



# The Yukon Legislative Assembly

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Number 6

5th Session

24th Legislature

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## **HANSARD**

Thursday, April 1, 1982 — 1:30 p.m.

Speaker: The Honourable Donald Taylor

# Yukon Legislative Assembly

SPEAKER — Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER — Grafton Njootli, MLA, Old Crow

## CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Chris Pearson	Whitehorse Riverdale North	Government House Leader — responsible for Executive Council Office, Public Service Commission, Land Claims and Intergovernmental Relations.
Hon. Dan Lang	Whitehorse Porter Creek East	Minister responsible for Renewable Resources, Tourism and Economic Development.
Hon. Geoffrey Lattin	Whitehorse North Centre	Minister responsible for Municipal and Community Affairs, Highways and Public Works, Yukon Housing Corporation and Yukon Liquor Corporation
Hon. Meg McCall	Klondike	Minister responsible for Health and Human Resources, Education and Heritage & Cultural Resources
Hon. Howard Tracey	Tatchun	Minister responsible for Justice, Consumer and Corporate Affairs, Government Services and Workers' Compensation Board.

## GOVERNMENT MEMBERS

### (Progressive Conservative)

Al Falle	Hootalinqua
Robert Fleming	Campbell
Doug Graham	Whitehorse Porter Creek West
Peter Hanson	Mayo
Grafton Njootli	Old Crow
Donald Taylor	Watson Lake

## OPPOSITION MEMBERS

### (New Democratic Party)

Tony Penikett	Whitehorse West
Maurice Byblow	Faro
Roger Kimmerly	Whitehorse South Centre

### (Liberal)

Ron Veale	Whitehorse Riverdale South
Alice P. McGuire	Kluane

Clerk of the Assembly  
Clerk Assistant (Legislative)  
Clerk Assistant (Administrative)  
Sergeant-at-Arms  
Hansard Administrator

Patrick L. Michael  
Missy Follwell  
Jane Steele  
G.I. Cameron  
Dave Robertson

**Whitehorse, Yukon**  
**Thursday, April 1, 1982**

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

**Mr. Veale:** I would like to take this opportunity to ask all Members of the House to congratulate the Member for Kluane. She is celebrating her 29th birthday today.

#### DAILY ROUTINE

**Mr. Speaker:** Are there any Returns or Documents for Tabling?

#### TABLING OF RETURNS OR DOCUMENTS

**Hon. Mrs. McCall:** I have for Tabling a Report entitled, The Annual Education Report.

**Mr. Speaker:** Are there any further Returns or Documents for Tabling?  
Reports of Committees?  
Petitions?  
Reading of Petitions?  
Introduction of Bills?  
Are there any Notices of Motion for the Production of Papers?  
Notices of Motion?

#### NOTICES OF MOTION

**Mr. Graham:** I move, seconded by the Member for Whitehorse West that the Report of the Special Committee on Food Prices be accepted.

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

#### QUESTION PERIOD

<sup>02</sup> **Question re: Old Crow Winter Road**

**Mr. Byblow:** I direct this question to the Minister of Highways and Public Works.

It has been brought to my attention that the Government has refused to pay the second half of the service payment to the contractor for the winter road to Old Crow. Is this correct and is the Minister aware of the problem?

**Hon. Mr. Lattin:** I am not aware of the problem at this particular time. I think the contractor is still working on the road and I have not been notified that he has not been paid. It is customary, when on a contract, that they get advance payments. We do not pay in full until they have finished his obligations. I do not know whether he has or not at this time.

**Mr. Byblow:** I thank the Minister for his answer but I believe the contractor is now off the road. It has been brought to my attention that part of the reason for withholding the final payment on this contract has to do with trucking costs incurred by Government that are being assessed against the contractor. Can the Minister undertake to resolve this matter as soon as possible?

**Hon. Mr. Lattin:** It is our policy to resolve any problems we have as expeditiously as possible. I think that is one of the forms of good government and good department administration. We certainly do expedite any problems like that as quickly as possible.

**Mr. Byblow:** I take reassurance in the Minister's undertaking. Could he undertake also to find out whether or not the Territorial Government inspected the road while it was being constructed or even immediately after it was completed?

