



R.C. (1)

Yukon Legislative Assembly

1978

1st. Session

24th Legislature

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December 13 & 14, 1978

Speaker: The Honourable Donald Taylor

YUKON LEGISLATIVE ASSEMBLY

PROGRESSIVE CONSERVATIVE MEMBERS

ELECTORAL DISTRICT

Al Falle	Hootalinqua
Douglas Graham	Whitehorse Porter Creek West
Peter J. Hanson	Mayo
John C. Hibberd	Whitehorse South Centre
H. Daniel Lang	Whitehorse Porter Creek East
Geoffrey Lattin	Whitehorse North Centre
Meg Sutherland McCall	Klondike
Grafton Njootli	Old Crow
Christopher W. Pearson	Whitehorse Riverdale North
Donald E. Taylor	Watson Lake
Howard Tracey	Tatchun

LIBERAL MEMBERS

Iain MacKay	Whitehorse Riverdale South
Alice McGuire	Kluane

NEW DEMOCRATIC PARTY MEMBER

Tony Penikett	Whitehorse West
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INDEPENDENT MEMBERS

Maurice Byblow	Faro
Robert Fleming	Campbell

HOUSE OFFICERS

Patrick L. Michael - Clerk

Jane Steele - Clerk Assistant

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YUKON

LEGISLATIVE ASSEMBLY

1ST SESSION, 24TH LEGISLATURE

DECEMBER 13 & 14, 1978

CANADA)
)
YUKON TERRITORY)

TO ALL TO WHOM these presents shall come or whom the same may
in any wise concern


GREETINGS

A PROCLAMATION

KNOW YE THAT under and by virtue of the power and authority
vested in the Commissioner of the Yukon Territory, the Yukon Legislative
Assembly is summoned to meet for dispatch of business in the Legislative
Assembly Chambers, Whitehorse, Yukon Territory on Wednesday, the 13th
day of December 1978 at the hour of 3:00 p.m.

ALL OF WHICH all persons concerned are required to take notice
and govern themselves accordingly.

GIVEN UNDER my hand and the Seal of the said Territory, at
Whitehorse, this 11th day of December A.D., 1978.



F. B. Fingland
Commissioner of the Yukon Territory

JOURNALS
OF THE
YUKON LEGISLATIVE ASSEMBLY
NO. 1

24th Legislative Assembly

First Session

Wednesday, December 13, 1978

The Clerk of the Legislative Assembly informed the Assembly that he had received a communication from the Commissioner stating that the Commissioner would open the Session at three o'clock, p.m. today, Wednesday, the thirteenth day of December, 1978.

The Commissioner entered the Chamber and took the Chair.

The Clerk then said:

"I am commanded by the Commissioner, in his role as Lieutenant-Governor, to state that he does not see fit to declare the causes of the summoning of the present Assembly of this Territory until a Speaker of this Assembly shall have been chosen according to law but today, at a subsequent hour, he will declare the causes of the calling of this Assembly."

The Commissioner then retired from the Chamber.

Mr. Pearson, addressing himself to the Clerk, moved, seconded
by Mr. MacKay:

THAT Donald Taylor, Member
for Watson Lake, do take the Chair of this
Assembly as Speaker. (*Motion No. 1*)

The question being put by the Clerk, it was agreed to.

The Clerk, on behalf of the Assembly, having declared Donald Taylor duly elected, conducted him to the Chair, where, standing on the upper step, he returned his humble acknowledgements to the Assembly for the great honour they had been pleased to confer upon him by choosing him to be their Speaker.

The Speaker declared a recess in order to receive the Commissioner, in his role as Lieutenant-Governor, to present the Speech from the Throne.

The Commissioner re-entered the Chamber, and having taken his seat upon the Chair, Mr. Speaker then addressed the Commissioner to the following effect:

"Sir, the Legislative Assembly have elected me as their Speaker, although I am but little able to fulfill the important duties thus assigned me. If in the performance of these duties I should at any time fall into error, I pray that the fault may be imputed to me and not to the Assembly, whose servant I am and who, through me, the better to enable them to discharge their duty to their Queen and country, hereby claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to your person at all reasonable times and that their proceedings may receive from you the most favourable construction."

The Commissioner then said:

"Mr. Speaker, I am pleased to declare to you that I freely confide in the duty and attachment of the Assembly and not doubting that the Assembly's proceedings will be conducted with wisdom, temper and prudence, I grant, and upon all occasions will recognize and allow the Assembly's constitutional privileges. I assure you that the Assembly shall have ready access to me upon all reasonable occasions, and that the Assembly's proceedings, words and actions will constantly receive from me that most favourable construction."

The Commissioner was then pleased to open the Session with the following speech:

SPEECH FROM THE THRONE:

MR. SPEAKER,
MEMBERS OF THE LEGISLATURE:

IT IS A PARTICULAR HONOUR FOR ME, HAVING ADMINISTERED THE OATHS OF OFFICE TO YOU, TO NOW WELCOME YOU TO THE OPENING OF THE 24TH WHOLLY ELECTED LEGISLATURE OF THE YUKON TERRITORY. I KNOW YOU SHARE WITH ME A SENSE OF PRIVILEGE AT BEING A PARTICIPANT IN THE SIGNIFICANT EVOLUTIONARY STEPS THAT THE CHANGES IN THIS LEGISLATURE REPRESENT.

YOU ARE ALL TO BE CONGRATULATED ON HAVING THE TRUST AND CONFIDENCE OF YOUR CONSTITUENTS AND I KNOW YOU ARE AWARE OF THE HEAVY RESPONSIBILITY WHICH HAS BEEN PLACED UPON YOUR SHOULDERS. I CONGRATULATE YOU, MR. SPEAKER, ON BEING CHOSEN BY YOUR COLLEAGUES TO REASSUME YOUR IMPORTANT POSITION.

THIS NEW LEGISLATURE REPRESENTS A SIGNIFICANT TURNING POINT IN THE HISTORY OF THE TERRITORY. OF PARTICULAR NOTE IS THE WELCOME AND LONG OVERDUE ENTRY TO THESE CHAMBERS OF REPRESENTATIVES OF THE NATIVE PEOPLE OF THE YUKON. YOUR PRESENCE HERE HERALDS A NEW BEGINNING TO THE DIFFICULT BUT VITAL TASK OF FINDING THE MEANS WITHIN OUR SOCIETY TO ACCOMMODATE THE DIFFERENCES WHICH EXIST AMONG US WITHOUT DESTROYING THE ESSENTIAL ELEMENTS OF NATIVE LIFE.

THE EXPANSION OF THE LEGISLATURE FROM 12 TO 16 MEMBERS ENHANCES REGIONAL REPRESENTATION THROUGHOUT THE YUKON. THE INCREASE HAS ALSO MADE POSSIBLE THE HISTORIC DECISION OF MANY MEMBERS TO ORGANIZE THEMSELVES INTO POLITICAL PARTIES. I AM CONFIDENT THAT THIS DEVELOPMENT WILL LEAD TO MORE DISCIPLINED AND CONSTRUCTIVE DEBATE IN THE LEGISLATURE AND THAT IT WILL MAKE POSSIBLE A CLOSER AND MORE EFFECTIVE WORKING RELATIONSHIP BETWEEN THE LEGISLATURE AND THE EXECUTIVE BRANCHES OF GOVERNMENT.

