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Debates & Proceedings

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Speaker: The Honourable Donald Taylor

Whitehorse, Yukon Territory
April 26, 1977

Mr. Speaker: I will 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.
The Honourable Member from Whitehorse West?

Hon. Mrs. Whyard: Mr. Speaker, I would rise on a point of privilege this morning to express on behalf of all the Honourable Members of this House, the sympathies of the Yukon Government to the family of the late Howard W. Firth, who, as a pioneer member, a pioneer family, for generations, has been well known and devoted to community service in the Yukon.

He served the public as Mayor of Dawson and of Whitehorse, a unique record which has never been equalled by any other citizen of the Yukon. Many Members here will be saddened by his loss to the community and at this time I think this House should express their official sympathy to the family.

Thank you, Mr. Speaker.

ROUTINE PROCEEDINGS

Mr. Speaker: Are there any Documents for Tabling?

TABLING OF DOCUMENTS

Mr. Speaker: The Honourable Minister of Local Government?

Hon. Mr. McKinnon: Mr. Speaker, I have for tabling today a White Paper on Co-ordination of Employment and Training Programs and a Green Paper on Highway Signs that everybody else was chicken to table.

Mr. Speaker: Are there any further documents or correspondence for tabling?
Reports of Committees?
Petitions?
Introduction of Bills?
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, a Notice of Motion for the Production of Papers, moved by myself, seconded by the Member from Kluane, that copies of all replies as received to date by the Economic Research Planning Unit in response to their letter of February 7th, 1977 dealing with Phase I, Public Participation and a Plan for Yukon's Future, be tabled in this Assembly forthwith.

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

Notices of Motion or Resolution?
The Honourable Member from Ogilvie?

NOTICES OF MOTION

Ms. Millard: Mr. Speaker, a Notice of Motion, moved by myself, seconded by the Member from Hootalinqua, that it is the opinion of this House that the Public Service Commission should look into the possibility of altering Public Service Commission Regulations 20 to 24 to indicate a time limit within which a classification review decision must be made and acted upon by the Commission.

Mr. Speaker: The Honourable Member from Ogilvie.

Ms. Millard: Notice of Motion, moved by myself, seconded by the Honourable Member from Whitehorse South Centre, that it is the opinion of this House that the Administration should request of the Honourable Romeo LeBlanc, Minister of Fisheries and Environment, that he look into the possibility of immediate environmental impact studies on the building of the Dempster Highway, particularly concerning impact on the Dempster caribou herd.

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

STATEMENTS BY MINISTERS

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

Hon. Mrs. Whyard: Mr. Speaker, I feel a statement is required at this time regarding the position of the Yukon Territorial Government in the current financial problems facing the Whitehorse Y.W.C.A.

According to the latest report, the Central Mortgage and Housing Corporation, which holds the Mortgage on the Y.W.C.A. building, will be foreclosing imminently. Because of the strong support given by the many individuals in the past fifteen years to construction costs and support of programs in the Y.W.C.A., I feel there is some explanation required on behalf of hundreds of Yukoners who've got out and walked for fifty miles to raise funds for that project and worked through the years to bring about the presence of a Y and its programs in this community and for the benefit of the entire Territory.

The residence was planned to meet the needs of single young people, first from all parts of the Yukon and secondly from outside this Territory, young Canadians who came up to see the North for themselves. Many of them stayed on to become strong young citizens, building their homes and raising their families here. Others, such as the visitors who availed themselves of the Y.W.'s transient hostel during the summer months, have returned home to every part of Canada taking the message back about the Yukon and its promise for future young Canadians.

The problem now is that the Y.W.C.A., despite its success in operating the residence and in paying its operating costs out of its own revenue from that resi-

dence, has not been able to pay the C.M.H.C. the mortgage costs. The C.M.H.C. has been as patient as any Crown Corporation is allowed to be under its own terms of financial responsibility and has come to the end of the line. All efforts to come up with a rescue plan appear to have failed.

Some two years ago, Mr. Speaker, the Territorial Government was approached by the C.M.H.C. and the Y.W.C.A. to consider a proposal which would have covered the operating deficit of the Y and made it possible to keep the programs going and the residence open. This would have involved C.M.H.C. in picking up half the operating deficit as they are permitted to do under a section of the Public Housing Act, with the YTG absorbing 37½ per cent and the City of Whitehorse 12½ per cent.

Approval in principle was given by YTG at that time, based on the City's acceptance of their portion of the costs. Mr. Speaker, it was expected that the municipality would undertake to pick up that 12½ per cent in the simplest form possible by forgiving the taxes on the Y.W.C.A. property and residence. However, the City did not choose to do so and matters were left to continue in that way until after a new City Council had been elected, when another approach was made.

For many months now, discussions have continued between the Y.W.C.A. and C.M.H.C. and the City, to no apparent purposes. Earlier this year, the Y anticipated an operating deficit for 1977 of \$110,000.00, of which the City's share would have been \$13,800.00.

The Yukon Territorial Government cannot proceed to ask support from Territorial taxpayers to assist the Y.W.C.A. if the municipality in which that building is located refuses to do so. Their reasons for taking this position are not the business of this House. I am rising today solely for the purpose of explaining our position in this Government at present.

As for my own Department, Mr. Speaker, we have utilized the Y.W.C.A. residence from its beginning, as has the Department of Education for the Vocational School students, and thus avoided the cost of constructing additional dormitory space at that school. One hundred clients from our Social Welfare Branch were accommodated at the Y during the past year. For many of them, there would have been no other suitable accommodation.

The initial objective of the residence, as I understood it, Mr. Speaker, was to provide low-cost accommodation for single young people coming from small villages and isolated settlements throughout the Yukon particularly, with a special welcome for native people, where they would receive counselling as well as an introduction to what is now called Life Skills in a larger community, among friends and in a supervised atmosphere.

We have used the Y for many of those purposes, white and native alike. We have used it for young inmates leaving the Correctional Institute or the Juvenile Home. We have used it for single parents who required adjustment back into society. We are using it for graduates from the Crossroads Treatment Centre. This has not been just an ordinary apartment block, but a community centre in every way offering hundreds of programs to every age group throughout the area.

One final word, Mr. Speaker, in every other part of Canada, the Y.W.C.A. receives not only municipal support plus provincial funding, but invariably there has

been federal capital support for construction of such a residence. As usual, Mr. Speaker, we are different in the Yukon. There was no federal financing except through the Mortgage held by C.M.H.C. This Territorial Government gave a grant of approximately \$70,000.00 initially, with the proviso that that would cover dormitory space for Vocational School students in the building, and the City gave nothing.

It is our understanding that, if foreclosure procedures are put in motion, a Receiver will have to be appointed before foreclosure can actually occur. This process could take from six months to one year in this case. It is to be hoped, Mr. Speaker, that some solution may be arrived at before that day comes.

Thank you, Mr. Speaker.

Mr. Speaker: Are there any further Statements by Ministers?

This, then, brings us to the Question Period.

QUESTION PERIOD

Mr. Speaker: The Honourable Minister of Education?

Hon. Mr. Lang: Mr. Speaker, I'd like to table a Legislative Return in answer to Mr. Hibberd's question of March 30th concerning employment of a law clerk.

Mr. Speaker: The Honourable Member from Hootalinqua?

Question re: Rental Rates on Y.T.G. Housing

Mr. Fleming: Mr. Speaker, a question for the Minister of Housing on the rates that are being charged for the rental and if there has been any new formula for collecting such this year. Does the Minister know of any new changes?

Mr. Speaker: The Honourable Minister of Education?

Hon. Mr. Lang: Mr. Speaker, I'll have to take notice on that particular question.

Mr. Speaker: The Honourable Member from Hootalinqua?

Mr. Fleming: Supplementary, Mr. Speaker. If the Minister does find there has been some changes, or even if not, would he supply this House or myself with the information pertaining to how they come about their formula for collecting the rents on the percentage of wages and so forth and so on, and what wages are to be calculated and what wages are not to be calculated and so forth?

Mr. Speaker: The Honourable Minister of Education?

Hon. Mr. Lang: Mr. Speaker, I'll review the situation, but it's my understanding that information was given to Members during the budget debate. If it wasn't, I'll get the information, Mr. Speaker.

Mr. Speaker: The Honourable Member from Ogilvie?

Question re: Special Needs of Indian Students

Ms. Millard: Mr. Speaker, a question for the Minister of Education.

In the paper tabled, I believe it was yesterday, in response to a Motion in a previous Session, the Minister states, "we must take immediate and positive action to respond to the special needs of Indian students in our integrated school system."

I would ask the Minister, what are the immediate and positive steps that are being taken at this point in time?

Mr. Speaker: The Honourable Minister of Education?

Hon. Mr. Lang: Mr. Speaker, approximately three years ago there was a policy developed by this Government in relation to coming up with a method of accommodating some of the needs of the native people within our school systems. Subsequently, as outlined in the paper, it was presented to the Federal Government and it was lauded very highly but no financial resources were available to the Government of the Yukon Territory at that date.

At the present time, we are reviewing that policy, updating it to 1977. Once it has been updated, it will be taken to the Federal Government to see what their response will be, and at the same time, I can assure all Members that it will be sent to each and every Member here so that they have the ability of reviewing it over the summer months.

Mr. Speaker: The Honourable Member from Pelly River.

Question re: Fumigation of Faro

Mr. McCall: Yes, Mr. Speaker, I have a question for the Minister of Health, but I see that she's just left this House. With the Town of Faro being plagued by beetles and in view of the fact that the plague is spreading, what is the Territorial Department of Health considering as a remedy, other than fumigating the homes that are affected, and can the Department of Health assure the residents of Faro that the insecticide used for fumigating is not harmful?

Beetlemania, here.

Mr. Speaker: Order, please.
Are there any further questions?
The Honourable Member from Pelly River.

Question re: Faro Nursing Station

Mr. McCall: Yes, Mr. Speaker, I have another question, a written question for the Minister of Health. In view of the fact that the Faro Board of Health has completed its study on the proposed upgrading of the Faro Nursing Station and has presented its proposal to the Regional Director of Northern Health Services, and I presume the Territorial Health Department has received a copy of the same proposal, can the Minister advise me on the following questions? When will the

decision be made with respect to the expansion of the Faro Nursing facilities, and can we expect the construction to start this year and what is the total amount of monies available, both Federal and Territorial, on this project?

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

Question re: Child Abuse Registry

Ms. Millard: Yes, Mr. Speaker, a question for the Minister of Health, Welfare and Rehabilitation. At the Social Service Conference held last fall, a recommendation was made that a Child Abuse Registry be proceeded with. I'm wondering if there has been any action on that recommendation?

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

Hon. Mrs. Whyard: Mr. Speaker, I don't know, but I can find out.

Mr. Speaker: This then brings us to the end of the Question Period. We will now proceed, under Orders of the Day, to Motions.

ORDERS OF THE DAY

MOTIONS

Item Number 1

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

Mr. Speaker: Is the Honourable Member prepared to discuss Item 1 this morning?

Mr. McIntyre: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Pelly River, that the Fifth Report of the Standing Committee on Rules, Elections and Privileges, presented April 25th, 1977, be concurred in.
The Honourable Member from Mayo.

Mr. McIntyre: Mr. Speaker, the Members have all had an opportunity of reading the Fifth Report of the Standing Committee. It deals with an amendment to Standing Orders 50 and 51 to reflect what is actually our practice.

Another item deals with a new method of approaching money matters and a suggestion that an elected Member of the Executive be appointed by the Commissioner be chairman of the sub-committee on finance and that this person deliver the annual budget address to the Assembly.

I think that the report explains the situation well enough that we can throw the matter to the House for debate if they so choose.

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

Centre?

Hon. Mr. McKinnon: Mr. Speaker, I'd like to once again commend, and I think that we are always standing in the House and commending the Standing Committee Reports and the work that Members have done. We're just seeing the results of the amount of work that the Standing Committees have been doing. I know that the evenings and the noon hours that all Members of this House contributed to the Reports and the work for this House.

It's the first time in the history of the time that I've been in the House that I've seen Members working so hard and producing such good Reports as a result of the amount of hard work that they are doing, which I consider to really be above and beyond the call of duty. I just want to commend each and every Member of the Assembly that is producing the documentation that comes as a result of this work that they are performing.

I would like to think that Honourable Members would see the appointment of another elected Member on the Executive Committee with the appointment of an elected Member to be the chairman of the sub-committee on finance. There comes a point in time when my colleagues and myself just have to say you know, you have a certain amount of physical and mental capabilities, but you just have to say, "I've got so much that I cannot do a proper job in those areas which I already am trying to do as good a job as possible." I think with the addition of many portfolio responsibilities added on the elected Members of the Executive Committee and with another one of the appointed Members may be leaving the Yukon this summer, that that is going to be amplified once again.

People think because you're a Territory and there's only 23,000 people, you know, you don't have the same responsibilities and you don't have the same problems as a provincial or federal minister. I look at it the other way, Mr. Speaker. Because of the smallness of the population, any member of the public of Yukon can pick up that phone or walk in your office on any matter dealing with Local Government, Highways and Public Works, and everybody's got a complaint about Local Government and Highways and Public Works, and they don't have to go through the bureaucracy, they can come direct to the person who is elected and responsible.

They don't do that in the provinces, and they don't do that in the federal government. They are screened to the point where only the powerful lobby groups get to see the Minister in charge. So there are onerous responsibilities and I just don't know, I think the elected Members on the Executive Committee have reached that point of physical and mental ability to take on the really onerous job now without allaying any of those responsibilities of the chairman of the sub-committee of Finance would be a task that perhaps we couldn't do the job that the House would expect of that elected Member.

So, there is no way that any of us will not support the principle of the Fifth Report on the Standing Committee on Rules, Elections and Privileges, but I think that this House has to be considerate of how and when this type of a concurrence can come into effect, because at the present time it would be a little difficult, Mr. Speaker.

Mr. Speaker: The Honourable Member from Ogilvie?

Ms. Millard: Mr. Speaker, I'm delighted to see this Report, particularly the parts dealing with Standing Orders 50 and 51 to be amended. If I can I will just quote 51(2) "No Standing or Special Committee shall consist of more than five members without the consent of the Assembly. Such consent shall not be moved for without notice, and that the above amended Standing Orders become effective upon the Assembly concurring with this Report."

My concern has been since its establishment with the Standing Committee on Yukon Land Claims. Of course as we all know, there are seven members. I presume with the passage of concurrence with this Report, that those members will be reduced to five, so that we can say that we do have a democratic system and that we're not imposing the will of some people on this Assembly. That is how I read it and that's what I'll be voting for when I vote for concurrence of this Report.

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

Mrs. Watson: I find it necessary to stand up and make sure that the Honourable Member from Ogilvie knows what she's voting for when she votes, because if she thinks that's what she's voting for, then I think she's mistaken because if she recalls when the Standing Committee on Yukon Land Claims was constituted, the Resolution that was brought in this House did get the concurrence of the majority of this House. What the amendments to the two Standing Orders do in this Report will actually set up the mechanism whereby we can structure Standing Committees at the beginning of a new Legislature or even at the beginning of a new Session.

We didn't have anything in place that -- a mechanism in place that would trigger the structuring of the Committees and now we are suggesting a Committee of the Whole House proceed in this manner, but I don't think that this motion is going to affect the Committee that the structure of the Committee that the Honourable Member is referring to.

I would hope that she would vote for the resolution just by the fact that it's not going to overcome what has happened in the past, but it is going to set up a mechanism for the future.

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 2

Madam Clerk: Item 2, standing in the name of the Honourable Member Ms. Millard.

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

Ms. Millard: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Ogilvie, seconded by the Honourable Member from Kluane, that it is the opinion of this House that the Public Service Commission should be requested to look into the possibility of undertaking a review, immediately, of positions of Corrections Officer I and II, Corrections Matrons and Senior Matrons, with a view to (a) equalization pay for equal work; and (b) changing the title of the positions so that gender is not implied.

The Honourable Member from Ogilvie?

Ms. Millard: Thank you for the correction, Mr. Speaker.

As we can see, this Motion is requesting two things and I would deal with them as separate things within the one motion. I think that it's long overdue that there has been no review of this classification. I believe that it should have been done a long time and it was probably more an oversight of the Union and the Public Service Commission than anything; however, I'd like to detail just why I feel it should be done.

The Corrections Officer II is really on the same level as the Senior Matron, however the Correction Officer II is in a pay range of 19 and a Senior Matron is in the pay range of 18. I'd just like to read a little of the nature of the work in the two positions. The Senior Matron, it is described as "Employees of this class perform supervisory and instructional work in a juvenile training home. They are responsible for security and overall juvenile programs, training of young offenders, discipline the students, maintaining clothing, stores, supplies, clerical duties, preparing reports and staff records."

In fact, the whole description is about twice as long as that of the Corrections Officer II, which, in general states, "Corrections Officer II delegate work assignments to subordinate officers and are themselves responsible for overall security, order and discipline in the Institution, during an assigned shift."

I think on close inspection we can say that the two concepts are fairly much alike, the same with Corrections Matron I and Corrections Officer I.

In Corrections Matron I, the work of this class distinguished as -- sorry, "The Corrections Matron I maintain order and discipline, oversee work assignments of women inmates to ensure that work is of acceptable quality and quantity and assist in orientation and guidance of activities directed towards the rehabilitation of inmates.

Correction Officer I, employees are responsible for overseeing disciplinary, occupational and recreational activities of inmates while ensuring against escapes and breaches of order.

As I say, on close inspection, the two actually are, in each class, are very much the same and it is surprising to me that nothing has been done to make this more equal in reality.

I must say that under Corrections Matron I, the nature of the work, it states that work of this class is distinguished from that of a Corrections Officer I, not only by the sex of the inmates supervised, but also by the

fact that groups supervised are usually small and that risk of violent disturbance is less acute than the male inmates.

I must state that that has not been my experience in working in corrections. Women certainly can be just as violent as men, particularly in those circumstances. It is really imperative that these two become equal.

