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The Yukon Legislative Assembly

Number 22

8th Session

23rd Legislature

Debates & Proceedings

Monday, April 18, 1977

Speaker: The Honourable Donald Taylor

Whitehorse, Yukon Territory
April 18, 1977

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

(Prayers)

Mr. Speaker: We will proceed at this time with the Order Paper.

ROUTINE PROCEEDINGS

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

Mr. Hibberd: Mr. Speaker, I beg leave to move that this House do now adjourn for the purpose of discussing the following, which is of great urgency to the Yukon: The opinion Poll on the Native Language Program in the Haines Junction School.

Mr. Speaker: I wonder if perhaps the proper place for this would be under Orders of the Day? We are still under Routine Proceedings.

Mr. Hibberd: I'm sorry, Mr. Speaker.

Hon. Mr. Lang: On a point of order, I would like to take this opportunity to welcome the Life Skills class from the Vocational School to this House this morning as well as the instructor, Mr. McLean.

(Applause)

Mr. Speaker: We will proceed. Are there any Documents or Correspondence for tabling this morning? Reports of Committees?

REPORTS OF COMMITTEES

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

Mr. Hibberd: Mr. Speaker, I have the honour to present the Fourth Report of the Standing Committee on Rules, Elections and Privileges.

The terms of reference for the Standing Committee on Rules, Elections and Privileges were established on Motion Number 2, passed November 3, 1976 that Mrs. Watson, Messrs. Hibberd, Lengerke, McCall and McIntyre be appointed to a special committee to consider the Standing Orders and Rules of the Assembly and to recommend drafts of proposed Standing Orders and Rules to give effect, if concurred in by the Assembly, to any change or changes proposed by the Committee.

That the said Committee consider and develop conflict of interest guidelines for the Members of the Yukon Legislative Assembly and make recommendations thereon.

That the Committee also study, develop and make recommendations concerning an Ordinance respecting the Legislative Assembly.

That the said Committee have the power to call for persons, papers and records and to sit during the inter-Sessional period and to report from time to time.

And that the Clerk of the Assembly be responsible for providing the necessary support staff for the Committee.

Your Committee wishes to express its sincere thanks to the Clerk, Mrs. Linda Adams, the stenographer, Lillian Morris, and to Mr. Michael Clegg, barrister and solicitor for their services to the Committee.

Since the Committee's third report, it has held meetings with Dr. Jack Hibberd, Member for Whitehorse South Centre, in the Chair.

The Committee began its study of policies for conflicts of interest guidelines for M.L.A.'s and for an ordinance respecting the Legislative Assembly of Yukon by reviewing Position Papers prepared under the direction of the Clerk. Committee also perused similar policies and statutes of provincial jurisdictions. The Committee, reaching a consensus on a philosophy accepted the recommendations that Mr. Michael Clegg, barrister and solicitor from Edmonton, Alberta, draft the policies into legislation. Several drafts related to Position Papers and reports of a proposed bill were reviewed by your Committee.

Conflict of interest guidelines for M.L.A.'s and I quote: "It is a generally accepted principle that holders of public office must so order their affairs that no serious conflict of interest arises, or appears to arise, between their private interests and their public responsibilities. Conflict of interest occurs when a public official's decision, judgment or advice, is governed or influenced by the possibility of personal gain or regard by virtue of his business connections or financial involvement outside the public service, or where there are circumstances which have the appearance of so doing."

This statement appeared in Sessional Paper Number 2, 1970, Fourth Session, which was presented to the House at the time that the Executive Committee was established. The adoption of a code of ethics for Members of the Executive Committee was the first form of conflicts of interest in Yukon. Since that time, Governments in Canada, at every level, have increasingly recognized the value of conflict of interest policies as a means of ensuring public confidence in legislative and governmental decisions as well as in their administrative execution.

Existing provisions regarding conflict of interest for M.L.A.'s are found in the sections on qualifications and disqualifications of candidates in the present Elections Ordinance and the Legislature Standing Order Number 9, Disallowance of vote where a Member has pecuniary interest. In Number 63 and Number 64, sanctions concerning bribery. It is advisable that the expectations and rules concerning conflict of interest be clarified and that appropriate sanctions and administrative provisions be instituted and provided for in legislation.

An Ordinance respecting the Legislative Assembly. For a number of years now the Legislative Assembly of Yukon has operated without the existence of an Ordinance to regulate its constitution and affairs. There are a number of provisions in the Elections Ordinance and in the Immunity of Members Ordinance relating to the Assembly. The Council Ordinance, which was in existence from the first half of this century, was repealed in the 1950's apparently because, in the opinion of the Minister of the Day, it contained provisions which were not appropriate to the Council as it was then constituted

and as it was then operated.

Since that time, there's been a very significant development in the level of activity of the Assembly. It takes a much more active role in the consideration of legislation, both in the Assembly and in committee work, and it has a very significant involvement through administration of the Territory through the elected Members who serve on the Executive Committee and the Advisory Committee on Finance.

There is no doubt that in the next few years there will be constitutional development for Yukon towards provincial status, and both in recognition of the present function and status of the Assembly and in preparation for the role it will assume in the 1980's, it is appropriate at this time that we bring together in one Ordinance, all those provisions which would properly relate to our Assembly.

As the powers of this Assembly are derived from the Yukon Act, it can only be altered or increased by an act of Parliament. The Legislative Assembly Ordinance does not, of itself, bring about any constitutional development, however, it is a vital foundation stone in the constitution of the Assembly and will enable us to function in a more controlled and more appropriate manner in preparation for the evolution of legislative and administrative powers equivalent to those of the provinces.

In conclusion, Mr. Speaker, your Committee has studied thoroughly all aspects of its terms of reference and concluded that the conflict of interest guidelines for M.L.A.'s and the principles for an Ordinance respecting the Yukon Legislative Assembly be incorporated into legislation.

The general principles of the Bill, the Bill contains provisions in five main categories. Firstly, the Bill provides for the constitution of the Assembly and in this regard, it confirms and expands upon the constitution as laid down in the Yukon Act for the Council of the Yukon Territory. The Bill recognizes the style and title which the Assembly has adopted by resolution which is a recognition of the fact that in its operations with regard to legislation, the Assembly is indeed a legislative body and it does not in that regard, differ very greatly from a provincial assembly.

The differences between the Yukon and the provinces of Canada lie in the degree of administrative power rather than in the degree of legislative power. With a few exceptions, our legislative powers are very similar to those of a province and the more precise organization of our Assembly under this Ordinance will enable us to develop and take greater advantage of the powers that we have actually possessed for a number of years.

Secondly, the Ordinance provides rules for qualification and disqualification of Members and provisions for resignation and replacement. These sections contain provisions relating to conflict of interest which have been developed by study in Committee and reflect the special nature of the Yukon and also reflect the current and legitimate expectations of the electorate regarding the independence of their members and freedom from conflict of interest.

Thirdly, the Ordinance provides for the constitution and appointment of the offices of Speaker and Deputy Speaker. As we develop our Committee work to facilitate more critical and constructive scrutiny of government legislative proposals, the position of Deputy

Speaker and Chairman of Committees will become increasingly important.

Fourthly, the Bill reconstitutes the powers and privileges of the Assembly which were held for the first half of this century by the Council of the Yukon Territory and, as we move continuously to a more active participation and tend towards an operation similar to that of a provincial assembly, it becomes again important to have these powers and privileges confirmed and laid out in legislation.

This section also includes the provisions of immunity of Members presently included in the Immunity of Members Ordinance. Research has shown that it has been rare for any provincial legislative assembly to have to use or enforce any of the powers and privileges which it holds. However, there is no doubt that the existence of such powers and privileges has been most important in maintaining the integrity of assemblies throughout this country.

It is not proper in a democratic country that the legislative function has to rely on a judiciary for the maintenance of its independents and its freedom of speech. Without these powers and privileges reconfirmed, the Assembly would have to rely upon the common law relating to parliamentary privileges and the intervention of the courts to maintain a fully independent status, which in itself is a contradictory situation.

Fifthly, the Bill includes those provisions relating to indemnities, allowances and expenses for Members currently contained in the Elections Ordinance.

Your Committee therefore recommends: (1) that the attached draft Bill, entitled "An Ordinance Respecting the Legislative Assembly" be introduced at the 1977 First Session, allowing debate in principle.

The reason, because this Ordinance is of such significance for the Assembly and therefore to the people of the Yukon, it is brought to this Session for the purposes of debate only. This will allow any members of the public who are interested to make representation to their Member relating to the Ordinance.

In view of the constitutional significance of this Ordinance, in that it will govern the legislative body of the Yukon and be a foundation for development toward provincial status, we believe that a period of time for public comment and review is desirable.

Secondly, that the finalized Bill, entitled "An Ordinance Respecting the Legislative Assembly" be introduced at a later sitting of the Legislature this current year. The reason, Mr. Speaker, it is your Committee's understanding that it's the government's intention to bring before this Assembly in the Fall Session, legislation in the form of a new Elections Ordinance. This will be a complete electoral system for Yukon.

At this time, your Committee feels that it is best to put those provisions which relate to the function of the Assembly and the rights of its Members into one Ordinance and to leave the Elections Ordinance to deal with the running of an election. The new Elections Ordinance is to be drafted over the course of this summer, at the same time, therefore, the Yukon Legislative Assembly Ordinance should be re-examined to ensure its compatibility with the new Elections Ordinance. The Yukon Legislative Assembly Bill will be finalized for the Fall Legislative Session.

Mr. Speaker: Are there any further Reports of

Committees?
Petitions?
Introduction of Bills?

BILLS: INTRODUCTION AND FIRST READING

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

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West, that a Bill entitled "An Ordinance to Amend the Local Improvement District Ordinance" be now introduced and read for the first time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West that a Bill entitled "An Ordinance to Amend the Local Improvement District Ordinance" be now introduced and read a first time.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare the motion carried.

(Motion carried)

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

Hon. Mr. McKinnon: The next sitting of the Assembly, Mr. Speaker.

Mr. Speaker: Are there any further Introduction of Bills?

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

NOTICES OF MOTION FOR THE PRODUCTION OF PAPERS

Mr. Speaker: The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Yes, Mr. Speaker, I give Notice of Motion for the Production of Papers this morning. Moved by myself, seconded by the Member from Kluane, that the Yukon Territorial Government make arrangements with the federal government to have tabled in this House, a copy of the report entitled "The Government/Indian Relationship Paper" that was referred to the Federal Standing Committee on Indian Affairs and Northern Development on Tuesday, March 22nd of this year.

Mr. Speaker: Are there any further Notices of Motion for the Production of Papers?

Are there any Notices of Motion or Resolution?

NOTICES OF MOTION

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

Mr. Hibberd: Mr. Speaker, I give Notice of Motion that the Fourth Report of the Standing Committee on Rules and Election Privileges be concurred in.

Mr. Speaker: The Honourable Member from Kluane?

Mrs. Watson: Yes, Mr. Speaker, I give Notice of Motion, seconded by the Honourable Member from Klondike, that the regulations pursuant to the Game Ordinance not be amended to remove the wolverine from the big game animal list and placed on the fur bearer list until such time as all interest groups have had the opportunity to make representation and the Game Branch can conduct a biological and population assessment of the animal.

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

The Honourable Member from Kluane?

Mrs. Watson: Yes, Mr. Speaker, I'd like to give Notice of Motion, seconded by the Member from Riverdale, that the Government of Yukon form an advisory council to the Game Branch to review and make recommendations regarding proposed changes to regulations pursuant to the Game Ordinance and that the membership of the advisory council be made up of representation from the Game Branch and equal representation from the various interest groups such as the Trappers' Association, the Outfitters' Association and a native organization.

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

Are there any Statements by Ministers?

Are there any questions?

QUESTION PERIOD

Mr. Speaker: The Honourable Member from Hootalinqua?

Question re: Proposed Foothills Pipeline

Mr. Fleming: Yes, Mr. Speaker, I have a question this morning, I think, for I presume it would be the Commissioner on the proposed pipeline by Foothills through the Yukon Territory. In a report, they have decided now to put in a 48 inch line, apparently, instead of a 42 inch line, or at least proposed. Also, there is something to the effect that they will change some of the Grader Stations and the positions and they will be deleting three of them and be down to seven instead of ten.

I would ask now, where all the seven Grader Stations are going to be placed -- the Compressor Stations, sorry?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, I haven't seen the revised application, so I can't respond to the Member's question, but certainly we'll get the information. But it

must be remembered that this is only an application and this is the information that will be brought to the Members of the House and to the people of Yukon when the enquiry into this pipeline application occurs.

Mr. Speaker: The Honourable Minister of Local Government?

Hon. Mr. McKinnon: Mr. Speaker, I would like to table a legislative return in response to Mr. Berger's question of March 3rd, concerning vacant positions in the Territorial Government.

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

Hon. Mrs. Whyard: Mr. Speaker, I would like to table the answers to written question Number 17 concerning Tuberculosis.

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

Question re: Meeting re Financing Health Care in Yukon

Mr. Hibberd: Mr. Speaker, in a previous question, the Minister of Health indicated there was to be a meeting regarding new financing methods concerning Health Care in the Yukon. I wonder if the Minister could give us the results of that meeting?

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

Hon. Mrs. Whyard: Mr. Speaker, we had a very fruitful discussion on Friday afternoon with representatives from two federal departments and our own officials. In very basic terms, the new cost-sharing for hospital, medical and post-secondary education programs is called Established Programs Financing. It replaces the old cost-sharing arrangements under the Hospital Insurance and Diagnostic Services Act and the Medicare Act. It includes a portion of funding for post-secondary education because the provinces have been financed in that way for some years.

This will be the first time the Territory has had the financing for post-secondary, broken down into specific cash percentages of federal funding, rather than being lumped into the general territorial budget and included in our operating and/or deficit grants paid to the Yukon by the Federal Department of Indian Affairs and Northern Development.

The new Act, Established Programs Financing Act, effective April 1st, 1977, provides for greater flexibility in the use of our own funds within the national framework and standards for health care, now applied to these programs. And, Mr. Speaker, I would hasten to add that this Government will have no difficulties whatsoever in complying with those standards. We always have.

In addition, for the first time, the Act provides for compensation for extended health services. Payments will come to us in two ways. Cash payments will now come to the Territory, based on national average federal contributions in the base year per capita for the

three programs now covered by the Established Programs Financing.

Furthermore, the Territorial Government will now receive additional revenue in the form of increased grants in lieu of provincial income tax. The Act provides for two kinds of payments. Cash payments for on-going health and post-secondary programs and tax points for income tax, which result in cash flow to the recipient.

Basically, the new cost-sharing is provided through cash payments for these program costs and income tax points between the Federal and Provincial Governments. Since the Yukon does not, at present, impose a territorial income tax and has always received a grant in lieu of an estimated amount that we would have had as provincial income tax, the Federal Government will provide the Yukon with a grant in lieu of the estimated amount and this amount will be credited to us under the new financing, adjusted to the national provincial amounts paid to the provinces.

We have been assured that the Yukon will not incur any income loss under the new Established Programs Financing Act. The Department of Indian Affairs has indicated that the operating grants which we receive now from that department will be adjusted to absorb any shortfall between our present budget estimates for health care and the installation of the new Financing system. There may be an interim period there until the adjustments are in place, depending on tax point transfers and so on. And we have been assured that this will be taken into consideration when our Operating Grant and/or Deficit Grant is being computed by the Federal department.

Mr. Speaker, it appears to the officials of our departments that the program provides substantially more territorially generated and controllable funds than were previously available to us and we also welcome the opportunity to now examine the possibilities for extended care services, which were not financed previously under the other arrangements.

Mr. Speaker, as additional information is provided on the details of this program, I will be pleased to bring it to the House.

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

Question re: Situation in Haines Junction

Ms. Millard: Mr. Speaker, a question for the Minister of Education. At our last sitting, the situation in Haines Junction came up in the Question Period and at that time the Minister said that he was reviewing the situation and I would like at this time to request that he comment to the House on what the Department might be doing in that situation.

Mr. Speaker: The Honourable Minister of Education.

Hon. Mr. Lang: Mr. Speaker, prior to coming in the House, I was informed that there would be a motion coming into the House and I see that a Member has asked for the waiving of Standing Orders or whatever and until which time I see what happens to that particular motion, I'm not prepared to comment.

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

Question re: Economic Planning Unit Study

Mr. Lengerke: Yes, Mr. Speaker, I have a question for the Commissioner this morning. I was wondering if the Commissioner could tell us if the Economic Planning Unit has now determined the method by which they're going to carry out the study on Yukon's future?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, the Planning Office has completed phase one of the process as outlined previously and there will be an announcement on that forthwith.

Mr. Speaker: The Honourable Member from Hootalinqua?

Question re: Status of Yukon in Yukon Act

Mr. Fleming: Yes, Mr. Speaker, this is just a question that bothers me a little and, I don't know, I think Mr. Commissioner could probably answer it and maybe many other Members, but I'm wondering why in the Yukon they include the Northwest Territories under their interpretations as a Province, and that the Yukon Territory is just a Territory under the Yukon Act?

Mr. Speaker: Mr. Commissioner?

Mr. Commissioner: Mr. Speaker, I'm a little confused. I wonder if I could have some clarification of the question?

Mr. Speaker: The Honourable Member from Hootalinqua?

Mr. Fleming: Yes, Mr. Speaker, in the Interpretations Ordinance, it includes in the Provinces, the Northwest Territory, and then goes on to say that a Territory is the Yukon under the Yukon Act.

Mr. Commissioner: Mr. Speaker, I'm afraid I can't answer that question right now, but I will certainly obtain the information and report back.

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

Question re: Implementation of Business Tax

Mr. Lengerke: Mr. Speaker, a question for the Minister of Local Government. I'm just wondering if, in carrying out the property assessments, if the Y.T.G. Assessors have provided for the implementation, if the City of Whitehorse require it, the implementation of a business tax in conducting the reassessment of commercial properties? Has this been done?

Mr. Speaker: The Honourable Minister of Local Government?

Hon. Mr. McKinnon: Mr. Speaker, I'll provide a written answer to the Member, but it is my understanding that this information was going to be garnered in this assessment that is presently being completed.

Mr. Speaker: We'll then at this time proceed to Orders of the Day.

ORDERS OF THE DAY

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

Mr. Hibberd: Mr. Speaker, I beg leave to move that this House do now adjourn for the purpose of discussing the following, which is of great urgency to Yukon, regarding the opinion poll on the native language program at Haines Junction School.

Mr. Speaker: Perhaps the Honourable Member could continue briefly?

Mr. Hibberd: Mr. Speaker, it is reported that, as of this morning, the children, the Indian children, of Haines Junction are not in attendance at school. This situation has come about over the controversy of the teaching of Native Language in the Haines Junction School. Mr. Speaker, I am sure that the House will agree with me that, when the Yukon children are not in school because of a sensitive political situation, then it becomes the duty of all of us who are elected Members to consider this matter of urgent public importance and deal with it forthwith.