IN THIS REGARD, I THINK WE ARE FORTUNATE, IN OUR FIRST EXPERIENCE WITH THE PARTY SYSTEM, TO HAVE ONE PARTY WITH A MAJORITY OF THE SEATS. THIS SHOULD CONTRIBUTE IMMENSELY TO THE STABILITY OF GOVERNMENT IN THE CHALLENGING PERIOD BEFORE US.

THE LEGISLATURE, IN TURN WILL BE FURTHER STRENGTHENED BY THE RECENTLY COMPLETED STEPS TO PROVIDE YOU WITH YOUR OWN STAFF UNENCUMBERED WITH RESPONSIBILITIES TO THE EXECUTIVE.

I WOULD ALSO LIKE TO TAKE THIS OPPORTUNITY ON BEHALF OF ALL YUKONERS TO PAY TRIBUTE TO THE DEPARTING MEMBERS OF EXECUTIVE COMMITTEE WHO HAVE GIVEN SO MUCH OF THEMSELVES IN THE SERVICE OF THE YUKON PUBLIC. I KNOW ALL MEMBERS, REGARDLESS OF PARTISAN DIFFERENCES, APPRECIATE THE INTEGRITY AND DILIGENCE THEY HAVE BROUGHT TO THEIR TASK. I SHALL BE ASKING YOU TO NOMINATE FOUR OF YOUR MEMBERS TO THE NEW EXECUTIVE COMMITTEE AND THREE TO THE ADVISORY COMMITTEE ON FINANCE.

ON A PERSONAL NOTE, I WOULD LIKE TO THANK ALL YUKONERS AND IN PARTICULAR THE PUBLIC SERVANTS AND MEMBERS OF THE OUTGOING EXECUTIVE COMMITTEE FOR THE UNFAILING COURTESY AND CO-OPERATION EXTENDED TO ME DURING MY TENURE AS INTERIM COMMISSIONER. A NEW COMMISSIONER WILL BE CHOSEN SHORTLY AND IT IS THE INTENTION OF MY MINISTER, THE HONOURABLE HUGH FAULKNER, TO CONSULT THE NEW EXECUTIVE COMMITTEE IN THAT REGARD.

IN CLOSING, I WOULD LIKE TO CONGRATULATE YOU ONCE AGAIN AND ASSURE YOU THAT MY OFFICERS AND I STAND READY TO ASSIST YOU IN ANY WAY WE CAN.

The Commissioner then retired from the Chamber.

Mr. Speaker resumed the Chair and called the House to order.

Mr. Speaker informed the Assembly that, in order to prevent mistakes, he had obtained a copy of the Speech from the Throne which was laid upon the Table.

(Sessional Paper No.1)

Moved by Mr. Lang, seconded by Mrs. McCall:

THAT Geoffrey Lattin, Member
for Whitehorse North Centre, be appointed
Deputy Speaker and Chairman of Committee
of the Whole. *(Motion No. 2)*

The question being put, it was agreed to.

Moved by Mr. Falle, seconded by Mr. Hanson:
 THAT Doug Graham, Member
 for Whitehorse Porter Creek West, be
 appointed Deputy Chairman of Committee
 of the Whole. *(Motion No. 3)*

The question being put, it was agreed to.

Returns, Reports and Papers Tabled

The following Sessional Paper was laid upon the Table
 Speech from the Throne (78-2-1)

 The Assembly adjourned at 3:45 o'clock p.m. until Thursday,
December 14, 1978 at 10:00 o'clock a.m.

N O. 2

24th Legislative Assembly

First Session

Thursday, December 14, 1978

The Speaker took the Chair at 10:00 a.m.

MOTIONS:

1. Moved by Mr. Graham, seconded by Mr. Lattin:

THAT it is the recommendation of this Assembly that the Honourable Members Mr. Pearson, Mr. Lang, Mr. Njootli and Mr. Tracey be appointed to serve in the Executive Committee of the Government of Yukon *(Motion No. 4)*

A debate arising, and the question being put, it was agreed to on the following recorded division.

YEAS

Pearson
Lang
Hibberd
Lattin

Njootli
Graham
McCall
Tracey

Falle
Hanson

10

NAYS

MacKay
McGuire

Penikett
Fleming

Byblow
5

2. Moved by Mrs. McCall, seconded by Mr. Falle:

THAT it is the recommendation of this Assembly that the Honourable Members Mr. Pearson, Mr. Lang and Mr. Tracey be appointed to the Advisory Committee on Finance. *(Motion No. 5)*

The question being put, it was agreed to.

3. Moved by Mr. Njootli, seconded by Mr. Pearson:

THAT the Honourable Members Mr. Lang, Mr. Lattin, Mrs. McGuire, Mr. Graham and Mr. Penikett be appointed to a Standing Committee on Rules, Elections and Privileges;
THAT the Honourable Member Mr. Graham be Chairman of the said Committee;
THAT the said Committee have the power to call for persons, papers and records, to sit during intersessional periods and to report from time to time;
THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee; and
THAT the Committee undertake a complete review of the Standing Orders of the Yukon Legislative Assembly and report its recommendations for any amendments at the commencement of the next sitting of the Assembly. *(Motion No. 6)*

The question being put, it was agreed to.

4. Moved by Mr. Tracey, seconded by Mr. Lattin:

THAT a Members' Services Board be struck consisting of the Speaker, Mr. Pearson and Mr. MacKay;
THAT the Speaker be Chairman of the said Board; and

THAT the said Board will assist the Speaker on matters of Assembly organization including:

1. Selection of the Clerk of Assembly
2. Recommendation of appropriate salaries for the Clerk, Clerk Assistant and Law Clerk in accordance with salaries of House Officers in other jurisdictions.
3. Approval of Estimates of the Legislative Assembly vote
4. Consideration of policy questions concerning matters of Assembly organization such as
 - (a) Legislative research services
 - (b) Space allocation
 - (c) Expansion or reduction of staffing
 - (d) Caucus Funding
 - (e) Press Gallery House Rules
 - (f) Seating in the Assembly
 - (g) Hansard
5. Preparation of an annual report of the Legislative Assembly Office to be tabled in the Assembly. *(Motion No. 7)*

The question being put, it was agreed to.

5. Moved by Mr. Penikett, seconded by Mr. MacKay:

THAT it is the opinion of this House that a session of the Legislature should be called as soon as possible for the purpose of amending the Taxation Ordinance. *(Motion No. 8)*

A debate arising, and the question being put, it was agreed to.

6. Moved by Mr. Pearson, seconded by Mr. Taylor:

THAT it is the opinion of this Legislature that the Minister of Indian Affairs and Northern Development should immediately amend the instructions to the Commissioner relative to appointments to and terminations from the Executive Committee of elected Members and instruct the Commissioner to act directly upon the advice of the majority leader in the Legislature in respect to such appointments or terminations. *(Motion No. 9)*

A debate arising, and the question being put, it was agreed to.