I came across a notice the other day of the income gap between men and women and it states that the income gap between men and women increased between 1970 and 1974, according to a recent report from Revenue Canada. The report is based on data from tax returns in 1974 and shows that men earned an average of \$11,736.00 while women only averaged \$6,734.00 compared with the 1970 data, the average income for men has gone up by 69 per cent while the average income of women has increased only 62 per cent. This just makes it all the more imperative that something be done about the pay ranges that are getting even further apart.

On the second part of this motion, I feel it's very important that the titles be changed not to reflect gender.

I think that this is the key to most of what has been going on. Because they are called Matrons, they are being treated differently from Corrections Officers, although I must point out that the positions are transferrable from one institution to another.

I have some information from the Commissioner of Penitentiaries under the Solicitor General of Canada where they are talking about Corrections Officers within their system. It says the status of female staff within the Canadian Penitentiary Service has positions in all groups that are open to both male and female applicants. I would say that because of the advertising in our government, most Corrections Officers, those positions are applied for by males because this has been the tradition and most Corrections Matrons are of course, applied for by women so that I don't feel that we are making it clear that these positions are open to both male and female.

It goes on to say with the exception of the living unit and correctional officer positions, females are presently restricted from applying for those positions in institutions housing all male inmates, however this policy is now under review, so they are even considering having female corrections officers dealing with male prisoners on an adult level.

Rates of pay, hours of work, and benefits are determined by the collective agreement governing any given group. Gender does not play a part in the application of agreements. Sex is not a consideration in access to educational programs. Job descriptions and titles are the same for men and women in this service and I would like to emphasize that, that the titles are the same and that we should be following that lead.

Our Fair Practices Ordinance states that no employer shall continue to employ a person or adversely discriminate in any term or condition of employment of such person because of the sex of such person. So we would just be following our own legislation by changing these titles.

I believe the title should be altered anyway to reflect the similarity in job descriptions and qualifications. A Matron is definitely a female description and it will remain so until it's changed. All the positions are really by description, "Corrections Officers". If we are talk-

ing about giving equal pay then we should have equal classification by name.

I've been looking through the policy manual to see if this attitude is reflected in the policy. There is no policy concerning sexual discrimination and I would also recommend that something be done about that.

Mr. Speaker: The Honourable Member from Pelly River?

Mr. McCall: Thank you, Mr. Speaker, that was quite an eminent supporting speech for a motion that I cannot support. If, as the Honourable Member has stated, that these particular jobs come under a contract with the governments in question, then the onus is on the representatives of those groups representing or filling those jobs to make sure that the principle of discrimination is not being applied in those jobs.

I think it would be very embarrassing for this House to be involved in supporting a motion that literally interferes with representation of employees, no matter what job classification you are filling. I think it would be embarrassing for this House to support a motion that really dismantles legislation which we have already passed, such as Public Service Commission legislation.

I cannot accept the motion because as a representative myself of a group of people, the onus and responsibility is on individuals like me to make sure that there is no discrimination, to make sure there are equal wages for all, no matter what sex, male, female or both.

The point is, I say here, Mr. Speaker, is I do not agree with this motion. It's an interference with a system that people must be generally satisfied in that field of work. If they are not, then the onus and responsibility is on them individually to seek out the representatives to make sure that the points suggested in the motion are rectified, but I cannot support the motion, it doesn't make sense.

Mr. Speaker: The Honourable Member from Kluane?

Mrs. Watson: Yes, Mr. Speaker, as seconder to the motion, it appears and it is, I think, to a certain degree a -- I should almost say a harmless motion that the Public Service Commission should be requested to look into the possibility of undertaking the review immediately of the positions.

I think the Honourable Member who has presented the motion has done a great deal of research and has outlined a fairly good position, substantiating the motion. However, I think the Honourable Member from Pelly has also brought up a very, very good aspect of the motion, the fact that this is the obligation of the Union that represents the employees who are in this position. The Honourable Member from Ogilvie did say that the reason it's here is because of the -- that the Union was remiss in not taking care of it, so I think the point that the Honourable Member from Pelly has made is quite a valid point, too, that we have given through the Public Service Commission, the opportunity for the employees to have a Union and these employees would be taken care of, the needs of the members of that Union under certain areas of concern.

Even though I agree with the Honourable Member from Ogilvie that there is quite apparently some type of

discrimination in possibly the equal pay for equal work or I agree with her that it should be reviewed, but I also am going to listen to the cautioning of the Honourable Member from Pelly, that maybe we should not start interfering in areas where the Union has almost jurisdiction, under a piece of legislation that has passed this House.

So, Mr. Speaker, I'm afraid, even though I seconded the motion, that I can't support it.

Mr. Speaker: The Honourable Member from Whitehorse West?

Hon. Mrs. Whyard: Mr. Speaker, I would like to reassure this House that the Public Service Commission of this Government does not practise discrimination against women. We have a number of positions in this Government which are advertised and are available to either men or women as candidates and these are things such as cooks or custodial workers, clerks, et cetera, but there are certain specific positions in the Public Service which, for very good reasons have been limited to a man or a woman in that particular area of responsibility and the Honourable Member has focused upon that one area.

I'm assured by the Public Service Commission that the rates paid to these positions have been established by contract by the representatives of these workers and I cannot justify interference with such a contract. The remarks of the Honourable Members regarding proceeding through the Public Service Alliance to amend some of these things if it is the wish of the employee and the member of the Union to do so are quite valid, but I have no problem whatsoever, Mr. Speaker, of asking the Public Service Commissioner to review those positions to ensure, in the eyes of the public, that there is no injustice invoked. I had no hesitation whatsoever in asking that that be done, whether or not this resolution is passed in this House. I will investigate for my own satisfaction again.

To reiterate, Mr. Speaker, we do not control the rates paid for specific positions, they are a matter for negotiation and for contract. I've said, Mr. Speaker, there have been very good and valid reasons for putting a man in charge of male prisoners and a woman in charge of females. Until that policy can be changed, perhaps the Honourable Member had better leave it to the Public Service Alliance.

Mr. Speaker: Any further debate?
The Honourable Member from Ogilvie?

Ms. Millard: Well, Mr. Speaker, I would just like to assure all the Members that I've been working very closely with the Union on this. They're in full agreement with it coming to the public and they simply wanted the support of this House to proceed with requesting for a review of the classification. A review of the classification is provided for in our legislation, it's simply a matter of spurring the process on.

For various reasons, this question did not come up in the present negotiations. It was reviewed in the negotiations previous to this and at that time, I must say that there were three levels of difference in the pay scales. Now there's only one level difference and we would all like to see it become quite equal.

Certainly we're interfering with the Public Service Alliance That was the first pace I went to to discuss this matter and the last thing I would like anyone to feel was that I was trying to usurp the rights of the workers in this Government. I would say that the question of the Union involvement has no relevance to this Motion at all simply because they know of the Motion, they've read it and they support it.

Mr. Speaker: The Member having twice spoken now closes the debate.
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 Ogilvie, seconded by the Honourable Member from Kluane, that it is the opinion of this House that the Public Service Commission should be requested to look into the possibility of undertaking a review immediately of the positions of Corrections Officers I and II, Corrections Matrons and Senior Matrons, with a view to:

- (a) equalizing pay for equal work;
- (b) changing the titles of the positions so that gender is not implied.

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: 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. Fleming?

Mr. Fleming: Agree.

Madam Clerk: The Honourable Member, Ms. Millard?

Ms. Millard: Agree.

Madam Clerk: The Honourable Member, Mr. McCall?

Mr. McCall: Disagree.

Madam Clerk: The Honourable Member, Mrs. Watson?

Mrs. Watson: Disagree.

Madam Clerk: The Honourable Member, Mr. Lengerke?

Mr. Lengerke: Yea.

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

Mr. Speaker: In this role, the Speaker's role is to ensure that the question has a chance to arise again. I will declare that I am negative to the Motion and that the Motion is not carried.

(Motion defeated)

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

Item Number 3

Madam Clerk: Item 3, standing in the name of the Honourable Member, Ms. Millard.

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

Ms. Millard: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Member from Ogilvie, seconded by the Honourable Member from Whitehorse Riverdale, that it is the opinion of this House that the Yukon Pipeline Inquiry be urged to consider visiting all interior Yukon communities which would be affected by any Dempster Highway pipeline route.

The Honourable Member from Ogilvie?

Ms. Millard: Mr. Speaker, the recent Foothills study done on the possibility of a Dempster lateral for a pipeline indicates that it could be economical, so we must take it very seriously. I really feel that, should the Mackenzie Valley line be rejected and should the Alcan route be supported, that the Dempster is a complete possibility. In fact, I've had that confirmed by speaking with Foothills' people.

I felt a long time ago that the Pipeline Inquiry should go to the interior, because I feel that any project of this sort has an impact on the whole Yukon and, now that the Dempster possibility is here with us, I think that it just makes it imperative.

I would say that we have the support of the Commissioner on this. In Hansard of April 21st, Mr. Commissioner says, "I am certainly in favour of the Inquiry obtaining as much information and as extensive information as it can regarding the socio-economic impact of any pipeline in Yukon. I would be prepared to suggest

that it would be logical for them to hold hearings throughout other areas, other than along the actual Alaska Highway." It seems to me that a man with his background in science and everything else should know what he's talking about and I would really agree that he is perfectly right there.

I don't think that at this time we should take into consideration the time limits which have been brought up time and again. I think the time limits are restrictive even on the Alcan route; however, at this time, we really must overlook that possibility that the time is too limited to really do a thorough study, because we're not going to get a thorough study on the Alcan route anyway, and I feel that we should proceed with getting some kind of input from the interior communities.

I have written Dean Lysyk on this and I would request the support of the House to concur with this Motion.

Mr. Speaker: The Honourable Member from Whitehorse Riverdale?

Mr. Lengerke: Yes, Mr. Speaker, as seconder of the Motion, I certainly am in accordance with it. I have no difficulty with it whatsoever. I think that if, in fact, the Dempster route is now being considered, and as the Honourable Member from Ogilvie has said I think she's correct, that there is a very serious move afoot to consider that. I just feel that an inquiry now, at the same time as the Alaska Pipeline Inquiry, would make sense because if, in fact, the route is given serious consideration, there would just be another delay to mount another inquiry, so I think it would be money well spent, time well spent, if it was done together.

Mr. Speaker: The Honourable Member from Kluane?

Mrs. Watson: Mr. Speaker, I've read some of the press releases on this and I also have talked with some of the Foothills Pipeline people on this. Maybe there are two companies or we talked to different people, but I have a different impression of the Dempster lateral that the Honourable Member is referring to. It's my understanding that the Foothills Pipeline, appearing before the National Energy Board with the Alcan proposals, were requested by the National Energy Board to do a brief cost analysis of a pipeline that would come down the Dempster and another lateral that would come across from Alaska, to tie into Dawson City.

Now, this was a request by the National Energy Board for Foothills to do just a cost analysis, a quick estimate of what this, these two pipelines would cost. Now these two proposals are not before the Energy Board at all. I am not trying to say that the Inquiry should not go into the interior communities, that they should not have some say on a pipeline in the Yukon, regardless of where it is, but I am saying that I think we're getting hot under the collar about something that isn't -- that someone has just mentioned, and if there is a proposal for a pipeline to go down the Dempster, somebody has to put it forward to the National Energy Board.

They have to make application. They have to prepare a complete submission, and at that time then, Mr. Speaker, then certainly the public should have the opportunity to National Energy Board hearings in Whitehorse regarding the impact of such a highway on

the -- on such a pipeline in the Yukon.

When we're talking about having an Inquiry regarding the Dempster -- possibility of a Dempster pipeline, there has been no -- there have been no ecological studies or anything like this done by the Foothills Company, nor is it even a proposal of theirs at this time. They were just asked to present a cost analysis and when we think that the pipeline inquiry is having a limited time now, even just to go to the areas that will be directly affected by the pipeline and to write up a reasonably detailed report, I would hope they do an in-depth study of the whole situation, the socio-economic impact of the pipeline in the areas that will be directly affected.

I would hate to vote against the motion to completely preclude the Inquiry Board, if they so wished, to go to some of these other communities, but because of the absolute time limit and the fact that the Dempster is just pie in the sky at the present time, let's do a good inquiry on the areas that are going to be affected, directly.

Mr. Speaker: The Honourable Member from Klondike?

Mr. Berger: Thank you, Mr. Speaker. I've nothing against the motion as it reads, except the Dempster Highway, because I'd hate to see this Inquiry be used at a later date when there is serious consideration given the Dempster Highway proposal and then we are told, you had an inquiry about the Dempster Highway even though it was only for a day or so and this is the possibility with this particular motion, or the latter part of it.

I think there's nothing wrong with the Inquiry to go to Dawson, Mayo, any other communities that would be interested in having the Board go into the community and state their feelings about a pipeline, the Alcan pipeline, and this is what the Inquiry is all about actually.

I agree with the Honourable Member from Kluane on this aspect, but I would also tell her there was a proposal, an alternative proposal, by Foothills a number of years ago to come down the Dempster Highway, so that is correct, there's a proposal in the making. I hate to see a pipeline company or any other government structure come in through the back door by coming up with a motion like this to say this Inquiry should also cover the Dempster Highway, because we only have ninety days. A proper Inquiry on the damages that could be done by building a pipeline along the Dempster Highway, I would say, would take a year or more, because we have no information on the Dempster Highway.

I know as a fact also, a number of years ago there was a seismic crew going up the Dempster Highway, up and down, to study the seismic faults along the Dempster Highway to see if it was earthquake-prone or not. So, definitely, there was some studies conducted by certain companies on this particular area.

As I said before, I would hate to see this Inquiry be tied up on the Dempster Highway proposal.

I would propose an amendment to strike everything after "communities". Then it would read, "that it is the opinion of this House that the Yukon Pipeline Inquiry be urged to consider visiting all interior Yukon communities", and strike everything afterwards.

Mr. Speaker: It has been moved by the Honourable

Member from Klondike, seconded by the Honourable Member from Pelly River, that all the words after "communities" in line three of Resolution Number 23 be deleted.

Is there any debate on the amendment?

The Honourable Member from Whitehorse North Centre?

Hon. Mr. McKinnon: Mr. Chairman, I'm going to support that amendment to the Motion. I have a lot of difficulty with the time constraints of the Yukon Pipeline Inquiry, but I think that a pipeline, if it is down the Alaska Highway, is going to have an effect, and whether it's going to be beneficial or otherwise to every community in the Yukon, whether it be in the interior, whether it be Dawson City, whether it be Carmacks or whether it be any of the smaller communities that are not on the pipeline route itself, I'd say the logistics of the Inquiry being able to accomplish this, I don't know whether that is possible. Perhaps after their work is done on the major portion of where the proposed pipeline would go at this point in time down the Alaska Highway, whether after that they can continue to visit interior Yukon communities, I don't know.

I think that those people in the interior Yukon communities have something to say about the pipeline and they should be heard, and if it was a pipeline down the Dempster Highway only, proposed at this time, then I would think the people of Haines Junction and the people of Teslin and the people of Destruction Bay would also have something to contribute to any hearings that were being held.

I would just like to see the broadest exposure of such a committee to all communities in Yukon and the only difficulty that I have is how in heck are they going to put that in their time schedule, which I think is going to be a great problem for them.

I think the suggestion going to the Inquiry that we would like to see them visit as many Yukon communities other than those that will be directly affected by the building of an Alaska Highway Pipeline, should be suggested to such an Inquiry, Mr. Speaker.

Mr. Speaker: Any further debate on the amendment?

The Honourable Member from Hootalinqua?

Mr. Fleming: Yes, Mr. Speaker. I guess I will rise in support of the amendment; however, I had one myself that I didn't get time to put up — I see this one is covering it.

I would have liked to have seen in there, "communities which may in the future be affected by the pipeline." However, I think the Motion does state now that they wish to have the communities visited.

I can see where no matter, as the Honourable Minister has said, of Local Government, there is no way that any pipeline in the Yukon Territory anywhere is not going to affect everybody in the pipeline everywhere. If we just sit down and take a look at what we've got in the Northern Yukon and if we're going to get a pipeline through here from the States, and it's just a basic fact that there's somebody going to hook into it one of these days and take oil from other reserves up there, so we don't have to worry about anything like that. It's going to happen and that will be affecting the future of all the com-

munities in the Yukon again.

I think that the Motion, too, as it stands now, is not going to be of any harm to them even though they have a short time to make the Inquiry; I think they'll find time enough to fill it in alright.

I will be voting for the amendment, I guess, as it stands.

Mr. Speaker: Is there any further debate on the amendment?

The Honourable Member from Whitehorse West?

Hon. Mrs. Whyard: Mr. Speaker, I'm happy to see this amendment come forward and I would hope that the communities concerned would also make representation to the Inquiry Chairman if they wish to have their day in court. Let them prepare to speak their piece and give their opinions to the Inquiry and not just rely on the efforts of this House to ensure that it gets there. I'm sure that they will; I'm sure they already are asking that the three-man Board appear and give them an opportunity to give them the grass roots opinions and therefore I have no problem at all with this Motion as amended.

Mr. Speaker: Any further debate on the amendment?

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

Are you prepared for the 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)

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

The Honourable Member from Pelly River?

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

Mr. Fleming: I second that Motion.

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 leaves the Chair)

COMMITTEE OF THE WHOLE

Mr. Chairman: I call this Committee to order. We will be reading clause by clause Bill Number 16 after recess. Is it the Committee's wish that we have the Legal Advisor while we read clause by clause? This is the Elections Ordinance.

Some Members: Agreed.

Mr. Chairman: Agreed. Committee will recess.

(Recess)

Mr. Chairman: I now call this Committee to order. I will commence reading, clause by clause, Bill Number 16. The Legal Advisor is on his way. Any questions for him, you can hold until he arrives.
Clause 1.

(Reads Clause 1)

Mr. Chairman: Does Clause 1 carry?

Some Members: Clause 2.

(Reads Clause 2)

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, I probably should offer a word of explanation as to why this Bill is under my sponsorship when I really don't know all the details of the Bill. It was presented as a Bill from the Executive Committee because it deals with money matters and the Bill was presented to the Sub-Committee on Legislation in the Executive Committee by the Chairman on Rules, Privileges and Elections who is not in attendance in the House this morning.