Mr. Speaker: I have considered the matter presented to me by the Honourable Member from Whitehorse South Centre, and I do deem the matter to be of urgent public importance. Does the Honourable Member have leave?

Some Members: Agreed.

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

Mr. Hibberd: Mr. Speaker, I move, seconded by the Honourable Member from Mayo, that this House do now adjourn to deal with the following matter of public importance.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse South Centre, seconded by the Honourable Member from Mayo, that the House do now adjourn to deal with the following matter of public importance.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: Are there any disagreed?
I shall declare that the Motion is carried.

(Motion carried)

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

Mr. Hibberd: Mr. Speaker, it is moved by myself, seconded by the Honourable Member from Mayo, WHEREAS there have been serious allegations made by the Yukon Native Brotherhood that basic democratic rights were denied the Indian people during an Indian poll in April of 1977 at Haines Junction concerning a Native Language Program in the Haines Junction School; WHEREAS the people who conducted the questionnaire deny such allegations; THEREFORE, BE IT RESOLVED that the Government of the Yukon forthwith request the Chief Electoral Officer to conduct an investigation into these allegations; AND BE IT FURTHER RESOLVED that if such investigations show that these allegations be valid, a further opinion poll be conducted under the auspices of the Yukon Territorial Government; AND BE IT FURTHER RESOLVED that until this matter is resolved the Native Language Program continue to be taught during school hours in Haines Junction.

Mr. Speaker: Yes, perhaps in order to have this matter properly before the House, I will read the Motion which the Honourable Member has kindly provided the Chair with:

It has been moved by the Honourable Member from Whitehorse South Centre, seconded by the Honourable Member from Mayo,

THAT WHEREAS there have been serious allegations made by the Yukon Native Brotherhood that basic democratic rights were denied the Indian people during an Opinion Poll in April 1977 at Haines Junction concerning a Native Language Program in the Haines Junction School;

AND WHEREAS the people who conducted the questionnaire deny any such allegations;

THEREFORE BE IT RESOLVED that the Government of the Yukon forthwith request the Chief Electoral Officer to conduct an investigation into these allegations;

AND BE IT FURTHER RESOLVED that if such investigation shows these allegations to be valid, a further Opinion Poll be conducted under the auspices of the Yukon Territorial Government;

AND BE IT FURTHER RESOLVED that, until this matter is resolved, the Native Language Program continue to be taught during school hours in Haines Junction.

The Honourable Member from Whitehorse South Centre?

Mrs. Watson: Mr. Speaker, on a point of order. If the motion was important enough and the topic important enough to adjourn Standing Orders, I think the motion is important enough that, before any debate should take place, we should each have copies of the motion.

Some Members: Agreed.

Mr. Speaker: I believe copies are being obtained at this time. It's my understanding. So, while copies are being obtained, perhaps we could begin the debate. If

Members would so agree?

Some Members: Agreed.

Hon. Mr. Lang: Mr. Speaker, on a point of privilege, I think the Member from Kluane raised a very good point. I think that we should have the opportunity of looking at that particular motion.

Mr. Speaker: They are now being photocopied. We will proceed with debate on the Resolution.

The Honourable Member from Whitehorse South Centre.

Mr. Hibberd: Mr. Speaker, this House is already on record as being in favour of the teaching of the Native Language Program in our schools. But the issue that is before us now, Mr. Speaker, is not the issue of the Native Language Programs. We are faced with a very serious allegation that some citizens of the Yukon were denied their basic democratic rights.

It has been alleged that the right to vote without prejudice has been tampered with. I personally find this difficult to accept. It has been denied by those who instituted the Poll and by those who conducted the Poll.

But, Mr. Speaker, we as people who are involved with the political process must be keenly aware of the absolute necessity that no individual's right or freedoms must suffer or appear to suffer. If there were imperfections in the conduct of this questionnaire, then the Indian people have a right to be concerned and to be upset. But if this Poll was conducted in a fair and just manner, then the people accused of wrong-doing should be cleared and should receive public apology.

Mr. Speaker, the Minister of Education may consider that this resolution is usurping his authority and is an indication of non-confidence in him. Nothing, Mr. Speaker, could be further from the truth. The Minister has acted in accordance with the information given to him by his department. His role has been that of a responsible Minister, administering the affairs of his department. In this, he has my full support. But the problem which faces us now is a purely political as against an administrative issue. It concerns allegations of wrong-doing in the conduct of a democratic process, of voting procedure, on the part of the citizens of Haines Junction.

I would also like to point out, Mr. Speaker, that the School Committee, in arranging for this Poll, were concerned about this democratic process. They went on record as saying that they would be bound by the wishes of people in their community. They stated that if the Poll so indicated they would make every effort to ensure that the Native Language Program would be included in the in-hours curriculum in their school.

Mr. Speaker, since putting this resolution together, I've learned that there have been several affidavits filed regarding possible irregularities at the Poll. It has been the intention, Mr. Speaker, in requesting the Chief Electoral Officer, that complete impartiality be maintained. There now appears more urgency to have this resolved.

As mover of this motion, Mr. Speaker, I would like to allow this Government some latitude in the selection of an impartial inquiry to deal with this matter as quickly as possible.

Mr. Speaker, I am requesting that the status quo be maintained until this matter can be resolved in a fair and just manner to all those concerned.

Mr. Speaker: Is there any further debate?
The Honourable Minister of Education?

Hon. Mr. Lang: Mr. Speaker, I'm very discouraged with the sequence of events that have brought us to this time when we're in the House once again discussing the Haines Junction School and the education of the kids in that school.

I personally, and I think I can speak on behalf of the public of Yukon, am appalled, and I state very appalled, at the actions of the Native organizations. I think it has been truly what one can define as completely and utterly irresponsible, the actions they've taken. I've been informed this morning that ten percent of the children in the Haines Junction School are not in attendance this morning. And I recall very vividly, Mr. Speaker, approximately 48 hours ago, but then some people have short memories, that it was stated on the air that we do not want to use our children as political pawns.

Mr. Speaker, I think it's very, very obvious to the public of Yukon that this is a very invalid statement.

Mr. Speaker, you're not discussing the concept of native languages this morning. You're discussing legislation that was passed by this House in 1974 and assented to by the Members that were part of this House at that time. It's a known fact the Department of Education, prior to myself taking this position, that when the Honourable Member from Kluane had this position, that the concept of native languages being taught in the schools of Yukon was accepted by the Department of Education. But there's one thing that's been forgotten here, Mr. Speaker, and that is the sequence, the channels that one must go through in order to introduce a new program or an adaptation to the curriculum.

In Section 72 of the School Ordinance, it outlines the duties of a school committee and every Member in this particular House represents constituencies where there are school committees. It states in 72(j), "After consultation with the principal, request the Superintendent to authorize a course of study or modification of a course of study or textbook or other instructional material or apparatus for a specified period of time".

And it goes even further, Mr. Speaker, in Section 14 of the Ordinance. The law that governs the education system of Yukon — 14(1), "The Commissioner may prescribe the courses of study to be used in schools and he may authorize the superintendent to make modifications and adaptations to such courses."

(2), "Subject to sub-section one, the superintendent may, at the request of a school committee who have consulted with the principal or, where there is no school committee, request of a principal, to authorize (a) the use of a course of study, (b) the adaptation or modification of a course of study, and (c) the use of a textbook or other instructional materials or apparatus."

Mr. Speaker, the channels were never followed in this particular incident. We're talking of bigger game than native language in Haines Junction. For an example, Mr. Speaker, the Band Council never approached the school committee in Haines Junction, never, to discuss the situation. I had the opportunity last week of speaking to the members of that particular school committee

and, as one of them stated, he said, you know, it would never have come to this if the Band Council had come to see us and discussed the situation. But that was not the case, Mr. Speaker. There's bigger forces in the Yukon, bigger forces in Haines Junction; for that matter, bigger forces in the Government of Yukon.

Mr. Speaker, the situation has been so badly mishandled and I am ashamed, I say ashamed of the people who claim they have professional qualifications, yet would allow something like this to happen. In this statement, I'm including the principal, the teacher in question, and the Regional Superintendent.

Mr. Speaker, it's never been brought out, and I think it's time that it should be brought out, that in that particular class, there's sixteen students. Five of those students have decided, for one reason or another, they did not want to participate. Now, Mr. Speaker, I think it's very important that those five children have rights too, rights for an education just like any other child in the Yukon. There was a questionnaire sent home to the parents, and I want to outline the options that were put out, made out to these kids, if you call it options.

"Dear Parent: Please make your intentions clear as to what you wish for your children to do during the Indian Language class from 3:00 to 3:30 every day."

Number 1, first question with a block beside it states: "I wish to have my children sent home at 3:00 p.m. without any special assignments."

Number 2, "I wish to have my children sent home at 3:00 p.m. with appropriate work assignments."

Number 3, "I wish to have my children undertake special assignments under partial supervision in the school library."

Mr. Speaker, this tells me something, it tells me a lot, that we've got a problem, a big problem. Mr. Speaker, to change what I'm speaking about, I'd like to talk about the allegations that have been made against the School Committee.

The School Committee, which has been duly elected, who is not paid to perform the function in any way, shape or manner, the only reason that they ran for office is because they're interested in their children's future in education. Mr. Speaker, the allegations that have been made against these people who I personally think are very fine people, I think they are the salt of the earth, the backbone of this country, are very serious allegations. I think the Honourable Member from Whitehorse South Centre has said it, that the basic premise here now is that there has been allegations made, there is doubt in the public mind, whether or not that public opinion poll was properly run.

It's a tragedy, Mr. Speaker, that the people elected to do a job who do not have the services of lawyers, secretaries or any of the other benefits that a political party would have, has been pitted against an organization or organizations that are funded by everybody's tax dollars.

Mr. Speaker, the credibility of these people are definitely in question. I think we all heard this morning the Chairman of the School Committee state that as far as they know, they didn't make any wrong doing. You've got to remember, they are working people. They work for a living, yes, Mr. Speaker, they work for a living. They get up in the morning at 7 o'clock, feed their family, pay their taxes and try to put in an eight hour shift, maybe a ten hour shift, maybe even a twelve hour shift

in order to pay the bills. These are the people that I'm talking about, Mr. Speaker, and I am appalled, and I say appalled once again, that the credibility of these people is being questioned.

I think it is a tragedy that the Yukon has got down to the point where we are pitting race against race and this is exactly what it is, Mr. Speaker. The question of native language in the school is just a symptom, it's not the problem. I can recall very vividly, when we were given a lecture here by the Chairman of CYI stating that things were getting better.

Things aren't getting better, Mr. Speaker. They're deteriorating very rapidly and all I can say is that if the native people are together today for their children tomorrow, they'd best recognize that decision-making is a two-way street and a very difficult street and one must always carry the responsibility with them when they make those decisions.

Mr. Speaker, you can recall approximately one week ago, we made a decision on that particular incident. I stated it very specifically in the House here and I'd like to take this opportunity once again to inform Members of that decision that we made. Since the emergence of all the facts, the decision has been made to permit the program to be carried on after school hours in the school facilities for the balance of this year. The Department is prepared to assume the cost of the instructor, provided a program outline is approved by the Superintendent. The Department has been instructed to carry on with the program as it is during the school day until the end of this week in order that the appropriate arrangements can be made to accommodate the change.

Mr. Speaker, I think that the Department realizes that they have a problem in this area. I think the public does. And myself, as a spokesman for the Department said, "Look, we're going to make a decision. We'll make a decision, a policy decision to come up with the channels to outline to the Band Councils and the various school committees just what has to be done in order to institute a native language program." But that wasn't good enough, Mr. Speaker. It wasn't good enough, because when you're going for the jugular, Mr. Speaker, you don't look for a compromise in relation to decisions, you go for all or for nothing. And this is exactly the position we're in today, Mr. Speaker, exactly the position we're in today. We all know the government of Yukon, which represents everybody in the Territory, has been put in a very untenable position and I would suggest, Mr. Speaker, that the only way you could term it is as a set-up, a set-up.

Yet, and maybe I may sound facetious, everybody says we're going for one government. Mr. Speaker, all I can say is that I hope God goes with us. I think we're in for troubled times ahead of us, a lot of trouble and unfortunately, as proven today, undoubtedly all our children are going to be affected. Affected, in my mind, for no good reason. And we in the Government of the Yukon Territory, and I speak for my two colleagues on the Executive Committee, are trying to keep things working. Keep the lid on it and we have two different parties doing everything they can do to destroy and discredit the Government of the Yukon.

Mr. Speaker, on speaking to the motion, I can support the first part of the motion. I think the credibility of these people have been in question and until which time someone impartial clears their names, there will al-

ways be doubt in people's minds whether or not the innuendos and the allegations were true.

Mr. Speaker, I can understand why the Honourable Member from Whitehorse South Centre is putting this motion forth, but at the same time, Mr. Speaker, I'm satisfied in my mind that the procedures that were followed in that particular election were correct. We have had that verified by the statements this morning by the Chairman of the School Committee that they are prepared to open themselves to public scrutiny, if need be, to clear their name.

Mr. Speaker, the last part of the motion states:

"BE IT FURTHER RESOLVED that until this matter is resolved, the native language program continue to be taught during school hours in Haines Junction."

Mr. Speaker, I'll be voting against this motion. Mr. Speaker, I do believe that the concept of our democratic system is in question here, and I do believe that I have a responsibility to defend the parents and the people that have been elected to the School Committees and their actions.

Mr. Speaker, if this motion passes, and I have the confidence of this House, I will carry on in the present position that I have in order that I can do the job that I have been elected to do, and that is to see that the government of the Yukon Territory builds a future for itself.

I hope that all Members realize that I have no alternative, that if this motion passes with the majority of the House that I will have to see that the decision that was made last week is reversed at least for a short interval of time, in order that an investigation can take place so that we can see the results of that particular investigation and re-examine the situation.

Mr. Speaker, I think the irony of the whole situation, is that I don't think the public knows, or the Members of this Legislature know because I don't know even who we are dealing with. We have got a press release to the CBC with these allegations stated, these innuendos, nothing signed, but of course the CBC goes ahead with it anyway. We have had statements made by people who don't even live in Haines Junction, Mr. Willy Joe, the acting president of the Yukon Native Brotherhood. We have had statements made by Mr. David Joe, and I'm not too sure who he works for, whether it's the CYI, the YNB or the Champagne-Aishihik Band, and then we have affidavits to the Commissioner this morning signed by Margaret Joe, who doesn't live in Haines Junction. That's the irony of the situation, Mr. Speaker, it shows me one thing too; it's not a local issue, it all came from Whitehorse.

I'll be voting against this motion.

Mr. Speaker: The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Thank you, Mr. Speaker, my comments will be brief with respect to the motion. I have taken a look at it, a good hard look at it. I think it deals in two parts, there's no doubt about that. I could probably support the first part where it's that old approach that you take, if you can't solve the problem, you get in a third party and I guess in this case, this is fine. Are we questioning the conduct of an election, of a plebiscite, and if that's the case, then I'd say part number one of this motion is quite valid.

If you take a look at the second part, we're talking about education in the Territory. Education in the Territory is a responsibility of this Territory, Mr. Speaker, and I'd say we had better solve that problem at that level and not ask a chief electoral officer to solve that one for us. So I, as I've said, I've taken a real look at this thing and I would be voting against the motion if it stands the way it is. I would want some kind of amendment made to it.

I was really amazed by the statement of the Minister of Education. I just hope that when he was talking of a questionnaire he was reading out, I would hope that questionnaire emanated from the Department of Education under its authority, or if in fact it didn't, well then there should be some further questions asked, because a questionnaire like that, Mr. Speaker, I'm sure the Minister of Education didn't authorize that kind of thing to go out of here, or the Superintendent of Education. It sounds to me like a questionnaire that went out at a local level by a teacher, and Mr. Speaker, you know, who is setting policy of education in this Territory?

Certainly the question of, you know, as the Minister says, it's bigger than just the question of education. Here we work like crazy to get an education system going in the Territory, we find we're making pretty good advances. Certainly when you're dealing with the kinds of situations we do in Yukon, there are set-backs. When you are dealing with native people, there are set-backs. You can't please everybody, but I think we're getting there, but if we take the kind of steps that I hear now, that are being asked for, I think we're going to go back ten steps rather than go ahead one or even remain status quo, Mr. Speaker. I've seen this happen in other jurisdictions and believe you me, it isn't very nice. When we get back and we make the full circle, we've wasted a lot of time and a lot of money and the lives of a lot of good children who are certainly impeded with respect to their education process. It's not a very nice thing.

Mr. Speaker, I will not vote in favour of the motion in its present form.

Mr. Speaker: The Honourable Member from Hootalinqua?

Mr. Fleming: Yes, Mr. Speaker, although I may not be voting for the motion in its present form, I'm certainly glad to see it here this morning and I'm not glad about what happened in Haines Junction. However, I've said this before and I'm going to say it again, that let's put the blame right where it belongs and before I'm through here I think I'll prove that I'm right.

It may be the people and the Committee are not altogether to blame for what's happened here today. I think it was some time ago that I put a motion to this House and it was voted on unanimously, went through, to have the federal and the territorial governments come up with a policy as to Indian education in itself. That has been, I think, three or four or five months past, and I haven't heard a word or a sign of anything since and I'd like to say, Mr. Speaker, I think that the federal government and the territorial government and that's us, all of us here, are not sitting down and taking hold of the reins and doing what we should be doing.

The education process is something that this government should be absolutely responsible for and as far as

committees in little small towns, little districts are concerned, they are a wonderful thing and the people should be heard from and listened to by the government. But in no way, shape or form should we go to the extent as a government, to ask people to have a plebiscite or anything that is going to split them up in those places, at the local level. And this is exactly what we're going in this House and have done before in matters not only in education, but in others too.

And the Minister says we do not want to use our children as pawns, and I agree absolutely. We must have somewhere a policy that says we either teach them Indian education in our school or we don't. And when we go to somebody and give them three options as to whether their children should come to school and be there for two or three hours a day or should they go home and wash dishes or whatever, I think we're neglecting our duty. Somewhere along the line we have neglected it up until now. Now is the time to maybe repair it before we have some more problems in the Yukon. I'm not blaming that Committee, I'm not blaming the native people or the Native Brotherhood. I don't know about the allegations because I haven't really seen them myself and anything that's in the paper I don't really care if I ever see. If it was made in this House, right here where I can hear it, then I'll understand and say you go your way, I'll go mine, but I haven't heard that, and I feel for that Committee, but I also feel for the native people, that sometimes do have a problem.