The Clerk of the Assembly then announced prorogation as follows:

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

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First Session

24th Legislature

YUKON LEGISLATIVE ASSEMBLY

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Yukon Legislative Assembly

Vol. 1

1st. Session

24th Legislature

14 DEC 1978

Debates & Proceedings

Wednesday, December 13, 1978

Speaker: The Honourable Donald Taylor

Whitehorse, Y.T.

Wednesday, December 13, 1978.

THE FIRST SESSION OF THE TWENTY-FOURTH LEGISLATIVE ASSEMBLY OF YUKON CONVENED IN THE ASSEMBLY CHAMBERS AT 3:00 P.M. ON WEDNESDAY, DECEMBER 13, 1978.

The Members present were:

The Honourable C. Pearson
 The Honourable D. Lang
 The Honourable D. Graham
 The Honourable J. Hibberd
 The Honourable M. McCall
 The Honourable G. Lattin
 The Honourable G. Njootli
 The Honourable H. Tracey
 The Honourable A. Falle
 The Honourable D. Taylor
 The Honourable P. Hanson
 The Honourable I. MacKay
 The Honourable A. McGuire
 The Honourable T. Penikett
 The Honourable R. Fleming
 The Honourable M. Byblow

Mr. Clerk: To all to whom these presents shall come or whom the same may in any wise concern know ye that under and by virtue of the power and authority vested in the Commissioner of the Yukon Territory, the Yukon Legislative Assembly is summoned to meet for dispatch of business in the Legislative Assembly Chambers, Whitehorse, Yukon Territory, on Wednesday, the 13th day of December, 1978, at the hour of 3:00 p.m. All of which all persons concerned are required to take notice and govern themselves accordingly.

Given under my hand and the Seal of the said Territory, at Whitehorse, this 11th day of December, A.D. 1978, F.B. Fingland, Commissioner of the Yukon Territory.

(The Commissioner enters the Chambers, announced by his Aide-de-Camp)

Mr. Clerk: I am commanded by the Commissioner, in his role as Lieutenant-Governor, to state that he does not see fit to declare the causes of the summoning of the present Assembly of this Territory until a Speaker of this Assembly shall have been chosen according to law but today, at a subsequent hour, he will declare the causes of the calling of this Assembly.

(The Commissioner leaves the Chamber, escorted by his Aide-de-Camp)

Mr. Clerk: Would you care to proceed at this time with the election of the Speaker?

Mr. Pearson: I move, seconded by the Honourable Member for Whitehorse Riverdale South, THAT Donald Taylor, Member for Watson Lake, do take the Chair of this Assembly as Speaker.

Mr. Clerk: It has been moved by the Honourable Member for

Whitehorse Riverdale North, seconded by the Honourable Member for Whitehorse Riverdale South, THAT Donald Taylor, Member for Watson Lake, do take the Chair of this Assembly as Speaker.

Those in favour of the motion say "aye".

Some Members: Aye.

Mr. Clerk: Those of the contrary opinion, please say "no".

I think the "ayes" have it and by direction of the Assembly, declare that Donald Taylor, Member for Watson Lake, is duly elected as Speaker of this Assembly.

Mr. Speaker: I would at this time, beg to express to the House my grateful thanks, the great honour they have bestowed upon me.

Mr. Clerk, would you please advise the Commissioner, in his role as Lieutenant-Governor, that the Assembly is now prepared to hear the Speech from the Throne.

(Clerk exits to summon Commissioner and return)

(The Commissioner enters the Chambers, announced by his Aide-de-Camp)

Mr. Speaker: We will now receive the Speech from the Throne.

Mr. Speaker: Sir, the Legislative Assembly have elected me as their Speaker, although I am but little able to fulfill the important duties thus assigned me. If, in the performance of these duties, I should at any time fall into error, I pray that the fault may be imputed to me and not to the Assembly, whose servant I am and who, through me, the better to enable them to discharge their duty to their Queen and country, hereby claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to your person at all reasonable times and that their proceedings may receive from you the most favorable construction.

Mr. Commissioner: Mr. Speaker, I am pleased to declare to you that I freely confide in the duty and attachment of the Assembly and not doubting that the Assembly's proceedings will be conducted with wisdom, temper and prudence, I grant, and upon all occasions will recognize and allow the Assembly's constitutional privileges. I assure you that the Assembly shall have ready access to me upon all reasonable occasions, and that the Assembly's proceedings, words and actions will constantly receive from me that most favorable construction.

Mr. Speaker, Members of the Legislature, it is a particular honour for me, having administered the Oaths of Office to you, to now welcome you to the opening of the 24th Wholly Elected Legislature of the Yukon Territory. I know you share with me a sense of privilege at being a participant in the significant evolutionary steps that the changes in this Legislature represent.

You are all to be congratulated on having the trust and confidence of your constituents and I know you are aware of the heavy responsibility which has been placed upon your shoulders. I congratulate you, Mr. Speaker, on being chosen by your colleagues to reassure your important position.

This new Legislature represents a significant turning point in the history of the Territory. Of particular note is the welcome and

long overdue entry to these Chambers of representatives of the Native people of the Yukon. Your presence here heralds a new beginning to the difficult but vital task of finding the means within our society to accommodate the differences which exist among us without destroying the essential elements of Native life.

The expansion of the Legislature from 12 to 16 Members enhances regional representation throughout the Yukon. The increase has also made possible the historic decision of many Members to organize themselves into political parties. I am confident that this development will lead to more disciplined and constructive debate in the Legislature and that it will make possible a closer and more effective working relationship between the Legislature and the executive branches of government.

In this regard, I think we are fortunate, in our first experience with the party system, to have one party with a majority of the seats. This should contribute immensely to the stability of government in the challenging period before us.

The Legislature, in turn, will be further strengthened by the recently completed steps to provide you with your own staff unencumbered with responsibilities to the Executive.

I would also like to take this opportunity on behalf of all Yukoners to pay tribute to the departing Members of Executive Committee who have given so much of themselves in the service of the Yukon public. I know all Members, regardless of partisan differences, appreciate the integrity and diligence they have brought to their task. I shall be asking you to nominate four of your Members to the new Executive Committee and three to the Advisory Committee on Finance.

On a personal note, I would like to thank all Yukoners and in particular the public servants and Members of the outgoing Executive Committee for the unfailing courtesy and co-operation extended to me during my tenure as interim Commissioner. A new Commissioner will be chosen shortly and it is the intention of my Minister, the Honourable Hugh Faulkner, to consult the new Executive Committee in that regard.

In closing, I would like to congratulate you once again and assure you that my officers and I stand ready to assist you in any way we can.

Mr. Speaker: At this time I will now call the House to order.

We will proceed at this time with Prayers.

(Prayers)

Mr. Speaker: I beg to inform the Assembly at this time that in order to prevent mistakes, I have obtained a copy of the Throne Speech, which I would now lay on the Table.