The reasons given for the Bill, the Amendments to the Elections Ordinance, to me from the Chairman of the Standing Committee on Rules, Elections and Privileges was that it makes the Elections Ordinance consistent with the Appropriations Ordinance and would also allow for the fourth elected Member on the Executive Committee to be paid if such an appointment was made and the Minister agreed with the suggestions that come forward in this House.

The other point that was raised by him was that there was some problems, perhaps, in the offing with the Income Tax Department on the matter of the daily living allowance and this would rectify any problems that could ensue. For all I know, the Bill could have cut my indemnity by half with the passage, but the Honourable

Chairman assured me that this was not the point, so that is the only explanation that I can offer to the House, for the Bill.

I am sure that Members of the Standing Committee on Rules, Privileges and Elections, if they felt it necessary to do so, could present further explanation, Mr. Chairman.

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

Mr. Fleming: Mr. Chairman, you are going clause by clause even though there is only two in here, isn't there?

Mr. Chairman: There is three, Mr. Fleming.

Mr. Fleming: Right, Mr. Chairman.

Two (ii) is what I am concerned about, slightly— "be reimbursed for his actual expenditure for accommodation and sundry living expenses and receive an allowance for meals at the rate in force at the time for members of the Public Service, in respect of the period after March 31st, 1977."

What is going to happen here is that you, I presume, must find a hotel bill or get a hotel bill or if you live in a hotel you should have a hotel bill of course. I see Mr. Legal Advisor is shaking his head, so I won't go any farther. I will just ask him to explain the section, then if I have any questions I will ask them.

Mr. Legal Advisor: Mr. Chairman, the current practice of the Public Service is that a person engages a hotel, goes to a hotel, and he produces for payment a hotel bill. There's a standard meal allowance that is based on the period of the day, in total I think it's now \$20.20 or something for a day. If it's a dinner period, it's a portion of that; if it's a lunch period, it's a portion of that and a breakfast period is a portion of that. But, assuming the person has spent the period away, then he doesn't vouch his meals as individual matters; he vouches his time, plus the hotel bill for the accommodation itself.

Mr. Chairman: Mr. Fleming.

Mr. Fleming: Yes, Mr. Chairman, this is exactly what I was concerned about, is plus the hotel bill and I have a question as to— I don't agree with this and I don't really agree with the way the Public Service operates either, entirely, because I know that for a fact there are things that are not quite correct when you do anything like this in producing hotel bills. They are very easily produced, hotel bills, in some cases. And of course, no Member in this Chambers, I realize, would ever do this, unless it is a hotel bill that has been paid, right up to the scratch. I think all Members know what I'm talking about, even though Mr. Legal Advisor may be slightly confused; I don't think we need to be foolish, don't realize what I'm talking about.

I would like to ask Mr. Legal Advisor what happens to a person in this section who, for instance, travels from Dawson City or from wherever and comes to this town to stay during the Session and is not staying in an hotel and possibly maybe in his own home in this case, but the necessity— not his permanent residence, I'm saying,

but any other, such as a residence he may have himself that he may have bought, he may have rented, he may have done something. Just how does that person, in this sense, come up with a hotel bill? And although he is definitely entitled to that reimbursement, there's no question about that, he should be entitled to it; he's got to travel that far and it's going to cost him extra money wherever he's going to stay, but just what does he do in this case?

We speak of the Public Service people as travelling the highway and they must stay in a hotel and they just don't very often — unless of course they go and spend the night somewhere else, forget it. You know, there's no problem, but there are other problems that might arise when this goes into effect. That was the reason it was \$45.00 before, because I put up the same argument and it was definitely there and I would say that I would sooner see it a definite figure and even if I have to pay income tax on it because I know how much income tax I'll pay on it; I'll say so and that's the end of it.

I don't really agree with this and of course I'll never agree with that section in there, but I would like Mr. Legal Advisor just to explain to me what happens in this case, where he doesn't have a hotel bill?

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Chairman, the practice is where a person stays in accommodation, other than for pay, in respect of which he can produce a bill, then he's made a small allowance on so vouching in his voucher. It used to be, I think, \$6.00 a night; it may have gone to \$8.00 a night now, and that's intended -- although it is free accommodation, it's intended to cover a possible gift to the host for the trouble of putting the person up.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, I know the Honourable Member from Hootalinqua raised this question the last time we discussed it, regarding presenting your bills and being reimbursed for your bills, and I think we all know that there is this danger involved that the bill will necessarily be, might, might, be a little higher than it need be.

However, I think we have to take this chance. We went round and round on this before we came to this decision in the Committee. Every one of us is being faced with increased cost of accommodation when we are here during Session or when we're here in town for Committee work.

The \$45.00 a day limit that we have enforced at the present time, in some cases, is not going to be enough for the simple reason that hotel accommodation is going up, and justifiably so. Their costs are going up too, so they have to pass it on to the consumer, and we are the consumers when we're in town.

Now, the \$45.00, that may be adequate in the off-season time of the year, during the winter and, in some instances, this winter it has not been adequate, the \$45.00. In the summer-time, your rates are going to be higher. Now, if we should be in for a special Session, I just know that every one of us who is in town, staying in a hotel, eating our meals out, is going to lose money on \$45.00 a day.

Now, before we amended the Elections Ordinance the

last time, when we had the \$25.00 a day, every one of us lost money, every one of us. That went on for a considerable length of time. Now the \$45.00 a day, certain periods of the day, with the escalating costs in hotel and meals, incidently, some of us are barely breaking even and I know that some of them are going in the hole at \$45.00. So, how do we set an amount of money, a limit? And what we're saying is, send your bill in for your hotel accommodation or for your living accommodation, as was explained. If you have an apartment, you may have to show your actual expenditure in order to retain that apartment and then the meal allowance.

Now, the Territorial Government reviews the meal allowance every year that they give to their employees when they travel throughout the Territory. Because there's a review made on it annually, why should we not be prepared to use that same allowance as the Public Servants are and that is actually what this section is saying. We're not tying ourselves to an amount of money, but we're tying to a policy that is given to the Public Service and which is reviewed so that we don't have to keep changing this legislation, and we're tying it to actual expenditure that has to be justified, by receipt, for your accommodation.

Mr. Chairman, if anyone knows of a better way of doing it, fine. Every one of us who has to come into town during the Session or for Committee work, we don't expect to make money on it, but, Mr. Chairman, we don't want to have to lose money on it, and we have been.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I sympathize with the Honourable Member from Kluane. She's right. I'm not even going to go completely against this thing, because I can't. Every other Member here wishes to have it and there is, as I say, no answer in some ways. However, I want it well known that I still feel the same and I want to know why -- I'll tell you why I mean that the Federal Government has asked, and I'd like to ask what their rationale is when they ask you to produce a hotel bill for part of your monies that you are receiving so that they can give it to you income tax free, which is exactly what this is here for, so that we won't get hooked with income tax on expenses.

I'd like to ask the Federal Government why they would do that and turn around on the other hand and say, well, there's an agreement that the Government pays them \$17.50 a day or \$20.00 a day for meals. We don't need anything on that, even though the person may be spending \$5.00, \$10.00 or \$40.00 for his meals, or whatever. He can be making money, losing money, whatever. They don't care about that, but all of a sudden they've got to have it just for the room, and what's the difference between a room and the meals when it comes to terms of money?

As I say, I'm having no problem with the section; I'm not going to have a problem with this section, because I can deal with it the same as all other Members can deal with it, there's no problem there. I still want it well known that I don't think it's a good thing because I have seen in the Yukon Territory many years ago where this type has been abused. Not in the Yukon some Member said -- I'm afraid, not just in the Yukon, but the Yukon especially for many years was abused by just this type of thing in the petroleum products and what we were

burning, or the Government was burning, and I well remember it. I see the same thing here.

I don't really wish to be holding up the Bill or anything else, but I still don't like the concept of that section and that's the way it is.

Mr. Chairman: Mr. Berger?

Mr. Berger: Yes, Mr. Chairman. I have no problems with the section the Honourable Member was discussing. I do have a problem in 19(5) where it says, "for the purposes of this section, members of the Advisory Committee on Finance and the Executive Committee shall be deemed to reside at the seat of Government" which means you have to be residing in Whitehorse. I think we should ask ourselves a real serious question, what kind of people do we want to give the opportunity to run for an elected office? People who are money-wise independent, because if you live in an outlying area they have a home to look after, maybe a small business to look after too, and sometimes there is not enough money in that small business to hire somebody in it to take the person's place or take the person's husband's place, to bring them to Whitehorse.

I can see real difficulties, and I think we're going to go the same route as a lot of governments in Canada are taking right now. We're going to make ways open for electing independent people because monetary-wise they are completely independent. They don't have to rely on the salary they receive in here. But I know that a lot of people in this House at the present time couldn't afford to take on an executive position under the present salary structure because they are not residing in Whitehorse. I think this is what the problem is and we should take a real serious look at that problem.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Well, Mr. Chairman, as one of those executive members that can't live on an Executive Committee Member's indemnity, and people are baring their chests about what happens to the income tax department, I'd like to relate to Members other problems that we face with the income tax department being Members of the Executive Committee.

In business, I always wrote off my car expenses as a taxable allowance which was perfectly acceptable under the Income Tax Act. When I came to Government I wanted to continue the same procedure because I don't like touring around the Territory in orange and black great big government vehicles. I like to go in my little car and go into the community and spend a couple of days there and get the feel of the community and do the business that I'm there for.

After two years of appealing, I got told that there was no way because I am now in government and not in private business that I can write-off any of those expenses as car under the Income Tax Act of this country. So the Honourable Member from Hootalinqua talks about inconsistencies of presenting a hotel bill to the Federal Government, I ask about the inconsistencies of trying to present some automobile expenses to the Government of the Yukon Territory, or the Federal Government Income Tax Act which is purely and entirely acceptable if you're in private business to do, but completely and totally unacceptable if you are trying to

perform the business of the people of the Territory in the best manner possible.

I would also like to bring a few added notes out about when we are on \$25.00 a day for expenses and doing the service of the people of the Territory, I well remember travelling to places like Anchorage, Alaska on the business of the House, and I was asked by the House to go there and to Ottawa where the hotel bills were \$30.00, \$35.00, \$40.00 and \$45.00 a day. The most that you could claim for on your total day's expenses, and that included taxis, it included meals, it included hotel bills, was \$25.00, so you're \$20.00 in the hole before you even put a morsel of food in your mouth, and it came to the point where you just couldn't afford to go on a trip. You just plead with your colleagues in the House not to send you on any trips of any nature or of any sort, anywhere, because you just possibly couldn't afford to do it.

So, the Honourable Members who sit outside of the Executive Committee are not the only ones who have problems with the Income Tax Department and have problems in not making money, but losing money when they want to do the business of the people of the Territory in the most efficient and best manner in which they can find possible. It's no bed of roses on either side, Mr. Chairman.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, this section, I must admit is in there because of me. When I was on the Executive Committee, the question arose and as the Elections Ordinance was written at that time, whether a member from the outlying areas on the Executive Committee would receive the \$25.00 a day, because Executive Committee is a committee. There was provision for committees and the \$25.00 and it became a very embarrassing thing for myself, so I asked that some decision be made so that something be put in the legislation to clarify whether a person is eligible for \$25.00 a day while they are serving on the Executive Committee, if you're from out of town.

However, it's fine to put that in, but there should be something in our Elections Ordinance, and I agree with the Honourable Member from Klondike, to make some allowance available to people who represent -- who have their home and represent a constituency outside of Whitehorse, because these people, people who are on the Executive Committee are going to have to maintain two homes. It's fine if you live in Whitehorse, you can serve on the Executive Committee, at least you're not having to set up another home or an apartment. But if you, if the Honourable Member from Klondike decided to go on to the Executive Committee, he would have to provide for a home or an apartment or some permanent residence here, because he could not serve on that committee unless he did.

We have nothing in here to compensate a Member from the outlying areas to do this. I don't think, myself, that an outlying Member should be eligible for that \$45.00 a day or this type of thing, but I do think there should be some absolute allowance in here because they are completely at a disadvantage as far as the Executive Committee position is concerned. I think that we passed an allowance for our Commissioner, a rental allowance to assist him in the rental of the Commissioner's residence in the Yukon, at the seat of

government, when we're not considering providing allowance for our people to serve as Executives and have to establish two residences.

So, Mr. Chairman, I would certainly not want to hold up the Bill, but I certainly would refer that question back to the Committee to review so that in the future, and maybe even in the very near future, there will be a requirement for a position or some indication to a person who may be considering going on to the Executive Committee of just what will their financial position be.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Mr. Chairman, I was, the Minister of Local Government put it very, very clearly, however, I'd like to inform him that there is in the Income Tax Act and on the income tax paper, there's a place where you can collect \$150.00 deductible.

Mr. Chairman: What is the wish of Committee concerning this particular Bill 16? The Chair would like some direction on this.

Mr. Berger?

Mr. Berger: Yes, Mr. Chairman, I don't want to hold up the Bill, either, but I think that I would also concur with the Honourable Member from Kluane that we would like to request the Executive Committee to take a real hard look at 19(5) and see if they could come up with an alternative on that, other provisions in the particular section.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: No, Mr. Chairman, I firmly believe that this should be the Committee on Rules, Privileges and Elections, that they do it in exactly the same method as they presented this Bill. It's their business, it's the business of the Members of the Yukon Legislative Assembly, we have a committee that is set up specifically to do that and the Executive Committee will give them every cooperation in bringing in any amending legislation before this House, Mr. Chairman.

Mr. Chairman: I would entertain a motion that this be referred to Committee for Rules and Privileges.

I'll report progress on the Bill.

Mrs. Watson?

Mrs. Watson: Could we have some direction from the House that this should go to the Rules Committee with some, or -

Mr. Chairman: You'd have to ask the House, Mrs. Watson.

Mrs. Watson: --or do you feel that this direction in the debate is adequate?

Mr. Chairman: Yes.
Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, I'm just wondering if there was any reason why we shouldn't report this Bill at the present time. I don't think that anyone has the intention of holding up this present Ordinance

because the Committee on Rules, Privileges and Elections are going to look into another matter. That's what I understood by the feeling of the House at any rate.

Mr. Chairman: Mr. McIntyre?

Mr. McIntyre: Yes, Mr. Chairman, I don't think we should hold this Ordinance up. Although the Chairman of the particular Committee isn't here, as a member of the Committee, I can assure the Chairman that we'll be looking into this matter and bringing up further recommendations to the Executive Committee for introduction of a Bill.

Mr. Chairman: Is it the Committee's wish I proceed with this Bill?

Some Members: Agreed.

Mr. Chairman: Shall Clause 2 carry?

Some Members: Agreed.

Mr. Chairman: Clause 3.

(Reads Clause 3)

Mr. Chairman: Shall Clause 3 carry?

Some Members: Agreed.

Mr. Chairman: The Commissioner, by and with the advice and consent of Council of the said Territory, enacts as follows: An Ordinance to Amend the Elections Ordinance.

Shall the title carry?

Some Members: Agreed.

Mr. Chairman: Shall I report the --
Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, before you report the Bill out of Committee, I want to use this opportunity to say that I had hoped that the Committee on Privileges, Rules and Elections would have looked into the matter of a retirement allowance for members of the Yukon Legislative Assembly who have served over a number of years in this House.

I've made the point before and I'm going to continue to make it and I think that now that we have a Committee that is looking into these matters, that it should become a matter of prime importance for them also. We are the only Legislative Assembly in Canada, at the present time, that has no consideration, that gives no consideration to members, some of them who have spent their entire adult lives in the service of the public of this Yukon. I think it's disgraceful that if these members are defeated in forthcoming elections, that they get out into their community without anything to show and to reward them and to just let them live, after having spent up to twenty years in the House.

I think that it should be a priority. You cannot do it when you first come into a House, when you have a -- just are a new Legislative Assembly, and certainly, Mr. Chairman, I feel it's the responsibility of this House,

prior to the life of this House coming to an end, to have something in place so that at least more people who have to think that there has to be a little bit of security in political life, will not make the decision that they cannot afford and will not run for public office.

I've made this pitch for about ten years in the House. Nothing has come to fruition at this point in time, although all the background work and all the research has been done. I just hope, Mr. Chairman, that this Committee on Rules, Privileges and Elections will put something before the Members of this Assembly, prior to the life of this House coming to an end because I just think it would be a disservice to some Honourable Members if they were no re-elected to the House, that there would be nothing that they could show at all in a retirement allowance for years and years of their life that they have spent in the service of the public of the Territory, regardless of whether we, that they've done a good job or not, because the people of the Yukon sure think they have done a good job by re-electing them over and over again. I certainly hope the Committee will look into this as a priority item, Mr. Chairman.

Mr. Chairman: Thank you, Mr. McKinnon. Shall I report the Bill out of Committee?

Some Members: Agreed.

Mr. Chairman: This afternoon, Mr. Miller will be available at 1:30 and we will be considering the Credit Union Ordinance. If that is completed, we have two other Bills for consideration with amendments, I believe. We have amendments for the Recreation Development Ordinance. I believe they are ready, and I believe that we have amendments for the Local Improvement Districts.

I was just wondering, Mr. McKinnon, if it would be a good opportunity to give Members the amendments to the L.I.D. and give them an opportunity to go over the amendments over the lunch time and I will consider a recess at this point until 1:30.

(RECESS)

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

As we stated before Recess, we will now carry on with the Credit Union Ordinance, Bill 10.

We have with us Mr. Miller, as witness.

The government has brought forward the amendments to this Credit Union Ordinance and if you turn to Page 76 of the Bill—

Mrs. Watson.

Mrs. Watson: Does the Chairman mind repeating the Section we're at.

Mr. Chairman: Word for word?

We completed clause by clause reading, up to Clause 149 and that left us on Page 76. The amendments proposed are Clauses 150 to 157.

There is a typographical error on the amendments. It's got Clauses 150 to 159, that should read 150 to 157.