I think it's time we sit down and just say whether that education is going to be taught in our schools or is it not going to be taught in our schools. And, the people we're speaking of have the prerogative, they can say, okay, you're not going to teach it to us, we will go on our own and have it. The federal government gives them that right and that is a right. We have no right to interfere with that, but in the democratic process we want to ask them to go along with us. But we're not doing it this way, Mr. Speaker, and we're not doing, dropping the burdon onto small school committees and L.I.D.'s or little districts or going to the parents and then giving them the actual option of saying, I don't have to send my kid to school today. I know the basic rights of a human being, I agree on. Many times we have fought in this House for them, but there are certain things that have to be run by the government, have to be controlled and you just don't run around with pieces of paper asking people whether you're going to teach education. Every dollar in this country is coming from every taxpayer in this country to provide this education.

It's not coming from two or three people from Haines Junction, or Teslin, or Watson Lake, who might say, oh, we don't want our child to have this and that and the other thing.

This is Canada-wide, nation-wide, and it is Yukon-wide, and that's where it sits in this House today, and I hope it actually boils down to where we sit down and make up our minds as to what we are going to do. As far as clearing the Committee, I would love to vote for a motion to clear any person's name that has been probably opposed or been slandered or anything in this effect but, Mr. Speaker, I can't really vote for a motion when I have no actual facts as to just how it all came about.

The last word that I will say is that it is our responsibility as Government for education, and I'll include the

other one while I'm here because it has something to do with this, because it has turned into the same episode, the same thing as the education, is the liquor. There is another one that was brought in under this same situation and we're going to have a problem with that one. It is just a reminder that the two of them are very much alike.

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

Hon. Mrs. Whyard: Mr. Speaker, I have every sympathy for the Minister of Education this morning, who is in a very difficult position. He has an Education Ordinance which he has been following and which his officials have been following. They are trying to implement a policy for Native Language programs which is laid down. They have gone by the book, all the procedural requirements have been met and they are still being accused of a number of very serious things, as is the School Committee. I welcome this motion as an opportunity to at last come to grips with this thing at a level which the public can understand. We are being asked to say, once and for all, through an independent and absolutely unbiased authority, whether or not this matter has been handled in a fair and equitable way for the people of that community.

I would welcome the intervention at this time of someone of the professional qualifications of the Chief Electoral Officer, whether or not he may be available or whether he may name someone in his place to sit and examine the charges being thrown around quite loosely, Mr. Speaker, against the people who conducted an opinion poll.

I have not been involved in this question, Mr. Speaker, but I can associate myself with the emotional upset felt by the Minister of Education today, because that is the same position I have been placed in on a number of previous occasions, Mr. Speaker, when there have been allegations made in public through reports that discrimination exists in the extension of Health Care to Native people in the Yukon, and I have never been in a position, Mr. Speaker, where I could investigate any such charges, because there were never any details. There was nothing ever specific, and I can understand his personal reactions today, but had there been allegations regarding Health Care and improprieties involving Native people and their opinions and how it should be delivered to them, I would grasp such an opportunity to have an investigation made and to clear the matter once and for all and to uphold and substantiate the actions of my officials and all the people involved in delivering that Care to all the people of the Yukon.

Mr. Speaker, I have to relate to these questions from my own personal approach, my experiences in the health area, not education, but I can equate the two problems because they involve a group of people in the Yukon who are earnestly searching at this time for every avenue to establish their particular priorities. I think that, for the benefit of the Native people, such an inquiry should be held. Since they themselves are making the allegations, surely they would welcome the opportunity to have those charges considered by an absolutely impartial authority. Certainly, Mr. Speaker, on our behalf, I would welcome such an inquiry, because I am convinced that it will uphold the actions of that

elected school committee and I am convinced that we will find, at the end of such an inquiry, that the officials of this Department have been upheld in their actions.

I would certainly hope, Mr. Speaker, finally, that the Minister of Education will not consider in any way or misconstrue in any way the passing of this motion as a vote of non-confidence in him or his department. I cannot accept that it could be construed in that way.

I think we've reached a stage, Mr. Speaker, in this whole unfortunate development, where the average Yukoner is concerned with only one question. Regardless of the procedures involved in the department or how many children's parents said what, or how many public meetings were held, the only question before the public of the Yukon today is whether or not the native people were barred in any way from making their wishes known when that Opinion Poll was taken, and if they were, then the Government of the Yukon must take steps to ensure that this is remedied, but if they were not, Mr. Speaker, we can continue with our policy, which is laid in the Ordinance and approved by this Government, to provide native language instruction in the schools of the Yukon.

Mr. Speaker, I am going to vote for this motion. I think it is our only hope of clarifying the murky waters.

Mr. Speaker: Is there any further debate?

Hon. Mr. Lang: On a point of privilege, Mr. Speaker, I just want to inform the House that those five students that have been denied the rights of education, if this motion passes, their rights will be taken care of forthwith.

Mr. Speaker: The Honourable Member from Kluane.

Mrs. Watson: Yes, Mr. Speaker, I think more -- myself, more than anyone else in this House, is familiar with the situation that you were debating today and I'm appalled at the route that it has taken. I feel quite concerned about the motion that's here before us for the simple reason, and I can understand why it's here, that the simple reason, had the tables been reversed and the School Committee or a small group of people in a small community who are not members of an Indian organization, had called, filed and thrown charges around, there wouldn't be an adjournment of the Orders of the Day in this House, there wouldn't be the hue and outcry through the news media; they'd have just been pushed to one side as a bunch of cranks. That's what concerns me. We have, operating in the Yukon today -- and we talk about democratic rights, basic democratic rights, every day Yukoners' basic democratic rights are being chipped away at and they don't know it.

We have operating in the Yukon today, a political machine, a political organization, that has time, lots of money, apparently lots of it, resource people, manpower almost unlimited manpower, and they rose into action. As I said Saturday, they carry out a type of -- they use a type of political assassination technique and that is what is being used in this instance. It is ludicrous. Last week, when the results of the Opinion Poll were made, they said the results were that way because they had boycotted it. Then, on Thursday or Friday, they've forgotten about the boycott excuse and used the excuse

and said the charges that people had been denied the right to vote. How can you boycott something and then be denied the right to vote at the polls?

You know, on the basis of charges like that, we are saying we shall have an investigation. I know what the results of the investigation will be, quite clearly now; there's no doubt in my mind at all. But, Mr. Speaker, the results of that Opinion Poll could have been different, quite different, in that community.

And there's one thing that that political machine better realize — that they don't always push their own people into line.

You know, the Champagne-Aishihik Band are being used in this as much as anyone else.

You see, Mr. Speaker, the education consultant for the native organizations isn't quite as popular as she feels that she is, and she wasn't able to go out and make these people fall into line behind her. It's unfortunate the native organizations don't spend a little more time in their communities with their band organizations to assist them and show them the various routes that they can go to attain the ends that they want to attain. Now the Indian organization, the education consultant could have gone to the Champagne-Aishihik Band, presented the Indian Language Programs you wanted, and suggested they go to the school committee and see whether they could work out some arrangement. This wasn't done. Instead, they went the route of the school to undermine not only the community, the school committee, their own people, and to undermine the officials of the Department of Education.

I find it rather interesting also, it's completely an emotional issue, there's no common sense to any of it. Not once has the educational value of the course of the program been assessed. No-one has looked at the course in the Department of Education to say maybe you shouldn't be teaching it this way to get the best value from it. Instead, we have a teacher who is in his second year of teaching who had already asked to be transferred out of the community, started the program and all of a sudden this is the be all and the end all for the Indian people, and they shouldn't be satisfied with that. If they are truly interested in getting language instruction and cultural instruction in the school system, they better get the best possible they can get for the time that is permitted in the school system, and they haven't done this at all. They've just taken this one chap at his word and gone along the band wagon.

It is also interesting that in one of their allegations they said that 12½ percent of the school time is devoted to cultural activities and that the native language course is only taking up 9 percent. Now, that kind of an argument is fine, but when it's a misleading argument, I don't like it. They failed to say that 12½ percent of instructional time is devoted to recreation and culture and that includes P.E., music, art and any other cultural activities, such as Indian language. This was never pointed out to people, their people. Are they prepared to take 9 percent of the time and not have the P.E. or the music or the art?

The Minister of Education brought up a good point. I really think the Indian people feel that this is an optional course. I really do think they do. It is not; it is a mandatory course, because if you don't want to take it, you go home or you go to the library, and that is not an optional course, and herein lies a lot of your problem.

Mr. Speaker, the effort is being made this morning by the Honourable Member from Whitehorse South in an attempt to try to diffuse, probably, is the best word, the situation to see whether something can be done, and it is quite a commendable attempt, but, I know and I think every one of you knows, that if you diffuse this one, it's going to blow up there and there'll be another one blow up there and all you're doing, all we've been doing lately, is trying to diffuse things but the pressure has been on. I don't know what is going to stop this pressure, but are we going to attempt, every time that pressure is on, to try to diffuse it? Or are we going to say, enough is enough is enough? Mr. Minister, you'd better make up your mind of Y.T.G.'s role in the Yukon Territory, and Mr. Minister, you'd better make up your mind about the Indian Land Claims Settlement and you get in there and you get it settled and you advise the Indian people that, unless they are prepared to negotiate a settlement, not to do it by political pressure, the Federal Government will remove themselves from the table. That is the only answer.

It is not fair to native people or to non-native people, because the hatred, the animosity that is growing up between the two races as a result of a few people within the native organizations who are very intelligent, and I must commend them for their intelligence, are grinding this Territory to a halt and they're creating two camps and we don't want that. And every time we give in, the line gets harder and faster because there is deep-rooted resentment from a lot of people in the Territory today. And this is only small peanuts. They've ground over that school committee long gone, they're nothing. They're just absolutely nothing. You can investigate it, you can inquire, you're not putting out the fire. I don't think you're even defusing it.

Mr. Speaker, if I thought this was a solution, Mr. Speaker, I would vote for it. If I thought this was a solution, knowing full well that there was nothing that was not fair, that was within the law carried out at that Opinion Poll. I would still, but this is no -- will not put out the fire. You're just running again.

Mr. Speaker, I will be voting against it.

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

Hon. Mr. McKinnon: Mr. Chairman, I'll be supporting this resolution. There are several, I would probably point them out as typographical errors, perhaps in the motion, that if the House agreed to, would clean it up a bit. It seems that we had some problems deciding, the mover the seconder of motion, whether it was a plebiscite or opinion poll, or a resolution or a questionnaire that we were dealing with and it seems that in the first paragraph, the mover and seconder finally settled on the Opinion Poll was the official wording and then I'm sure that they meant to put on April 1st, 1977, because I believe that was the date on which the Opinion Poll was held.

Then, in the second "whereas", they use questionnaire again. It is not an Opinion Poll. I would think, Mr. Speaker, that that was a typographical error; that Members wanted to use the same wording throughout the motion.

In the fourth paragraph, or the other point that I have, "that therefore be it resolved that the Government of

Yukon forthwith request the Chief Electoral Officer..." I'm a little worried, knowing the constitution of the Canada Elections Act, whether the Chief Electoral Officer can act under the Canada Elections Act in this manner. And I thank the Honourable Member from Whitehorse South Centre, because I believe he said in his statements that he wanted to leave it flexible enough that the Government, if upon refusal of the Chief Electoral Officer, could go to another impartial authority to be able to conduct such an investigation and I think that perhaps when we contact the Chief Electoral Officer, that that flexibility may have to be left open to Members of the Government.

I notice also that some Members seem to have difficulty with the second part of the motion, though they support the first part. It would seem to me Mr. Speaker, that from the statements of the Haines Junction School Committee in a letter which was received by all of us today, that they shouldn't be having those problems that they have stated. "Be it further resolved that until this matter is resolved, the Native Language Program continue to be taught during school hours in Haines Junction".

I have a letter, that is dated today, April 16th, I'm sorry, Mr. Speaker, from Mr. Istchenko, the Chairman of the Haines Junction School Committee. It says, "It is important to note that because we as a Committee were unable at the time to interpret the community's views on the language course, we agreed that the course will continue until we were in a position, based on local public opinion, to make a decision.

Further in the letter he also states, Mr. Speaker, "If the poll had indicated support of the Indian Language being taught during school hours, then our recommendation would have been that it be taught".

So the allegations on the Opinion Poll are, by one group of people, that it wasn't conducted properly, the other group say that it was conducted properly, and I think that the School Committee agrees that the status quo should have remained until the questionnaire was settled. That's exactly what this motion is saying, until the allegations are proved correct or incorrect, keep the status quo, the teaching of native Language Program in the Haines Junction School.

So I have no problem with that part of the motion at all.

I'd like to commend and compliment all Members of the House for their contribution to the debate. I think that we'd be pulling an ostrich act if we hid our head in the sand and said that, you know, that we aren't dealing with a brush fire on a political confronted basis at this moment. I think we're all intelligent enough to realize that and we're trying to defuse the issue and get out of it for all people on all sides as best we can at the moment. It seems that this is what this Government is doing on a day to day basis, is fighting crisis as they're presented on a day to day basis and dealing with brush fires in the best way we can on a day to day basis. I think that that's all that we can be prepared to do at this moment, because we do have a large responsibility in dealing with all the people of the Yukon Territory in trying to run as efficient and as good a government as we possibly can on behalf of all the people of the Yukon at any given time.

I think there is another application and I know that we've all heard it on an awful lot of occasions, and that is

that the true test of a democracy, Mr. Speaker, is how well they do treat their minorities. We know that the native people of the Yukon are a significant minority of our population. We know that they are presently in the planning council for the settlement of a Yukon Indian Land Claims and we know that they are under a certain amount of pressure, as we all are.

I still believe, and I have to, Mr. Speaker, because if I didn't, I could no longer be a part of this Government, and I would no longer really want to be a person who wanted to live in the Yukon Territory. I believe that there are forces at work trying to pull us apart in the Yukon today that have never been here as long as I have been in the Yukon and it's going on twenty years this Spring. We can't give in to those forces, Mr. Speaker, we have to fight brush fires at every opportunity and we have to stick with a basic premise that the Indian people of the Yukon do believe in their stated goal of not splitting the Yukon apart along racial lines, we have to believe that the twelve members of this Legislative Assembly are serious in deciding and agreeing in exactly the same principle, that we are going to do everything in our power to not allow the luxury of the Yukon being split apart, along racial lines, that we are going to eventually have these brush fires settled, that we are going to come up with a just and expeditious Yukon Indian Land Claims that are going to allow a one government structure and all of us to face the future together on a very optimistic note.

I know a lot of my colleagues don't believe, from what they see happening on a weekly, monthly, and yearly basis, that this is possible. It's up to all the twelve Members in this Legislative Assembly to make it possible, to make it happen and also all those involved on the other side in the Indian organizations, and we've just got to get out of this series of systems. The political confrontations that rock us on a day to day basis, because if we don't by the time the Yukon Indian Land Claims Settlement is settled, the polarization will be so great and the scars so deep and so many of us affected so greatly that it's going to take years and years, in fact a lifetime, of attempts to pull us back together again. I don't believe anybody wants that. I just believe that we've got to get out of this system of bringing it down to the political arena on every issue and confronting each other on a political basis, because nobody is a winner.

Mr. Speaker, the Honourable Member who moved the Motion said it so well, let's not lose sight, the matter or urgent public importance is that Yukon kids are presently pulled out of Yukon schools over a political confrontation. Let's for God's sake, Mr. Speaker, get rid of that political confrontation so that the kids can get back to school where they belong and where we all want them.

Thank you, Mr. Speaker.

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

Ms. Millard: Mr. Speaker, I've lost track of the number of time that I've stood in this House and asked for an education policy that dealt with native people. I've lost track of it, and I know that the Member from Hootalinqua has also lost track of the number of time he has requested this.

I really feel that the attitude of the Department of

Education has created this situation as it presently is.

Hon. Mr. Lang: Mr. Speaker, on a point of order here, I think enough is enough. I've promised this House, I made a commitment that I would be coming in with a Paper to this House and it will be here at the end of this Session, I will not allow my Members of my Department to be castigated by some member of this House who has no idea what the hell she is talking about.

Mr. Speaker: Order, please.

Would the Honourable Member kindly keep his remarks parliamentary.

The Honourable Member from Ogilvie?

Ms. Millard: Mr. Speaker, I was appalled to hear the remarks of the Minister of Education this morning when he will not support a Motion which gives every opportunity for the democratic process to continue, as it should. I am also appalled that he has taken a position on this Motion which opposes the teacher that is involved, the principal that is involved, the Superintendent that's involved, a position which was supported by the Yukon Teacher's Association. It has been made public that they understand that this was done properly. I feel that if the Minister is ashamed, as he says, of the officers that he directs, then I have no other alternative but to ask for his resignation. If he cannot run his Department to the benefit of the students in Haines Junction as well as his students everywhere else, native or white, then we have to take a close look at what kind of job he's doing.

I don't know how many times as I said, that I feel this Legislature and this Department is heading towards a dual education system. We have not responded responsibly to the native concerns in the Yukon in education. There have been many, many attempts to gain some sort of definite policy on Indian education; there has been no response, it's been emotional, it's been political, it has not been rational. All that the native people have ever asked for was a rational policy on native education, some kind of recognition of the fact that there are problems, that there are "Barriers to Native Education."

That is a booklet which I had tabled in the House which took about a month to discuss because it became so emotional and so political and it shouldn't have. They are facts, they are simple facts that have to be faced in the Yukon and we are not facing them. If this House votes against this House today, we are just going one further step towards a dual education system and we will go down in history as being responsible for it.

Mr. Speaker: Any further debate?

The Honourable Member from Klondike.

Mr. Berger: Yes, Mr. Speaker, I have no problem voting for the motion and I think the opinion of some of the Members of this House is getting carried away. It's not a question of a vote of confidence for the Minister. It's just a question of trying to defuse a local issue before it becomes a Yukon-wide issue. I still have questions and doubts in my mind concerning the people in the education consultant field of the YNB, CYI, if you really speak for all the people in this Territory. And I think only after we defuse this issue and we do get an unbiased opinion if that questionnaire was run on a democratic

basis or undemocratic basis, only then can this House come up with a debate and come up with a correct question to revamp, if necessary, the legislation on education. And I think this is all this motion asks for, to defuse one volatile issue at this time and nothing else.

Mr. Speaker: The Honourable Member from Pelly River.

Mr. McCall: Thank you, Mr. Speaker. I'll be supporting this motion, because I believe in democracy. That means equality, not ignorance. I have had a personal example of what people believe equality is. I don't believe in the direction we're going where you have psychological guerrilla warfare going on in Yukon based on communistic attitudes. Like I say, I believe in democracy, Mr. Speaker, what we're saying today is only a minor example of what may come. My word of advice to people who are taking advice, do not try the public's patience and do not push them beyond the brink. A silent majority of the Yukon and this country will turn around and say, "Enough is enough."

