later this summer, wrote to all of you (I believe you were all informed at the same time) saying that he would find it impossible to continue in that position and coincide this with his present duties as Chairman of the Northern Canada Power Commission. And we then later learned that the present Commissioner had been named by the new Minister of Indian Affairs as the negotiator for the Yukon Government.

Mr. Speaker, aside from any other factors involved in how this Committee was formed or who is on it, as my own personal undertaking as a Member of this Committee I feel that this is the first time that I have ever had an opportunity to do a fair job of representing this Assembly in any negotiations on the Yukon Land Claims because, up until now, Mr. Speaker, we have been silenced by our oaths as Executive Committee Members. I cannot exist in a situation where the things I know should also be known by all my fellow elected Members and I am not allowed to discuss it with them.

Now, I am not talking about any secret negotiations. I am talking about negotiations which should not be secret and are not going to be secret, I am informed, Mr. Speaker, by the new federal representative at that table. There is a most encouraging widening of the borders here which has constrained us until now. I am most encouraged, Mr. Speaker, by Doctor Naismith's comments that this is going to become a planning conference. He is averse to restricted secret backroom discussions, as are we. I am only rising at this point, Mr. Speaker, to make my own views known as a member, an elected member, of Executive Committee. That is why I feel it is important for us to be members of the Standing Committee on Yukon Land Claims.

Thank you, Mr. Speaker.

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

Mrs. Watson: Yes, Mr. Speaker. I think we have had a very enlightening debate this morning. I am very happy now that the Honourable Member from Ogilvie yesterday — and Hootalinqua, refused to give unanimous consent to deal with the Motion. It gave them an opportunity to go through the report and to come forward — to give them an opportunity to go through the report and organize their own thoughts and to come forward with their comments.

I think that every member of this Assembly, particularly every member of the Standing Committee, appreciated the comments that were put forward in this House this morning. I think that every member on the Standing Committee will certainly be bearing in mind the comments of the individual members.

I appreciated the comments from the Honourable

Member from Hootalinqua, but I have heard him say, time after time, that he is not a committee person. He is an independent thinker and we all recognize him for that in this House. If he is on a committee or not, he is going to stand up and say it and there is no way that this man should be stifled by asking him to be on a committee. He is going to be a valuable watchdog in this House, as are all the rest of the members.

I think that, by the comments that we heard, we know the people on — the committee know that we have got watchdogs and that is what we need.

I think, on the other hand, you must understand our sincere attempt to try to do some proper work and research on this very complex problem that is facing all of the Yukon today, not just the Federal Government or the Federal representatives here, not just the Indian people, but all people who live in the Yukon and call it their home. I think the task that we have undertaken is a tremendous task. It would have been much easier to sit back and say, we can't do anything about it, we can't get the information, we are very frustrated that we are just being blocked here and there. What we are saying is, no, that is not good enough any more. We have to get information; we have to develop positions and the people of the Territory deserve better than what is happening now.

Thank you, Mr. Speaker.

Mr. Speaker: Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Some Members: Division.

Mr. Speaker: Is there more than one Member calling division?

Some Members: Yes, Mr. Speaker.

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

Madam Clerk: The Honourable Mrs. Whyard?

Hon. Mrs. Whyard: Agreed.

Madam Clerk: The Honourable Mr. Lang?

Hon. Mr. Lang: Agreed.

Madam Clerk: The Honourable Member, Mr. McIntyre?

Mr. McIntyre: Nay.

Madam Clerk: The Honourable Member, Mr. Berger?

Mr. Berger: Agreed.

Madam Clerk: The Honourable Member, Mr. Hibberd?

Mr. Hibberd: Agree.

Madam Clerk: The Honourable Member, Mr. Fleming?

Mr. Fleming: Disagree.

Madam Clerk: The Honourable Member, Ms. Millard?

Ms. Millard: Disagree.

Madam Clerk: The Honourable Member, Mr. McCall?

Mr. McCall: Agreed.

Madam Clerk: The Honourable Member, Mrs. Watson?

Mrs. Watson: Agreed.

Madam Clerk: The Honourable Member, Mr. Lengerke?

Mr. Lengerke: Nay.

Madam Clerk: Mr. Speaker, the result of the division is six yea, four nay.

Mr. Speaker: I will therefore declare that the Motion has carried.

(Motion carried)

Mr. Speaker: This now brings us to the end of the Order Paper and the House will now receive the Commissioner in his role as Lieutenant-Governor of Yukon.

Mr. Commissioner, the Assembly has, at its present Session, passed a number of Bills to which, in the name and on behalf of the Assembly, I respectfully request your Assent.

Madam Clerk: Public Bills: Emergency Medical Aid Ordinance; Electrical Protection Ordinance; An Ordinance Respecting the Institute of Chartered Accountants; An Ordinance to Amend the Insurance Premium Tax Ordinance; An Ordinance to Amend the Liquor Ordinance; An Ordinance to Amend the Justice of the Peace Ordinance; An Ordinance to Amend the Highways Ordinance; An Ordinance to Amend the Securities Ordinance; Financial Administration Ordinance; An Ordinance to Amend the Public Service Staff Relations Ordinance; An Ordinance to Amend the Municipal Ordinance.

Private Member's Public Bill: An Ordinance to Amend the Homeowners' Grant Ordinance.

Mr. Commissioner: Are those all of the Bills, Madam Clerk?

I hereby give Royal Assent to the Bills as enumerated by the Clerk.

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

(PROROGUED)



THE FOLLOWING CORRESPONDENCE WAS TABLED

76-3-2
Letter from Council for Yukon Indians

THE FOLLOWING SESSIONAL

THE FOLLOWING SESSIONAL PAPER WAS TABLED

76-3-43
Haines-Fairbanks Pipeline Agreement between Canada and the U.S.