Now, as required by Standing Order 34, I will now ask the House to elect a Deputy Speaker.

Mr. Lang: Mr. Speaker, I move, seconded by the Honourable Member from Klondike, THAT Geoffrey Lattin, Member for Whitehorse North Centre, be appointed Deputy Speaker and Chairman of Committee of the Whole.

Mr. Speaker: It has been moved by the Honourable Member from Porter Creek East, seconded by the Honourable Member from Klondike, THAT Geoffrey Lattin, Member for Whitehorse North Centre, be appointed Deputy Speaker and Chairman of Committee of the Whole.

(Motion agreed to)

Mr. Falle: I move that Doug Graham, Member for Whitehorse Porter Creek West, be appointed Deputy Chairman of Committee of the Whole.

Mr. Speaker: It has been moved by the Honourable Member from Hootalinqua, seconded by the Honourable Member from Mayo, that Doug Graham, Member for Whitehorse Porter Creek West, be appointed Deputy Chairman of Committee of the Whole.

(Motion agreed to)

Mr. Speaker: May I offer my congratulations to the Deputy Speaker and the Chairman of Committee of the Whole.

May I have your further pleasure at this time.

Mr. Graham: Mr. Speaker, I would like to give Notice of Motion, moved by myself, seconded by the Member from Whitehorse North Centre, THAT it is the recommendation of this Assembly that the Honourable Members Mr. Pearson, Mr. Tracey, Mr. Lang and Mr. Njootli, be appointed to serve on the Executive Committee for the Government of Yukon.

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

Mrs. McCall: Mr. Speaker, I would like to give Notice of Motion, moved by myself and seconded by the Honourable Member from Hootalinqua, THAT it is the recommendation of this Assembly that the Honourable Members Mr. Pearson, Mr. Lang and Mr. Tracey be appointed to the Advisory Committee on Finance.

Mr. Njootli: Mr. Speaker, I would like to give Notice of Motion, seconded by the Honourable Member from Riverdale North, THAT the Honourable Members Mr. Lang, Mr. Lattin, Mrs. McGuire, Mr. Graham and Mr. Penikett be appointed to a Standing Committee on Rules, Elections and Privileges;

THAT the Honourable Member, Mr. Graham be Chairman of the said Committee:

THAT the said Committee have the power to call for persons, papers and records, to sit during the intersessional periods and to report from time to time;

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee;

THAT the Committee undertake a complete review of the Standing Orders of the Yukon Legislative Assembly and report its recommendations for any amendments at the commencement of the next sitting of the Assembly.

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

Mr. Tracey: I would like to give Notice of Motion, seconded by the Honourable Member for Whitehorse North Centre, THAT a Members' Services Board be struck consisting of the Speaker, Mr. Pearson and Mr. MacKay; and

THAT the Speaker be the Chairman of the said Board; and

THAT the Board will assist the Speaker on matters of Assembly organization, including:

1. Selection of the Clerk of the Assembly;
2. Recommendation of appropriate salaries for the Clerk, Clerk Assistant and Law Clerk, in accordance with salaries of House Officers in other jurisdictions.
3. Approval of Estimates of the Legislative Assembly vote.
4. Consideration of policy questions concerning matters of the Assembly organization, such as:
 - (a) Legislative research services;
 - (b) Space allocation;
 - (c) Expansion or reduction of staffing;
 - (d) Caucus Funding;
 - (e) Press Gallery House Rules;
 - (f) Seating in the Assembly;
 - (g) Hansard.
5. Preparation of an annual report of the Legislative Assembly Office to be tabled in the Assembly.

Mr. Penikett: Mr. Speaker, I would like to give Notice of Motion, moved by myself and seconded by the Honourable Member for Whitehorse Riverdale South, THAT IT IS THE OPINION OF THIS HOUSE that a Session of the Legislature should be called as soon as possible for the purpose of amending the *Taxation Ordinance*.

Mr. Speaker: Any further Notices of Motion?

Mr. Pearson: Mr. Speaker, I would like to give Notice of Motion, seconded by the Member from Watson Lake, THAT IT IS THE OPINION OF THIS LEGISLATURE, that the Minister of Indian Affairs and Northern Development should immediately amend the instructions to the Commissioner relative to appoint-

ments to and terminations from the Executive Committee of elected Members, and instruct the Commissioner to act directly upon the advice of the Majority Leader in the Legislature, in respect to such appointments or terminations.

Mr. Speaker: Any further Notices of Motion?

May I have your further pleasure.

Dr. Hibberd: Mr. Speaker, I would ask unanimous consent of the House to waive Standing Order Number 34, so that we might proceed with Motions at this time, Motions numbering 1 through 5 proposed today, and Numbers 1 through 4 and 6, the Motions proposed from this side of the House, Mr. Speaker.

Mr. Speaker: Is there unanimous consent to waive Standing Order 34 and proceed with Motions at this time?

Some Members: Agreed.

Some Members: Disagreed.

Mr. Speaker: Does the Chair hear disagreement?

Some Members: Disagreed.

Mr. Speaker: Unanimous consent has not been granted.

Mr. Lang: Yes, Mr. Speaker, I would move that the House adjourn.

Mr. Hanson: I second that.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek East, seconded by the Honourable Member from Mayo, that this House do now adjourn.

(Motion agreed to)

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

(Adjourned)



Yukon Legislative Assembly

Vol. 2

1st. Session

24th Legislature

Debates & Proceedings

Thursday, December 14, 1978

Speaker: The Honourable Donald Taylor

Whitehorse, Yukon Territory
Thursday, December 14, 1978

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

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

ROUTINE PROCEEDINGS

Are there any Tablings of Documents?
Reports of Committees?
Petitions?
Introduction of Bills?
Notices of Motion for the Production of Papers?
Notices of Motion or Resolution?

Question re: Commissioner's Terms of Reference

There are no Statements by Ministers, I do believe. Are there any Questions?

QUESTION PERIOD

Hon. Mr. MacKay: Yes, Mr. Speaker, I have a question for the Government leader, the Honourable Member from Riverdale North. In the Speech from the Throne, we were told yesterday that the Minister of Indian Affairs intends to consult with the Executive Committee, with respect to the appointment of the new Commissioner. Since, during the election campaign, the Progressive Conservative Party repeatedly called for the reduction of the responsibilities of the Commissioner and the transfer of these responsibilities to the elected Members of the Executive Committee, even to the extent of provincial status, will the Government Leader make a statement to reassure Yukoners now that no additional tax burdens will result from any transfer of responsibilities or rewording of the Commissioner's terms of reference, in the forthcoming meeting?

Mr. Speaker: Order, please. Before the question is answered, it is rather unusual for one Member, to — as a matter of fact, it is quite contrary to the rules for one private member to ask a question of another private member.

The Chair would hope that by perhaps exercising a little latitude in this case, that this may not be considered to be a precedent in any way in the future function of the House, inasmuch as such questions are, in fact, very rarely allowed by a Speaker.

I think, in this case, because of the uniqueness of this situation, I would permit, perhaps, one or two questions, but I think the Chair would be remiss to permit an open question period at this time, inasmuch as the House has no knowledge of any Government having yet been formed.