I don't want to see the United States appear and the way they handled their problem. I don't want to see United Kingdom situation here where innocent people were hanged by power poles. Don't push the public of the Yukon. You are walking on quicksand. If we are to resolve the situation and find solutions amicable to all, we have to work together. But if you want to play with voo doo dolls and start sticking pins into the people who are trying to do jobs for the majority of people, whether it be a school board committee, whether it be the Government of the Yukon or that it be a native organization, we should be able to do it together.

But don't insult the intelligence of honest, decent, law abiding people, because those people are in the majority. And those people will win. Thank you.

Mr. Speaker: Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Division.

Some Members: agreed.

Mr. Speaker: Division has been called.

It has been moved by the Honourable Member from Whitehorse South Centre, seconded by the Honourable Member from Mayo:

WHEREAS there have been serious allegations made by the Yukon Native Brotherhood that basic democratic rights were denied the Indian people during an opinion poll on April, 1977, at Hines Junction, Y.T., concerning a native language program in the Haines Junction School, and

WHEREAS the people who conducted the opinion poll deny such allegations,

THEREFORE BE IT RESOLVED that the government of the Yukon forthwith request the Chief Electoral officer to conduct an investigation into these allegations, and

BE IT FURTHER RESOLVED that if such investigation shows these allegations to be valid, a further opin-

ion poll be conducted under the auspices of the Yukon Territorial Government, and

BE IT FURTHER RESOLVED that until this matter is resolved, the native language programme continue to be taught during school hours in Haines Junction.

Madam Clerk, would you poll the House.

Madam Clerk: The Honourable Mr. McKinnon?

Hon. Mr. McKinnon: Agree.

Madam Clerk: The Honourable Mrs. Whyard?

Hon. Mrs. Whyard: Agreed.

Madam Clerk: The Honourable Mr. Lang?

Hon. Mr. Lang: Disagree.

Madam Clerk: The Honourable Member Mr. McIntyre?

Mr. McIntyre: Yea.

Madam Clerk: The Honourable Member Mr. Berger?

Mr. Berger: Agree.

Madam Clerk: The Honourable Member Mr. Hibberd?

Mr. Hibberd: Agreed.

Madam Clerk: The Honourable Member Mr. Fleming?

Mr. Fleming: Disagree.

Madam Clerk: The Honourable Member Ms. Millard?

Ms. Millard: Agree.

Madam Clerk: The Honourable Member Mr. McCall?

Mr. McCall: Agree.

Madam Clerk: The Honourable Member Mrs. Watson?

Mrs. Watson: Disagree.

Madam Clerk: The Honourable Member Mr. Lengerke?

Mr. Lengerke: Nay.

Madam Clerk: Mr. Speaker, the results of division are: seven yea, four nay.

Mr. Speaker: I must declare that the motion has carried.

(Motion carried)

Mr. Speaker: The Honourable Member from Pelly River?

Mr. McCall: Yes, Mr. Speaker. I would move that this House do now return to Orders of the Day.

Mr. Speaker: Is there a seconder?
It has been moved by the Honourable Member from Pelly River, seconded by the Honourable Member from Klondike, that this House return to Orders of the Day. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

(Motion carried)

Mr. Speaker: I think, in view of the time, we will stand the House, and recess until 1:30 p.m.

(Adjourned)

Mr. Speaker: I will now call the House to order. We will at this time proceed under Orders of the Day to Motions.

MOTIONS

Item Number 1

Madam Clerk: Item 1, standing in the name of the Honourable Member, Mr. Fleming.

Mr. Speaker: Is the Honourable Member prepared to discuss Item Number 1 today?

Mr. Fleming: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Hootalinqua, seconded by the Honourable Member from Klondike;

THAT the Third Report of the Standing Committee on Statutory Instruments presented April 14, 1977 be concurred in.

Some Members: Question.

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

Some Members: Agreed.

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

(Motion carried)

Mr. McCall: On a point of order, Mr. Speaker, this particular report was tabled April 14th and I think every Member had an opportunity to peruse over it.

Mr. Speaker: We will proceed to Item 2.

Item Number 2

Madam Clerk: Item 2, standing in the name of the Honourable Member, Mr. Lengerke.

Mr. Speaker: Is the Honourable Member prepared to discuss Item 2?

Mr. Lengerke: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Klondike:

THAT WHEREAS it appears that the citizens of both Yukon and Alaska are desirous of having the Carcross-Skagway Road opened and maintained on a year-round basis;

BE IT RESOLVED THAT it is the opinion of this House that the Yukon Territorial Government contact the Government of the State of Alaska to attempt to arrange for a preliminary joint investigation and report outlining required maintenance schedules and costs which will provide for a "year-round" traffic movement along the Carcross-Skagway Road and further that a cost sharing agreement be discussed and implemented if all parties can accept the terms of such an agreement.

The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Yes, Mr. Speaker, I, in putting a motion forward, I would hope that Members don't have too much difficulty with it. It is very straightforward. I think that during budget time we heard some discussions with respect to the Carcross-Skagway Road and the maintenance schedules that have now been set up for it in the event when it is completed. Also we heard, Mr. Speaker, that there is a very distinct possibility that it will not be opened on a year-round basis and there is some question with respect to the cost of maintenance for that period of time.

So, Mr. Speaker, the intent of the motion was to provide some direction to the government, to the department to do a little further investigation to come up with some costs and just find out what is involved in providing year-round maintenance to that particular highway, when in fact it is opened up.

This motion, on the day I presented it, I heard some giggling and I don't know if the giggling was in respect to the motion or not, and if it was that's fine, but I also say it's not such a foolish motion, Mr. Speaker. The House, the Senate in the State of Alaska passed a motion very similar on exactly the same day. They introduced it and passed it and it has now been referred to the House of Representatives and they are discussing it this very afternoon, exactly the same thing. So, in fact, it is not just a motion that's nonsensical, it's something that provides for a future requirement for Yukon, as well as Alaska and I would hope that Members would see fit to support it.

I would ask that if the motion is accepted, that copies be sent to the Prime Minister of Canada as well as the Governor of the State of Alaska.

Mr. Speaker, I have copies of the particular motion

and I'll ask that they be circulated so that Members will know.

Mr. McCall: I'm just curious if the second camera that's in the Public Gallery, has had the permission of this House to record these particular --

Mr. Speaker: Permission has been given.

Mr. McCall: Thank you, Mr. Speaker.

Mr. Speaker: Is there any further debate?
The Honourable Member from Whitehorse North Centre?

Hon. Mr. McKinnon: Mr. Speaker, I rise in just true amazement of the sensitivity of the Honourable Member from Riverdale. If there's one thing I didn't think a politician was quite as thinskin as the Honourable Member has shown to be, that my colleagues on the Executive Committee were having a chuckle at our own expense over a much different matter than the point that the Honourable Member was raising when he brought forward the resolution. I apologize on behalf of my colleagues and myself if we hurt the sensitivities of the Honourable Member from Riverdale. I'm sure that when he's been in the game as long as I have, I hope that he won't be quite as sensitive as he is at the present moment, Mr. Speaker.

Mr. Speaker: The Honourable Member from Klwane?

Mrs. Watson: Mr. Speaker, I have a little concern with this of course. Always true to my area, Mr. Speaker, the road isn't even built yet, and now we are looking at -- it isn't built under the terms that it was supposed to be built under and already, we are asking for more.

I, personally, would like to see the road built, first of all, because the priorities of the Government of the United States are to pave the Haines Road and the North Alaska Highway and it might be that a decision will have to be made whether the Carcross-Skagway road is maintained on a twelve month basis or whether the paving program will be carried out from Whitehorse to Haines Junction to tie into the other paved access to a port. I think we are being premature in -- I can go along with the motion to have the financing estimates done but then a cost-sharing agreement be discussed and implemented if all parties can accept the terms of such an agreement.

My back is really up when I read part of this motion. I will read:

"BE IT RESOLVED that the Alaska State Legislature, in the spirit of friendship and great respect for a northern neighbour, request the federal Government of Canada to authorize and direct the Commissioner of the Yukon Territory to enter into an agreement with the State of Alaska..."

Mr. Speaker, anybody who tells our government to direct our Commissioner, I can't look upon as a friendly neighbour.

Mr. Speaker: The Honourable Member from Whitehorse West?

Hon. Mrs. Whyard: Well, Mr. Speaker, I think that the Honourable Member's remarks should be taken in the context of our complete failure to tell the rest of the world what system of government we have here and it is not their fault, that is ours.

I think, Mr. Speaker, that this motion is probably the result of a meeting which the Honourable Member from Riverdale and I attended some weeks ago with representatives from Haines, Juneau and Skagway on a number of matters of joint interest, one of which was the Carcross-Skagway Road. Most of them have come on the scene politically and from Chambers of Commerce since the first moves were made decades ago to have that road constructed. It was something of a joke to many people there to find, to learn for the first time that it was not an all-weather road, that it had not been designed as an all-weather road, that the people who had finally managed to hammer the thing through three different governments had thought themselves pretty successful to get any kind of a road approved, and that it was designed only for summer use in its initial state.

Also questions asked at that meeting concerned the amount of heavy freight traffic which would be using the road to justify year-round maintenance costs and another unpleasant little surprise confronted us at that point when we found that, of course, the bridges had not been designed for heavy trucks, but only for pleasure traffic. So, Mr. Speaker, I have sympathy with the Honourable Member in the intent of this motion. Everybody would like to have year-round roads and particularly the people on the Skagway end who feel cut off from access from the rest of the world many times during the winter when aircraft is unable to land there and the initiative certainly comes from the Alaska side as well as from the Yukon.

I wish the Honourable Member luck. I think he's not going to get very far even if the motion is passed, but the intent is there and it's a motherhood as far as I'm concerned, I'd like to see that road open year-round. I don't know how much it's going to cost. This motion asks that somebody find out how much it would cost. I pointed out to the people from the Alaska side at the meeting which I referred to, Mr. Speaker, that they are in the best position to provide those costs because they have all the records on the Haines Highway which originally was only a seasonal road and which is now year-round.

I think this might start somebody looking at the costs, whether it's done on the American side or whether it's done on ours is immaterial as long as we get some information.

Mr. Speaker: The Honourable Member from Hootalinqua?

Mr. Fleming: Yes, Mr. Speaker, I won't belabour the subject too long. I will be voting for the motion because I don't think it's such a bad motion. We are asking to start getting prepared to do something.

The Honourable Member from Kluane got quite excited over the request that the federal Government of Canada authorize and direct the Commissioner. Actually, it is only asking them to request this if they feel that it was necessary and I don't know how else we could actually get it done other than through the federal government. So, they must go from there to the Commissioner and down to the bottom. I have no problem with

that. I realize that this road may get paved hopefully before the pavement goes in through to Haines and so forth and so on, but being as it is in my constituency, I would hate to disagree with this. I think I will have to back the motion definitely.

I'm a little afraid, as the Minister of Health has said, that there will probably be not too much come of it, because so many times we tried to get something done and it's really a problem, but I will be voting for it. I have no actual problem with it whatsoever.

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

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

(Motion carried)

Item Number 3

Madam Clerk: Item 3, standing in the name of the Honourable Member, Mr. Berger.

Mr. Speaker: Is the Honourable Member prepared to discuss Item 3 today?

Mr. Berger: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Klondike, seconded by the Honourable Member from Pelly River:

THAT WHEREAS the present situation of non-available or very expensive insurance creates a hardship to the people of Yukon;

BE IT RESOLVED THAT it is the opinion of this House that the Socio-Economic Planning Unit examine in detail and appraise the economic possibility of establishing a Yukon Government-owned insurance corporation and report back with their findings at the Fall Sitting of this House.

The Honourable Member from Klondike?

Mr. Berger: Yes, Mr. Speaker, again I think it is a straightforward motion and I don't think it needs much of a debate. We debated the Bill on Insurance three times already in this House. I think there was enough facts and figures came out of it, the hardship that it does exist in the Territory. Now, what I am really asking for is to examine the possibility if we could afford a Yukon-owned insurance corporation.

I would like to see, and the reason I didn't put it into the motion, is the possibility to examine for the Planning Unit, maybe the possibility of tying ourselves up with B.C. or Saskatchewan or Manitoba Insurance corporations. I don't know if it is constitutionally possible for those provinces to get into an agreement like this.

Neither did I spell out what insurance I want. I would like to see vehicle insurance, general insurance.

I further would like to see also the possibility investi-

gated of a Yukon Government owned Pension Plan, because I think there's a lot of money could be raised in the Territory which right now leaves the Territory. So, I leave it with the Members of this House and I hope it passes this House.

Mr. Speaker: The Honourable Member from Hootalinqua.

Mr. Fleming: Yes, Mr. Chairman, I would rise in support of this motion, too. We're twenty years too late and hopefully we may do something now. I have no problem with this one whatsoever. Any time that the Government makes mandatory that you do get insurance for your car and then says you go and get it from just whoever you can and wherever you can, at whatever the price anybody wishes to pay for it, it's time that we implemented not only this motion but what this motion asks for.

I will go on farther than just our car. When the Government of the Yukon Territory can come up with legislation saying that we can loan people \$50,000.00, \$60,000.00, \$100,000.00, \$20,000.00, whatever, to build small businesses, to do these such things and then in that mortgage or whatever or on an agreement state that you will cover that with insurance and then when that person or persons or companies or whatever has to go to a private concern, which is nothing to do with the government and can have no real regulations over them controlling them or their prices that they may charge, then I say it's time that the Government sat on that one, too, and started looking after it. Therefore, Mr. Speaker, I have no problem with the motion whatsoever.

Mr. Speaker: Any further debate?
The Honourable Minister of Education?

Hon. Mr. Lang: Mr. Chairman, unfortunately, I didn't get an opportunity over the weekend to have a good look at this particular motion.

Hon. Mrs. Whyard: What were you doing?

Hon. Mr. Lang: I realize how important the motion is. I think that you're looking at very many aspects in relation to this particular motion when you're talking about insurance and I'm very concerned, Mr. Speaker, that you're asking an impossible task. I think the most immediate task that's facing this Government is to investigate the area of fire insurance. This is the area I think most people are very badly affected in and I would move, Mr. Speaker, that this motion be moved into Committee for further discussion.

Mr. Speaker: Is there a seconder?

Mr. Hibberd: I'll second that.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Whitehorse South Centre, that Item 3, Resolution Number 16, be moved into Committee of the Whole for further discussion.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Some Members: Disagreed.

Mr. Speaker: Division has been called.

It has been moved by the Honourable Member from Klondike, seconded by the Honourable Member from Pelly River, THAT, WHEREAS the present situation of non-available or very expensive insurance creates a hardship to the people of Yukon, BE IT RESOLVED THAT it is the opinion of this House that the Socio-Economic Planning Unit --

Sorry, I erred in preparing the original motion.

It has been moved by the Honourable Member from Whitehorse Porter Creek, seconded by the Honourable Member from Whitehorse South Centre THAT Resolution Number 16 be referred to Committee of the Whole.

Madam Clerk, would you kindly poll the House?

Madam Clerk: The Honourable Mr. McKinnon?

Hon. Mr. McKinnon: Disagree.

Madam Clerk: The Honourable Mrs. Whyard?

Hon. Mrs. Whyard: Disagree.

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: Disagree.

Madam Clerk: The Honourable Member, Mr. Hibberd?

Mr. Hibberd: Disagree.

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: Disagree.

Madam Clerk: The Honourable Member, Mrs. Wat-

son?

Mrs. Watson: Disagree.

Madam Clerk: The Honourable Member, Mr. Lengerke?

Mr. Lengerke: Disagree.

Madam Clerk: Mr. Speaker, the results of the division are — one yea, ten nay.

Mr. Speaker: I must declare that the Motion has not carried.

(Motion defeated)

Mr. Speaker: Are you prepared for question on the Motion?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

(Motion carried)

Item Number 4

Madam Clerk: Item 4, standing in the name of the Honourable Member, Mr. Lengerke.

Mr. Speaker: Is the Honourable Member prepared to discuss Item 4 at this time?

Mr. Lengerke: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Pelly River, THAT, WHEREAS a petition was presented to this House on March 7, 1977, AND WHEREAS on a number of occasions in the past, requests have been directed to the Government of Yukon to enact forceable legislation establishing Animal Control Laws or associated control measures,

BE IT RESOLVED THAT it is the opinion of this House that the Yukon Government prepare and introduce at the Fall Session of this Assembly appropriate amended or new legislation to provide for a realistic animal control law incorporating provisions for the establishment of community pastures within the framework of the joint Federal/Territorial Agricultural Policy which is scheduled for completion by early 1978.

The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Thank you, Mr. Speaker. I know we've talked of this subject that we refer to in this Resolution many times in this House and, as you recall, we did have a petition this year with, I think, close to two

hundred names on it and that was tabled and accepted.

Mr. Speaker, we have since that time also received a White Paper on community pastures that may be discussed, or may not be discussed, but I was very pleased, Mr. Speaker, to see the results of that, that the decision had been made to send some senior officials of the Federal Department of Regional Economic Expansion, the PFRA Unit, to come and to assess the situation with respect to the establishment, or possible establishment, of community pastures in Yukon.

As a result of the investigation that those people might carry out, the Government will probably come up with some kind of a policy and I would hope that we might see the introduction of some new legislation or amended legislation that would tighten up, certainly, the situation with respect to herd laws in Yukon this coming fall.

Also, Mr. Speaker, the motion calls for just to incorporate provisions for the establishment of Community Pastures within the framework of the joint Federal-Territorial Agricultural Policy, which apparently is scheduled for early 1978 and, as you know, under the Yukon Act, the Territorial Government has the responsibility for agriculture, including the policies and programs for the support services and agricultural development in the Territory.

Certainly if the event -- if it comes that the Territorial Government is going to support the concept of community pastures, then we should have provisions in that agreement whereby we can establish community pastures and that's exactly what this motion is calling for. I would hope that Members would have no difficulty with it whatsoever.

Mr. Speaker: The Honourable Minister of Local Government.

Hon. Mr. McKinnon: Now, Mr. Speaker, with respect, the motion doesn't call for that at all. It tells us to prepare and introduce at the Fall Session of this Assembly, appropriate amended or new legislation to provide for a realistic animal control law.

Mr. Speaker, to this point in time, we've been very fortunate in getting senior officials in the Federal Department of Regional Economic Expansion to come to Yukon and take a look at the problem as it exists of open range livestock and to advise on the most effective measures to deal with the problem.

I'm not sure that amended or new legislation is necessary in any way, shape or form to deal with this problem. What we have stated, what we want to get is the expertise and the opinions of experts on the problem to tell us what to do and I think the motion is now redundant because it's calling on us to prepare or introduce new or amended legislation when we don't even know whether new or amended legislation is necessary in any way, shape or form.