<sup>03</sup> **Hon. Mr. Lattin:** I am surprised that the Member opposite did not know that we had an inspector there throughout the whole time of construction and the time that we were using the road.

**Question re: Old Crow Winter Road**

**Mr. Veale:** Along the same lines, would the Minister advise the House if the delay in completing the winter road has caused substantial cost overruns in the trucking contract?

**Hon. Mr. Lattin:** That is a hard question to answer. The reason we built the road was to get these units into Old Crow. We have experienced no problem getting into Old Crow before the road will be non-passable. I cannot see that a couple days delay in opening the road is going to impede what we were trying to accomplish.

**Mr. Veale:** Was the Minister advised before entering into the contract for the winter road to Old Crow that it was going to be a very dicey situation, depending on the weather as to whether or not they could ultimately get all the Edmonton prefabricated units across the road to Old Crow?

**Hon. Mr. Lattin:** When you are talking about the weather and you are constructing anything in the Northern area, weather can always be a problem. The weather did slow the completion of the road to some degree, but I think it speaks well for us that if we get the units into Old Crow the question you ask has no bearing at all on the end results.

<sup>04</sup> **Mr. Veale:** Will the Minister confirm that there will be no cost overruns in the trucking contract to take the prefabricated units across the winter road?

**Hon. Mr. Lattin:** No.

**Question re: Enforcing Legislation**

**Mr. Kimmerly:** A question to the Minister of Justice. In light of the clear policy statement made by the Government Leader and the Minister of Justice, yesterday, concerning the policy to not enforce certain legislation, will the Minister now clarify that position by stating whether or not it is the policy of the Government to enforce the *Medical Professions Ordinance* and the *Legal Profession Ordinance*?

**Hon. Mr. Tracey:** Yes. It is our policy to enforce both those Ordinances. The Ordinances that the Government does not feel it should enforce are the Ordinances where there are two sides — in this case, extraneous to the Government. There is an argument there, and the Government does not feel that it should sit in judgment. There are Court systems set up to handle those situation and that is where we feel it should be taken. We do not feel that the Government should get into the homes and activities of the people any more than possible.

**Mr. Kimmerly:** For the record, will the Minister state if it is Government policy to enforce the *Real Estate Agent Licensing Ordinance* and the *Insurance Ordinance*?

**Hon. Mr. Tracey:** This Government tries its best, at all times, to enforce all the Ordinances that it has a responsibility to enforce.

**Mr. Kimmerly:** There now is a clear statement that the Government will not enforce some Ordinances, those involving "two sides", but will enforce other Ordinances. What is the policy to differentiate the two categories of Ordinances, for example, the *Legal Professions Ordinance* and the *Fair Practices Ordinance*?

**Hon. Mr. Tracey:** The Legislation sets up the Ordinances. If one side of the contract is with this Government, the Government will enforce it. If the two sides of the argument are extraneous to this Government, the Government does not feel it should be enforcing it. In some cases, we do, such as Labour Standards, because, traditionally, for the small dollar amounts and the amount of people involved, the Government has enforced it. Once in a while, the Government does take a case to Court to set a precedent, or to find the actual legal stand that would be taken on the Ordinance. Otherwise, it is left up to the people to use the Courts, which is the system set up for it, and Members, such as the Member opposite, to act for those people. That is set up for those people. They have the added advantage of being able to fall on Legal Aid or to go to the Small Debts Court.

**Question re: Old Crow School**

**Hon. Mr. Pearson:** I was asked a series of questions yesterday by the Member for Faro in respect to the Old Crow School and the cost breakdown, additions and so on and so forth.

We entered into a contract for the construction of a winter road at

\$300,000. We also entered into a contract with Travco for the supply of a school at \$1,600,000. Included in that particular bid at that time, was the delivery cost by Travco from their manufacturing plant to Old Crow, over the winter road. We considered that seriously, and further amended their contract to an additional cost of \$37,000 to this Government to allow local truckers to pick up those units and haul them into Old Crow. The trucking contracts are local. It meant an additional \$37,000 to the contract.