Mrs. Watson: Thank you, Mr. Chairman.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, as you know, we've had Mr. Miller on contract, advising the Government in relation to the Credit Union and I would suggest that it would be applicable to possibly have Mr. Miller explain just exactly what these Sections will allow the Government to do in relation to the Credit Union.

Mr. Chairman: Are you referring to these amendments?

Hon. Mr. Lang: These amendments here, that's correct, Mr. Chairman.

Mr. Chairman: Mr. Miller.

Mr. Miller: Mr. Chairman, the intent of these amendments is to provide firstly a Mutual Aid Board and a stabilization fund. The fund being an agreement entered into by this Government with the Mutual Aid Board, whereby a Mutual Aid Board could borrow up to \$400,000.00 from the Government of Yukon, as a guarantee or stabilization fund. There is no need at the present time for any cash transaction to take place. It's purely and simply an agreement that is being proposed at the initial moment.

The second step and the second function that's included in these clauses is the ability to use a stabilization board. The intent of this is to try and get a Province, one of the provincial Stabilization Boards such as the B.C. Credit Union Reserve Board to act as the Stabilization Board for Credit Unions in the Yukon. These are people set up in the Provinces with a similar function, they provide the Stabilization Board functions, they do certain checks on Credit Unions under their control and they've had considerable experience in this field, which we certainly lack in the Yukon.

So, in the first instance we are suggesting a Mutual Aid Board which would stand down once we were able to get a Stabilization Board to come in and take over.

In talking to the B.C. Credit Union Reserve Board, they are prepared once the B.C. Government amends the Credit Union Act of British Columbia to undertake on behalf—I guess on behalf of this Government, the Stabilization Board function within the Yukon. So that's basically where it stands at the moment.

Mr. Chairman: Thank you, Mr. Miller.

It has been moved by Mr. Lang, seconded by Mr. McKinnon that Bill Number 10, entitled, "A Credit Union Ordinance" be amended by inserting the following clauses 150 to 157 at page number 76, and renumbering the consecutive clauses accordingly. Clause 150(1) for the purposes of Section 150 to 157, the Board means a Mutual Aid Board appointed pursuant to this Ordinance or a Stabilization Board. Fund means stabilization from established, pursuant to Section 152. Stabilization Board means a board by whatever name known, appointed pursuant to an act of a Province for the purpose of operating a Stabilization or Mutual Aid Fund.

2) The Securities Ordinance, Companies Ordinance and Insurance Ordinance shall not apply to the Mutual Aid Board or Stabilization Board.

Mr. Fleming?

Mr. Fleming: Mr. Chairman, I wonder if the witness could tell me, it says that fund means established—funds

established pursuant to Section 152, but I have been looking for the figure. The witness did say that it was something approximately 400,000, where is the actual figure?

It does say how much this one will be--

Mr. Miller: Mr. Chairman, the Section 152, sub 4 sets out that there shall be a fund called a stabilization fund operated by the board. This piece of Legislation does not contain the funds. They will have to be dealt with by special legislation and the reason that has not been tabled at this time was that if the Members of this House do not wish to have a Mutual Aid Board and a Stabilization Fund, there is no point in tabling the legislation.

The intent would be to table on a day following, two pieces of legislation, one, a stabilization load Fund Ordinance and two, An Appropriation Ordinance.

Mr. Chairman: Shall Clause 150 carry?

Some Members: Agreed.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: I wonder if I could ask, I am not that familiar, as I should be, I suppose, with the Securities Ordinance, the Companies Ordinance, why do they not apply to Mutual Aid Board or the Stabilization Board.

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, none of these Ordinances apply to the Credit Union. In other words--and if they don't apply to the Credit Union, they shouldn't apply to the Board. Now, if we want to go back as to why they don't apply to the Credit Union, basically, it deals with the precise things that Credit Unions have to do--I am sorry, there are precise things laid out in the Securities Ordinance, the Companies Ordinance and the Insurance Ordinance that banks and lending institutions don't normally follow. Because the banks don't normally follow them, we are suggesting the Credit Unions shouldn't have to follow them either.

Mr. Chairman: Shall Clause 150 carry?

Some Members: Agreed.

Mr. Chairman: Clause 151.

The Commissioner may enter into an agreement with a Stabilization Board for the purpose of carrying out the provisions of Section 152 to 156.

(2) Where the Commissioner enters into an agreement with a Stabilization Board pursuant to this Section, the Stabilization Board shall be entitled to exercise all of the powers of a Mutual Aid Board under Section 152 to 156 and of the Registrar under Part 3 of this Ordinance.

Shall Clause 151 carry?

Some Members: Agreed.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, we are referring to a Stabilization Board which is really a reserve board within one of the provincial jurisdictions. I'm assuming this is what the witness is saying.

If we are not able to have legislation changed in the provinces to make it possible for us to use a Stabilization Board, or one of their reserve boards, how is that going to affect our position? We will be reverting then back to a Mutual Aid Board, but how, really, will this affect our position? Why is it so desirable to have the Stabilization Board?

Mr Chairman: Mr. Miller.

Mr. Miller: Well, Mr. Chairman, in my view, the reason we've suggested a Stabilization Board is because they have on-going expertise. For example, the B.C. Credit Union Reserve Board has a permanent staff of about 15 members. These are experts in their field in doing Credit Union inspections, supervision, that type of thing.

The Government of the Yukon has no expertise in that field and while we can appoint a Mutual Aid Board in the Yukon, it just seemed to me that it's a long term solution, if we could get a stabilization board to act for the Credit Unions in the Yukon, it would make everybody's job that much easier.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, then if we--if the provincial jurisdictions are not able to get their legislation amended so that the Stabilization Board can act in the Yukon Territory, is there any way we could contract with these boards so that we could in fact, use their staff that they have for inspections and supervision, because I know that it's a very--it's a pretty refined field isn't it, to get this type of supervision? I think we should make sure that we have this supervision in the Yukon Territory.

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, in talking to the staff members of the B.C. Credit Union Reserve Board, they indicated to me that they would be prepared to enter into an agreement with a Mutual Aid Board. They would not be so inclined with the Government of the Yukon.

In other words, if the B.C. Government does not change their Credit Union Act to allow the Stabilization Board to act in the Yukon, the Mutual Aid Board set up under this Ordinance could in fact contract with the B.C. Credit Union Reserve Board to have certain supervision powers done on their behalf, but they would not be so inclined with the Government. In other words a board to a board, rather than a Government to a board relationship is what they would prefer.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Now we're talking about a Mutual Aid Board. How many people would there be on such a board and what kind of people, or maybe there would be just one, I don't know. What kind of qualifications would these people have to have? What would you be looking for? What would the Government be looking for, not you?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, under Section 152(2) the Mutual Aid Board shall consist of not more than three members, so we have a maximum of three. The suggestion, if you'll accept a suggestion is that there are people in the Yukon who could perform that function. One of those people should be the Registrar. If there is a Mutual Aid Board, the Registrar should be part of that, the Registrar of Credit Unions. The other two members could be chosen, I think, from the professional people available in the Yukon.

Hon. Mr. McKinnon: Which profession, Mr. Chairman?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, I would think you've got a number of choices. You could choose an accountant, a lawyer, a banker, people who are accustomed to dealing with the law, and the financial field.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, why would the witness suggest that the Registrar be a member of the Mutual Aid Board?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, the Registrar has certain inspection responsibilities under the Credit Union Ordinance and it just seems to me that to fulfill some of those inspection responsibilities, if he was a member of the Mutual Aid Board, he would be much better advised on what is in fact going on. He doesn't have to be. The Mutual Aid Board could report to him, but it would just seem to me that if he had a common role he would be much more involved in the Credit Union situation.

Mrs. Watson: Thank you.

Mr. Chairman: Shall Clause 151 carry?

Some Members: Clear.

Mr. Chairman: Clause 152 (1)
The Commissioner may establish a Mutual Aid Board.

(2) The Mutual Aid Board shall consist of not more than three members who shall hold office at the pleasure of the Commissioner.

(3) The board is a body corporate with the capacity of a natural person.

(4) There shall be a fund called a Stabilization Fund, which shall be operated by the board, subject to the direction of the Commissioner.

(5) The board may adopt by-laws for its procedures and the operation of the fund.

(6) The fund shall include all assets of whatsoever nature or kind, including all monies thereafter assessed or collected as fees or otherwise raised, borrowed or received by the board, except as otherwise provided by this Ordinance.

(7) The board shall pay from the fund all lawful claims on the fund and all expenses incurred in the operation of fund and of the board.

(8) The fund is subject to all liabilities created by the board against it under this Ordinance or any former Ordinance.

(9) The board shall determine whether and to what extent and in what manner it will receive representations, submissions or grant hearings prior to giving or making any approval, consent, order, condition or declaration to be given or made by the board under this Ordinance, but nothing in this section shall require the board to receive representations, submissions or grant hearings.

(10) The board may grant financial assistance from the fund to assist or enable a Credit Union to meet maturing deposits, debts, obligations and applications for repayment of money invested in shares of a Credit Union.

(11) Where the board grants financial assistance under subsection 10, the board may (a) require the Credit Union to whom the assistance is granted to assign any or all of its assets to the board, subject to prior claims or charges thereon, other than claims in respect of a share or deposit with the Credit Union, (b) impose terms or conditions for repayment of and payment of interest on any money advanced to or on behalf of the Credit Union, pursuant to this Section, as to any other matter that the board may deem fit, (c) appoint an administrator who may at the discretion of the board, be an employee of the Credit Union or any other person designated by the board.

(12) Where the board appoints an administrator of a Credit Union, the administrator shall (a) have the power to carry on and manage the operations of the Credit Union; (b) exercise all of the powers of the Credit Union, its directors, committees and officers (c) report to the board as the board may direct.

(13) An Administrator appointed by the Board shall, upon his discharge, fully account to the board for his administration of the Credit Union.

(14) Unless the board otherwise orders within 30 days after the accounting, the Administrator is, upon completion of the accounting, released from all claims other than claims arising out of fraud or dishonesty by the Credit Union or a member or a person claiming under the Credit Union or a member.

(15) Where a Credit Union becomes entitled to the benefit of the fund, it shall have the capacity to perform and shall perform all obligations, terms or conditions imposed upon it by the board.

Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, 152(8), I was just wondering why that can't just say the fund is subject to all liabilities created by the board against it under this Ordinance, and leave it at that?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, I think, as all Members are aware, the Credit Union has liabilities under the former Ordinance. In other words, there are liabilities that had been incurred under the former Ordinance and if you don't cover that then, in fact, this board would not be liable for anything of the past, only things of the future.

Mr. Chairman: Shall Clause 152 carry?
Mrs. Watson?

Mrs. Watson: Mr. Chairman, we were referring to the fund, (4), and it's operated by the board subject to the direction of the Commissioner.

The Mutual Aid Board will be operating this fund and, out of this fund, I take it the expenses of the Mutual Aid Board will have to be paid? How will the Mutual Aid Board be reporting to the Government of the Yukon Territory, to the Commissioner?

We're guaranteeing, I understand the legislation is coming forward for approximately \$400,000.00. We are guaranteeing or lending \$400,000.00, which won't be drawn down until it's necessary. Are we just saying go ahead board, there's \$400,000.00, use it as you see fit, or do they have to justify their actions to someone within the Government of the Territory? I don't -- maybe I missed it, but I don't see a section which shows when and where and how they report and have to justify using any part of that amount of money.

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, the intention, if I can answer the first question, or at least what I thought was the first question, the intention in Section 152(4) was that, when the Commissioner, subject to this House's approval, loaned money to the stabilization fund or the board, included in the debenture would be certain terms and conditions, i.e. the interest payable, that type of thing. It was also intended that, initially at least, the expenses of the board would be appropriated by the Government rather than through the normal course of events. Maybe I should explain that a little further.

Normally the way these mutual aid funds work, or stabilization funds work, is that there are monies put forward by the Credit Unions on an assessed base. The stabilization board invests that money and the interest they earn on it is what in fact pays their expenses. Because this Government is not putting up cash but a guarantee, there will have to be funds appropriated for the Mutual Aid Board's expenses. They should be minimal and, in fact, what they are doing is carrying out the responsibility of the Registrar anyway, so rather than him incur the costs in his own department, he would be paying them through the Mutual Aid Board.

As far as reporting, there's nothing specific in the Ordinance that there be an annual report of the Mutual Aid Board. It was intended that that be included in the subject to the direction of the Commissioner. In other words, whatever terms and conditions are imposed by the Commissioner, by Regulation, would be followed by the Mutual Aid Board.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, but there's a trigger-

ing mechanism on Section 154 which gives the board the authority to borrow and, on reading it over, I thought this gave them the right to borrow from other sources other than from this fund. Can they borrow from other sources and should we not say, in that, the board may from time to time borrow such sums of money as the board requires from the stabilization fund? Should we not be saying that in there?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, that particular section deals with the board's ability to borrow money. The only place the board is going to be able to borrow money is from the Government of Yukon, if the Government decides to lend it the money. There's no other source for the board to borrow money from.

Mr. Chairman: Shall Clause 152 carry?

Mr. Chairman: Mrs. Watson.

Mrs. Watson: Mr. Chairman, I have problems and I'm not trying to delay it, I just have problems in my own mind on the actual operation, the mechanism of this stabilization fund and the Mutual Aid Board, how it rolls into operation to make sure that it's very specific in this legislation so that we don't, you know, have them going ahead and -- well, you know, we're putting up a guarantee of -- the Government of the Territory of public money and I want to make sure that it's a very specific mechanism procedure that has to be gone through so that there's proper reporting and accountability all the way along. And I want to be assured that it's in here and I don't think that's asking too much.

Mr. Chairman: Mr. McKinnon.

Hon. Mr. McKinnon: Mr. Chairman, it seems to me that Honourable Members, and I happen to agree with them, are saying that they don't think that the reporting technique back to the Commissioner and through the Commissioner, the Members of the Legislative Assembly, is clear enough and is defined. It seems to me that they would like to have such a section defined in the Ordinance, rather than in directions, and I'd just like to ask the witness whether there would be any objection to writing such a clause, a reporting clause, of the board back to the Commissioner in the terms of the Ordinance itself?

Mr. Chairman: Mr. Miller.

Mr. Miller: Mr. Chairman, there'd be no objection that I could, that I'm aware of. I think we could add a clause in, saying that the board shall report to the Commissioner-in-Council within 30 days after the end of the calendar year or whatever. That would seem to be a simple thing to do.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Yes, Mr. Chairman, I don't know if the particular section would just apply to the amended part that we're talking about now, but 134, you go back to 134 and we're discussing, and I had some reservations

about that one and I do have a suggested amendment. The amendment is in, really, adding an additional subsection. Just so that Committee would know what I'm looking for, I would say something like this, that 134(4), "The Registrar shall furnish annually to the Commissioner a written inspection report, signed by him, stating the fact that the annual inspection has been carried out and also stating his findings of such an inspection." I put that forward as a suggestion for amendment to the Bill.

Mr. Chairman: I think, Mr. Lengerke, before we go back to 134, we'd have to get the consent of Committee. Just keep in mind, we've already carried that through.

Is that the wishes of Committee, we go back to 134 at this point?
Agreed?

Some Members: Agreed.

Mr. Chairman: Very well. May I see the amendment, Mr. Lengerke?

Before we discuss that, I think all Members should have a copy of that amendment.

Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, I'm just wondering whether that is the encompassing motion that all Honourable Members seem to want. It seems to me that's asking for a report from the Registrar on the operation of the Credit Union itself. I think, with the amendments, we're going into other areas of the Mutual Aid Board and I'm wondering whether, it seems to me that Members were thinking of having the report on what the Mutual Aid Board has done in the course of a year, too. I don't think the Government has any objection to seeing such a reporting procedure laid down in the Ordinance so everyone knows where they stand.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: Yes, Mr. Chairman, that was my concern when I stood up, is that I don't know that it covers exactly the additional amendments, but certainly, I would like to see that particular amendment made to 134, in addition to whatever any other Member might want as far as reporting procedure, with respect to the Stabilization Fund.

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, it would appear to me, in relation to what the Honourable Members have said, that it would be applicable to have an amendment as outlined by the Honourable Member from Riverdale for Section 134(4) and then, possibly, a similar amendment for the board itself. In other words, two amendments in relation so that we have a definite reporting sequence.

I'd like to hear what the witness has to say on that, Mr. Chairman.

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, I would think that would be a reasonable thing to do. It seems to cover the con-

cerns.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, but I'm still -- I don't think there's a triggering mechanism. We're putting this money available that can be used as a loan. We are saying that the fund shall be operated subject to the direction of the Commissioner. Are we going to let the board draw on that fund without first having to go through and make application to the Commissioner to be able to draw on it? You see, that's what's concerning me.

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Chairman, there's two alternative routes in which to go. The Government can take \$400,000.00 and give it to the Mutual Aid Board and then the Mutual Aid Board operates a fund which contains \$400,000.00, or the Government can guarantee to the Mutual Aid Board an amount not to exceed \$400,000.00, which they can then apply for.

The triggering mechanism would be that the Mutual Aid Board, assuming a dollar bill ordinance and a guarantee, they then must come, hat in hand, to the Government and ask for the Government to fulfill its guarantee and, at that point in time, they get their direction as to what they do. That's the figuring mechanism, where they come and ask for money, because they won't be getting the money into their hands in the first instance, so that triggers the mechanism.

Now, so far as the reporting mechanism is concerned, they will report once a year what they have done.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, the Honourable Members will see by the dollar amount in the Appropriation Ordinance, when it is brought forward providing these amendments go through, what the triggering mechanism will be as far as getting the guarantee -- getting their hands on the money under the guarantee of the Territorial Government. If it's \$400,000.00, then that triggering mechanism isn't there. If it is a token amount of a dollar or \$100.00, then of course the triggering mechanism is there, because the monies would then have to be allocated in a budget or in a further Appropriation Ordinance.

Mr. Chairman: Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, in 152(5), it says the board may adopt bylaws for its procedures in the operation of the fund. I'm not happy with that. I would like to see that be a little more explicit. We should be laying down some of the rules of the road.