Dr. Hibberd: On a point of order, Mr. Speaker, I realize the Speaker has made a ruling on this, but I would like to point out to the House and to the Speaker that our Standing Orders do not permit a Member to address a question to another private member, which is precisely what is meant by this question at the present time.

There is, in actuality, no government leader as yet, because the motion has yet to be passed by this Assembly. We are all private members until that motion is passed and I would suggest, Mr. Speaker, that the question is out of order until the question is properly directed.

Question re: Commissioner's Presence.

Mr. Fleming: I have a question this morning, too. I am in the same boat as the Honourable Member below me, in having no one to ask that question to.

However, I would ask that Mr. Speaker whether that Mr.

Commissioner may be here this morning to answer questions, as I have questions that I could ask, Mr. Speaker.

Mr. Speaker: Just for the edification of all Members, I should perhaps, before answering both questions, read the Annotation 366. "Questions may be asked of private Members only under strict limitations. Virtually, the only question possible would refer to a Committee of which the member is the chairman. A question asking, for example, if a member intended to introduce certain legislation is out of order.

Also, "a question may not be asked of a former Minister seeking information with regard to transactions during his term of office."

The question raised by the Honourable Member from Whitehorse South Centre is a valid one and, perhaps, the Chair may find a way of dealing with this question.

In response to the Honourable Member from Campbell, the Commissioner is not, indeed, a Member of this House and cannot be summoned by this House in his role as Commissioner. If this was to be done, this must be done by notice being duly given and with approval of a majority of the House in the normal manner.

In response once again to the Honourable Member from Whitehorse South Centre, there are strict limitations, of course. I have cited that there are certain unique circumstances that we face this morning. I think, inasmuch as these points have been raised, I will allow the question raised by the Honourable Leader of the Opposition, but I will not require that the Honourable Member from Whitehorse Riverdale North answer unless the Honourable Member so chooses.

I would ask all Members of the House to consider this position for the balance of this question period.

Mr. Pearson: Thank you, Mr. Speaker. Mr. Speaker, it is a fact that we, as a Party, have advocated the reduction in the responsibilities of the Commissioner. We have a very, very definite plan and we think the Commissioner fits into it, how he fits into it. It is part of what we see as the evolutionary formation of responsible government in the Territory. I cannot guarantee that it will not cost the taxpayers of the Yukon money, because I think, probably in the end, it will cost money. It is just a fact of life.

I cannot say that whatever transfers are made will automatically not ever, in the future, cost us money.

Question re: Inflation and High Cost of Living

Mr. Penikett: Mr. Speaker, I, too, would like to direct a question to the Majority Party Leader in this House.

In the final desperate days of the Yukon General Election campaign, the Conservative Party proposed to cut inflation, unemployment and the high cost of living. At the time, the Party neglected to provide the public with any details. May I ask the Government House Leader, now, exactly what they specifically propose to do about inflation and the high cost of living?

Speaker: I think, before answer, that, once again, I must state that this perhaps ought to be the last question directed at this time. However, I will also leave the prerogative of answering the question to the Honourable Member from Whitehorse Riverdale North.

I must then, under these circumstances, declare that the Question Period is now over.

We will now proceed to Motions and Resolutions.

ORDERS OF THE DAY

MOTIONS AND RESOLUTIONS

Mr. Clerk: Item Number 1, standing in the name of the Honourable Mr. Graham.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse Porter Creek West, seconded by the Honourable Member from Whitehorse North Centre, THAT it is the recommendation of this Assembly that the Honourable Members Mr. Pearson, Mr. Lang, Mr. Njootli and Mr. Tracey be appointed to serve on the Executive Committee of the Government of Yukon.

Is there any debate?

Dr. Hibberd: Yes, Mr. Speaker, I would like to speak to this motion, particularly because there have been stories appearing in the media about a possible rift in this Party and my name has, indeed, been linked to this.

This is entirely untrue, Mr. Speaker. This motion refers to the appointment to the Executive Committee of Messrs. Pearson, Lang, Njootli and Tracey. To my mind, Mr. Speaker, these selections are excellent. I look forward to the leadership they will provide this Government. The Members named in this Resolution have my total support and the total support of this Party.

I would also expect they have the full fledged support of the Members opposite, so that we may pass this Motion unanimously.

Mr. Fleming: Yes, Mr. Speaker, I, too, am going to speak on the Motion. The Member opposite me that wishes for unanimous support is going to be very disillusioned because it is not going to happen.

Dr. Hibberd: You had better change, Bob.

Mr. Fleming: I would like to have stood here, Mr. Speaker, and been able to give unanimous support to this Motion, if it had been brought about by the proper procedure, which I think should have been done in the Yukon Territorial Council today.

However, there has been a party system brought into the Council and, as you saw a few moments ago, it just did not work very well and it is not going to work too well in the future, I do not think, until such time as the *Yukon Act* is changed and until such time as the Minister agrees that across the table from me is the government and we can stand here and call them the government.

I am prepared to do that. I am prepared to back that government at any time when they are a government. As it stands today, each one of those Members across the table are merely a member in the Council of the Yukon Territory, such as myself, with all the rights and privileges of a member and as a councillor, and not as government, if they wish to try to crowd the issue that way.

These recommendations were made, or have been made by a member of this Council and I had no hand whatsoever in picking who may be chosen to be a Minister or, it looks as if I may have no hand also in saying what position that Minister might take, in this motion.

I think that we have done the same thing, Mr. Speaker, as we have done for the last four years when I was here before, with the cart ahead of the horse.

If this group, who consists of eleven members in this Council, who were elected by the majority of the people in the Yukon Territory to act as such, would have come to other members of this Council and said, "Look, we are in this position," which they know they are in, as not being government but play-acting at government and being accepted, in some cases, by the media, which is false, as being more or less the government. I hope the media is listening because I am speaking facts.

It could have been an entirely different situation, the motion that is before us now, to elect these members and have the Commissioner appoint them to these jobs, is, in my opinion, about a week early, this motion.

The first thing that this Council should be doing, and especially with new members who do not know the *Yukon Act* and know what is going on, is to speak to the Minister and maybe get some sympathy from the Minister and be called a government and be able to possibly even elect their own Executive Committee. I would not disagree with that, if the Minister first recognized them as a government.

Consequently, I am sitting here doing practically the same thing as we did before, electing Ministers whom I do not hardly know yet, whom I met yesterday, to run the Government of the Yukon Territory.

They are all in the position of acting now as if they were government and I resent that because of the fact, in the *Yukon Act*, they are not the government. I quote to you, Mr. Speaker, the very beginning, in the Ordinance, Section 2.(1):

"The Executive Committee means Executive Committee of the Yukon Territory".

That is the four members we are voting on now. To get those members in the first place, we had to have something through the *Yukon Act* or from the Minister.

The only thing we have from the Minister is Section 4, of the *Yukon Act*. "The Commissioner shall administer to the Government of the Yukon Territory, under instructions from time to time given to him by the Governor-in-Council or the Minister". That is all that is in there.