We have subsequently added a water sprinkler system to the school, at a cost of \$110,000, and we have added cedar siding, a porch, an additional teacherage, sinks, washrooms and a kindergarten area, for an additional cost of \$159,000. At the present time, our total cost is \$2,200,000.

**Question re: Government Leader meeting**

**Mrs. McGuire:** I have a question from the public sector, which I will direct to the Government Leader, in reference to an advertisement of a public meeting on April 2 with the Government Leader, with attendance by appointments only.

I will ask the Government Leader why he prefers a select audience rather than the public at large? When did the last session take place?

**Hon. Mr. Pearson:** I attend an awful lot of public meetings. When we get to that particular item in Committee of the Whole, I am sure there is going to be a number of questions about the cost of making Government available to the people of the Territory.

I am simply carrying on with that same kind of thing. There are people who feel that they want to talk to me as the Government Leader, not in my office. People do phone me up, make appointments and come to see me.

**Mrs. McGuire:** Is the Government Leader saying that these advertisements are paid for by the YTG?

**Hon. Mr. Pearson:** Oh, yes.

**Mrs. McGuire:** To the best of the public knowledge and to the best of my knowledge, I have never seen an advertisement, as such, during the past three years. I would like to ask the Government Leader if this is an election campaign advertisement?

**Hon. Mr. Pearson:** No, not at all.

**Question re: Yukon Act**

**Mr. Penikett:** I would like to change the subject and ask a constitutional question of the Government Leader. Given that the *Yukon Act*, Section 9, Clause 2, is very clear that it is the Governor-in-Council who has the authority to call an election in Yukon, with or without the consultation of Yukon Council, I would like to ask if this Government has been in consultation with the Federal authorities concerning the Yukon election call?

**Hon. Mr. Pearson:** I am sure, I do not know what copy of *Yukon Act* the Honourable Leader of the Opposition is reading. It is entirely different than mine. That is not so, the Governor-in-Council does not call Territorial elections.

**Mr. Penikett:** I believe I am reading the same edition, which is widely available to all Members. The section says, "Every Council shall continue for four years from the days of the return of the writs for the general election is no longer, but the Governor-in-Council may at any time, after consultation with the Council where he deems such consultation is practicable...". In view of the fact that the last election, I understand, was announced in Ottawa before it was announced here, because of an Order-in-Council emanating from that point, if there has been consultation on this question, and, if the Government Leader intends to set the date himself, if it will be done in consultation with those authorities, according to the law?

**Hon. Mr. Pearson:** I want to assure the Honourable Member that whatever happens, it will be done according to the law. I will also assure him that whatever is done will be done in consultation with the proper authorities of the Federal Government.

**Mr. Penikett:** I am pleased to hear about this new era of cooperation. I do want to ask the Government Leader, though, if he has taken steps to ensure that we do have a repetition of the occasion that, I understand, took place at the time of the last election, where there was an order for dissolution issued in Ottawa and published there in Orders of Council prior to any announcement being made here. I think it was,

if not legally inappropriate, then constitutionally inappropriate.

**Hon. Mr. Pearson:** It was obvious that an inappropriate act may have happened. I do not know whose fault it was. I have never been very interested in trying to fix the blame in respect to what happened there. I do not think that it was constitutionally good or bad. It was just one of those unfortunate things that happened. I certainly do not believe that that will happen this time around.

**Question re: Department of Education**

**Mr. Veale:** I have a question for the Minister of Education. I was delighted, recently, to receive a Government of Yukon, Department of Education, reorganization proposal which I thank the Minister, or someone, for dropping in the mail. Would the Minister advise if that at the proposal stage or whether the Minister and the Government have made decisions to proceed with the reorganization of the Education Department?

**Hon. Mrs. McCall:** The Honourable Member knows that the Department of Manpower is being added to the Department of Education officially on April the 1st. In response to the Honourable Member's question regarding a proposed reorganization of the department, it is interesting that this paper has received some wide and unsolicited circulation.