I was just looking at some other legislation where things like with respect to a stabilization board or a fund or a mutual aid board stabilization fund, the concurrence of at least three members shall be necessary for every decision of the Mutual Aid Board. Also, Mr. Chairman, they make provision where members of the Mutual Aid Board shall be bonded because they feel that they are in that kind of a position, and I was wondering if we had any thoughts on that.

Mr. Chairman: Mr. Miller?

Mr. Miller: Well, Mr. Chairman, as far as the first part of the question concerning three members before anything can happen, we've only got a three-member board so that becomes a little difficult. You could make it two, but I would assume that the normal rules of procedure would establish a majority and a three-member board, a majority is two, so I don't think you have to spell it out. With regard to bonding, I suppose it's a possibility that they could be bonded; I don't see any necessity for it.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, an electrical contractor has to have a bond, put up a bond, right? We're saying \$400,000.00 -- maybe my concept of bonding is wrong. It could be.

Mr. Chairman: Possibly, Mrs. Watson.
Mr. Fleming?

Mr. Fleming: I had the same problem with 152(5) as the Honourable Member from Riverdale where it says the board may adopt the bylaws and procedures and operation of the fund. In other words, we're giving the board complete power to do whatever they want with the fund as far as I'm concerned. I don't think it should even be in there. When we're talking about bonding, we're talking about monies as being -- maybe the money isn't actually being handled by somebody, but behind it all the money is there to be used by the board and so forth and so on. In that case, I mean, I would say it would be more or less a necessity. It is not a contractor's position or anything else. I'm clear enough on that, but I do not like that section there.

Of course, I may be wrong, but what we are doing is setting up a situation in the Credit Union Ordinance and in these amendments to it here, that we are going to back somebody in money or something might go wrong and we are going to say this will be taken care of, of a certain segment of society which doesn't really include all of society.

In other words, the whole Credit Union Ordinance is something that really worries me a little, because it is not to protect, I don't think, everybody. I may have the wrong concept and if the witness could clear this up, I'd welcome it from him, but, it's not for -- the Credit Unions are more or less of a private concern somewhere, started by people, private enterprise and ends up to be something that all of a sudden the government is going to back and prepare to take care of. So therefore, I have a little problem with all of the sections in the whole Ordinance, but one in particular. Am I not right in my conception of the idea?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, I think it might be well to remind Members, I think we went through this earlier on in the Ordinance. The Credit Union is similar to a bank. The banks incorporated in Canada are guaranteed by the Government of Canada, through the Bank of Canada. Because Credit Unions are set up under provincial or territorial law, not federal law, what we're

suggesting is that the government who created or allowed the Credit Union to come into force under its law, are the people who control the Credit Unions.

Now, in this particular case, what we're suggesting is a guarantee fund. Hopefully, that fund will never be called upon. The intent is that it never be called upon and that the Credit Union movement in the Yukon will soon build up its own fund to be able to cover any stabilization fund needs. So, what we're talking about in this particular case is a piece of permissive law, which we hope will never be used.

Now, the second thing I think you should all be aware of, you're concerned about the by-laws for its procedure, the operation of the fund. This board is only able to grant financial assistance under Section 152(10) and it's specific. "...may grant financial assistance from the fund to assist or enable the Credit Union to meet maturing deposits, debt obligations and applications for repayment of money invested in shares of the Credit Union." Those are the only conditions under which they can grant aid, so it's not a wide open thing. If they ever get their hands on this money, they're not going to be able to flitter it away. They can only use it for specific instances.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, that's very true, they can only use it for their specific instances, but the whole idea behind it is if the Credit Union does not invest wisely or conduct itself in a manner whereby they stay in a good financial situation, then the board can grant them financial assistance. So, the board doesn't have much latitude, but, you know, that doesn't mean to say that we're, that the guarantee or the financial assistance from the government is not going to be backing something that someone else has not taken care of.

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, I think the Honourable Member has hit the thing on the head, but that's why we've got the Registrar, the Registrar is required to do certain inspections. The Mutual Aid Board has power to do certain inspections. In other words, what you're attempting to do is to set up a mechanism to ensure that a Credit Union does not in fact get into trouble. However, if they do, in spite of all those mechanisms, you're providing a guarantee fund and a Mutual Aid Board which can then step in and correct the situation.

Mr. Chairman: Shall 152 carry?

Hon. Mr. McKinnon: Mr. Chairman, I thought that there was, perhaps going to be an amendment proposed to 152, concerning a reporting procedure?

Mr. Chairman: There was no amendment brought forward, Mr. McKinnon.

Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Chairman, we can prepare a standard clause during the next interval of the House, prepare a standard clause for submission. There are a number of standard clauses we can use for an annual reporting mechanism, reporting to the Commissioner.

The Commissioner would then lay the report on the table of the House in the usual way if the House was sitting, or fifteen days thereafter if the House was not sitting.

Mr. Chairman: Is it Committee's wish that we stand Clause 152 over?

Mrs. Watson: Mr. Chairman, I believe there was also a request made and I think the Government concurred, that we would also have the same clause that is being suggested here, amendment, to apply to the Mutual Aid Board.

Mr. Legal Advisor: It was the Mutual Aid Board I was thinking of, Mr. Chairman, in Section 152.

Mr. Chairman: I would just caution Committee, we are dealing with a number of different amendments here and suggested amendments, and it is further suggested more amendments and inclusions and insertions. I think until this is cleared up, I will declare a brief recess.

(RECESS)

Mr. Chairman: I now call this Committee to order. We have now received an inclusion to 152, Clause 152. I'd like to deal with this proposed amendment to the amendments. Mr. Berger, allow me to read it, then you'll know which one I am referring to.

It has been moved by Mr. Lang, seconded by Mr. McKinnon that Bill Number 10, entitled "A Credit Union Ordinance" be amended as follows:

Clause 152 at page 2 of the proposed amendments shall be amended by inserting the following new paragraph:

(1) The board shall annually, after the end of its year, prepare a report showing the revenues, expenditures, activities during its last year together with

(a) an audited financial statement, and

(b) such other information as the Commissioner may require.

(2) The Commissioner shall table a copy of the report at the next ensuing session of the Council.

Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, I think this answers the requests of the Honourable Member from Kluane as well as Riverdale. I'd like to ask the Legal Advisor, should that be Clause 16 of Section 152?

Mr. Legal Advisor: Yes, Mr. Chairman, I think that should be 16 and 17 of Section 152 but, it's a little bit previous Mr. Chairman to assume that the board will die in a year. I think perhaps it would be better if it said "during that year" rather than "during its last year".

Mr. Chairman: Are you suggesting, Mr. Legal Advisor, that that's a typographical error, it should be "during that year"?

Mr. Legal Advisor: Yes, or "during the previous year", words to that effect.

The last year you can only get it to report once, Mr. Chairman, and we're trying to get a report every year.

Mr. Chairman: So that should read "during the previous year", right?

Mr. Legal Advisor: Yes, Mr. Chairman.

Mr. Chairman: Are you suggesting this would be Sections 16 and 17?

Mr. Legal Advisor: Yes, Mr. Chairman.

Mrs. Watson: If we're doing typographical errors, shouldn't we be looking at "...the board shall apply annually after the end of its year." Isn't "its" the typographical error in the context of the previous year?

Mr. Legal Advisor: "Its" presumably is the possessive, Mr. Chairman.

Mr. Chairman: Should that read "each year", Mr. Legal Advisor?

Mr. Legal Advisor: Perhaps, yes, Mr. Chairman.

Mr. Chairman: Is that what you are referring to, Mrs. Watson?

Mrs. Watson: Agreed.

Mr. Chairman: Very well. Do the amendments to the amendments carry?

Some Members: Agreed.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, maybe we should read the whole thing to ourselves now to see whether they tie in. I don't think they do, with their typographical errors corrected.

Mr. Chairman: Do you want me to read these two sections again, Mrs. Watson?

Mrs. Watson: Mr. Chairman, I would appreciate it.

Mr. Chairman: Very well. The amendment to the amendments is as follows:

Section (16) The board shall, annually after the end of each year, prepare a report showing the revenues, expenditures and activities during the previous year together with

(a) an audited financial statement, and

(b) such other information as the Commissioner may require.

Section (17) The Commissioner shall table a copy of the report at the next ensuing session of the Council.

Mrs. Watson: Mr. Chairman, to me it reads, that you are preparing a report for the year before, the previous year.

Mr. Chairman: I believe that is what the typographical error is that we were referring to.

Mrs. Watson: But, Mr. Chairman, at the end of March - say at the end of December of 1976, you would

prepare a report for the operation of that fund for the year, 1976. That is what we want to say, is it not?

What we are saying is that we should prepare a report for 1975.

Mr. Legal Advisor: Mr. Chairman, we are into English. After the end of a particular year, a report is prepared in respect of the year just ended. A report cannot be prepared until after the year is over, then when you come on to the expression, "activities during the previous year", you are in a January situation and the previous year to January is the year up to the end of December.

So it seems to me that the English is capable of taking its correct meaning.

Mr. Chairman: Shall the amendments to the amendments carry?

Some Members: Agreed.

Mr. Chairman: Does Section 152 carry?

Some Members: Agreed.

Mr. Chairman: As amended?

Some Members: Agreed.

Mr. Chairman: Is it your wish to pursue this Section 134 at this point or do you wish me to carry on?

Mr. Lengerke: Whatever the wishes of the Chair are with respect to the procedure, Mr. Chairman. I would hope that Committee would concur that the amendment that I have suggested would be dealt with.

Mr. Chairman: Is that the wish of Committee that we pursue this 134?

Mr. Berger?

Mr. Berger: Mr. Chairman, why don't we finish this section first before we get a confusion going?

Mr. Chairman: Okay, is that the wishes of Committee, that we complete these amendments first? Very well.

Clause 153(1). The board may, in each year, make an assessment against a Credit Union of a sum, not exceeding one fifth of one per centum of the net share capital of, and money on deposit with, a Credit Union on the preceding December 31st as the board determines.

(2) The board may waive in whole or in part, an assessment upon such grounds as in its opinion are proper.

(3) An assessment required to be paid by a Credit Union pursuant to this section may be charged as an expense of the Credit Union.

Mrs. Watson?

Mrs. Watson: Mr. Chairman, is this the assessment that the witness was referring to the assessment against the Credit Union which would be used by the Mutual Aid Board to cover the expenses of its operation?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, the assessment in 153 not only provides sufficient funds, or it's not only intended to provide sufficient funds for the board to operate on, but also to provide a stabilization fund for the Credit Union.

Mr. Fleming: I'd like a little clarification on that, Mr. Chairman, of the witness. That is, if possible, to be built up to the extent of whatever the stabilization board would have, say \$400,000.00, if possible in the future?

Mr. Miller: Yes, Mr. Chairman, that's the intent of that section. It is to provide sufficient funds over a course of years to operate as a stabilization fund.

Mr. Chairman: Does Clause 153 carry?
Mrs. Watson?

Mrs. Watson: One more question. I can understand why you have to have sub (2) in there, "may waive in whole or in part an assessment upon such grounds as in its opinion are proper", I can understand that. But, do we have any check there to make sure that the board doesn't do this on an ongoing basis when the Credit Union could well be in a position to pay that assessment. Are we looking at forever and a day for an assessment to be waived, because I would hope that a very earnest effort will be made eventually to create a stabilization fund from a Credit Union assessment.

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, while there is nothing in the Ordinance saying that the board should, it is a "may" situation, make an assessment. The intent of the Ordinance is that they will, whenever the Credit Union is in a position to be able to be assessed and the control basically, if this government wants a control, is on the lending or possible lending of money to the Mutual Aid Board. In other words, if you refuse to lend, there won't be a fund. The intent of the law is that there shall be a fund.

Mr. Chairman: Shall Clause 153 -
Mrs. Watson?

Mrs. Watson: Mr. Chairman, should there not be something then that the board notify the Commissioner that for year 1977 they are waiving an assessment, or is there going to be a reporting technique? There's no requirement that they report this.

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, I would envisage that type of thing coming into the amendment that we just passed, that the board shall annually report to the Commissioner, the amendment 152.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Mr. Chairman, I want one question answered. I'm just interested in the amount of a sum not exceeding one-fifth of one per centum. This seems to be a very, very, very minimum amount of monies when you consider the net share capital and the money on

deposit. Would that amount to very much money, even in a large Credit Union?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, it wouldn't be a substantial sum of money, but the intent is not to create a situation in the Credit Union where they don't have any cash. What we're doing is saying alright, you have to put up so much money per annum into this stabilization fund, but at the same time you don't want to say to the Credit Union, look you aren't going to have any money left over, you're not going to be able to pay dividends. In other words, you don't want to defeat the basic purpose of the Credit Union, but by the same token, you do want to create a fund over a period of time.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Yes, Mr. Chairman, I'm still a little concerned though when they say "not exceeding one-fifth of one per centum" which is in my opinion very, very small. The board is determining more or less how much money they will assess them and when you say one-fifth of one per centum, that's it, no more, not exceeding it. I'm wondering, Mr. Chairman, why we couldn't go a little farther than that if they're going to make lots of money and in certain years and certain things the board wouldn't have a little more, or probably take a little bit more than that from them and build up their stabilization fund, you know. It just doesn't seem to me that that is a very large percentage. Of course if they don't make any money there is no problem, the board will not be able to take any money and won't anyway. In their opinion they will say, they can't, but it seems a very small thing to say "not exceeding".

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, the one-fifth of one per centum came from provincial law. It was not something that we just dreamed up, it came from one of the provinces that has a stabilization fund. I think it's also important for all Members to realize that in addition to this possible assessment, that the Credit Union must retain its own reserves under the Ordinance. Section 101 specifies that the Credit Union shall also maintain its own reserve.

Mr. Chairman: Shall Clause 153 carry?

Some Members: Agreed.

Mr. Chairman: Clause 154. The Board may from time to time borrow such sums of money as the board requires and may from time to time issue debentures which shall bear interest at such rate as may be determined by the board.

(2) The board may redeem debentures prior to, as well as at maturity and may issue other debentures in their place.

Does 154 carry?

Some Members: Agreed.

Mr. Chairman: Clause 155(1). The board may invest

its monies, including money in the fund: (a) in investments authorized for trustees under a Trustee Ordinance, (b) in shares of the Central Credit Union, and (c) by deposit in the Central Credit Union or a chartered bank.

(2) All property forming part of the fund shall be held in the name of the board, and all contracts made by the board in pursuance of its powers, shall be held for the benefit of the fund and form part of the fund, and all liabilities thereunder shall be chargeable to and secured by the fund.

(3) All actions based on claims against the fund or to enforce any charge secured by the fund may be brought against the board in its own name.

(4) The Board may bring in its own name any action or proceeding against any Credit Union or other person that, in its opinion, is necessary or desirable to enforce the powers of the board or for the safety or benefit of the fund.

Shall Clause 155 carry?

Some Members: Agreed.

Mr. Chairman: Clause 156.

(1) The board may issue to each Credit Union a mark, sign, or device, designating coverage under the fund, which may be displayed at the office of the Credit Union and reproduced on any of its stationery or advertising.

(2) A person who by any written or oral representation advertises or holds out, (a) a corporation or firm, other than a Credit Union, or (b) used in the manner and on the occasion prescribed by the board, is guilty of an offence.

(3) A Credit Union that makes a written or oral representation that it or its shares or deposits or monies invested in or deposited with it are guaranteed or insured under this Ordinance, otherwise than by the use of marks, signs, advertisements, or other devices, (a) authorized by the board; and (b) used in the manner and on the occasion prescribed by the board; is guilty of an offence.

(4) A person who is guilty of an offence.

(4) A person who is guilty of an offence under this section is liable, on summary conviction, to a fine of not more than \$25,000.00 or to imprisonment for a term of not more than one year, or both.

Mr. Legal Advisor: Mr. Chairman, there seems to be a typing error in subsection—between subsection 2 and subsection 4.

Mr. Chairman: You mean all of it, Mr. Legal Advisor?

Mr. Legal Advisor: I don't understand what's missing, Mr. Chairman, but there's subsection 3 clearly missing. We've got the second half—the first half of subsection 2 and the second half of subsection 3.

Mr. Fleming: Does Mr. Chairman allow me to go back to 155 for a moment? We went through it fairly quickly and I didn't get a chance to read it fast enough. I have a question on it.

Mr. Chairman: Just a question you have, Mr. Fleming?

Mr. Fleming: Yes.

Mr. Chairman: To the witness?

Mr. Fleming: Yes.

Mr. Chairman: Well, very well, carry on.

Mr. Fleming: On 155, it says "all property forming part of the fund shall be held in the name of the board, and all contracts made by the board in pursuance of its powers, shall be held for the benefit of the fund and form part of the fund, and all liabilities thereunder shall be chargeable to and secured by the fund." It is saying in 155 here, that they are allowed to invest monies, including the money in the fund. And then if anything happens to the money they invest, that it can be secured by the fund. I am just wondering how that—if I can get an explanation of how that's going to work if there's no money in the fund and the money has been invested and something went wrong with it, just what's going to secure that?

It says—down in 3, it says brought against—the fund may be brought against the board in its own name, but the board, in actuality, couldn't pay back any money that they lost, could they? Unless they were bonded or something.

Mr. Chairman: Mr. Miller.

Mr. Miller: Mr. Chairman, what 155 is intending to do is to permit the board to invest the monies in the fund, in certain specified types of investment. It then goes on to say that all property, i.e. money, or if, by some chance, they had to pay to a Credit Union, they may secure assets of a Credit Union, so that's why it's saying all property shall be held in the name of the board.

In other words, the board is a legal entity and it can hold those properties. They can make contracts, they may have to make contracts and anything they do is held for the benefit of the fund and forms part of the fund and any liabilities that they undertake by doing those things are chargeable to and secured by the fund. Does that help?

Mr. Fleming: Yes, Mr. Chairman, it clears it up. It's just that I see it is the shares of the Credit Union is the only place they can do this and investments authorized for trustees under the Trustees Ordinance. Now, I'm presuming, the other two I'm not worried about, because they are bonded, the shares of the Credit Union, but the investments authorized for trustees under the Trustees Ordinance, if they invested money in there, anything in there would be secured I presume?