Certainly the proper thing is to realize that, because of the motions that have been passed in this House, the Government has acted on the motions, has done what this House wanted to do. Now we're going to see what those people who are knowledgeable in this field, which I am not in any way, shape or form, say is the best method of controlling this in the Yukon Territory. Certainly, the House shouldn't direct us to amend or bring in new legislation until we have the results of the experts telling us what is the best method of controlling these

animals on open range in Yukon.

I would suggest, Mr. Speaker, that Members either amend the motion or change it, or the motion is redundant with the White Paper that has been presented before this House, and I certainly cannot accept direction on something of which we know nothing at this time.

Mr. Speaker: The Honourable Member from Klondike.

Mr. Berger: Yes, Mr. Speaker, I'm in sympathy with the Honourable Member from Riverdale but I cannot vote for his motion, especially in, as the Honourable Minister of Local Government stated, there's a White Paper here; I cannot see either how we can direct the Government into something when there's a possibility of a commitment coming up from another senior government, from the Federal Government, not until 1978, and yet the mover of this motion wants it by this fall, at the up-coming Session. I can't see how we could possibly direct our government into coming up with an intelligent ordinance. We're going to end up with another piece of paper, of legislation, which nobody can make head or tail of.

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

Mr. Lengerke: Mr. Speaker, I certainly can accept some of the comments because I'm just as pleased as anybody else that we did receive the White Paper and the information on the establishment of -- or the fact that somebody is going to take a look at the establishment of community pastures. I could suggest an amendment if Members would see fit, and I would amend it in this way, that the last half of the Motion, if some Member would do this for me,

BE IT RESOLVED THAT it is the opinion of this House that the Yukon Government incorporate provisions for the establishment of community pastures within the framework of the joint Federal/Territorial Agricultural Policy which is scheduled for completion by early 1978.

I think that, Mr. Speaker, would eliminate, certainly, the comments made with respect to the fact that we want the Government to introduce new legislation this -- we should be awaiting the results of the investigation that is going to occur this summer.

Hon. Mr. McKinnon: On a point of order, Mr. Speaker, we then presume that they are going to come up with a community pasture. They might have a completely different concept. Certainly the proper method, if the Honourable Members would so do, is to, with the concurrence of a seconder, is to remove the motion, because Government has already acted on the motions that came, prior, to this House and we will be bringing the results of the opinion of the experts to this House just as soon as they are available.

Mr. Speaker: Is there any further debate?
The Honourable Member from Whitehorse Riverdale has now twice spoken and, in fact, closed the debate. Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Disagree.

Some Members: Agreed.

Mr. Speaker: Division has been called.

It has been moved by the Honourable Member from Whitehorse Riverdale, seconded by the Honourable Member from Pelly River, THAT, WHEREAS a petition was presented to this House on March 7, 1977, AND WHEREAS, on a number of occasions in the past, requests have been directed to the Government of Yukon to enact forceable legislation establishing Animal Control Laws or associated control measures, BE IT RESOLVED THAT IT IS THE OPINION OF THIS House that the Yukon Government prepare and introduce, at the Fall Session of this Assembly, appropriate amended or new legislation to provide for a realistic animal control law incorporating provisions for the establishment of community pastures within the framework of the joint Federal/Territorial Agricultural Policy which is scheduled for completion by early 1978.

Madam Clerk, would you poll the House?

Madam Clerk: The Honourable Mr. McKinnon?

Hon. Mr. McKinnon: Disagree.

Madam Clerk: The Honourable Mrs. Whyard?

Hon. Mrs. Whyard: Disagree.

Madam Clerk: The Honourable Mr. Lang?

Hon. Mr. Lang: Disagree.

Madam Clerk: The Honourable Member, Mr. McIntyre?

Mr. McIntyre: Nay.

Madam Clerk: The Honourable Member, Mr. Berger?

Mr. Berger: Disagree.

Madam Clerk: The Honourable Member, Mr. Hibberd?

Mr. Hibberd: Disagree.

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: Nay.

Madam Clerk: The Honourable Member, Mr. Lengerke?

Mr. Lengerke: Yea.

Madam Clerk: Mr. Speaker, the results of the division are: two yea, nine nay.

Mr. Speaker: I must declare that the Motion has been defeated.

(Motion defeated)

Mr. Speaker: May I have your further pleasure? The Honourable Member from Pelly River?

Mr. McCall: I would move that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole.

Mr. Fleming: I second that.

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 that the House resolve into Committee of the Whole.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

(Motion Carried)

(Mr. Speaker leave chair)

COMMITTEE OF THE WHOLE

Mr. Chairman: I call this Committee to order.

This afternoon we will proceed with the consideration of the Recreation Development Ordinance and if we're successful in completing that, we will consider the further amendments to the Insurance Ordinance followed by the Real Estate Agents' Licensing Ordinance.

As far as the latter is concerned, there are proposed amendments that have been brought forward, I would suggest that if they could be distributed now for Members consideration before we actually come on to—

Mrs. Watson?

Mrs. Watson: Yes, Mr. Chairman, I have a point of privilege. During the noon hour, I had a report, I haven't been able to substantiate it, that this morning out at the Haines Junction School, a reporter was out there inter-

viewing children regarding this whole question. I would like to see it investigated and I would like to see a stop put to the fact that reporters are using the children in the school.

Mr. Chairman: Do you have a motion, Mrs. Watson? Mr. McCall.

Mr. McCall: I'm just wondering, Mr. Chairman, if we could point out just which element of reporting that is taking place in Haines Junction, knowing everybody's thoughts on this particular matter.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, I brought it up as a point of privilege, I would like the department to investigate it immediately.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, I'll see forthwith that we look into the situation and bring the information back to all Members.

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

RECESS

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

Hon. Mr. Lang: Mr. Chairman, I rise on a point of privilege to verify the statement that was made by the Honourable Member from Kluane just prior to recess. Apparently there was a CBC reporter in the school and I referred it to the Legal Advisor.

Mr. Chairman: Recreation Development Ordinance. We are presently on Clause 5. Is there further debate on Clause 5?

Some Members: Clear.

Mr. Chairman: Ms. Millard.

Ms. Millard: Mr. Chairman, I've been thinking about something that was brought up last time concerning the appointment of the Advisory Boards or Committees and I find that the information that I would like to see in the Ordinance is actually in the Regulations discussing especially how the Recreation Advisory Board is set up, Yukon Recreation Advisory Committee. There are several sections in the Regulations, 11, 12, 13, 14, 15, which delineate what the Recreation Advisory Committee should do. I'm wondering if the Minister has actually put any thought into putting it into the Ordinance, rather than into the Regulations since it doesn't seem to me that it is something that would change readily. This is typical of what our Standing Committee has been dealing with, is this kind of vast numbers of regulations where the thing could actually be delineated in the Ordinance.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, there's been no thought given to that. We just followed the practice as it was in the past and it always has been in Regulations and what we did was put a section in the Ordinance so that we could make the provisions in the Regulations.

Mr. Chairman: Mr. Fleming?
Ms. Millard?

Ms. Millard: Just a supplementary. Mr. Chairman, then is there some possibility of the format of the Recreation Advisory Committee changing over the next year or two, or so? Is it that difficult to put it into Ordinance form rather than regulations. Is it going to change that regularly?

Hon. Mr. Lang: Mr. Chairman, there's no thought of changing the make-up of the Committee or the duties of the Committee. That would be a decision that would be made possibly two or three years down the road, if it ever comes about.

Mr. Chairman: Ms. Millard?

Ms. Millard: Then why is it in Regulations instead of in the Ordinance?

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: I thought I'd just explained, Mr. Chairman, that it was in Regulations prior to this, we just followed the format as was used in prior years. We've made a provision in the legislation to allow for it in Regulations and that's why it's in Regulations and I cannot see any problem with it in regulations.

It would be this House that would decide to all intents and purposes if there was to be a major change in this Fitness and Amateur Sports Advisory Board and subsequently the Regulations would be amended at that time, or possibly the Legislation amended.

Mr. Chairman: Ms. Millard?

Ms. Millard: As it stands now, the whole format can be changed without reference to us, because it's not in the Ordinance, that's my argument.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I'm always a little curious. This is 5(1) we're on now, eh?

Mr. Chairman: Yes.

Mr. Fleming: "Where the Commissioner may, in respect to the Territory, appoint Advisory Boards or Committees to carry out such duties subject to such conditions as may be prescribed." I find a little problem with it just because probably, more so now that we have had so many problems in the last few days with committees. I'm wondering if in a committee such as this, just how much power does the Commissioner give to this type of Committee.

I wonder if the Minister could just tell me just about roughly how much power this committee would have in respect to a small community in saying we will do this or

we will do that or hold plebiscites and all this sort of thing, or are they going to be tied down to prescribing as to how much money should be spent or what type of activity should be and advise the Commissioner?

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Chairman, in the drafting of this, we came across the position that the original base committee which had been seven and now had become twelve, was established in Regulations and the Regulations transferred holis bolis across to be part of the Regulations of this particular Ordinance.

In addition to that, there are other boards and committees which may be established from time to time, and particularly out of this Ordinance, dealing with special games or special trips and it's impossible to say at this juncture what power would be given to them. It might be liaising with the National Body, it might be the Territorial body, it might be team selection, it might be team training. It could be a number of things, so it's impossible in an Ordinance to set out the particular powers or duties they would have. The basic power to institute these groups is placed in Section 5 and then the power to pay them expenses as put in here, the details of the payment of expenses is then transferred to Regulations.

There will be a number of them over the next few years and the convenient thing in the drafting was to place them in Regulations.

Mr. Chairman: Mr. McCall.

Mr. McCall: I think, Mr. Chairman, that we're probably going to finish up with the same old argument which the Members of the Statutory Regulations Committee has been putting forward this last week and a half. I'm not satisfied with the Bill in its present form for the simple reason, although we're not debating the Regulations, I can see a lot of power in these Regulations just looking at them on the surface, which, in essence, depletes the authority under the Legislation and puts the emphasis of authority in the Regulations and I'm not satisfied with the Bill, unless the Regulations are documented in such a way they become part of the Ordinance. I'm a little concerned, being a member of that Statutory Regulations Committee to see, although like I say, we're not debating the Regulations, more authority displaying in the Regulations and not enough in the Legislation. And I will not be voting to accept the present amended Ordinance as it sits, or as it's proposed until I see these Regulations brought into line properly with the Legislation.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, there's two points here that you have to look at in 5 (1) and 5 (2). The Regulations makes provision for the Recreation Advisory Committee that if a member is appointed by each and every member of this House on that particular Advisory Committee. Their duties are outlined in the Regulations.

Now the other area is for Committees such as the Canada Summer Games Committee, so that we can organize something for special games, like the Canada Summer Games so that we get people from the various

areas together and organize it on a Territorial level so that we get people from the outlying areas participating in these particular activities.

So, I think that the Honourable Member from Pelly has raised a good point, but at the same time you need some flexibility in relation to the setting up of the committees. Who knows, for an example, Canada Winter Games, we may have to set up a committee with a little different criteria. So there has to be some flexibility within the government in relation to that particular area. And all I can do is assure Honourable Members that we have just gone along with the format as was prior, was outlined in the Regulations, under the Financial Administration Ordinance in relation to the Recreation Advisory Committee. And it's not going to be changed, I assure you it's not going to be changed.

Mr. Chairman, I think it's quite evident that if there were any changes, they would be brought before this House because every Member is totally involved in that particular committee because they do have the authority to appoint a member to that particular board.

So there would be no changes without concurrence of the Members here and I don't propose to have any changes, I think they're doing a good job.

Mr. Chairman: I would also point out that this regulation as it now reads cites that there should be twelve members, and in the event that a change occurs in the number of Members of this House, we would have to bring this Ordinance back to alter it as well, rather than regulations.

Mr. Lang?

Hon. Mr. Lang: Well, Mr. Chairman, if this was the case, as all Members know, we were asked when we were first elected whether or not we wanted to increase the board from seven to twelve and subsequently, I would think that if the numbers of this House changed then there would have to be a decision made after the next election just exactly how they wanted to proceed. If you had it in legislation it would slow down the process possibly by a year, by the time the Members were in the various Executive Committee positions and this kind of thing before they could bring in the proposed legislation in order to accommodate a change. So I think you want -- at least at the present time, you want some flexibility so that the next Members that are elected to this House after the next election, the Members can make the change, or propose a change, and subsequently possibly even put in the legislation at that time.

Mr. Chairman: Mr. McCall?

Mr. McCall: Thank you, Mr. Chairman, the Minister has my sympathy in what he is trying to achieve, but as I said a moment ago, I cannot accept the present legislation in its present form because looking at the legislation that is proposed to be changed and the regulations which the Minister was good to give us in advance, proposed changes, it makes substantial reference to monetary adjustments under the piece of legislation.

I think we all know, each Member of this House, the difficulty we arrive at in dealing with amendments to legislation when it comes to any appropriation of funds and recently we just went through the budget. If there is

any reflection to be made concerning adjustments or disbursements of monies, it shall be within the structure of the Ordinance and not the regulations. I also believe, the Minister can correct me if he so wishes, that the advisory committee was reflected in legislation, not in regulations where it should be. If it isn't now, it should be, not in regulations, it should be reflected in the legislation. It is too important a matter.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, it is reflected in legislation here. It states very specifically 'appoint Advisory Boards' and what we are saying is that up to this time, there has been no legislation governing recreation. It's always been regulation and this is why we are trying to bring in legislation for recreation so we have a legislative base to work from so that all Members are aware of what the government is prepared to do in the area of recreation. At the same time in relation to what the Honourable Member has raised, in relation to monies being allocated in various areas for recreation, that is all laid out in the budget and it can be discussed at that time. I think, at least at the present time, as we are going through a state of change and in order to leave flexibility for the Members that are elected to this House this coming election, I think it should be left in regulations and then possibly changed at that time, rather than now, to leave the flexibility, I honestly do.

Mr. Chairman: Mr. McCall?

Mr. McCall: Thank you, Mr. Chairman, accepting what the Minister has just said, that the advisory committee is reflected in legislation then I cannot see why we have approximately five, six subsections as to the make-up of that particular committee in the regulations. That should be in the legislation also.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, all I can do is echo support for the Honourable Member from Faro. This is what occurred to me as well, Mr. Chairman, that I felt that after going through the regulations, that they should certainly be part of the Ordinance.

I've looked at the Capital Assistance Ordinance and a number of other similar ordinances and we do set out in legislation the terms of the financial assistance that is available in somewhat the same manner as we have here. I have no problem whatsoever with putting these two together. I would like to recommend, Mr. Chairman, that this be done, because I think it would become a good Ordinance at that time.

I have not too much disagreement with the philosophy that is expressed either way and my questions would be very simple, that is to say I would support it. The only thing that I would ask in addition would be that where we have the Yukon Recreation Advisory Committee and we outline the make-up of the Committee, that we should put one statement in there in very, very general terms and very short, just what they are supposed to do in relation to this Ordinance. I know, having talked to some of the Members, that they would like to see this happen if in fact it could be in such a general way. If not, then I wouldn't attempt it, then we should leave it wide

open, Mr. Chairman.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, if these are the wishes of the House, we're prepared to look at it.

Mr. Chairman: Mr. Berger?

Mr. Berger: Yes, Mr. Chairman, I'm pleased to hear the Minister say that because I think it's the privilege of this House, the Members of this House to appoint the members and my motion was defeated on Thursday, in which I was trying to come up with an amendment to the thing, to the advisory committee, by proposing to have people appointed through each community, or recognized community organization, which, as far as I was concerned, would have avoided a possible 16, 18, 20 membership to the board. We would have had an established figure of 16 members and this could have been incorporated in the legislation quite easily. But, just the same, I would like to see this, what we're trying now in regulations, being incorporated in the legislation in front of us.

Mr. Chairman: The Chair records the specific recommendation as to what committee is precisely proposing so that we can give this to the government for their consideration. So if the Members so concerned would do that, I'll carry on with subsequent clauses while you're doing that, okay?

6(1).

(Reads Clause 6)

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, both sections 6 and 7 are quite closely related and they refer to the local authority. In the definition section, local authority is defined as "the council of a municipality or the Board of Trustees of a Local Improvement District."

At the present time, a council of a municipality is the local authority for recreation in the municipality. However, in Local Improvement Districts, the Local Improvement Board is not the local authority for recreation in that Local Improvement District and that is where I have the problem. What we would be doing if we left the legislation as it is now, we would, by law, be telling any organization within a Local Improvement District or a community which is part -- a Local Improvement District which is part of a community, that they must have their recreation program operated through the Local Improvement District Board.

Mr. Chairman, I can see this down the line in the years to come, but I would be most reluctant to bring it in by law, right now. I think we should be giving the communities, the people who live in a Local Improvement District, the opportunity to decide whether they want to have their recreation program under the authority of the Local Improvement Board. And anyone who doesn't live in one of these areas finds it very difficult to understand what I'm talking about, but it is a very real situation and I don't think that we can overlook it and just sort of push it aside by law.

In communities where a Local Improvement District

is part of the community and in the one that I am familiar with, the district itself is a part of the community. Outside of that district are people who live there, who have various occupations and also the Indian villages out of the district. Right at the present time our recreation program in that community is carried out by a community organization and quite well. The various different elements of the community work together on a recreation program.

It also must be remembered that the community owns considerable assets and I'm sure that there are many communities such as this, they outright own halls, skating rinks, property. It may be different in municipalities, but in these small communities, the authority that has gone ahead through volunteer, with some assistance by grants from government, and built these community facilities, who own the land, is the authority that carries on the recreation program.

There's just no doubt in anyone's mind, this is gradually changing as people, as communities, take advantage of the Community Assistance Program and get the 90/10 funding, then it's a different situation. That facility is under the L.I.D. Board because the Territorial Government has a ninety per cent interest in that facility. In the community that I am referring to, the L.I.D. has absolutely, or the Government of the Territory has no ninety per cent involvement and these people would be faced with turning over approximately a quarter of a million dollar investment and a whole block of land and they own it, and they're proud of it. They've worked for it, and they would have to turn it over to the L.I.D. which virtually is another arm of the Government of the Territory.

This is where their problem comes in. For two years now, more than two years, they have been negotiating and talking with the L.I.D. Board, should the recreation come under the L.I.D.? They cannot arrive at any consensus and the last was "no, we're going to try it on our own the way we have been doing. We'll take advantage of volunteer work from the community and we'll try and carry on our community program ourselves."

Now, I know that the Minister is just waiting to jump up to say "but section 7..." and he's told me this every time I mention it, and I can't make him understand, but a local authority, which would be an L.I.D. may, in lieu of establishing a recreation board pursuant to section 6, by bylaw, appoint a community organization to be a recreation board.