First of all, it is one of several proposals for reorganization that the department is examining. That particular proposal is one man's idea of a reorganization. That was an individual, who was here from Alberta, who has a great deal of expertise in the field. He volunteered, and it was suggested, that he put together an organizational structure. It is interesting, the only copy of that proposal was on the Deputy Minister's desk. I am interested to find that Mr. Veale has a copy as well.

The department is always looking for better ways to organize and that is just one of several proposals. We will not be mailing them out, but anyone who would like to see the proposal, is welcome to come to the department. We will not be putting 35 cents on each copy, as the phantom distributor did.

**Mr. Veale:** It is nice to see the Post Office come through occasionally. Would the Minister explain this particular proposal, in that it creates the two new positions of Associate Deputy Minister, one for public schools and one for post-secondary and manpower, and whether or not that involves additional salaries and administrative costs?

**Hon. Mrs. McCall:** No, I will say no more on this subject at the moment. If the Honourable Member would like to see the proposal, he is welcome to come to the department, and we will show and explain it to him.

**Mr. Veale:** I already have the proposal. Thank you very much. I will be looking forward to receiving the next one in the mail.

Do any of the reorganization proposals that the Minister is now playing with involve increased administrative cost and salaries?

**Hon. Mrs. McCall:** If they do, we will not be considering them.

**Question re: Kassan Holdings Ltd.**

**Mr. Byblow:** I have a few proposals for the Minister of Education, but I shall not present them now.

I have a question for the Minister of Economic Development instead. The Minister signed an agreement last September granting some \$330,000 to Kassan Holdings under terms of the Canada-Yukon Tourism Agreement for rebuilding the Downtown Hotel. The agreement, and I have procured a copy, has no requirement whatsoever to use any local contractors, to hire local labour or to use Yukon materials. Could I ask the Minister why this recipient of Government money was not asked to use either local contracting, labour or materials?

**Hon. Mr. Lang:** Prior to directly answering the questions being put by the Honourable Member, I just want to inform all Members that it will be my birthday on Saturday and, as opposed to the Member from Riverdale South delivering things by mail, I would just as soon have any gifts dropped off at the house.

In respect to Kassan Holdings and the additional hotel rooms it is going to afford the tourism industry, of which I believe the Member was giving a great deal of criticism a number of years ago, in view of the withdrawal of tourists going into the Dawson City area because of lack of facilities and accommodations, the contract was let and it was

impressed upon the contractor that wherever possible within competitive costs taken into account, that local people and purchases should be used. In most parts that has been done.

**Mr. Byblow:** I believe I will be challenging that in future questioning.

However, in reviewing the agreement for this loan — and some people do call it low-cost housing for American tourists — there is a stipulation that says, "the agreement must be kept secret for ten days following the acceptance". I would like to ask the Minister what the reason for this ten day secrecy is, in light of Government's open policy?

**Hon. Mr. Lang:** A little earlier I announced my birthday was imminent, and I understand the Leader of the Opposition wants to know what I would like. I find that just financial aid would be of some assistance.

In respect to the section that the Member was referring to, it is my understanding it was a question of acceptance from both sides — in consideration of our method of distributing mail in Canada — we wanted to make sure that each side knew that acceptance had taken place. I guess one might say it was a safeguard in respect to the mail service that is presently a Crown Corporation that the Official Opposition believes so strongly in.

I would like to elaborate further on the concept of local contractors as well as local purchases being made. There were some complaints brought to me recently, which I am sure the Member probably was made aware of. I checked into them, and as far as I know everything was done within the area for local purchase, as well as local people being employed. The only two tradesmen that I understood were brought in from outside were an electrician and a plumber. The reasons for that were that they had worked somewhere else for the company involved.

I thank the Honourable Member for the 25 cents. I recognize largesse when I see it.

**Mr. Byblow:** I would like to ask the 29 year-old Minister, who has 25 cents, whether or not, in future agreements, recognizing that he has just said that encouragement is the only thing done with respect to local materials, labour and contracting, if he would consider introducing a clause that would insist on this?

**Hon. Mr. Lang:** I do not know how he does business. If the Member opposite is prepared to come forward and assure that he is only prepared, within the organization he runs in the community of Faro, to only hire people who have been here for two years, then perhaps we might consider it.