That's the only thing—I'm wondering if they wouldn't invest it in something that wasn't secure, possibly, under that (1) a).

Mr. Miller: Mr. Chairman, the investment authorized for trustees under the Trustees Ordinance is a very restricted type of investment. I don't have the Ordinance here, but maybe the Legal Advisor can tell us precisely the type of things they can invest in. Generally it is in banks, fully secured type of investments.

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: It should be set out in the Trustees Ordinance, Mr. Chairman, that shares of a certain type which are considered blue chips, I think is the trade, Mr. Chairman. Anything except speculative stocks.

Mr. Chairman: It seems we have run into a little difficulty with Clause 156 and until that is remedied and we find out the rest of the typographical errors, I'll stand it over if you have no objections.

We go on to 157, Clause 157.

(1) The Commissioner may fix the remuneration to be paid to the members of the Mutual Aid Board or to a stabilization board.

(2) No action shall be brought against any person who acts as a member of the Mutual Aid Board or a stabilization board for anything done by him or it in good faith in the performance of his or its duties.

Mrs. Watson?

Mrs. Watson: Thank you, Mr. Chairman. I'm liable to be shot down, but the membership of the Mutual Aid Board, we're saying they can be appointed they can be appointed at the pleasure of the Commissioner and this often leaves the Commissioner in a rather embarrassing situation. Sometimes you may have someone who is working on the Mutual Aid Board who is so busy and involved with a lot of their own business that they are not able to devote the time to the Mutual Aid Board that's required.

Now, the Commissioner has to have the fortitude to write him a letter and say, "I am sorry Joe Blow, I don't think you are doing a good enough function I want your resignation." Well, we all know that he's not going to do this. But in order to protect against this type of thing happening, if you had it that they sat for three years and had to go for re-appointment it might be better. Then after three years, you just don't re-appoint him, but you could be stuck with someone like this for ten, twelve years, and this is the danger when you put it in, "at the pleasure of the Commissioner."

Another question I'd like to ask, the Commissioner is going to set the fee, remuneration, to be paid to members of the Mutual Aid Board. This remuneration, will it be a full time, or will membership on this board sort of be a full time position? What do you see, how often do you see that the Board would have to meet and function?

Mr. Chairman: Mr. Miller?

Mr. Miller: Mr. Chairman, the question of "at the pleasure of the Commissioner" is one I guess that the members of the Government will have to deal with, although I can report that when I was in the Executive Committee, I never had any problems with pleasure appointments. It's simple to write a letter, it's the easiest thing in the world to do. Now, I was an administrator, not a politician.

The second question concerning the remuneration, the intent of this was basically, this board will not be a very active board, at least it's not intended that it will be active and the Government has a policy on payment to board members and all we're saying here is that the Commission will pass a Regulation, basically, specifying what the members of the board will be paid.

Mrs. Watson: Per day?

Mr. Miller: I would assume, Mr. Chairman, it would be in accordance with the Government policy on paying board members.

Mr. Chairman: Does Clause 157 carry?
Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, are you on Clause 157, did you say. And that we've held over Clause 156?

Mr. Chairman: Clause 156 is not dealt with. Does Clause 157 carry?

Some Members: No.

Hon. Mrs. Whyard: Mr. Chairman.

Mr. Chairman: Yes, Mrs. Whyard.

Hon. Mrs. Whyard: Mr. Chairman, it has been agreed that this Section 157(1) should read "a stabilization board" in case there were more than one at any time. "The members of the Mutual Aid Board or a Stabilization Board."

Mr. Chairman: That's what it reads.

Mr. Legal Advisor: Mr. Chairman, that wasn't quite the point.

Mr. Chairman: Mr. Legal Advisor.

Mr. Legal Advisor: The point, with respect to the Honourable Minister, the Minister is correct in stating the correct version of it, but, the reason was that if the Commissioner appoints the members of a Mutual Aid Board, he will remunerate the members, but the Stabilization Board will come intact from another province and they will be drawing full time salary and they will not be paid. The board, as a group, will get a fee, but the individual members will gain nothing personally from that fee.

So that's why we have a Stabilization Board. The members of the Mutual Aid Board are one entity and a Stabilization Board is a second entity, not the members thereof.

With respect, Mr. Chairman, and apologies to the Honourable Member.

Mr. Chairman: What is the Committee's wishes on 157. Keep it in mind, it's a Member brought forward at the Committee's request.

Does 157 carry?

Hon. Mr. McKinnon: Mr. Chairman, I'm not getting the point. There seems to be some objection to 157 and I'm clear on the matter but some Members seem to have some problems with it that haven't been made clear to us at this moment. We're willing to take them into consideration if they can be elucidated.

Hon. Mrs. Whyard: Mr. Chairman, I was merely pointing to a typo and suggesting that this section should read, instead of "the stabilizations", "a stabilization board" throughout the section.

Some Members: Agreed.

Mr. Chairman: Does Clause 157 carry?

Some Members: Agreed.

Mr. Chairman: Thank you.

While we're waiting for the change in the language in 156, Mr. Lengerke, are you prepared to deal with 134 at this point.

Mr. Lengerke: Yes, Mr. Chairman, I had a suggestion for amendment to Bills and I would now propose, by resolution, an amendment to the Bill.

It would be moved by myself, seconded by the Member from Kluane, that Bill Number 10 be amended in Clause 134 by adding the following subsection: 134(4) The Registrar shall furnish annually to the Commissioner, a written inspection report, signed by him, stating the fact that the annual inspection has been carried and also stating his finds of such an inspection.

Mr. Chairman: Mr. McKinnon.

Hon. Mr. McKinnon: Speaking on the motion, if it is a motion at this time or just a suggestion, I'm wondering why the same language as was added onto Clause 152, Page 2, wouldn't be used in 134(4), stating in the same language that, "the Registrar shall annually, after the end of each year, prepare a report showing the revenues, expenditures and activities during the previous year, together with (a) an audited financial statement, and (b) such other information as Commissioner may require.

(2) The Commissioner shall table a copy of the report at the next ensuing Session of the Council."

Why would we have two different sets of rules and regulations and languages after 134(4) and 152, page 2.

Mr. Chairman: Mr. Lengerke.

Mr. Lengerke: Mr. Chairman, one part refers to the Stabilization Board and the other is the office of the Registrar. 134 refers to the office of the Registrar and there are some other clauses that set out some inspection and I think the language, maybe I'm biased, that language that I've offered is ample.

Mr. Chairman: It has been moved by Mr. Lengerke that the amendment to 134 is as follows: 134(4) The Registrar shall furnish annually to the Commissioner, a written inspection report, signed by him, stating the fact that the annual inspection has been carried out and also stating his findings of such an inspection.

Shall the amended 134(4) carry?

Some Members: Agreed.

Mr. Chairman: Shall 134 carry as amended?

Some Members: Agreed.

Mr. Chairman: I'm still waiting for that language. I'd like to refer Members of Committee to Clause 134 and 159. There was an oversight of Clause 158. It should

read as follows if you wish to put it in. It should read:
 "A Credit Union Ordinance, a revised Ordinance, 1958
 ..."

Have you got the page? Page 76.

Hon. Mr. McKinnon: Mr. Chairman, it appears that you are the only one in possession of 158 and 159.

Mr. Chairman: I do my homework, anyway.
 Ms. Millard?

Ms. Millard: Mr. Chairman, is what we are doing just changing the numbers from 150 and 151 to 158 and 159?

Mr. Chairman: As was suggested in the amendments, Ms. Millard.

Ms. Millard: So we don't really need a copy of any amendment?

Mr. Chairman: Well, there were two clauses that were not amended — 158 and 159. The concluding clauses of that Bill — they were not amended.

Mr. Legal Advisor: The introductory words of the Motion said that the subsequent clauses be renumbered consecutively.

Mr. Chairman: That is correct.
 Clause 158 and 159, Ms. Millard, the only amendments would go up to 157, I believe.

Ms. Millard: Aren't those amendments going to read the same as what is presently 150 and 151?

Mr. Chairman: Right on.

Ms. Millard: So why don't we just read it through?

Hon. Mr. McKinnon: Mr. Chairman, if anybody still has a copy of the original Ordinance before the amendments and the amendments to the amendments, then in there, 150 and 159 at the end of that Ordinance, if they would just renumber 158 and 159, then we have it.

Mr. Chairman: That's what I was referring to, Mr. McKinnon, before everybody realized they do not have a copy of it.

Members of Committee will now look at the bottom of page 76; you will see Clauses 150 and 151, they should be now Clauses 158 and 159. In Clause 158, there is an oversight. It should read: "The Credit Union Ordinance, Revised Ordinance, 1958, Chapter C(21), is repealed."
 Shall Clause 158 carry?

Some Members: Agreed.

Mr. Chairman: Clause 159: "This Ordinance or any portion hereof shall come into force on day or days as may be fixed by the Commissioner."
 Shall Clause 159 carry?

Some Members: Agreed.

Mr. Chairman: Very well, we are awaiting, Mr.

Legal Advisor, the language on Clause 156.

Mr. Legal Advisor: It is being typed. What had occurred was, there was a move, a typewritten move, at the bottom of the page from halfway through Subsection 2, forgetting about the second half and it moved right over to the second half of Subsection 4 in the typing.

So, perhaps if we could adjourn for five minutes, perhaps we could check it out. It might be quicker that way.

Mr. Chairman: Very well, we'll have a short recess.

(Recess)

Mr. Chairman: I call Committee to order.

I notice the typographical error has been remedied in Clause 156. With concurrence of Committee, I'd like to read Clause 156 at this time.

Some Members: Agreed.

Mr. Chairman: Clause 156, we're dealing with sections 2 and 3 of 156. I'll read those out:

Section (2) "A person who by any written or oral representation advertises or holds out,

"(a) a corporation or firm, other than a Credit Union, or the shares of or deposits with a corporation or firm, other than a Credit Union, as being guaranteed or otherwise insured or approved for guarantee or insurance under this Ordinance, is guilty of an offense.

"(3) A Credit Union that makes a written or oral representation that it or its shares or deposits or monies invested in or deposited with it or guaranteed or insured under this Ordinance, otherwise done by the use of marks, signs, advertisements or other devices (a) authorized by the board and (b) used in the manner and on occasion prescribed by the board, is guilty of an offense."

Does Clause 156 carry?

Some Members: Agreed.

Mr. Chairman: The Yukon Territory, by and with the advice and consent of Council of the said Territory, enacts as follows: Credit Union Ordinance.

Shall the title carry?

Some Members: Agreed.

Mr. Chairman: Shall I report the Bill out of Committee?

Some Members: Agreed.

Mr. Chairman: As amended?

Some Members: Agreed.

Mr. Chairman: Very well.

Mr. Lengerke, I notice on Resolution 5, this is adjourned debate; what is your position on that, Mr. Lengerke?

Mr. Lengerke: Mr. Chairman, I believe that's the

one that, with reference to Cyprus Anvil? Yes, I think that – with concurrence of Committee, that resolution was dealt with by the appearance of Mr. Bruk here.

Some Members: Agreed.

Mr. Chairman: What do you wish to do with it, Mr. Lengerke? I think the Committee would like to know.

Mr. Lengerke: I will withdraw it, Mr. Chairman.

Mr. Chairman: With concurrence of your seconder?

Mr. Lengerke: Yes, I would have concurrence of the seconder.

Mr. Chairman: Does Committee concur?

Some Members: Agreed.

Mr. Chairman: Very well.
Thank you, Mr. Miller.

Mr. Chairman: We will now move to the Bill Number 12, Recreation Development Ordinance.

We were awaiting amendments to this Ordinance, which we have now received.

Mrs. Watson?

Mrs. Watson: Would you mind repeating what legislation we are dealing with now?

Mr. Chairman: Bill Number 12, Recreation.

Mrs. Watson: Thank you, Mr. Chairman.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, in the proposed amendments here, requested by Committee, you'll see that there are a lot of major changes in relation to the Bill as it equates to the Regulations. We've taken a lot of the Regulations and put it into the Bill itself.

I think it's important, Mr. Chairman, to once again go over the basis for the Bill. Presently, in the area of recreation, we have the Advisory Board. This particular board allocates money to Territorial sports and cultural governing bodies. You have to be affiliated with a governing body in order to get any of these fundings presently allocated by the Territorial Government. Now, with the advent of the Bill, what this does, it'll break it down into two areas. There will still be monies under the Recreation Advisory Board for Territorial-wide sports governing bodies. This will relate to Yukon championships and will relate to extra-Territorial travel and anything of a Territorial nature in relation to recreation. At the same time, with the other program that we're proposing to introduce this year, this will supply finances at the local level for programs to be run at the community level on a cost-shared basis. At the same time, these monies will be available to them for internal travel.

Now, I think some Members get confused in relation to what the responsibility of the Recreation Department is, as opposed to the Department of Local Government. The Department of Local Government is almost en-

tirely responsible for capital funding in relation to recreation facilities, except for the areas grandfathering in relation to community halls. So, in relation to ice arenas and this kind of thing, that are constructed under the Capital Assistance Program, that has nothing to do, at the present at any rate, in relation to the Recreation Development Ordinance. They are separate and apart.

So, I think that this has to be clearly understood, that we are the vehicle for recreation program money in order for organizations at (a) the local level to set up their Teslin Minor Hockey League, and that would be monies available at the local level for running the program at the same time for internal travel, and (b) for the Teslin Hockey Team to go to Yukon championships, that would be done under the Yukon Amateur Hockey Association, and they would organize the championship and the time-table in relation to the playdowns. So there's two separate things that we're dealing with here.

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

Mrs. Watson: Mr. Chairman, I would thank the Honourable Minister for his explanation, but I think that in his explanation he very well touched upon some very significant deficiency that we have within the Territory under our Recreation Program, and it's taken care of within the—or it was, within the original legislation until 1980, but after that we don't know where we're going to be and it does give us some concern.

Now, he was referring to Recreational facilities which are under the jurisdiction of the Department of Local Government, because they qualified for capital assistance under the Capital Assistance Ordinance. Their funding for the structure of it, and then, of course, under the Capital Assistance Ordinance, there's also provision for some cost-sharing in the maintenance and operation of these facilities if there is a certain mill structure put on the local taxpayers.

However, there is still, in the Yukon Territory, there are community halls and arenas and hockey rinks that were not built under the Capital Assistance Program and the only provision for assistance for these facilities is through that one section which goes to 1980, and it is a very limited type of assistance also. This is the one area where many people in these smaller communities are having problems.

Mr. Chairman: The first proposed amendment is in Clause 2, page 1, by adding the words, "or a community organization appointed by the Commissioner pursuant to Section 7". And this would come after the words, "Local Improvement District" in line 11. And I would like, if I may, to read out the total clause as it would be suggested in the amendment. I'll read it all out.

Some Members: Agreed.

Mr. Chairman: Clause 2(1). "In this Ordinance, recreation services means the planned use of community resources to satisfy the needs or interests of citizens during their leisure.

"The Local Authority means the council of the municipality or the board of trustees of a Local Improvement District or a community organization appointed by the

Commissioner, pursuant to Section 7.”
Mrs. Watson?

Mrs. Watson: Is this the original Section 7 or is it a new Section 7?

Mr. Chairman: Mr. Lang.

Hon. Mr. Lang: Mr. Chairman, that has been amended, Section 7, if you look in the amendments that are before you.

Mr. Chairman: Proposed new, a new Section 7, Mrs. Watson, as proposed in the amendment.

Mrs. Watson: Mr. Chairman, would we not then be required to clear Clause 2 until we've had an opportunity to discuss and clear Clause 7?

Mr. Chairman: Mrs. Watson, you have had the amendments for quite some time now, and as I advised Committee this morning, all Members were aware that the Bill was coming up for a reading again with the amendments this afternoon. Now, I am aware of what Section 7, and I am sure that most Members are aware of what Section 7 is, and if it is your wish to hold up Clause 2 before we move Clause 7, I think you would put many Members in great difficulty.

Mrs. Watson: Mr. Chairman.

Mr. Chairman: Mrs. Watson.

Mrs. Watson: I was busy all noon-hour doing other business of this House ...

Mr. Chairman: So was I, Mrs. Watson.

Mrs. Watson: ... but I don't think, Mr. Chairman, that it's asking a great deal just not to clear Clause 2 until we clear Clause 7. It's not going to delay it a lot.

Mr. Chairman: Is that Committee's wishes?

Some Members: Agreed.

Mr. Chairman: Very well.

I refer Members to Clause 7. This amendment reads as follows — this is in reference to Clause 7:

“Clause 7 be amended by deleting the original Clause 7 and substituting the following therefor:

“Clause 7(1) Where a local authority so requests, the Commissioner may, by order and subject to such conditions as he may prescribe, appoint a community organization to be a local authority for the purpose of this Ordinance.

“(1) Where the Commissioner has made an order pursuant to subsection 7(1), the community organization appointed as a local authority —

“(a) has all the powers of a local authority set out in this Ordinance, except the powers established pursuant to Section 6,

“(b) may organize and conduct a recreation program,

“(c) may make such expenditures as are necessary for carrying out the program.

Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, this proposed amendment here is at the request of the Member from Kluane and we fully realize the transition period the various L.I.D.'s are presently going through, and we have tried to accommodate the wishes of her particular L.I.D., which she represents, and at the same time leave the ability for other L.I.D.'s to approach this particular area in the situation that they are in at the present time, for an example, I think Mayo is a fine example. I think they were thinking of going with the L.I.D. rather than continuing with the community hall concept, so what we are trying to do is to accommodate the various L.I.D.'s at the present stages that they are in in development.

This will allow for the L.I.D. to say, look, we realize there's people outside the L.I.D. at the present time, we're in a state of transition, let's give the authority to the community club to carry on the Recreation Program as designated in this particular Ordinance and they will be the agency that, we as a government will deal with at the request of the L.I.D. This is what we've come up with. I think it's a good amendment, I think it allows for the various differences in the L.I.D.'s and trying to accommodate them as best a fashion we can in the written English language in the Ordinance, and it's the best that we can come up with, Mr. Chairman. I think it's a good amendment.