In other words, the L.I.D. could appoint a community organization that was carrying on that recreation program and for that purpose may empower such community organization in accordance with such conditions as may be contained in the bylaw. The L.I.D. will appoint the board, the recreation board, and can they go outside the L.I.D. to appoint someone? Can they appoint someone from the Indian village to sit on that recreation board where somebody should be sitting on that recreation board from the Indian village? If it goes this way, they won't be able to and the L.I.D. board will be laying down the conditions in a bylaw of the recreation program and the L.I.D. will have to approve their expenditures. So, they will not have the autonomy that they have had before.

We are not looking at a community, and I would really very strongly urge that an amendment be made so that a community organization, they can make the decision

whether they want the L.I.D. to be the local authority. As I said, I have no doubt within ten years that they will be, but let them do it at their own pace and when they are ready. If we do it now, by law, you're changing the whole concept of recreation in how many L.I.D.'s do we have, five? Four? Mr. Minister, how many L.I.D.'s - four?

Hon. Mr. McKinnon: With the status of L.I.D.'s - of Haines Junction today?

Mrs. Watson: You tell me?

Hon. Mr. McKinnon: Mayo, Watson, Teslin.

Mrs. Watson: Three. You would be disrupting the whole structure and I think if you do it on a gradual basis, because there are a lot of things to take into consideration if you go this route, there'll be great confusion. If you try and do it all at once, everything's going to let loose, so I would suggest that you amend your legislation so they have the right to choose what way they want to go.

You're going to say bring in a suggestive motion. I'm not going to, because I can't draft it, and I've been talking to the Legal Advisor about it and he says it's going to be a difficult thing to draft, however, I don't think he's ever been stumped and I think if he really sets his mind to it, he could well draft the section that is required.

Mr. Chairman, I would hope that I would get support from this House to make it possible to amend this legislation. You could leave 6 and 7, but you could put another section in where in the Local Improvement District, or the communities where a Local Improvement District is part of it, they still have the right to choose which should be the local authority.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, the Honourable Member has raised some very good points and she keeps putting words in my mouth before I can stand up and speak. It's been a very difficult section to draft, because I fully understand, or at least I think I do, the situations in the various L.I.D.'s are in a period of transition.

I don't want to force them into things that they don't want to do. This is not the intent of the Recreation Ordinance. It is to provide a service, an optional service and if they want to take the opportunity, that is the decision that they will make.

I really haven't had that much time to think about it. I would like the opportunity to take the recommendations of the Member and discuss it with the Legal Advisor just to see what it would do with the intent of the Bill and then subsequently, I will come back and possibly we can discuss it further at that time.

Mr. Chairman: You are agreeing to do this --

Hon. Mr. Lang: To look at it.

Mr. Chairman: This week, during this Session so you can bring it forward.

Very well, we will stand 6 and 7.

8 - Oh, Ms. Millard?

Ms. Millard: Mr. Chairman, just while he is looking into that, if he could also take into consideration the approved community organizations which are listed in the regulations and see how the Band Councils feel about being the approved authority because I don't think they have been asked to do it.

Hon. Mr. Lang: Mr. Chairman, you are looking at another section which is Section 10(1) and I think that it is clear that it is an optional program. We are making it available to them and it will be explained to them. If they don't want to partake, that is a decision they will make.

We tried to contact the Band Councils, well, we did, we sent out the policy paper to the Band Councils in the various areas and subsequently, in many of the areas, unfortunately, due to time constraints and this kind of thing, they were unable to meet with us in the various areas.

This is an optional program that would be available so I cannot see any problem with it, Mr. Chairman. If the Ordinance does come into effect, it will be explained to them in great detail, and then, from that point on, a decision will have to be made by them whether or not they want to participate. We are just trying to make it available, Mr. Chairman.

Mr. Chairman: 8(1).

(Reads Clause 8)

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I wonder if we could have an example of that.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, this is specifically, this section is designed to allow a situation such as Mayo and Elsa to come together for recreation-shared programs and that is why it is specifically in the Ordinance. This will give the authority for them to go ahead and make the necessary arrangements because they are working very closely together and I think that it would be advantageous for this government to recognize it.

Mr. Chairman: Shall Clause 8 carry?
Mr. Fleming?

Mr. Fleming: Mr. Chairman, if, for instance, the government does come back with something that will give the communities the power to opt out -- not opt out but to operate on their own other than the L.I.D. district, would this not affect this section 8(1)?

It says here, "A local authority may enter..." Would you not have to change that then to "a local authority or communities and communities...?"

Mr. Chairman: You mean consistent with possible alterations in 6 and 7?

Mr. Fleming: Possibly, Mr. Chairman.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, the Honourable Member has raised a point in relation to this section. I think it would flow into that section so possibly we shouldn't clear this as well, so we can consider the three sections.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, I think also while you are reviewing it, there isn't a provision where one community organization can enter into an agreement with another community organization. You should have that opportunity too.

You are having a local authority entering into it with another local authority or community organization, but you want two.

Mr. Chairman: I think that is understood, Mrs. Watson.

Mrs. Watson: Sorry, Mr. Chairman.

Mr. Chairman: Nine (one):

(Reads Clause 9)

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, this is strictly for bookkeeping in relation to -- we have the Societies Ordinance and it outlines the criteria that must be followed in order, for keeping your books and that is why this section is in there.

Mr. Chairman: Mr. Fleming.

Mr. Fleming: Yes, Mr. Chairman, may I ask why -- this I think is the proper time, as to why some of the communities were not listed in the Regulations I have here. I think it was Haines Junction, Teslin, there was three or four of them left out on the list? Is there a reason for that?

Mr. Chairman: Mr. Fleming, I think this draft regulation that we have before us, it's very useful to have them, and I had agreed that they could be considered, but I think we'll do that when we get to the end of consideration of the Bill before we actually pass the Bill.

Mr. Lang?

Hon. Mr. Lang: On the point raised by the Honourable Member, the definition of local authority would take care of that.

Mr. Chairman: Shall Clause 9 carry?

Some Members: Agreed.

Mr. Chairman: Clause 10(1)G

(Reads Clause 10)

Mr. Chairman: I think the re-phrasing would get into this section as well.

Ms. Millard?

Ms. Millard: Mr. Chairman, I have some qualms about the description of what the approved community organization would have to have in its community to be eligible. It has to be not within a municipality and in which are located a school or community hall or other adequate facilities. I'm thinking of places like Stewart Crossing that don't have school or community hall or adequate facilities. I'm wondering what happens to them because they're not even going to be able to join up with anyone else because they're too far away. Are they being considered?

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, this point was considered and we felt that Section 8(1) would take care of that. If they were to, for an example Stewart Crossing and Mayo, were to make an agreement, their population could be considered in relation to the Per Capita Grant of that particular area. I think you have to understand at the same time, we only have so much money at the present time and in order to see how the program's going to work as well, possibly there can be amendments made at a later date, but Section 8(1) would take care of that.

Mr. Chairman: Ms. Millard?

Ms. Millard: Well, Mr. Chairman, I think there are a number of communities that should be considered as very serious to me. There is Elsa, Keno, Swift River, the Carcross Junction has a number of people. I've been looking at the population statistics just to see -- there are a number of lodges with a fair number of people, and Champagne has -- and there's Johnson's Crossing, there's a number of people along the Klondike Highway. It seems to me it's rather a glaring -- it's glaring that it's been left out because I think there are a number of people involved and it could probably be set under some kind of definition here without having to have a community hall or other adequate facility, whoever decides what adequate facilities are. Has no consideration been given to those small, very small communities? They may have, like, a small sewing club or something that wants to get a small grant and they wouldn't be able to under this.

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Chairman, this was given exhaustive detail. We had a catalogue of every sewing club in the Territory when we were going through these, but the ones which were decided upon which were mentioned in the Regulations were basic ones by the community organizations. The intent of Section 8(1), as the Minister explained, is so that under cover of that the people, say in Swift River, can bring their population into a nearby place which has got the facility and then they be counted on the Per Capita Grant system so that they would have something to offer in return for getting the shared recreation services. This is the intention, but where there's no facility there can be nothing, but they can share.

Mr. Chairman: Ms. Millard.

Ms. Millard: Well, then, Mr. Chairman, they're under the subjugation of another community which I don't really feel is fair. Is Stewart Crossing going to be under Mayo or Pelly? How are they -- do they have any choice in that matter? You know, it doesn't seem entirely fair to me when it seems to me it would be very easy to put in a situation where -- especially since you delineate that the organization has to be registered under the Society's Ordinance which really makes it restrictive as well, so I can't see why a group of people registered under the Society's Ordinance in Stewart Crossing wouldn't be eligible to put in for a grant.

Mr. Legal Advisor: They would be, Mr. Chairman, if they have a facility. If they haven't, they can get someone else's facility and use it. That's what Section 8 is for, because how far do you go in the dilution of the Ordinance is a problem. So the named community organizations are named out in the back of the Regulations. The others consist of L.I.D.'s or towns or cities, and that's where the dilution must stop. The others must get together and share facilities.

Ms. Millard: But, Mr. Chairman, there are circumstances where they don't need facilities, is what I'm trying to say. If they're meeting in someone's living room and they need a \$50.00 grant to buy some beads or something, I can't see why it can't be considered. Why is a school or community hall necessary in all cases?

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, it's very obvious I think. You have to have some sort of a facility in order to carry on any kind of recreation to any extent and what we're trying to do is to allow the smaller areas, such as the Honourable Member has named, to go into an agreement with the closest authority to them, to work with them. But, I mean, as the Legal Advisor has said, how far do you go to dilute the Ordinance?

For an example, I don't think you would even be able to get the census to begin with, the figures are changing so much. I think that the way it is at the present time, I think it should be given a chance to see how it works and then possibly there could be amendments made at a later date, a year or two years down the road, after we've assessed how the program has been implemented and how it's working. I don't think that we want to get too wide-ranging at the present time, because we've got to iron out the various difficulties that we will encounter in implementing a new program in order that the people participating in the programs are getting the most benefit from it.

I think there has got to be some time given in order to see how the program is actually going to work and if it's not working what modifications have to be made to it. That's why we specifically named the various organizations or communities that would be eligible, at least for the present time.

Mr. Chairman: Ms. Millard?

Ms. Millard: Well, not having gotten anywhere along that line, I'll try another attack which bothers me about this section as well.

The Minister mentioned that the Section 10(1) is an

optional section as far as the approved communities are concerned, so that, for instance, Old Crow Band Council doesn't necessarily have to be the approved community organization. I'm wondering whether Old Crow Band Council would be able to say to the Department, "We don't want to be the approved community organization, but we do have a ski committee for instance who have set up here who is willing to be the approved community organization." Is that at all possible to be done?

Hon. Mr. Lang: Mr. Chairman, yes, it can be done under the Regulations. There's no problem. We're just saying that there should be one community organization within a particular approved authority so that we know who we are discussing the concept of recreation with, so there's no problem with that.

I think, Mr. Chairman, there's another point that should be raised here in relation to the outlying areas. At the same time, we have the Recreation Advisory Board and in these smaller communities, if they are participating in the sport and they affiliate themselves with the sports governing party, they can still be eligible for monies from the Recreation Advisory Board through their sports governing body, so there's another avenue open to them as well.

Mr. Chairman: Ms. Millard?

Ms. Millard: I presume, Mr. Chairman, as long as that other organization is a registered society as well does the Band Council have to become a registered society, which it isn't at this point?

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, it's my understanding from informal discussions through the Department to the Recreation Advisor of the Native Brotherhood that many of them have registered under the Societies Ordinance. It's just for bookkeeping and costs, I believe \$20.00 a year and \$2.00 registration fee, so it's just a case so that we have a criteria in relation to the bookkeeping, so it's minimal.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I think the Recreation Development Ordinance is going back to be changed anyhow, in that light, I would still say that the local authority, the definition "a local authority means a council, a municipality or the Board of Trustees of a Local Improvement District...". That's as far as it goes.

Then you go to 8(1) and you get, "the local authority may enter into an agreement with other local authorities or organizations for the purpose of providing shared recreation services...". That's fine up to there.

You get over into 10(1) and "the Commissioner may enter into an agreement with any community...". Of course you don't have a Local Improvement District there. What I'm saying is they have to go through all the sections, including the definition of "local authority" if, by chance, they change 6 and 7 so that communities can enter into this without using the L.I.D. They will have to designate them as a local authority or whatever, but the Minister has said that a community such as Stewart River can go to the nearest local authority. What I'm

saying is, if you do change this Ordinance, there is a possibility that, under this definition, you will not have such a thing as a local authority other than possibly in Whitehorse or one of the larger towns or municipalities, because people will, and the towns will, I think, decide that their recreation set-up today is fair enough and they are legal under the Societies Ordinance and so forth and so on and they will go that route. If they do, you will have to change some of those things such as the definition. Otherwise they won't be able to get together. They would have to send -- Stewart Crossing would have to come all the way possibly to Whitehorse to join a local authority. So I think this is all -- that 10(1), 8(1), 6, 7 and the definition all have to be changed to fit together.

Mr. Chairman: Mr. Legal Advisor.

Mr. Legal Advisor: But the concept of dealing with this Ordinance in the way suggested by the Member from Haines Junction is a difficult concept because the government had set out intentionally to deal with existing organizations, local government organizations. So all of the Ordinance would have to be re-read through, section by section, so it's probably unnecessary for the Member to draw our attention to the fact that each section would need studying.

One further point in relation to registration is this -- that, where an agreement is being made by the Government with other people, a society has the legal existence and is responsible for its own contracts, if a contract is made with a group of people that each individual member of the committee becomes personally responsible for the debts of unpaid taxes or anything else that are not paid, and we would prefer to see people protected in making a contract with us and also so that the Government, in the last analysis, can enforce the contract by dealing with a continuous legal personality and not the changes of people who go away and don't come back. That's the advantage of registration.

Mr. Chairman: Mr. Fleming.

Mr. Fleming: Mr. Chairman, would the Legal Advisor advise me then as to the agreement that's going on today and we're giving money to, for recreation grants and everything; are these people that are receiving these monies in the communities today, are they all more or less under this ...?

Mr. Legal Advisor: Yes, Mr. Chairman, as far as I know, anyone who is in receipt of a grant is registered.

Mr. Chairman: The Chair has received the suggestion for amendments to this Bill and I'll read it to you:

THAT Bill Number 12 be amended to reflect the following suggestions:

THAT the proposed regulations, as provided to this House in connection with the Recreation Development Ordinance, be incorporated within the Ordinance so as to form part of the Recreation Development Ordinance, and further

THAT Section 11(1), which is the regulation-making power of the Ordinance, be deleted or included in Section 3(1);

IT IS FURTHER SUGGESTED that Section 7 be expanded to allow communities at the local level to choose

whether they do want a recreation program under the jurisdiction of a community organization or an L. I. Board of Trustees.

My only comment, Mr. Lengerke, is that the discussion along that line had been with reference to the Advisory Board only, the Regulations with respect to the Advisory Board only. That had been our -- the subject of our debate.

Now, is it your intention that it is just with reference to the Recreation Advisory Committee, or is it for all these draft regulations that have been presented to us?

Mr. Lengerke: Well, Mr. Chairman, my comment is, when I said and commented about it was that all the regulations as provided to date. And I don't know if Members would agree or not, but that's my opinion and that's what I have put forward.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, it's my understanding that what the Member wanted outlined in the Ordinance was enshrining the Recreation Advisory Board in Legislation and the duties. But we'd have to have some flexibility in relation to the Regulations for any minor changes that have to be made and there has to be some flexibility, they can't be all in Legislation. I know what the Honourable Member is driving at, but at the same time, we have to have some flexibility in the Regulations.

This is my understanding, that this is what the Government is going to undertake.

Mr. Chairman: Mr. McCall.

Mr. McCall: Thank you, Mr. Chairman, in this particular suggestive motion that has been put forward, it clearly expresses concerns of many of us and I think, under Section 3(1) of the suggested Ordinance or amendments, it's quite expressive, the intent when you're dealing with an issue, "develop policies, programs and measures for the orderly development of recreation". It goes on to say, "enter into agreements with local authorities". Well, that's what you're saying with your proposed regulations, to make grants or contributions. That's what you're saying in your proposed Regulations. They should be part of this Ordinance, under Section 3(1). You have that opportunity for the Regulations you are asking for. So you don't need two sections making reference to making of regulations.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, I'm not a lawyer so I don't know what it would do with the intent of the Bill. All I do know is that we have to have some Regulations or else there's no point in having the Ordinance, because if there's no flexibility at all we might as well just carry on with it under the Financial Administration Ordinance.

You know, I can understand why the Members want the Recreation Advisory Board in the Legislation. I can understand why they want a broad outline of their duties, but other than that, I can't see any other reason that anything else should be incorporated in the Legislation in this particular instance.

Possibly the Legal Advisor would like to comment in relation to the comments made by the Honourable Member from Pelly?

Mr. Legal Advisor: Mr. Chairman, there's no question, it's quite simple to transfer from the Regulations, Sections 10 -- Section 10 and any other mention of the main committee which would be established under this Ordinance. The rest of the other details, there's about six or seven pages of it, should be left, in my respected opinion, in the Regulations because they may be changed from year to year and time to time and nobody wants to come back and change the right of a grant. The money control is given to this House as to the amount annually that they give to the Department. The details are given to the House during the annual budget estimates and then that detail is then reproduced into the regulations after the House has approved the amount of the monies. If the House changes the amount of money being spent, then the Regulations would immediately be changed to reflect that.

But otherwise, it's just all a basically minor detail which is capable of being changed at any time and is reflecting the policy, which is the main policy established in the Ordinance and also established in the monies which are granted to the Minister to carry out his programming. So it would be quite a change of policy to be putting minor things into an Ordinance of this nature.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, I should point out that in any other jurisdiction, the Recreation Ordinance is strictly one page and in some cases it's only four or five sections. The rest is up into Regulations. We're trying to define it and I can understand what the Honourable Member from Pelly is saying, that he wants the major points in the legislation and I can understand that and I think he's got a good point in relation to the Recreation Advisory Board. It should be put in legislation and the duties outlines, but I can't see any other reasons for putting any of the other areas, mentioned in the Regulations, into the Recreation Development Ordinance because I know this Government's not trying to hide anything, or if they are going to change anything, I would tell you, this House would be informed and they can make the decision. They make that decision in the budget session, because once the budget has been struck, we're duty bound to work within the money that has been allocated.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, as I said, I can see no difficulty myself with incorporating Sections 4, 1, 2, and 3, and so on down the line. I just have no problem with that whatsoever. I think it sets out a very understandable Ordinance then and this House will certainly have the ability certainly to change the amounts if this is so desired at some given date, it'll have to do so by changing the legislation and I see no problem with that.

Mr. Chairman: The Chair has two alternatives. I think, my own thinking is that you are being a little over zealous in protecting the integrity of the House as far as

Regulations are concerned. I would suggest that we break it down to two ways and we make a decision on that basis.