I deem the question totally out of line. If he is inferring that this side of the House does not believe in local hire, I think the Member should refer earlier to the remarks from the Government Leader where he made special efforts to ensure that the trucking industry was involved with the transportation of the Old Crow School. There are numerous other examples that have been brought to his attention. I resent the innuendoes being put forward that these things have to be written into every agreement. I recognize that the Member opposite believes in more Government, more cost to you and I, as well as the general public, because that is exactly what he is asking for. There is a certain amount of trust relationship between any parties that go into agreement and I would assume that that is the way the Government should operate, as opposed to what the Member opposite is indicating or hinting at.

**Hon. Mr. Tracey:** I have the answers to two questions. The first was the question from Mr. Penikett on whether this Government had the power to enforce the complaint against a house trailer sales outlet in Porter Creek. He asked if we could enforce the warranty that the company had. In strictly legal terms, the Government does not have the power to enforce the warranties and contracts between sellers and buyers of mobile homes. Common Law, the *Sale of Goods Act* and the *Consumer Protection Act* set out the respective rights and obligations of the parties to the contract. The enforcement of those rights and obligations, or seeking damages for their breach, is the responsibility of both parties to the contract. That is the argument that was just put forward a little earlier in Question Period.

The other is an answer to Mr. Veale's question about Cogasa forming a general partnership. I will read the question and then the

Members will know what the question was. "I agree with the Minister with the cease trading on shares. I am encouraged that he has done that, but the newspaper article indicates that they are going to form a general partnership. My question is, and I would ask the Minister to perhaps come back on this tomorrow, would the Minister investigate the powers he has, if any, if they form a general partnership."

An interest in a general partnership or a contract can, in certain cases, be a security, as defined by the *Securities Ordinance*. Each scheme is considered on its own merits and under the terms of the Ordinance. The Registrar of Securities must determine whether or not the interest in the partnership, or the contract, is or is not a security. If there is trading of interests determined by the Registrar to be a security, without the compliance with the security issuer, registration and prospective filing requirements of the Ordinance, the Registrar of Securities may issue an order prohibiting trading. If there is a contravention of the Registrar's order, the Registrar may apply to the Supreme Court to enforce compliance.

#### Question re: Yukon Labour Market Study

**Mr. Kimmerly:** A question to the Minister responsible for the Women's Bureau. Yesterday, I asked about the participation of women in the Yukon Labour Market Study. Can the Minister clarify whether this particular study will be completed and eventually made public?

**Hon. Mrs. McCall:** As I understand it, some interviews were conducted with women about employment issues. Before the study was completed the incumbent accepted another job opportunity. With the recent reorganization — I am just having the Women's Bureau added to the Department of Education, and budget exercises are going on just now — priorities are in the process of being decided, and I will be issuing a detailed statement on this sometime next week.

**Mr. Kimmerly:** Yesterday, the Minister also stated that research projects will be one of the lesser responsibilities of the Women's Bureau. Can the Minister state, briefly, what priorities are now identified as primary?

**Hon. Mrs. McCall:** Yes, I will try very briefly to give some idea of our intentions. I plan to put in place an advisory committee to advise me on issues which are of concern to the women in Yukon. I want a committee that will be truly representative of all the women in Yukon, a committee that will let the Government know their concerns. I want some men on the committee. I want to have a truly representative body, which shows what a broad-minded Women's Bureau we have. I will be issuing further details next week.

**Mr. Kimmerly:** Will the Minister make public, perhaps next week, what plans there might be for additional staff to the Bureau?

**Hon. Mrs. McCall:** As I said, we are looking at the reorganization now. We are looking at the Budget. Next week I will be issuing a detailed statement.

#### Question re: Cogasa Mining Corporation

**Mr. Veale:** I have a question for the Minister responsible for the *Labour Standards Ordinance*. With respect to Cogasa Mining Corporation and their sham partnership, will the Minister be taking any action under the *Labour Standards Act* to prevent that sort of sham partnership from taking place in the Yukon this summer?