Mr. Chairman: Shall Clause 7 carry?
Mrs. Watson?

Mrs. Watson: I have a question. Where a local authority so requests, the Commissioner may, by order and subject to such conditions as he may prescribe. What are we looking at? Why would he have to prescribe conditions?

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, it's my understanding that possibly the Legal Advisor can elaborate on it, it is in relation to an agreement with that particular local authority in relation to the program and what I'm saying is in relation to the forms, the accounting procedures, that would have to be followed so that we can have an audit of the books at the end of the year and this kind of thing. This is all it means.

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Chairman, if a local authority, such as an L.I.D. or a City, they have their own established accounting practices, their own established reporting practices and their bylaws are automatically transmitted to the Commissioner. In the case of a local organization, such as a community club, we'll say in Watson Lake or Faro, or somewhere, they have their club organization which is quite different and when they become the agent of the Commissioner for a special purpose, we've got to set up a special reporting system so that they will report back.

We're entering a new field when the community club becomes the agent of the Commissioner in delivering a Territorial program, so we don't quite know what we're

facing, so we've just got to be a bit cautious.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, but in Section 10, the Commissioner may enter into an Agreement with an approved community organization representative of an area and we say subject to the regulations. Here we are saying subject to such conditions as he may prescribe.

Mr. Legal Advisor: The word "prescribe", Mr. Chairman, means by regulation. So it will be done by regulation. The Publications Ordinance has the definition of "prescribe", Mr. Chairman.

Mr. Chairman: Shall Clause 7 carry?
Mrs. Watson?

Mrs. Watson: Mr. Chairman, we were asking about regulations also, now are these going to be, these are part of the regulations, these conditions, that are not going to be embodied in the legislation are they?

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, I think it would be very ridiculous to have forms and this kind of thing part of the Ordinance. I mean, we're going to have to outline it in regulations and we'll do the best job we can, and if there's something wrong then we'll modify it. You've got to realize that in relation to the creation assistance that we're going to provide to the various communities, it's a new field that we're going into and we've got to have some flexibilities in relation to accommodating the needs as they arise, and this is exactly what will be done in the regulations, the House and all Members will be made aware if there were changes and why there were changes.

Mr. Chairman: Shall Clause 7 carry?

Some Members: Clear.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: It's not quite clear to me. I go to Section 10 and I see the same thing all over again, as there is in 7. I'd just like to get the differential between the two. I really can't see very much there at all, really. I think we're saying the same thing as we said there, we're going to put it in 7 and then we're going to come over to 10 and say practically the same thing again, except we are deleting a few things or you have to have a school or a community hall or other adequate facilities and all this, but we're going right back to the same old story again and we're going right back to just giving the Commissioner the authority to make regulations and do whatever he wants to do with the whole thing anyway.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, in all respect to the Honourable Member, that is not correct. We've made a major change here in relation to the community organizations. We'll be dealing directly with the community organizations if that is the views of that particular

community, rather than going through the L.I.D. and that's a major change in relation to the Section 7 as it's presently written as opposed to the amendment.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: Mr. Chairman, if he would say that it was in a municipality or an L.I.D. or something, but it does not say that here, it just says anywhere.

Hon. Mr. Lang: Mr. Chairman, the definition of a local authority is at the beginning of the Ordinance.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, but I think the point the Member from Hootalinqua was making is perfectly valid because in Section 10 you are also talking about a community organization. It's going to be doing the same thing but you're not going to be calling it a local authority, is that it?

Mr. Chairman: Mr. Lang?

Mr. Legal Advisor: The basic decision of the House, was in relation to the government proposal, which was that where you have a city or a local improvement district, the government would deal with the elected body already in existence in that area. Outside that area, they would deal with the community organization, such was to be found.

Now the House was dissatisfied with dealing in that manner with the L.I.D. and asked that that section would be so amended that the government could deal within an L.I.D., direct with the community organization and this section reproduces this, but no attempt has been made to tamper with section 10, which reproduces the original government policy in respect of areas outside an L.I.D. or a city or town.

Mr. Chairman: Thank you, Mr. Legal Advisor.
Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, I think it's important to note at the same time, we have, we are putting in the Ordinance when one leafs a little further through the proposed amendments, Sections 11, 12, 13, in relation to what the Commissioner's duties are in relation to this particular program.

Mr. Chairman: Mr. Lang, we're just dealing with Clause 7 at this point.

Hon. Mr. Lang: Well --

Mr. Chairman: Mr. Fleming?

Mr. Fleming: It's being cleared up and I thank the Minister for clearing some of it up. I agree now that this Section 7 would only be, in effect, in a municipality or local improvement district and I know that we were asking for this very thing to be done to make sure that we have that opportunity to not be forced to go through an L.I.D. and have the L.I.D. in charge of something of this sort if they didn't wish to be, so actually, it's clear-

ing up a little, Mr. Chairman, thank you.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, local authority in your amended section, now in 2, says "Local authority means the council of a municipality or the board of trustees of a local improvement district, or a community organization appointed by the Commissioner pursuant to Section 7."

Now that community organization is a local authority on equal footing of L.I.D.'s and municipalities, right?

Mr. Legal Advisor: No, Mr. Chairman.

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Chairman, the local authority type of powers are to be found in Section 6 and the community organization is excluded from utilization of those powers, so they're not the same, Mr. Chairman.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, this particular section says that if, in a particular local improvement district, they do not want to have the responsibility for recreation programming, they can say to the community organization, by bylaw, the community organization will take the following responsibility as outlined in the Ordinance under Section 7(2) and what it states is they organize and conduct a recreation program, "may make such expenditures as necessary for carrying out the program." That's exactly what it says and then we, as a government, will be directly dealing with that community organization.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Who makes the decision in the community in the first place? Who makes the decision whether the local authority shall be the L.I.D. or the community organization? Who will the government recognize as the authority making the decision?

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: The body of the decision, Mr. Chairman, is the local improvement district. The elected trustees, just like, for an example, we got a letter from Haines Junction that they objected to that responsibility, that's fine, they can divest themselves of that responsibility by giving it to the community organization.

We've tried to write the proposed amendments in such a way that we can accommodate the four different L.I.D.'s that we have at the present time.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: But there is nothing in the L.I.D. Ordinance which requires the L.I.D. to somehow get the feelings of the community of where they want to have it and if you remember, if you think of your L.I.D. legislation, they do not have to have anything but an annual meeting where recommendations and resolutions can

come to the floor.

Now, there is nothing saying, there is no protection then in the L.I.D. Ordinance, an L.I.D. could decide without having to go back to the public at all, that they are going to be the recreation authority in that community and the community organization would have no say about it whatsoever, and neither would the public in that community and that is what I've been trying to tell you every time we have a Recreation Ordinance.

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: Mr. Chairman, what I attempted to do is to reproduce a compromise between the policy suggested by the Honourable Member and the policy which the government came forward with first. But in the drafting we came down to this, we were making a section which did not have to apply to just one particular L.I.D. where there was a single community club, and I have enacted in such a way to make it embrace Whitehorse, Faro, Dawson and everywhere else, or else we'd have to name one single place. So there has to be a decision-making body which in the first instance would trigger the request to the Commissioner, which once triggered could not be reversed.

So, we, in my drafting I said, where a local authority so requests, the Commissioner may, and from then on the chosen community club is the community club which delivers the program and it cannot be undone except by agreement of all parties.

The original section allowed the L.I.D. authority to choose or unchoose and to direct the community club how it delivered its program. That section has been terminated and there's a substituted section 7. Now I know that we can't be perfect, Mr. Chairman, in our drafting to reproduce policy, but it's attempting to meld a reasonable policy which would meet the wishes of government and the wishes of the House in an everyday easy fashion and otherwise we'd have a, sort of a goat without ears or something that we wouldn't be able to work with at all, Mr. Chairman.

Mr. Chairman: Mr. Fleming?

Mr. Fleming: I agree with the Legal Advisor, that's the point, however, he didn't change anything, as I said before, a local authority may in lieu of establishing recreation board, pursuant to Section 6, and it goes on to say the same thing, actually he said the same thing again and here it says where a local authority may or so request, as is here, and that's just the same old thing over and over again, it's the same. I mean, you didn't change anything, really, I'm not going to belabour this subject here on this thing because I know just where it's going anyway, but the fact remains there's nothing been said or nothing changed as far as 7 is concerned. I don't think there is anymore authority or anymore, you know, they're not giving the communities anymore choice as to what they want to do, it is going to be through the government and that's going to be the end of it. The government will be running the L.I.D.'s and the local improvement districts and the halls and the whole schmozzle so there's no use arguing about it, I guess, forget it.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, I just want to rise once more. There has been a major change in relation to the proposed amendment. In the present wording of Section 7(1), if you are a community organization that was designated to take over the responsibility of recreation from the L.I.D., that money would have to go through a local improvement district, that we are prepared to provide to a particular community. With this amendment, if the L.I.D., for example, in Haines Junction, said we would like the community organization to take over the responsibility of recreation programming, at least for what the government provides for us, fine, then we as a government deal directly with that particular community organization. That is where the offices of the recreation department will go directly to speak to the members of the community club.

So there is a major change.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, there is one major change on the funding, I'll agree to that, but there isn't the other change, which is very, very important. You're not starting from where we are at now and this is the thing that I've been trying to get across. Recreation in local improvement districts have been under community organizations and is, of today, and you are saying in here that the local authority, the L.I.D. shall decide, they have to request the Commissioner to appoint the community organization.

Now, the L.I.D. first of all, wants to have, must want to have the community organization operate it and yet the community organization right now has the authority for operating recreation and you still haven't changed it and you can't seem to get this through your head. The community organization, you just can't, it should be the authority that's operating it now must make the decision. They must make the decision.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, for a period of time, in very recent memory, just about every day there was a petition or a letter on some problem, some controversy arising from the L.I.D. of Haines Junction, which the Honourable Member from Kluane recommends. The only thing that everybody seemed to agree on, the L.I.D., the community club and all the people in the community and there was no controversy over, that this was one area where the local improvement district, by letter, wanted no part at all of dealing with the government concerning recreation, wanted the community club to deal with it and the community club wanted to continue to deal with it. That was the section which is amended said. We realize the problem, we realize what is wanted in Haines Junction, we realize that the L.I.D. want the community organization to continue running the recreational programs, so we'll give the community organization the right, under this Ordinance, in that area where there is this problem to do just that. That's what it's done, that's what it reflects and now the Minister of Recreation is getting condemned for doing exactly that which the Honourable Member seems to want. You know, if I was him, I think I'd take my legislation and go home, to tell you the truth.

Hon. Mr. Lang: That's a good idea.

Mr. Chairman: Order please.

Mrs. Watson: Mr. Chairman, I don't particularly appreciate the remarks about my community, however, you don't seem to realize that the community and the community organization had one big battle to get that letter out of the L.I.D. This is the whole problem. Do you have to go through this type of a process in order to get that type of authority? No, you shouldn't have to, because they didn't have the authority to start with. The L.I.D.'s don't have the authority, they didn't go through the experience of providing recreation in the community. The community organization did and they own some very valuable property and they own some expensive assets and this is, this is where, this is what people don't seem to understand and it's going to be a very big decision to make and you're saying that the L.I.D. makes the decision and, again, I told you, that the community, in my community, the L.I.D. is only a small part of that community. The Indian village and the Indian community is not part of it at all.

Again, you are leaving it to the LID to make the decision and the Indian people have no rights or authority to vote in that LID or anything.

Mr. Chairman: Shall Clause 7 carry?

Some Members: Clear.

Mr. Chairman: Shall Clause 2 carry as amended?

Some Members: Clear.

Mr. Chairman: To Clause 3.

Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, the proposed amendment here was at the request of the Honourable Member from Pelly and we have transferred it over to Section 3(1)(d) in relation to regulation making power.

Mr. Chairman: The proposed amendment is inserted in the following new paragraph (d) immediately after line 24, it reads as follows, Clause 3(1)(d):

"make such regulations as he deems necessary in order to carry into effect the provisions of this Ordinance according to the true intent and meaning thereof."

I'd like Committee's concurrence this is adopted to shall we say reopen Clause 3 because it was already carried once.

Some Members: Agreed.

Mr. Chairman: Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: Shall Clause 3 carry?

Some Members: Agreed.

Mr. Chairman: To Clause 5. The amendment is suggesting a new paragraph, a new paragraph one at line 1

and renumbering the consecutive paragraphs accordingly. So Clause 5 would read: Clause 5(1):

"There shall be a Committee called the Yukon Recreation Advisory Committee to be appointed by the Commissioner upon the advice of the Members of the Territorial Council. They shall each be entitled to nominate one member."

Subsequently 3 would be, 2 will renumbered—defer, there is another new paragraph in there so I think we should go on this first amendment.

Does Clause 5(1) carry, not as the amendment?

Some Members: Agreed.

Mr. Chairman: I would refer the Members to the next amendment still in Clause 5, starting a new paragraph which would be Section (4). It reads as follows: Clause 5(4):

"The Commissioner may, subject to such conditions as may be prescribed upon the advice of the Yukon Recreation Advisory Committee make grants to a recreation or cultural association which is the governing body of a recognized recreation or cultural activity for the purposes of

- a) administration of that association;
- b) conducting a Yukon championship or equivalent;
- c) travel for extra-Territorial competition;
- d) a special project that is of Territorial or regional significance."

Shall Clause 5(4) carry as amended?

Some Members: Agreed.

Mr. Chairman: I refer Members to Clause 6, inserting the words 'empower the board to' in Subsection (d). That would be before--

Hon. Mr. Lang: Then we picked up 'in a review of the Ordinance' that we had obviously left out.

Mr. Chairman: Clause 6(1) Sub (d) would read: "empower the board to make such expenditures on behalf of the local authority as may be authorized by the bylaw."

That is the proposed amendment.

Is the amendment carried?

Some Members: Agreed.

Mr. Chairman: Does Clause 6(1) carry?

Some Members: Agreed.

Mr. Chairman: Amendments to Clause 11 and 12. I have been advised eight is not carried, shall Clause 8 carry?

Some Members: Agreed.

Mr. Chairman: Clauses 11 and 12 are deleted and the following Clauses substituted therefore,

11(1) The Commissioner may subject to such conditions as he may prescribe make an annual recreation assistance grant payable in instalments to a local authority or an approved community organization.

12(1) The Commissioner may, subject to such condi-

tions as he may prescribe make a single incorporation grant to a local authority or an approved community organization.

13(1) The Commissioner may, subject to such conditions as he may prescribe make an annual equipment grant to a local authority or approved community organizations for the purpose of acquiring small items of capital equipment for general use.

14(1) This Ordinance shall come into force upon assent.

Mr. Lang?

Hon. Mr. Lang: This particular proposed amendment was at the request of the Committee in relation to attempting to bring out the policy in the regulation into the Ordinance which I think it has done.

Mr. Chairman: Mrs. Watson?

Mrs. Watson: Mr. Chairman, you have not made any provision for those community club operational grants.

Mr. Chairman: Mr. Lang?

Hon. Mr. Lang: Mr. Chairman, that would remain in the regulations and it would come under Section 3(1)(c). "Grants or contributions", so it would remain in the regulations as it has been written.

Mr. Chairman: Does Clause 11 as amended carry?

Some Members: Agreed.

Mr. Chairman: Shall Clause 12, as amended carry?

Some Members: Agreed.

Mr. Chairman: Shall Clause 13 as amended carry?

Some Members: Agreed.

Mr. Chairman: Shall Clause 14, as amended, carry?

Some Members: Agreed.

Mr. Chairman: The Commissioner of the Yukon Territory, by and with the advise and consent of the Council of the said territory, enacts as follows:
Recreation Development Ordinance.
Shall the title carry?

Some Members: Agreed.

Mr. Chairman: Shall I report the Bill out of Committee as amended?

Some Members: Agreed.

Mr. Chairman: Very well. As I advised Committee this morning, we will now proceed on to the Local Improvement District Ordinance, Bill Number 15.

On leaving this Bill, we were waiting for the amendments to be brought in by the government. I refer you to the first proposed amendment which is Clause one at page one.

This is by deleting the definition of Chairman and

substituting the following therefore:

"Chairman means the member of the board designated to be chairman pursuant to Section 10."

I think all Members have had an opportunity to peruse through these amendments so shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: Shall the clause carry as amended?

Some Members: Agreed.

Mr. Chairman: I refer you to Clause two. Clause two on page one be deleted and renumber the following clauses accordingly:

Mrs. Watson: Mr. Chairman, may I ask why?

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, the new section 10 takes care of the trustees and the duties therefore and also indicates that they shall designate to be one of its members to be chairman of the board, Mr. chairman.

Mr. Chairman: Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: Very well. I take it that the rest of these amendments are numbered accordingly to the renumbering.

Hon. Mr. McKinnon: I hope so, Mr. Chairman.

Mr. Chairman: Probably not. clause four, at page 2 is deleted and the following substituted therefor :

The Local Improvement District Ordinance is amended by repealing Section 6 and substituting the following therefor :

6(1). Each district shall have a board of trustees consisting of five trustees.

(2). Subject to this Ordinance, the members of the Board shall hold office from twelve o'clock noon on the first Monday after the first day of January following their election or from the time of their swearing in which ever is later, until twelve o'clock noon on the first Monday after the first day of January two years later or until their successors are sworn in.

(3). Every elected member of the board shall be elected from the district at large.

(4). Elections shall be conducted in the manner established pursuant to this Ordinance.

(5). To become eligible to become a trustee, a person must be, on the day of nomination,

- a) of the full age of nineteen years
- b) A Canadian citizen
- c) A resident of the district for twelve consecutive months, and
- d) eligible to vote as an elector for the election in which he is nominated.

(6). Every person is entitled to vote at an election who

- a) is a Canadian citizen
- b) has attained the age of nineteen years on the day of the election, and

c) has established residence and resided in the district for one year prior to the date of the election.

Mr. McKinnon?