One of them is the--

Mr. McCall: That's not the intent of what we're saying. We're not being over zealous, we're trying to point out a fine example where Regulations again are running away with themselves. You've got a piece of legislation here, three pages, amendments, proposed Regulations under it, seven pages; half of this it should be part of this Ordinance. I get quite frustrated when suggestions are made about being over zealous. I think it's about time we stopped trying to pass amendments to the Ordinance, and allow this sort of material to go through on a daily basis.

It's a pretty bad scene really.

Mr. Chairman: What the Chair will do, is it will see if this is the direction of the Committee if they wish, or if they wish it to be in a less complete form, I would also entertain that.

Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, it seems that in every Ordinance that we deal with, we come to this problem of the Regulatory authority. The problem that I have, and a very real problem, is in the ability to manager and administer a Department of Government I don't have any flexibility under the Ordinance and under the Regulation making authority.

I would just point out some examples of where, under the Regulations, under the Ordinance, my hands weren't tied and I was able to do things, the Land Policy under the Land Ordinance whereas in other areas, my hands were tied completely by the legislation. I couldn't move even though I wanted to move. In just about all the Members' areas, they know of the change in Regulations which allowed a person to pick up a lot contiguous to his lot if it wasn't being used, so he could actually have acreage property. That was allowed under the flexibility of the Regulations. It couldn't have been done if it was in the Ordinance. The same with the ability of allowing a person who had a large acreage, if he wanted to turn the large acreage track back to Government, could get title to three or four acres. That was allowed under the flexibility of Regulations.

In the area of land in Faro this year, where I didn't like the terms of the Ordinance which demanded that you had to change, as a yearly rental, ten per cent of the assessed value of the property. That's by Ordinance, I was locked into a situation where I could do nothing, and now have to come about with a paper on the Lands Ordinance and also an amendment in this Fall Session, hopefully, to the Ordinance which will allow some movement on that area which I find is not flexible enough to meet the time and the place of what is happening in the Yukon at the present time.

If you find it frustrating on one side of the fence, I find it awfully frustrating on the other side of the fence, where I think I know the feeling of the elected Members and the people of the Yukon and by Ordinance, I'm locked in and don't have the flexibility of being able to make regulations which will ease a particular situation for a number of the public of the Yukon which all Members of the House would agree that I should be moving

into.

So, that's a position from our side of the fence, and if you think it's tough with the Regulation making authority on your side, if you lock all of it into an absolute inflexible, locked position by Ordinance that we can't move or have the flexibility of changing things in any way way, or form, then for all intents and purposes, you may have, you might as well say you have no confidence in the Executive and in the administrative authority and we may as well not waste our time sitting in the Executive offices.

There's very real and very good arguments on both sides of the fence, and I think that we have to give and take. I have no problem in any way, shape or form, of saying that the portions dealing with the make-up of the Yukon Recreation Advisory Committee should be enshrined in constitution and in the Ordinance, because that's going to be changed so little from time to time that we can wait for a change in the Ordinance. But in the areas of things like approved community organizations, there might be very good reason for a member of a constituency to say, "This should be an approved organization or that should be an approved organization", and a very good argument for making it an approved organization by regulation rather than having to wait for the House to be called and an amendment to the Ordinance. In the field of payments and \$100.00 here and \$50.00 there, 50 per cent here, and \$2,400.00 there, certainly that is the type of thing that is consistent with the Ordinance and should be by Regulations so as the cost of living increases, decreases, or goes this way, or that way, that we have the flexibility of being able to adjust the figures in these Regulations accordingly.

I know of all kinds of regulations where there is this ability, where there's cost of living escalation of funds by regulation that have to be done on a year to year basis under the Community Assistance Ordinance. That shouldn't be in Ordinance and it shouldn't be that that Ordinance has to be changed at every Session of the House, every year to allow those escalator factors to go in and allow more monies to go to the community.

So I think we've got to watch that we don't tie, completely, the hands of the administration and their ability to be able to govern sensibly and well, with the fact of trying to tie everything down, even to the last penny and the last cent figure in the Regulations. So certainly there's a commonsense that can prevail here and a saw off can come about where the things that aren't going to be changed on a yearly basis or a monthly basis should be enshrined in the Legislation. I have no—as I say, I agree whole-heartedly with the Members in that respect, but the nit-picking parts of the Regulation-making authority which allows the administration and the government to govern and which allow us to be able to do things which are necessary under the terms of the Ordinance, certainly we shouldn't be bound to have to come back by Ordinance change in every one of these matters.

I think that we can arrive at a compromise in this Recreation Grants Regulations, the section that should be in the Ordinance and I see it's obvious that Sections should be, but there's other sections dealing with approving of community organizations and dealing with the actual dollars and cents of financing, which for sound administration in government and good government shouldn't be included in the Ordinance itself, Mr.

Chairman.

Mr. Chairman: In order to clarify these suggestions and I think it would make it much simpler, there are three different components that have been now proposed and what I would suggest is that we deal with each of those three different components as a separate issue.

Mr. McCall: On a point of order, Mr. Chairman, I'd like to answer what the Minister has just stated before you go into that.

Mr. Chairman: You can answer him, but it doesn't have to be a point of order.

First let me clarify this and then you can carry on, okay?

Mrs. Watson: Mr. Chairman, we can't vote. Mr. Chairman, don't ask us to vote again. Let us speak first.

Mr. Chairman: I'm not asking you to vote again.

Mrs. Watson: Good.

Mr. Chairman: I'm merely telling you what you're supposed to be discussing.

Mrs. Watson: Mr. Chairman, we got stung so badly on that Liquor Ordinance — be very careful.

Mr. Chairman: You have an elephantine memory.

The first part states that the proposed regulations, as provided to this House in connection with the Recreation Development Ordinance be incorporated within the Ordinances so as to form part of the Recreation Development Ordinance.

Okay, we'll stop there. Now the issue here as has been drawn to everyone's attention is, do we wish to include all those draft regulations in the Ordinance in some way, or at least consider doing so, because these are only suggestions to the government. Or, should we limit it to that regarding the Advisory Board?

Now, we'll speak with that question first, without voting, yes.

Ms. Millard:

Ms. Millard: I'm on the list to speak upon that matter. The Minister made an eloquent plea for flexibility in the Regulations in that Regulations have to be flexible and I agree. I think that there should be flexibility in the description of local approved communities because they're going to change. Certainly the cost is going to change the amounts of the different grants.

However, there are several other areas that aren't going to change and I hope that they aren't going to change without approval of this House. Almost all of Page 6, "The Commissioner may, upon the advice of the Yukon Recreation Advisory Committee, pay a grant to assist in the payment of travel expenses to Yukon champions to take part in Canadian provincial or regional finals". Why does that have to be in the Regulations? Surely that's something we could approve in Legislation and won't have to approve often, hopefully. Then it goes onto the amount, but then it is a condition of the grant that the competitors of recognized Yukon champions, I think that's something that we have to

have some say in. What if all of a sudden it changed to recognized Alaska champions? I'd like to know.

"The grant shall be reduced by the amount that any funds available from another source exceed 25 per cent of the actual transportation cost". I think that's important for us to know how much are we voting when we--are we going to sit down at the next budget and find that we're exceeding our expectations from the Ordinance, because the Regulations have been changed to pay for a 100 per cent of the actual transportation costs? I would really like to have some say in that.

It goes on and on that Special Grants be--The applications themselves, surely you're not going to be changing applications every month. I've got--all of Page 6, to me, can go in the Ordinance and there are other pages along as well, besides the description of the Yukon Advisory Committee which I think should be very specific.

Mr. Chairman: Mr. McCall.

Mr. McCall: Thank you, Mr. Chairman, in answer to what the Minister was saying. I don't want to accuse the Minister of being hypocritical or anything like that, but last week he spoke on behalf of all the Ministers on another Bill that was before this House and made a commitment to this House for the Fall Session.

I think what the Ministers are failing to acknowledge here is ignorance on their part.

I made reference in recent debate in Section 3 (1), and Section 11 (1) and you have not yet come forward with language dealing with those Regulations should be spelled out in a piece of Legislation. Yet it was you, Mr. Minister, that requested a Bill be allowed to die in order for the Executive Committee Members to come back in the Fall with, hopefully, a total look at this particular Bill that was proposed last week.

Section 11 (1) is ridiculous. It's asinine and you want me to go along with something that may have been going on for many years, to allow lateral power to the administrative arm of this Government, I don't trust them. I never have.

They're not on the same bailiwick as you and I. Yet you allowed us to rush through when you looked at this yourselves before you presented it to us. It means nothing. The only thing that's going to be of any value is the regulations. We say put the regulations in the Ordinance where they should be, and stop playing games because every time you present us with a Bill on behalf of the government, you might as well just throw it out, because you're not respecting our requests.

I ask why we need two sections in reference to regulations and we're running around in circles. I'm not saying put all the regulations in the Bill. Section 3(1) deals with the points as to the regulation, I'm not saying you put all the regulations in. What I'm saying is, I'm not prepared to pass this Bill in its present form. It does not make sense, because we know what's going to happen. Just like what has happened in other pieces of legislation. We don't want to see 500 pages of regulations, I think that's one of the thrusts behind the Committee which I am one of the members of. We'll say it again, fine, you want to play the rubber stamp machine, fine. This is a good example where regulations should be part of the Ordinance. I'm not saying all of the regulations, but a substantial bulk of them, and you're saying no, so forget it.

Mr. Chairman: Mr. McCall, you might not be over-zealous, but you're certainly zealous in the scrutiny of the actions of this government.

Mr. Lengerke?

Mr. Lengerke: Yes, Mr. Chairman, I have looked through the regulations, the draft regulations, again and I've satisfied myself that they are of such a nature, Mr. Chairman, and I commend the Minister, I like the regulations that have been provided to us, but they are of such a nature that I cannot see, and I'm quite open to listen to further argument, why they can't be incorporated in the Ordinance itself. I just have no difficulty.

The Minister got up, the Minister of Local Government got up and as I say, I have to agree with many of his points of view. He said that he would hope that a lot of these things with respect to the dollar values and the grants and what have you, would not be changed on a monthly or yearly basis. I would hope that would be the case as well, and I've looked at the Capital Assistance and the Community Assistance Ordinance and we do set out in dollar amounts that are provided.

We give some leeway here. We give a range of dollars and I think these are the points that we, as legislatures, should be controlling. I would ask that Honourable Members take a little further look and as I say, I'm open, I may have missed a couple of points in here. Maybe there is something that shouldn't be included. I've made a suggestion to the Committee and as I say, I stand, certainly, on my suggestion that these are very good regulations and could be part of the Ordinance quite nicely.

Deleting 3(1), 2(1) and 1(1) and the most obvious, I'm not going to get into the-- but certainly the ones setting out the grants are quite straightforward.

Mr. Chairman: Okay, what I'm going to do is I'm going to ask, first of all, is it the concurrence of the House, that the regulations regarding the advisory committee be referred back to the Department for consideration to inclusion in the Bill. If that's acceptable then we'll go on to consideration of all the regulations so we will know just what we're after, okay?

Mr. McCall: A point of order, Mr. Chairman, are you referring to the regulations or the Bill itself? I would concur if it was the Bill.

Mr. Chairman: Insofar as the advisory committee, it is the advice of this House that these regulations be referred back to the Department for consideration for inclusion in the Bill.

Mr. McCall: On a point of order, Mr. Chairman, we're debating the Bill, not the regulations, and I would suggest we send back the Bill.

Mr. Chairman: Same thing, Mr. McCall.

I am dealing with the proposed suggestion to the Bill, dealing with the regulations, and I'm trying to break it down so it is easily understood by Members of the Committee.

Mr. McCall: On a point of order, Mr. Chairman, we were debating recently a Motion on proposed changes in regulations and look at the harangue we had then. I'm

suggesting the Bill goes back and the proposed regulations can go with it.

Mr. Chairman: I am proposing, Mr. McCall, to find out which regulations are going back, and I am now asking Committee Members for that very consideration. Do you wish the regulations that are proposed regarding the advisory committee to go back for consideration for inclusion in the Bill? Is that the concurrence of Committee?

Some Members: Agreed.

Mr. McCall: On a point of order, Mr. Chairman, I would debate on the Bill and I would suggest the Bill go back and all regulations with it. Put it the right way around.

Mr. Chairman: No. It is agreed then that the regulations appended to this Bill go back to reconsideration before the Bill is drawn.

Mr. Fleming?

Mr. Fleming: Mr. Chairman, we're speaking about the Bill actually. The regulations are here and they are something that we're into but we're speaking of the Bill.

Mr. Chairman: I am dealing with the suggested amendment that is brought forth to be by Members and that is exactly what I am using right now.

Mr. McCall: On a point of order, Mr. Chairman, I suggest that you send the Bill back along with the proposed regulations - that's the way you should be operating. That's what we're debating, the Bill, not the proposed regulations. I suggest you send the Bill back with the regulations.

Mr. Chairman: What I am trying to get forward is what you wish to send back with the Bill. Which regulations?

Mr. McCall: All of them.

Mr. Chairman: And as I told you before, we will first deal with the regulations regarding advisory committee and if you're in agreement with that, then I would propose to you that all the regulations go back in two steps, so that everybody understands what we're dealing with.

Mr. Fleming: Mr. Chairman, why?

(Laughter)

Hon. Mr. Lang: In putting this Bill forth, -

Mr. Chairman: You haven't been recognized by the Chair, Mr. Lang.

The agreement, this is a suggestion, this is not a motion. This is now before Committee. The suggestion is that the appended regulations go back to incorporation in the Bill. I am asking you which regulations? First question. The regulations regarding the advisory committee, do you wish them to go back for incorporation into the Ordinance?

Some Members: Agreed.

Mr. Chairman: Do you wish all draft regulations to go back for possible inclusion in the Ordinance?

Some Members: Agreed.

Mr. Chairman: Great. It's not a resolution, it doesn't have to be a resolution.

Mr. Lengerke: On a point of order, you're looking for some direction, I think under the Committee --

Mr. Chairman: It's all right, Mr. Lengerke, I'm using what you gave me.

Mr. Lengerke: I know, I'm just saying, Mr. Chairman --

Mr. Chairman: Okay.

Mr. Lengerke: On a point of order.

Mr. Chairman: That's one consideration. The second, the next consideration, that section 11(1) - Section 11(1) states: "The Commissioner may make such regulations as he deems necessary to carry out the provisions of this Ordinance." That Section 11(1) be deleted or be included in Section 3(1).

Are you agreed?

Some Members: Agreed.

Mr. Chairman: The next recommendation that has been given me, that Section 7 be expanded to allow communities at the local level to choose whether they do want a recreation program under the jurisdiction of a community organization or an L.I.D. Board of Trustees.

Now do you also wish this to go back for further consideration to be included in the Recreation Development Ordinance?

Some Members: Agreed.

Mr. Chairman: Good.

Hon. Mrs. Whyard: Mr. Chairman, you're voting on a motion.

Mr. Chairman: No, there's no motion. There is a procedure established by Committee where you, the people that wish specific recommendations, if there are changes that would be drawn up, yes. You always have, you say, what do you mean, what do we want? I'm telling you, I asked for specific recommendations from Committee to give the government so they have directions in redrawing the Ordinance. And that's exactly the procedure we're following at the request of the government.

Mr. Berger?

Mr. Berger: Thank you, Mr. Chairman, I finally go to 7(1). I want to ask the Honourable Member from Kluane a question on her concern. I was speaking to some members in the L.I.D. in Mayo and I think they have a similar concern that the turnover recreation

facilities in an L.I.D Board who really have no authority to own anything and actually the owner would be turning out to be the Territorial government. Now, I'm wondering if the Member concerned with this really, I don't think she referred to the Green Paper on L.I.D.'s, where the power is going to be given to the L.I.D.'s and I was wondering if this would satisfy some of the people and some of the local community organizations, that the recreation facilities would stay within the L.I.D.'s and their authority?

Mrs. Watson: Mr. Chairman?

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Yes, Mr. Chairman, it's a good point and I was aware of the suggested amendment in the Green Paper. Probably eventually, it would, but I don't think at the present time it would take away all of their fears about it because they have a very large investment and they have shareholders, they've shareholders over the last ten or fifteen years and it would become quite a financial situation to make the turnover and I think they will eventually, yes, but they're certainly opposed to doing it right as of now.

Mr. Chairman: Mr. Berger?

Mr. Berger: Yes, Mr. Chairman, the thing that I am concerned with is the experience in some of the municipalities, but if you have too many organizations responsible for certain types of fundings like the Honourable Member from Ogilvie mentioned, can the ski club be responsible for something like this? Why?

I mean you have a recognized community organization, a Band office, an L.I.D. board, let them be responsible and let people take on the responsibility to look after other people. Don't spread out that responsibility in too many little clubs and organizations. That is when I think some other people in the Yukon have the right then to say that, if possible, spread it out to the private organizations and private clubs. I think if you have one elected body responsible for monies like this, I think it would be much better than to have too many people like that.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, what I am talking about is an umbrella organization that was there a long time before the Local Improvement District and my concern is the fact that the Indian community is outside of the L.I.D. district and yet it is one community and the community organization has always been the organization in that community that provided recreation for both Indian and non-Indian people. If we let the Local Improvement Board be the authority, then we would be expecting the Indian people to live under a recreation board that was appointed by an elected body that they couldn't have a right to vote in and you were talking about the democratic process today, and they wouldn't have anything to say in the Local Improvement District Board and yet they would be living under the recreation program. They should have the right to vote. They don't want to be in the L.I.D. district, so then change your local authority for recreation to the whole community.

I'm not saying that there should be three or four or five from that community applying for grants. There should be an understanding that there's one umbrella organization that is prepared to serve all the needs of that community. And they have been.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Yes, Mr. Chairman, with respect to the regulations in the Ordinance, I would just like to make this general comment, that in talking to members of various municipalities and certainly within the City, and I also talked to members belonging to municipalities outside of Whitehorse, they came up with the idea, or certainly the suggestion, that the Ordinance was very hard to understand, that they had great difficulty when it was presented to them. They said we kind of like the idea, but we don't really know what it all says and when the regulations were provided, and they learned of the regulations, the comment was made to me and I'm sure, Mr. Chairman, you've heard the same comment as I did, that the regulations, if they were in the Ordinance would be very, very nice. Why did we not incorporate them? They were clearly understood.

It answered a lot of questions, a lot of inquiries that were being made were cleared up and that's one of the reasons why we have a very nice dual set here to be incorporated.

Mr. Chairman: But, Mr. Lengerke, as soon as the Regulations get incorporated into the Ordinance, they will no longer be intelligible.

Mr. Lengerke: Well, that could be.