**Hon. Mr. Tracey:** As I told the Members previously, we stopped trading by Cogasa to find out what they were doing in breach of the laws. And if they are not, they are allowed to go ahead. If those people, in their good judgment, decide to become a partner with Cogasa then that is exactly what they are. They are not labour, they are not employees; they are partners.

**Mr. Veale:** God help the person who gets into that partnership. Will the Minister use the *Labour Standards Ordinance*, which has a section that states that, "any agreement which is to the contrary to the *Labour Standards Ordinance* can be overturned", to advise Cogasa to not proceed on that basis this summer?

**Hon. Mr. Tracey:** If it is legal, it is legal. If they become a partner in a general partnership, or a limited partnership, it is legal, they are part owners of that company. There is no employee-employer relationship there. The way that Cogasa operated last year is something different. Cogasa has been approached by this Government, and that

situation has been settled. Cogasa admitted it was an employer-employee relationship and we are straightening that matter out. But this matter, this general partnership, if it goes ahead, will be strictly legal and there will be no employer-employee relationship involved.

**Mr. Veale:** The Minister is well aware that what you call a contract makes no difference. What is really important is the facts, and if the facts indicate in this situation that it is really employer-employee, will the Minister step in and advise Cogasa not to proceed on that basis?

**Mr. Speaker:** Order please. I will rule that question out-of-order as being both argumentive and hypothetical.

#### Question re: Economic Research and Planning Unit

**Mr. Penikett:** I have a question for the Government Leader. The Public Service Commissioner stated that the present method of gathering employment statistics by ERPU grossly overstates employment in this Government, and there may be as many as three to four hundred persons on payroll who were reported as employees, but who are not employees. Since the Federal Employment creating programs and the Unemployment Insurance program are geared to changes in the local unemployment rate, will this Government be taking immediate steps to revise its unemployment figures upward to reflect this more accurate employment statistic?

**Hon. Mr. Pearson:** I understand that steps have been taken to ensure that what are erroneous figures are not used any longer.

**Mr. Penikett:** Since it is now certain that the informed figures for Yukon were inflated by this miscalculation and thus revenue projections in the new Budget may be overly optimistic, is the Government taking these statistics into account in consideration to revising his Budget Estimates?

**Hon. Mr. Pearson:** Surely the Leader of the Opposition is not suggesting that a mis-statement such as that is going to have an appreciable difference in the Budget of the Yukon Territory. It just is not.

**Mr. Penikett:** That is exactly the problem. It may, because they are the only published figures.

Let me ask the Government Leader, since we were told yesterday about the basis on which the Established Program Funding is based, that it was related to employee incomes, if the established programs formula is at all tied to unemployment rates, or if there is any connection between unemployment rates and that funding at all?

**Hon. Mr. Pearson:** I am not absolutely certain. I believe they are tied to employment rates rather than unemployment rates.

#### Question re: Alternatives For Single Parents

**Mr. Kimmerly:** Another question for the Minister responsible for the Women's Bureau. The Minister knows that the majority of single parents are women. There is an Alternative for Single Parents course developed. Is this course now operating and what number of people are enrolled?

**Hon. Mrs. McCall:** I would like to say that the Women's Bureau of the Government played a leading role in getting this course going. It started on March 29, I think, and was a two-day course. I believe there were about eight women taking part.

**Mr. Kimmerly:** Does the course offer a daycare facility or, in future courses will daycare assistance be available to all students?

**Hon. Mrs. McCall:** Yes, daycare is being provided at the Vocational School and it is being paid for by the Department of Human Resources.

**Mr. Kimmerly:** Is there a projection of what proportion of students in the course are receiving social assistance in the employable categories?

**Hon. Mrs. McCall:** I do not have an answer to that question, exactly. I would imagine that there are a few. I can have that information for the Honourable Member.

#### Question re: Fine Option Program

**Mr. Veale:** I have a question for the Minister of Justice, regarding the recent Court decision to rule the Fine Option Program illegal. Does the Minister have any plans to implement a similar program but in a more appropriate way?

**Hon. Mr. Tracey:** Yes.

**Mr. Veale:** I thank the Minister for his lengthy and complete answer to my question. What sort of program will the Minister be introducing?