Hon. Mr. McKinnon: For an explanation, Mr. Chairman, the new Section, new Clause 4 reflects the ideas of Committee, instead of having the Chairman elected by and for Trustees in Sub 1, it states that the Board of Trustees will consist of the five Trustees. Also, we had quite a debate that evidently we are correct in Sub 5(d) in stating the eligibility of becoming a trustee that the person should be a Canadian Citizen.

Mr. Chairman: Shall the amendment carry?

Some Members: Agreed.

Mr. chairman: Shall the Clause carry?
I'm sorry, Mr. McIntyre, I overlooked you.

Mr. McIntyre: Section 5 says that to be eligible you have to be a resident of the district for twelve consecutive months. Note the difference in the wording in six, where it says that you have to reside in the district for a year prior to the election, although you can interpret both the same way, I think that we can accept that 6(c) means that it's a year ending on the day prior to the day of the election, but certainly the twelve consecutive months could be any twelve consecutive months from the day you were born.

Mr. Chairman: I would agree with you, Mr. McIntyre. I always notice that some of this language is never consistent.

Mr. Legal Advisor: Mr. Chairman, we don't set out to be consistent, just merely correct. The introductory language makes it difficult to carry the consistency in the phraseology. To become eligible a person must on the day of nomination be a resident of the district for twelve consecutive months. So that very day, he must be a resident. This is the result of perpetual difficulty that costs \$1,000.00 a year in telephone calls to the Local Government Department as to what is a resident. He doesn't have to be a resident on the day of election, on the day of nomination and they're both different. The person says, but I will be a resident for twelve months in ten days time before the election, so the successive telephone calls all over the Territory result and we tried to cure it by fixing it that on the day of nomination he must be a resident, on that day, for twelve months. Now, perhaps there is a double construction out of that. I'm open to suggestions.

Mr. Chairman: I refer embers to Clause 5. Clause 5 at page 2 by inserting the following new Clause 5 and renumbering the consecutive Clause accordingly. Clause 5, the Local Improvement District Ordinance is amended by repealing. I think we're going to run into—

Hon. Mr. McKinnon: Mr. Chairman, this had to be amended because we took out the British subject, and it wasn't in the amendments prior, Sections 7(4) amended, because he swore that he was a Canadian citizen or a British subject, now we've taken out the British subject, so we've had to amend Section 7 which

wasn't in the original amendment, just that he swears that he's a Canadian subject. So with that agreed in, we're right on in the numbering in the next Section again, I hope.

Every time we do something to an Ordinance, something else has to be done. In this one, we had to go through the Ordinance and find out what it meant by taking out British subject and we found that in certain instances there had to be further amendments and 7(1) is one of those Sections which had to be further amended which wasn't in the original amendments because of the Committee's desires that British subject be taken out.

Mr. Chairman: The Local Improvement District Ordinance is amended by repealing Section 7 and substituting the following therefor.

7(1) Every person elected or appointed as a trustee shall before assuming office take and subscribe to the following oath:

I, trustee elect, for the Local Improvement District of ----- do swear or affirm that I am a Canadian citizen, that I am not in any way disqualified from holding the office of trustee, that I have not by myself or any other person knowingly employed any bribery, corruption, or intimidation to gain my election or appointment, that I will not allow any private interest to influence my conduct in public matters. So help me God.

Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: I refer you to Clause 6. Clause 6, by inserting a new Clause 6 and renumbering the consecutive clauses accordingly.

6. The Local Improvement District Ordinance is amended by repealing paragraph 7(1)(1)(d) and substituting the following therefore. 7(1)(1)(d) ceases to be a Canadian citizen.

Hon. Mr. McKinnon: Mr. Chairman, in the present 7(1)(1)(d) that ceases to be a Canadian citizen or British subject, and in the next clause we'll be back in on our numbering again.

Mr. Chairman: Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: We will resume dealing with Clause 6 at page 3; it is deleted and the following substituted therefor:

"6. The Local Improvement District Ordinance is amended by repealing Section 10 and substituting the following therefor:

"10(1) The Board of Trustees shall meet openly at least once a month and no person shall be excluded from any open meeting except for improper conduct.

"(2) The Board of Trustees, at its first meeting in each year and its first meeting after a vacancy occurs in the office of the Chairman, shall designate one of its members to be Chairman of the Board.

"(3) The Chairman shall vote on any matter coming before the Board of Trustees and any question on which there is an equality of votes shall be deemed to be defeated.

"(4) Adequate records shall be maintained of all bus-

iness conducted during the meeting of the Board of Trustees and Board Minutes shall be made available for viewing by the public during reasonable office hours.

"(5) The Board of Trustees may, from time to time, (a) appoint a secretary, a manager and such other officers and employees as in their discretion they may consider necessary to operate and maintain Local Improvements and to keep the records of the District; (b) subject to the approval of the Commissioner, fix the salaries or wages of persons so appointed.

"(6) The Board of Trustees shall hold its first meeting not later than the 30th of January of the year following the election.

"(7) Three members of the Board constitute a quorum and at all meetings of the Board a quorum is required, but a vacancy in the membership does not impair the right of the remaining members to act.

"(8) All acts authorized or required to be done by the Board shall be done or decided by a majority of the members of the Board present and entitled to vote.

"(9) Every officer appointed by the Board shall, before entering into his duties, take and subscribe to the following oath: I do swear (or affirm) that I will truly, faithfully, impartially and to the best of my knowledge and ability, execute the office which I have been appointed for the Local Improvement District of, and that I have not received any payment or reward or promise or such for the exercise of any partiality, or other undue exercise of the said office, so help me God.

"(10) The Board of Trustees may, by resolution, approve the payment of an annual allowance to each trustee that shall not exceed \$360.00 per year."

Shall the amendment carry?

Mr. McKinnon:

Hon. Mr. McKinnon: Thank you, Mr. Chairman.

Mr. Chairman: You are welcome.

Hon. Mr. McKinnon: Mr. Chairman, this amendment attempts to reflect what we felt was the feeling of the House that, of course, that they wanted the trustees themselves to designate one of its members to be chairman of the Board, the other being that I prefer, and I felt that the House preferred, that the chairman shall vote on any matter coming before the Board of Trustees.

Mr. Chairman: Shall the amendment carry?

Mr. Fleming, I am sorry.

Mr. Fleming: Mr. Chairman, I -- just some clarification. At the start, when they are elected, they are all a Board of Trustees at that time and I am presuming that -- it says trustees here not exceed \$360.00. They are saying the whole five Trustees and they are including the chairman who is now a chairman who was a trustee when he was first elected, right?

Mr. Legal Advisor: Yes, Mr. Chairman.

Mr. Chairman: Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: That concludes the amendments to

Clause 6. Shall Clause 6 carry?

Some Members: Agreed.

Mr. Chairman: Very well. I refer you to Clause 7.

Clause 7 is renumbered (original Clause 5) at page 2 by deleting the clause and substituting the following therefor:

"8(1) The Chairman shall preside over all meetings of the Board.

"(2) The Board may, from time to time, appoint from among its members, an Acting Chairman who shall, in the absence, illness or inability of the Chairman to act, perform all the duties of the Chairman."

Is that a typographical error?

Mr. Legal Advisor: No.

Mr. Chairman: Very well.

"(3) At all meetings of the Board, the presiding officer shall maintain order and decorum and decide all questions of order subject to appeal to the Board as a whole.

"(4) The Chairman shall, subject to the approval of the Board,

"(b) be active in causing the laws governing the District to be duly executed,

"(b) communicate to the Board all pertinent information respecting the government of the District,

"(c) direct all administrative officers and employees of the District in the conduct of their work and direct the management of the business and affairs of the District,

"(d) suspend, where necessary, an administrative officer or employee of the District and may cause administrative officers or employees to be prosecuted or disciplined for any negligence, carelessness or violation of duty on their part."

Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, because the Minister of Local Government is so easy when it's coming to the close of a Session, I think that we reflected all of the points that were mentioned by Honourable Members in this new amendment. I don't think I have to point them out, I think all Members are aware of them.

Mr. Chairman: Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: I refer you to Clause 9.

Hon. Mr. McKinnon: Mr. Chairman, the following sections are strictly housekeeping, where it used to mention the chairman and the four trustees the chairman is excluded now and some other minor housekeeping changes.

Mr. Chairman: The amendment is as follows: delete the words "chairman and" in Section 57 on Page 12. Does the amendment carry?

Some Members: Agreed.

Mr. Chairman: Very well.

Clause 9 again, Page 13, Section 58. Insert the word

"election" between "each" and "year" in line two. Ms. Millard?

Ms. Millard: That was one of the things I was requesting and I might point out that there are other places where it might be applicable, like page 12, "the returning officer shall, on the second Monday in November in each year..." Section 56(1). I didn't check through each space, but I know I had noticed it a couple of times before we got to page, to Section 58.

Mr. Chairman: Section 56(1), the second line, are you referring to, Ms. Millard?

Ms. Millard: Mr. Chairman, on page -- the amendment that's being discussed now, in 58(1). I also noticed that in places before this, one specifically is 56(1), "the returning officer shall, on the second Monday in November in each year..." Perhaps each election year should be added in other cases, other than just Section 58(1).

Mr. Chairman: Mr. Legal Advisor?

Mr. Legal Advisor: It's a typo, Mr. Chairman, in Section 56, in the second line, I think it should be "each election year". Correct? It should be.

Mr. Chairman: That's a typographical error, is it? Very well.

Some Members: Agreed.

Mr. Chairman: Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: Very well.

I refer you again to Clause 9, page 13, in Section 60, sub-paragraph 1(c), delete "notary public" and replace it with "officers entitled to administer oaths".

Yes, Mr. Legal Advisor?

Mr. Legal Advisor: Before you pass from this page, Page 13, there was a request made at a number of places to eliminate an expression "published in a newspaper circulating within the district". It applies to nomination notices, proposed date of election and it applies to results, amongst other things.

This was discussed with officials who had been responsible for the drafting of the Municipal Elections Ordinance. An earlier Ordinance where this was found and no amendment was found taking out these sections because the balance of opinion appears to be that there are people living outside the particular district for long or short periods who wish to know what's happening in the district and will not pick up the notices which are posted in a public place, such as a post office. So the decision was to leave it in the newspapers as an additional precaution.

Mr. Chairman: Thank you, Mr. Legal Advisor. Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: I refer you to Page 14, Clause 9 again, Section 63. Delete the words, "of Chairman" from subparagraph 1(c).

Does the amendment carry?

Some Members: Agreed.

Mr. Chairman: Page 26, Clause 9, Section 88, subparagraph 1(d)(2), by deleting the words "office of the Chairman and trustee" and substituting "office of trustee" therefore.

Shall the amendment carry?

Some Members: Agreed.

Mr. Chairman: Very well. I refer you to Page 30, Clause 9 again. This is amended by deleting paragraph 99(3).

Does the amendment carry?

Some Members: Agreed.

Mr. Chairman: Very well. I refer you again to Page 30, Clause 9. By adding the new paragraph 100(3), which reads as follows: "The trustee elect shall be sworn into office at the next meeting of the board following the election."

Does the amendment carry?

Some Members: Agreed.

Mr. Chairman: Very well. I refer you to Page 35, Clause 9, in Section 103, paragraph 2. By deleting "three" and substituting "five".

Does the amendment carry?

Some Members: Agreed.

Mr. Chairman: I refer you again to page 35, Clause 9, Section 105, paragraph 3, delete "seven" and substitute "five".

Does the amendment carry?

Some Members: Agreed.

Mr. Chairman: I refer you again to Clause 9, page 40, by adding the following new paragraph to 127(2) which reads as follows:

"127(2) No order for costs or expenses shall be made against a person whose election is questioned, who does not actively contest the election petition, and found by a judge to be not guilty of any corrupt or improper practice."

Shall the amendment carry?

Mr. Fleming?

Mr. Fleming: Yes, I'm wondering, Mr. Chairman, you're on page 40 and 127(2)? It says "who does not actively contest the election petition and who is found by a judge.." does that read okay?

Mr. Legal Advisor: The point was raised by one of the Honourable Members. The difficulties inherent in being a candidate and at the same time being forced, perhaps, against your will to defend against an election

petition. So after consideration it was decided that the person reserved the right to contest the election petition if they wanted to, but if they did and were found to be wrong, then they deserved to be maltd in costs, if however they didn't contest it and walked away from it and were not guilty of a corrupt practice, then there should be no order for costs made against such a person because they were innocent and the place to put it was chosen to be in the costs section at the end of the election petition. The judge decides what to do and who should pay the costs.

Mr. Chairman: Mr. McKinnon?

Hon. Mr. McKinnon: Mr. Chairman, there's one more point too. If the person knows that he's guilty of a corrupt practice or an improper practice in an election, he just can't say I won't contest it and walk away from it, and then not be part of the costs, because that would be just as wrong too. So if he's found guilty, even if he doesn't contest it, because he knows he's guilty as hell, he can still get dinged for the costs, which he should.

Mr. Chairman: I have one question here, Mr. Legal Advisor. You make a reference to new paragraph 127(2), is it an oversight of the government as to the original paragraph (2)? Is that deleted?

Mr. Legal Advisor: I haven't checked to see whether there was an original paragraph but on my copy there is only one subsection.

Mr. Chairman: Clause 127(1), 127(2), 127(3).

Mr. Legal Advisor: Not on the copy I was working from, Mr. Chairman.

Mr. Chairman: I take it, Mr. Legal Advisor that 127(2), the new paragraph replaces the old paragraph, is that correct?

Mr. Legal Advisor: I can't say without finding out what the old paragraph, by paragraph I take it you mean subsection, Mr. Chairman?

I haven't got it on my copy so I wasn't aware of its existence. I'd need to look at it to check.

Mr. Chairman: While we're waiting for confirmation on that there are a number of sections that are not carried yet, and I think we should proceed through those. Clause 29, or Section 29. Yes, Section 29 of Clause 9 has not been cleared through. Shall Section 29 carry, of Clause 9?

Mrs. Watson: Are we 129 or 29?

Mr. Chairman: No. 29 of Clause 9, page 5, just dealing with the old numbers at this point. Clause 9, yes, I believe.

These are just sections that had not been moved through. If you wish I'll just move Clause 9 and it's a ves me going through all this.

Shall Clause 9 carry?

Some Members: Agreed.

Mr. Chairman: To give the benefit of the doubt, Mr. Legal Advisor, what is your position on Section 127(2) of Clause 9?

Mr. Legal Advisor: It should go in at subsection 2 and existing subsections 2 and 3 renumbered consecutively.

Mr. Chairman: Renumbered?

Mr. Legal Advisor: Yes, Mr. Chairman.

Mr. Chairman: So, what do we have now, Mr. Legal Advisor? Sections 1, 2, 3, and 4?

Mr. Legal Advisor: Yes, Mr. Chairman. There will be now four subsections.

Mr. Chairman: Very well. The Commissioner of the Yukon Territory, by and with the advice and consent of Council of the said Territory enacts as follows: An Ordinance to amend the Local Improvement District Ordinance.

Shall the title carry?

Some Members: Agreed.

Mr. Chairman: Shall I report the Bill out of Committee as amended?

Some Members: Agreed.

Mr. Chairman: Mr. Lengerke?

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

Ms. Millard: I second that motion.

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

Are you agreed?

Some Members: Agreed.

(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. McCall: Yes, Mr. Speaker. Mr. Speaker, the Committee of the Whole have considered Bill 16, An Ordinance to Amend the Elections Ordinance and directed me to report the same.

The Committee have also considered Bill 10, Credit Union Ordinance, Bill 12, Recreation Ordinance, and Bill 15, An Ordinance to Amend the Local Improvement District Ordinance and directed me to report the same, with amendments.

The Committee have directed me to report that Resolution Number 5 was withdrawn, and they 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 and I'd like to inform the Assembly of an error in yesterday's votes and proceedings. Resolution Number 6 was not concurred in by the Committee of the Whole and should therefore be deleted from page 93.

When shall Bill Number 16 be read a third time?

The Honourable Member from Whitehorse North Centre?

Hon. Mr. McKinnon: Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West that Bill Number 16 be now read a third time.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 16 be now read a third time.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

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

(Motion carried)

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

The Honourable Member from Whitehorse North Centre?

Hon. Mr. McKinnon: Yes, Mr. Speaker, I move, seconded by the Honourable Member from Whitehorse West that Bill Number 16 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse North Centre, seconded by the Honourable Member from Whitehorse West, that Bill Number 16 do now pass and that the title be as on the Order Paper.

Are you prepared for the question?

Some Members: Question.

Mr. Speaker: Are you agreed?

Some Members: Agreed.

Mr. Speaker: I shall declare that the motion is carried, and that Bill Number 16 has passed this House.

(Motion carried)

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

dale?

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

Ms. Millard: I second it.

Mr. Chairman: It has been moved by the Honourable Member from 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 that the motion is carried.

(Motion carried)

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

(ADJOURNED)

LEGISLATIVE RETURN # 30
1977 (First) Session

Mr. Speaker
Members of the Assembly

On March 30 1977, Mr. Hibberd asked the following question :

I understand a law clerk is in the process of being hired by this government. I wonder if someone in the government then could just supply me with the information regarding his terms of reference of his hiring and how that competition is now progressing?

The answer to the above question is as follows:

The terms of reference for the Law Clerk are as follows:

1. Incumbent responsible for the preparation of government legislation and regulations:
 - drafts legislation on the instructions of department concerned.
 - prepares all proposed House amendments in proper format.
2. Acts as Law Clerk of the Assembly:
 - available to every member of the Assembly for advice on and assistance in drafting private bills, private members' public bills and amendments proposed to public bills by private members.
 - be present, when required, at the bar of the Assembly.
3. Consolidation of Ordinances:
 - responsible for the preparation of the year's consolidation of ordinances.
4. Member of Regulations Review Committee:
 - gives legal advice to ExCom Members respecting Statutory Instruments.
5. Research projects as assigned by the Clerk.

The Public Service Commission advises that candidates have been interviewed for the position and that reference checks are presently being made. It is expected that an offer from the Public Service Commission will be forthcoming this week.

April 15 1977
Date

AM Pearson
Signature