From there we go to where, I presume, because I have never seen it, Mr. Speaker, but I am presuming there is, somewhere, a letter of some type, or, maybe it was a telephone call, I do not know what it was, but that is the only way he could have done this.

The Commissioner then made Commissioner's Order 1977/265, and I quote: "There shall be an Executive Committee of the Yukon Territory who assist the Commissioner in the administration of the Government of the Territory to consist of the Commissioner as Chairman, and five members appointed by him to hold office during pleasure, four of whom shall be members of the Council of the Yukon Territory, recommended by motion of the said Council, and the Deputy Commissioner".

Now, we are doing that very thing, in that sense, but, to this time, I have had no opportunity to vote, or otherwise, on any one of those Executive Members and once they are sworn in, Mr. Speaker, I want this very well thought over by the new members in this Council, and especially by that group across the table who are going to be trying to act as government, without the real authority to be government, that they are sworn to secrecy and what they tell you, as Executive Members, should be exactly what they should be telling me and nothing more and nothing less,

I trust most people and I am not so naive, Mr. Speaker, as to think that a government party is going to uphold the rules too strongly.

Mr. Speaker, I will exercise my right here, now, at this time. I will be voting "no" against the motion.

Hon. Mr. MacKay: Mr. Speaker, I, too, will have to submit that I will be voting "no" to this resolution. I do not want the Members opposite to feel that this is because of the answers to the question, the one question that we were permitted, or the lack of answer to the second question.

It is, in fact, a difficult dilemma. We should not be here today, really, discussing this appointment. We should be presented in the House with the Executive Committee, as selected by the Government side.

For me to vote in favour of this would indicate two things: that perhaps I had something to do with the selection, which I had nothing to do with, and secondly, that I might be responsible for them for the next four years, which I have no intention of being.

I have heard tell that perhaps it is possible to abstain, although I think this might be a rather disastrous course in the selection of the Executive Committee, which has happened in the past. So, I feel, therefore, that my vote will be "no".

Mr. Speaker: Is there any further debate?

Some Members: Division.

Mr. Speaker: Division has been called.

Normally, when division is called, perhaps we are all a little ahead of ourselves in proceedings, but when division is called, a three minute time period is allowed. But as the Chair noted that all Members are in their place, we will dispense, at this time, with the three minutes for bells and I would ask Mr. Clerk, would you poll the House.

Perhaps the Honourable Members could say "yea" or "nay", as to whether they are in favour or nay.

Mr. Hanson: Yea.

Mrs. McCall: Aye.

Mr. Falle: Aye.

Mr. Graham: Yea.

Dr. Hibberd: Agreed.

Mr. Lattin: Agreed.

Hon. Mr. Njootli: Agreed.

Hon. Mr. Pearson: Agreed.

Hon. Mr. Tracey: Agreed.

Hon. Mr. Lang: Agreed.

Mr. Byblow: Disagree.

Mr. Fleming: Disagree.

Mrs. McGuire: Disagree.

Hon. Mr. MacKay: Disagree.

Mr. Penikett: Disagree.

Mr. Clerk: Mr. Speaker, the results are 10 "yea", five "nay".

Mr. Speaker: I must then declare that Resolution Number 4 has carried.

(Motion agreed to)

Mr. Clerk: Item Number 2, standing in the name of the Honourable Mrs. McCall.

Mr. Speaker: It has been moved by the Honourable Member from Klondike, seconded by the Honourable Member from Hootalinqua, THAT it is the recommendation of this Assembly that the Honourable Members Mr. Pearson, Mr. Lang and Mr. Tracey, be appointed to the Advisory Committee on Finance.

Is there any debate?

Some Members: Agreed.

Some Members: Disagreed.

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

(Motion agreed to)

Some Members: Division.

Mr. Speaker: Division should be called, for the edification of all Members, if there is a disagreement, division ought to be called and division will then be carried, but when the Chair has decided the question, then it is not possible to call a division.

Mr. Fleming: On a point of privilege, Mr. Speaker, I would hope that Mr. Speaker does enact his duties by taking time enough to allow members to make up their minds just as to how they will vote in the House.

Mr. Speaker: The Chair is attempting to be as impartial as possible under these circumstances and in all circumstances, for that matter, but we do have rules we must abide by.

Dr. Hibberd: Mr. Speaker, these are motions and the whole idea of the Order Paper is that Members are given 24 hours' notice to have a good look at it and you should be making up your minds sometime in that 24 hours.

Mr. Speaker: Order, please, order, please. Perhaps we can dispense with this debate and proceed on the Order Paper as per the rules of the House.

Mr. Clerk: Item Number 3, standing in the name of the Honourable Mr. Njootli.

Mr. Speaker: It has been moved by the Honourable Member from Old Crow, seconded by the Honourable Member from Whitehorse Riverdale North, THAT the Honourable Members Mr. Lang, Mr. Lattin, Mrs. McGuire, Mr. Graham and Mr. Penikett be appointed to a Standing Committee on Rules, Elections and Privileges; and

THAT the Honourable Member Mr. Graham be chairman of the said committee;

THAT the said committee have the power to call for persons, papers and records, to sit during inter-sessional periods and to report from time to time;

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the Committee and that the Committee undertake a complete review of the Standing Orders of the Yukon Legislative Assembly and report its recommendations for any amendments at the commencement of the next sitting of the Assembly.

Is there any debate?

(Motion agreed to)

Mr. Clerk: Item Number 4, standing in the name of the Honourable Mr. Tracey.

Mr. Speaker: It has been moved by the Honourable Member from Tatchun, seconded by the Honourable Member from Whitehorse North Centre, a Members' Services Board be struck, consisting of the Speaker, Mr. Pearson and Mr. MacKay;

THAT the Speaker be chairman of the said board; and

THAT the said board will assist the Speaker on matters of Assembly organization, including:

(1) selection of the Clerk of Assembly;

(2) recommendation of appropriate salaries for the Clerk, the Clerk Assistant, and Law Clerk, in accordance with salaries of House officers in other jurisdictions;

(3) approval of estimates of the Legislative Assembly vote;

(4) consideration of policy questions concerning matters of Assembly organization, such as

(a) legislative research services;

(b) space allocation;

(c) expansion or reduction of staffing;

(d) caucus funding;

(e) press gallery house rules;

(f) seating in the Assembly;

(g) Hansard; and

(5) Preparation of an Annual Report of the Legislative Assembly Office, to be tabled in the Assembly.

Is there any debate?

(Motion agreed to)

Mr. Clerk: Item Number 5, standing in the name of the Honourable Mr. Penikett.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse West, seconded by the Honourable Member from Whitehorse Riverdale South, THAT IT IS THE OPINION OF THIS HOUSE that a Session of the Legislature should be called as soon as possible for the purpose of amending the *Taxation Ordinance*.

Mr. Penikett: Mr. Speaker, I am especially pleased to make this my maiden speech, as I have been a practising, but reluctant political virgin for some years now. In fact, I think I have offered myself for election to this place more times than any other member of this House, with the obvious exception, of course, of Mr. Speaker.