Mr. Chairman: We would carry on with the Insurance and Real Estate Ordinance and we require a witness, so I'll declare a brief recess while that witness can be summoned.

(Recess)

Mr. Chairman: I call this Committee to order.

Insurance Ordinance. We were dealing with Clause 220 (1), which had been brought in as an amendment and has now been re-amended.

Do Members have a copy of the amendment?

The Sections which have been changed, I'll read them out and read them only.

Clause 220 (1) (3). "If the Superintendent is satisfied with the Statements and information required by sub-Section 2, he shall issue the licence applied for and the licence expires at such time as the Regulation provide unless otherwise suspended or revoked."

Four. "The Superintendent may renew a licence issued pursuant to this section for each succeeding year upon payment of the prescribed fee, without requiring anew, the detailed information specified by Section 218."

Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, if it would assist Committee, these changes were made particularly at the recommendation of the Honourable Member from Kluane and the amendment in this form has been shown to her, I see she's absent at the moment, but it met with

her approval.

Mr. Legal Advisor: Yes, Mr. Chairman.

Mr. Chairman: I'll go on to 220 (1) Sub 10. "The Licensee is entitled to a release or cancellation of security if all insurance effected by him under this Section are no longer in force or have been reinsured."

And sub-Sections 12 and 13.

Twelve. "The Superintendent may for cause shown, revoke a licence issued under this Section or may suspend it for a period not exceeding the unexpired term thereof, and may for cause shown, revoke the licence while so suspended and shall notify the licensee in writing of such revocation or suspension and the cause shown."

Thirteen. "A person licensed under this section who contravenes any of its provisions is guilty of an offence and, in addition of any other penalty, shall forfeit his licence."

Mr. Chairman: Mrs. Whyard?

Hon. Mrs. Whyard: Mr. Chairman, the concern here, as expressed by the Honourable Member was, and I think it was the agreement of all Members, that there should be notification to the licensee in writing if a licence is cancelled or suspended and also all Members will notice that we have inserted, "for cause", wherever that was pointed out. I think that it make a much stronger section, and satisfied all the Honourable Members.

Mr. Chairman: Shall that Section carry?

Mr. McIntyre: Mr. Chairman, a typographical error. You didn't mention that, "in addition of". Should that not be "in addition to"?

Mr. Chairman: Where are you?

Mr. McIntyre: That part you just read. Thirteen. In my copy, it says, "in addition of any other penalty". Isn't that a typographical error?

Mr. Legal Advisor: Yes.

Mr. Chairman: Does that Section carry?

Some Members: Agreed.

Mr. Chairman: Clause 236. Before we carry on to that, because of this section now being carried, are Sections 216 to 230 now carried?

Some Members: Clear.

Mr. Chairman: Clause 236 is deleted. Clause 236, Repeal. One. The Insurance Ordinance, 1958, Chapter 57 is repealed.

Two. Section 141 of the Motor Vehicle Ordinance is repealed.

Shall this Section carry?

Some Members: Agreed.

Mr. Chairman: New Section 237, Coming Into Force. This Ordinance, or any provision thereof shall come into force on the day or days to be fixed by order of the Commissioner.

Shall this Section carry?

Some Members: Agreed.

Mr. Chairman: The Schedule. Shall the Schedule 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: Insurance Ordinance.

Shall the title carry?

Some Members: Agreed.

Mr. Chairman: Shall I report the Ordinance out of Committee with amendment?

Some Members: Agreed.

Mr. Chairman: The Motion is carried.

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

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

Are you ready for the question?

Some Members: Question.

Mr. Chairman: All those 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 have considered Bill Number 12, Recreation Development Ordinance, and directed me to report progress on same.

The Committee have also considered Bill Number 8, Insurance Ordinance, and directed me to report the same, with amendment.

The Committee have also directed me to 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 so granted.
When shall Bill Number 8 be read a third time?

Hon. Mrs. Whyard: At the next sitting, Mr. Speaker.

Mr. Speaker: 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 has carried.

(Motion Carried)

Mr. Speaker: This House now stands adjourned until 10:00 a.m. tomorrow.

(ADJOURNED)

**THE FOLLOWING LEGISLATIVE RETURNS WERE
TABLED:**

77-1-17

McPherson Subdivision
(Written Question Number 13)
(Mar. 29/77)

77-1-18

Building Permit Number 256
(Written Question Number 14)
(Mar. 29/77)

77-1-19

Carcross Lighting
(Oral Question — page 355)
(Mar. 29/77)

77-1-20

Teachers' Training Program
(Written Question Number 14)
(Apr. 12/77)

77-1-21

Wellesley Lake
(Written Question Number 15)
(Apr. 12/77)

77-1-22

Financial Agreement with Federal Government
(Written Question Number 18)
(Apr. 12/77)

77-1-23

Fishing Quotas
(Oral Question — page 573)
(Apr. 12/77)

77-1-24

Medical Profession Ordinance Enquiry
(Written Question Number 7)
(Apr. 12/77)

77-1-25

TB
(Written Question Number 17)
(Apr. 18/77)

77-1-26

Vacant Position in Y.T.G.
(Oral Question — page 98)
(Apr. 18/77)

77-1-32

Highway Signing Brief
(Mar. 29/77)

77-1-33 **White Paper on Paving — Alaska Highway and
Haines Road**
(Mar. 30/77)

77-1-34

White Paper on Insurance Ordinance Change
(Apr. 12/77)

77-1-35

White Paper on School Grounds Improvement Program
(Apr. 13/77)

77-1-36

White Paper on Community Pastures
(Apr. 14/77)

**THE FOLLOWING SESSIONAL PAPERS WERE
TABLED:**

77-1-30

Campgrounds Planning Report 1976
(Mar. 29/77)

77-1-31

**Green Paper on Appointment to Yukon Territorial
Water Board**
(Mar. 29/77)

LEGISLATIVE RETURN # 25
1977 (First) Session

Mr. Speaker
Members of the Assembly

On March 30, 1977 the Honourable Member for Kluske asked the following questions:

1. How did the health authorities determine to whom T.B. skin tests should be given?
2. What is the reason for persons to have a strong tuberculin reaction to skin test?
3. Does such a strong reaction mean they have been in close contact with an active case of T.B.?
4. If an active case of T.B. is identified is the person put on medication and left in the community or are they put on medication and isolated?

The answers to these questions are as follows:

1. Two methods are used, these being:
 - a) routine testing which is done on preschoolers and school children before leaving school. It is now being largely used in place of chest x-rays in the detection of T.B. among the population. The purpose is to detect these individuals who have been infected with a T.B. germ before they develop the disease. This knowledge can assist to prevent the development of the disease by preventive treatment.
 - b) special testing which is the testing of all contacts of a patient who is a T.B. case. All persons who have had contact with a T.B. case are considered to be "at risk" and the test is done to determine whether preventive treatment is necessary.
2. A person who has not been infected with T.B. will show a negative reaction on the skin. Persons showing a large reaction, i.e. greater than 10 c.m. in diameter, are considered to have been infected with the disease producing the T.B. germ. The test itself is a reaction in the skin between the testing fluid and the antibodies to the T.B. germ in the body. A strong reaction means the person has been infected by the T.B. germ and may or may not have active tuberculosis, which is changes in the body tissues such as the lungs.
3. Yes. A strong reaction means that the person has taken in T.B. germs from an active disseminator case.
4. Each case must be assessed individually. The following criteria are used in the assessment:
 - a) severity of the tuberculosis
 - b) is patient infectious to others
 - c) is patient cooperative or uncooperative

As a general rule patients who have T.B. of the lung and who are infective and therefore put others at risk are moved to Edmonton, isolated and treated actively until they are no longer infectious. They can then be returned to their home and continue treatment in their own community for a further period 1-2 years.

If, on the other hand, the T.B. is not infective e.g. kidney T.B. and if the disease is not too severe and the patient cooperative, the treatment can sometimes be carried out at home. Preventive treatment can and often is carried out at home, however, it is safest to have active disease treated in a centre which specializes in this care.

April 18, 1977

Fló Myrdal
Fló Myrdal, Member
Executive Committee

LEGISLATIVE RETURNS # 26
1977 (First) Session

Mr. Speaker
Members of the Assembly

On March 7, 1977, Mr. Berger Asked the following question:

"On Thursday, March 3, the Minister of Local Government presented us with a paper answering the question of vacant positions in the Territorial Government and I was wondering if we could have a further breakdown on that and what departments, how many vacancies in each department and how those figures compare with last year's statistics?"

The answer to the above question is as follows:

Attached are copies of the Public Service Commissioner's listing of vacant positions for March 30, 1976 and March 30, 1977.

Date April 13/77 Signature AM Pearson

VACANT POSITIONS AS AT 31 MARCH 1977 THIS YEARS

COMMISSIONER'S OFFICE / CLERK OF LEGISLATIVE ASSEMBLY

01-001 1368 Assistant Commissioner (Administrative) ←

INDUSTRY DEVELOPMENT AFFAIRS

01-034 1021 Clerk Typist II

PUBLIC SERVICE COMMISSION

01-054 1021 Clerk Typist II

TREASURY

02-016 1011 Clerk II
02-750 1011 Clerk II
02-753 1131 Accountant II

GENERAL PURCHASING AND STORES

none

EDUCATION ADMINISTRATION

03-090 1021 Clerk Typist II
03-142 1021 Clerk Typist II

SCHOOL SUPPORT SERVICES

03-023 5005 Custodial Worker I
03-029 5005 Custodial Worker I
03-034 5005 Custodial Worker I
03-061 5005 Custodial Worker I
03-072 5005 Custodial Worker I
03-126 5010 Custodial Work Supervisor

TERRITORIAL SECRETARY

04-013 1021 Clerk Typist II
04-023 1368 Assistant Territorial Secretary
04-047 1020 Clerk Typist I

RECORDS OFFICE

none

HEALTH SERVICES

05-071 4115 Alcohol & Drug Counsellor

SOCIAL WELFARE

05-102 4124 Assistant Director of Social Welfare
05-122 4110 Social Worker II
05-126 4109 Social Worker I
05-130 4109 Social Worker I
05-133 4111 Social Service Worker
05-135 4315 Housing Issue Attendant
05-161 4910 Housing Issue Attendant
05-164 4011 Insectic Attendant

EXISTING

06-254 5001 Laundress

LOCAL GOVERNMENT

06-022 1359 Planner
06-024 1347 Assessor
06-061 5007 St. Hubert/Ambulance Attendant

PARKS & RECREATION

07-004 1513 Manager - Yukon House
07-016 1516 Park, Ground & Site Coordinator

CARE BRANCH

07-100 1475 Director of Wildlife

LIBRARY SERVICES

07-215 3248 Archivist II

LEGAL AFFAIRS

none

HIGHWAYS AND PUBLIC WORKS

09-103 2022 Engineering Aide
09-101 2021 Civil Engineer II
09-090 6001 Labourer
09-037 6015 Plumber
09-205 6010 Carpenter
09-730 6017 Electrician
09-731 6021 Labourer
09-075 6157 H.E.O. II
09-029 6157 H.E.O. II
09-163 6157 H.E.O. II
09-164 6157 H.E.O. II
09-166 6157 H.E.O. II
09-209 5106 Cook II
09-324 6157 H.E.O. II
09-330 6157 H.E.O. II
09-331 6157 H.E.O. II
09-332 6157 H.E.O. II
09-023 6157 H.E.O. II
09-541 6170 Road Foreman
09-695 6157 H.E.O. II
09-615 6157 H.E.O. II
09-096 6160 Crusher Foreman
09-593 6157 H.E.O. II
09-995 6157 H.E.O. II
09-126 6157 H.E.O. II
09-997 6157 H.E.O. II
09-998 6157 H.E.O. II
09-135 2005 Draftsman I

YUKON HOUSING CORPORATION

none

MECHANICAL BRANCH - HIGHWAYS & PUBLIC WORKS

41-090 6001 Labourer
41-168 6120 H.E. Mechanic
41-665 6001 Labourer
41-673 6115 Auto Mechanic
41-994 6115 Auto Mechanic

YUKON LIQUOR CORPORATION

46-006 1011 Clerk II
46-015 1230 Liquor Warehouseman I
46-040 1411 Chief Liquor Inspector
46-041 1412 Liquor Inspector

WORKMENS' COMPENSATION OFFICE

56-053 1010 Clerk I

TOTAL VACANT POSITIONS - 72

Public Service Commission
Government of Yukon
March 30th, 1977

VACANT POSITIONS AS AT 31 MARCH 1976

COMMISSIONER'S OFFICE & CLERK OF COUNCIL

01-009 1033 Secretary
01-021 1325 Assistant Clerk of Council (Admin.)

PERSONNEL OFFICE

01-054 1021 Clerk Typist II
01-055 1021 Clerk Typist II
01-060 5015 Watchman

TREASURY

02-001 1155 Territorial Treasurer
02-007 1110 Accounting Clerk I
02-016 1111 Accounting Clerk II
02-026 1020 Clerk Typist I
02-027 1010 Clerk I
02-033 1012 Clerk III
02-043 1106 Analyst Programmer

CENTRAL PURCHASING AND STORES

02-057 1205 Traffic Manager

EDUCATION ADMINISTRATION

03-011 1020 Clerk Typist I
03-032 5005 Custodial Worker I
03-080 1022 Clerk Typist III
03-090 1021 Clerk Typist II
03-101 3108 Supervisor of Instruction
03-102 3107 Educational Psychologist
03-142 1021 Clerk Typist II

SCHOOL SUPPORT (CUSTODIAL)

03-047 5005 Custodial Worker I
03-069 5005 Custodial Worker I
03-085 5005 Custodial Worker I
03-131 5025 Custodial Worker I

EDUCATION / FRENCH LANGUAGE

03-106 3106 French Language Instructor

EDUCATION / STUDENT ACCOMMODATION

03-112 3101 Student Residence Supervisor

YUKON VOCATIONAL TECHNICAL TRAINING CENTRE

03-062 1040 Duplicating Equipment Operator I
03-425 3333 Instructor
03-505 1041 Duplicating Equipment Operator II
03-508 5015 Watchman
03-517 5101 Kitchen Helper
03-526 3008 Arts & Crafts Instructor
03-539 1219 Stockkeeper I
03-544 3011 Supervisor of Community Instructors
03-549 3023 Housing Education Instructor
03-679 3022 Trades Instructor

TERRITORIAL SECRETARY

04-035 1437 Steam Boiler Inspector
04-035 1404 Safety Inspector
04-047 1401 Field Inspector I

HEALTH SERVICES

05-141 1021 Clerk Typist II
05-007 1020 Clerk Typist I

SOCIAL WELFARE

05-102 4174 Assistant Director of Social Welfare
05-116 4172 Certified Nursing Aide
05-139 4010 Nursing Home Attendant
05-142 4010 Nursing Home Attendant

CORRECTIONS

05-282 4210 Corrections Matron
05-288 5001 Laundress

LOCAL GOVERNMENT

| | | |
|--------|------|---------------------|
| 06-022 | 1349 | Planner |
| 06-024 | 1010 | Clerk I |
| 06-051 | 4008 | Ambulance Attendant |
| 06-052 | 4008 | Ambulance Attendant |

TOURISM & INFORMATION BRANCH

| | | |
|--------|------|--|
| 07-012 | 1021 | Clerk Typist II |
| 07-015 | 1507 | Public Relations Officer - Yukon House |
| 07-018 | 1010 | Clerk I |
| 07-074 | 1506 | Tourism Program Officer II |
| 07-026 | 1021 | Clerk Typist II |

GAME BRANCH

| | | |
|--------|------|-------------|
| 07-111 | 1424 | Biologist I |
| 07-113 | 1424 | Biologist I |

LIBRARY SERVICES

NONE

LEGAL AFFAIRS

| | | |
|--------|------|--------------------|
| 08-023 | 1110 | Accounting Clerk I |
| 08-024 | 1377 | Solicitor III |

HIGHWAYS AND PUBLIC WORKS

| | | |
|--------|------|--------------------------|
| 09-007 | 1022 | Clerk Typist III |
| 09-170 | 2024 | Architect |
| 09-506 | 1020 | Clerk Typist I |
| 09-604 | 2310 | Driver Safety Instructor |
| 09-712 | 1011 | Clerk II |
| 09-742 | 1020 | Clerk Typist I |
| 09-037 | 6015 | Plumber |
| 09-205 | 6010 | Carpenter |
| 09-730 | 6017 | Electrician |
| 09-731 | 6001 | Labourer |
| 09-055 | 6157 | H.E.O. II |
| 09-074 | 6157 | H.E.O. II |
| 09-085 | 6157 | H.E.O. II |
| 09-086 | 6157 | H.E.O. II |
| 09-164 | 6157 | H.E.O. II |
| 09-166 | 6157 | H.E.O. II |
| 09-167 | 5106 | Cook II |
| 09-169 | 6170 | Road Foreman |
| 09-561 | 6170 | Road Foreman |
| 09-564 | 6157 | H.E.O. II |
| 09-608 | 6157 | H.E.O. II |
| 09-693 | 6157 | H.E.O. II |
| 09-696 | 6160 | Crusher Foreman |
| 09-743 | 5005 | Custodial Worker I |
| 09-993 | 6157 | H.E.O. II |
| 09-995 | 6157 | H.E.O. II |
| 09-996 | 6157 | H.E.O. II |
| 09-997 | 6157 | H.E.O. II |
| 09-998 | 6157 | H.E.O. II |
| 09-134 | 2005 | Draftsman I |
| 09-135 | 2005 | Draftsman I |

YUKON HOUSING CORPORATION

| | | |
|--------|------|--------------------|
| 18-507 | 1345 | Property Manager |
| 18-510 | 5005 | Custodial Worker I |

MECHANICAL BRANCH - HIGHWAYS AND PUBLIC WORKS

| | | |
|--------|------|--------------------------|
| 41-024 | 6120 | H.E. Mechanic |
| 41-127 | 9000 | Apprentice |
| 41-128 | 9000 | Apprentice |
| 41-141 | 9000 | Apprentice |
| 41-142 | 9000 | Apprentice |
| 41-155 | 9000 | Apprentice |
| 41-168 | 6120 | H.E. Mechanic |
| 41-542 | 6120 | H.E. Mechanic |
| 41-643 | 6120 | H.E. Mechanic |
| 41-665 | 6001 | Labourer |
| 41-684 | 2310 | Driver Safety Instructor |
| 41-685 | 1210 | Stores Clerk |
| 41-689 | 6120 | H.E. Mechanic |
| 41-994 | 6115 | Auto Mechanic |

LIQUOR CONTROL

| | | |
|--------|------|-----------------------|
| 46-014 | 1230 | Liquor Warehouseman I |
| 46-021 | 1230 | Liquor Warehouseman I |

TOTAL VACANT POSITIONS - 109

Public Service Commission
Government of Yukon

March 30th, 1977