I would, at this time, like to express my gratitude to the people of Whitehorse West for opening their arms to me at this time.

Mr. Speaker, Yukon property taxes have become something like the weather. Everybody talks about them, but nobody does anything about it. There are great injustices in the property tax system as it now operates. Many Whitehorse taxpayers have been dealt with most unfairly last year and the injustices will be repeated this year, unless we act.

I believe this Legislature has an obligation to end these inequities as soon as we possibly can. As a result of the complaints that were heard from several classes of taxpayer last year, elderly residents of downtown Whitehorse, large acreage landowners, and certain types of businesses, the former Minister of Local Government established the Property Taxation Review Committee.

That committee completed its work under the Chairmanship of Mr. Miller, on time, in October of this year. By now, a review and some kind of preparation in the Public Service ought to have been underway towards implementing the substantial recommendations contained in that report.

The Ordinance, I submit, Mr. Speaker, needs an overhaul and it needs to be done with proper consideration for the rights of those who have been seriously affected by the existing law. We ought to be getting to work on it as soon as we possibly can, out of consideration to those people who have been adversely affected.

Members of this House might well ask how do we get into this property tax business, anyway? Well, it is a long story. Property taxation really goes back to the beginnings, as far as we know, of private land ownership itself.

On an organized basis, it is supposed to have begun in England, which is known as the Danegeld, which is a tax paid to the Danish Vikings, as a form of protection money.

By the year 1085, this levy had become such an important

source of revenue that William the Conqueror ordered the Great Inquiry into land and property. Amazingly, I would point out, for the record, this first general assessment was completed in less than one year and became known, appropriately enough, as the Domesday Book.

Over the years the system has now evolved and formalized to the point where we have the procedures as we know them today: the assessment, the appeal, the review, levy, and, ultimately, the collection of taxes.

Up until the end of the last century, the theory of property taxes, as a tax on wealth, was fairly relevant. Property ownership was a fairly good indication of a person's wealth and the tax burden could be distributed on a reasonably even basis. There was, in 19th Century society, a stable agricultural economy without the great variations and differences in wealth that we see today. In the 20th Century, that has changed. Expenditures by local governments have grown enormously. In fact, they have grown at a rate far faster than the tax base in recent years. As people all across North America have moved from the rural areas to the urban centres. The demand for services, streets, sewer, water, lights have continued to escalate. As a rule, most of the cost of these services has had to be paid for from property tax revenues.

For the last fifty years, at least, the property tax has been increasingly attacked as inequitable in that it was unrelated either to taxable capacity, ability to pay, or to the benefits received by individual taxpayers. More specifically, it tends to burden those of moderate and lower incomes because families in that income category have to pay a larger percentage of their budget on housing. For this reason, the property taxes come to be seen as an essentially regressive or unfair form of taxation. In fact, of all the forms of taxation in use in this country today, it is usually regarded as the most unfair.

Although this tax has been declining in significance in the budgets of municipalities, it still represents, in most North American communities, about two-thirds of the revenue.

Property taxes are best used to pay for hard municipal services like sewer, water, roads, street lighting, fire protection. They should not be used to pay for universal people services such as education, health and welfare. Ideally, property taxes should be used to pay for services to property which improve the value of that property and they should not be used to pay for services which are more suitably funded from more progressive forms of taxation.

Two hundred years ago, a very famous economist by the name of Adam Smith pointed out that one of the most important features of a satisfactory tax was its predictability or certainty as one of its characteristics. However, as we have seen in Whitehorse in this last year, I can think of one case where one person's taxes went from two hundred dollars to two thousand dollars, or in the neighbourhood of two thousand dollars, in one year. This characteristic has been brutally violent in the case of local property taxes, particularly where the effects of a general reassessment have not been accurately forecasted, and this, Mr. Speaker, is only one of the reasons for the dissatisfaction with the current assessment formula.

A present problem arose, Mr. Speaker, out of last year's general reassessment in Whitehorse. Last spring people were horrified when they discovered their property assessments had risen astronomically, some of them by hundreds of percentage points. The difficulty lies, Mr. Speaker, in the *Taxation Ordinance* and the apparent refusal by some of our political leaders to in fact deal, may I say "radically", amend that Ordinance. Just now, we have the new owners of Wolfe Creek properties quite rightly complaining that they are now being assessed three times the price they paid for those properties, clearly an absurdity.

Last year in Whitehorse we saw the following situation: a person living in a seventy thousand dollar property in Riverdale, forty thousand dollar property in Crestview and a five thousand dollar lot in MacPherson were all assessed and therefore taxed at comparable amounts. Not only were commercial properties assessed and taxed at the same rate as residential properties, but recent reassessment favoured improvement-intensive and commercial properties. In most large municipalities in Canada, the tax ratio is sixty per cent commercial and forty per cent residential. This is known in tax law as a balanced assessment. In Whitehorse, we have a complete inversion of this situation,

exactly the opposite is the case.

The rise in land, the value of land over the last few years, and the use of antiquated procedures for assessing improvements, have caused the situation. While land was assessed at one hundred per cent of market value, the improvements on it have been assessed between fifteen and twenty-five per cent, depending upon who you talk to. This unfair emphasis on land penalized those with large lots and gave an unwarranted tax break to those with expensive homes and elaborate buildings on their property.

What is particularly irksome about land values is that the supply of Yukon land does not meet demand. Both the federal and the territorial governments have created artificial situations, artificial shortages and driven up the price of land which benefits not only themselves from a tax point of view, but speculators. On the other hand, to inhibit speculation, the territorial government has sold land at development cost. The policy itself, of course, is self-defeating. It produces real absurdities when the same government assesses the same land at market value a few short months later. If the supply met the demand, then the development cost ought to more closely resemble the market value in more than one way. This is the greatest irony. The territorial government has profited from its own mistakes at the expense of the Yukon taxpayer.

In this territory, the assessment authority is the Yukon government. In Whitehorse, the taxing authority is the City of Whitehorse. We have a kind of situation where the territorial government catches the fish, then leaves the municipality to clean it and cook it before the territorial government takes its bite, which represents about one third, which makes up school taxes. That is another topic and I will not get on to that now.

The City of Whitehorse has made several very specific recommendations for amendments to the *Taxation Ordinance*. The Miller Committee has made several more, useful suggestions. Now, it is up to the territory to clean up its act. We cannot let, we just cannot, Mr. Speaker, let the current inequities continue.

If the majority argues, as well it might, that this whole business is enormously complicated and involved and that it will take time to prepare detailed amendments to the *Taxation Ordinance*, than let us consider another possibility. Let us take, very seriously, the recommendation of the City of Whitehorse, that we at least amend Section 50 of the *Taxation Ordinance* to allow municipalities the option of levying taxes for general purposes on the whole or any portion of the assessed value of either land or improvements subject to taxation.

This, Mr. Speaker, would at least allow the municipality, in the meantime, while, hopefully, the Government was preparing some substantial and serious amendments to the *Taxation Ordinance*, to temporarily moderate the unfair effects of serious shifts from improvements on the land that resulted from the last assessment.

As it is now, the City is stuck with a rigid formula that permits it only to divide the taxable assessment by its budget in order to establish its mill rate.

Under the existing situation, we could see in coming years, if nothing is done, another shift of the tax burden back to those who are improvement-rich and, at this point, there is no municipal device for correcting this imbalance,

Such an amendment, I submit, Mr. Speaker, would take almost no time to prepare and possibly even less time to debate.

Mr. Speaker, I say, why wait for Spring, let us do it now. In the long run, the Miller Report can serve as a basis for further amendments, The Committee review was brief, but thorough. Now it is up to the new Executive Committee to act.

Mr. Speaker, I say let us get on with it. I urge us to pass this resolution and demonstrate to the people of this Territory, to the concerned taxpayers, their concern, that our electoral promises were not empty, that we are committed to doing something about tax reform. Let us show that we care about the tax problems. Let us show that we can deal with difficult problems. Let us show that we can really govern this great land. This is not an issue which we can denounce Ottawa for or blame the Minister of Indian Affairs. This is a problem which was created right here. The solutions are right here.

I submit that the mature, responsible thing for this House to do will be to get to work on this particular piece of legislation, which

is causing so many injustices in this Territory, as soon as it possibly can.

Thank you, Mr. Speaker.

Mr. Speaker: Is there any further debate?

Mr. Fleming: Yes, Mr. Speaker, I rise in support of the motion. I realize that the Honourable Member was given quite a latitude. We almost amended it now, but, I think he is absolutely right in one instance and that is that this House should be called back as soon as possible, for this very reason, of course, and I have other reasons, which, in a sense, I am possibly not allowed to speak of on this motion.

The motion is to call the House back and I would hope that the Members opposite and especially the new Members now, and I realize the predicament they are in, because of the situation as it sits, and has for many years here, that you are a group now and I, possibly, realize that you, as new members, on such a motion as this, would not know which way to go, because your leader has not spoken or some such thing as this.

I would hope, I would even suggest at this time that there was a recess for those members to think it over, or talk to their leader, if necessary, as to which way they should vote on a motion like this, Mr. Speaker. I had an instance this morning that I wanted to ask a question here and that question could not be asked because of the predicament we are in. If this House was called back, I could ask that question.

This House has been without a Session since last Spring. It is now going on to Christmas. It is going to be going into February, possibly, depending on how the Members opposite feel or, actually, depending on how the Commissioner feels and whether he takes their proposals seriously or not, too.

I would like to be able to ask some of those questions. I would like to know what has been going on in the Government in the last six months, and I would like to know what is going to happen in the next month or two, before the Budget Session.

I am speaking now to new members across the table and here beside me, too, now. You are in a very precarious position because you do not know what the score is and I predict that you will not know what the score is when we come in for the Budget, unless we do have four or five or six days here, or maybe less or more, whatever it takes to do a few things, to become acquainted with what is going on, because as I have said this morning, you should know no more—

Mr. Speaker: Order, please. The Honourable Member should really properly be directing his remarks to the Chair.

Mr. Fleming: Well, Mr. Speaker—

Mr. Speaker: The Honourable Member may continue.

Mr. Fleming: The Honourable Members who have been newly elected will be in a very precarious position, when they come back to the House, if this motion is not passed, because they will not know what is going on in government, anymore than I myself will know, if the Executive Committee keep their Oath of Office, as I think they should.

So, therefore, I think we should come back for a few days and there are things, myself, as I say, that I would like to know and I would like to ask some questions on, I would also, maybe, bring a motion or two forward while I am here,

Consequently, as I said, Mr. Speaker, I think that we maybe should give them time to think a bit, before they vote on this motion, I will be voting for it myself,

Mr. Speaker: Is there any further debate?

Hon. Mr. Pearson: Mr. Speaker, I, too, rise in support of the motion. It is our intention to, as quickly as we can, deal with the apparent inequities in the Taxation Ordinance, whichever way is deemed to be most expedient,

I am sure that we will be delighted to support the motion.

Mr. Speaker: Is there any further debate?

(Motion agreed to)

Mr. Clerk: Item Number 6, standing in the name of the Honourable Mr. Pearson.

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

Watson Lake, THAT it is the opinion of this Legislature that the Minister of Indian Affairs and Northern Development should immediately amend the instructions to the Commissioner relative to appointments to and terminations from the Executive Committee of elected Members, and instruct the Commissioner to act directly upon the advice of the majority Leader in the Legislature, in respect to such appointments or terminations.

Hon. Mr. Pearson: Mr. Speaker, this motion, the importance of it has become apparent today. The Honourable Leader of the Opposition pointed out that we should not, really, have been dealing with Motion Number 1 today. It is not necessary. It is not proper procedure, however, we are bound by the rules in force at the present time.

This motion would simply eliminate that somewhat cumbersome item and I would suggest to the Opposition, may well have put us in a position to have been answerable for questions today, because, in theory, the Executive Committee, in fact, could have been in place as much as two weeks ago.

So, I do not think that I have any more to say on it, Mr. Speaker.

Mr. Penikett: Mr. Speaker, I, too, rise to speak in support of this motion. It seems to me that it brings the practice and procedures in line with those of other provincial governments within this country of ours. It is a mature and sensible, logical and timely proposal.

Hon. Mr. MacKay: I, too, rise in support of this motion. I would like to, perhaps, emphasize that, of course, what we are doing is making a recommendation to the Minister of Indian Affairs and Northern Development. This is not automatically what is going to happen, Mr. Speaker, if this motion is passed.

However, I would like to be on record as saying that this Opposition, supported by the Honourable Member to my left, is in support of this motion and I hope that the Minister of Indian Affairs will take heed of that.

Mr. Fleming: Yes, Mr. Speaker, I rise in a quandary, as usual. That should get some of the old Members.

I agree, in totality, I agree with the motion in itself, but I must say again that we have again put the cart ahead of the horse. We also, and I want this very clearly understood, that if this motion passes, you are taking the rights of some members of the Territorial Council to vote on these matters, which is in the *Yukon Act* and has never been changed. When we vote for this motion, we are giving you that right, Mr. Speaker, we are giving a group of people that right, without it being given by the Minister of Indian Affairs or the Government of Canada. Absolutely.

This motion gives the right to a majority in the House, without vote or without motion, in fact, to do this very thing.

I say again that we are going about these things the wrong way. The first motion that should have been here was to have the Minister of Indian Affairs declare that they could be considered the government and called the government, as such, because they were elected as a majority by the people of the Yukon. That should have been the first motion on the floor from the Party opposite. Then this motion, following it, if the Minister gave his approval and agreed to this type of thing, yes.

I will support the motion, with reservations, because I do not think the Minister will agree with it, without changing the *Yukon Act*, and do things that are to be done first, first, and then do things that are to be done second, third and fourth, in that order.

Mr. Speaker: Is there any further debate?

(Motion agreed to)

Mr. Speaker: It would then, at this time, appear to the Chair that this concludes the business before the House.

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

(Prorogued)