**Hon. Mr. Tracey:** I cannot answer that until the department has worked out a method where we can get around the problem that we have. It is a very good program. Even the Judge said it was a good program. There was just a legal technicality there. With the support of everyone, including the Justice Ministry in the Federal Government, we will work a method out where we can get around it. I do not know exactly what that will be.

**Mr. Veale:** Will the Minister just consider a program that has the sentencing Judge make the decision on the Fine Option Program? That resolves all the problems. Then it is a sentence from that Judge. It seems to me that it is very straightforward...

**Mr. Speaker:** Order, please. I believe the Honourable Member is now making another speech.

**Mr. Veale:** You interrupted my question Mr. Speaker. Will the Minister introduce that program?

**Hon. Mr. Tracey:** We will introduce whatever method that we can find that will accomplish the job the best. The Member across the floor is suggesting that we tell the Judge what to do, and I do not think that any Judge would accept that.

#### Question re: Wages of YTG Women Employees

**Mr. Penikett:** In other words, I believe we do that every day. I have a question for the Government Leader in his capacity as the Minister responsible for the Public Service Commission.

Given that more than 60 percent of the women employed by the Territory earn less than the mean salary, while only five percent of male employees earn less than the mean salary, when is the Government Leader prepared to give effect to the affirmative action resolution passed in this House in March 1979?

**Hon. Mr. Pearson:** I disagree that that has anything to do at all with affirmative action. Salaries are paid for the work that is done. Some jobs get paid less money than others. It simply does not matter at all whether it happens to be men or women who are doing those jobs. They are paid the same salary, whether they are men or women.

**Mr. Penikett:** I have a supplementary for the Minister of Education. Twice as many women teachers as men teachers are employed by the Yukon Government and only one-sixth of the superintendents and principals are women. Does the Minister have any definite plans to correct this imbalance?

**Hon. Mrs. McCall:** Perhaps the Honourable Member has not noticed, but since I have had the Department of Education as part of my portfolio, the number of women as principals has increased. I fully expect that it will increase even more.

**Mr. Penikett:** I have a final supplementary in this question to the Government Leader in his capacity of Minister of Finance. I wonder if the Government Leader could identify to the House what funding this Government has committed to implement the affirmative action program agreed to in this House in March, 1979?

**Hon. Mr. Pearson:** We have, in the Public Service Commission, a policy of hiring people in respect to their qualifications, irrespective of whether they are male or female. There are some exceptions to that because of necessity, in places such as jails. I cannot possibly identify how much money is spent in respect to that particular program.

**Mr. Speaker:** We will now proceed with Orders of the Day.

**Mr. Graham:** I move, seconded by the Honourable Member for Campbell, that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole.

**Mr. Speaker:** It has been moved by the Honourable Member for Whitehorse Porter Creek West, seconded by the Honourable Member for Campbell, that Mr. Speaker do now leave the Chair and the House resolve into Committee of the Whole.

*Motion agreed to*

#### COMMITTEE OF THE WHOLE

**Mr. Chairman:** I call the Committee of the Whole to Order. There will now be a short break and after the break, we will be

considering Bill No.5.

*Recess*

15 **Mr. Chairman:** I will now call the Committee of the Whole to Order.

*On Executive Council Office*

**Mr. Chairman:** We will be considering the Executive Council Office, in the amount of \$953,000. We will start by having a general debate.

**Hon. Mr. Pearson:** This is the part of the administration of the Government of Yukon that works directly with the Cabinet. It also covers the share of the people of the Territory of the cost of the Office of Commissioner. That is a cost-shared office with the Government of Canada. As well, covered under this vote, is the Auditor function for the Government of Yukon.

We have two line items in the vote that we do not vote any money for but they are line items in case money is required during the course of the year. That is for public enquiries and plebiscites. We have to carry them as line items. We do not vote any money because we never know if we are going to need any or not.

**Mr. Veale:** It seems to me that we are seeing a constant sort of inexorable increase in the cost of the Executive Council Office. I wonder if it is the intention of this Government to just keep on expanding bodies out of the Executive Council Office. I noticed that on page 20 that personnel costs are actually increasing by 29 percent. Generally, the increase in the Executive Council Office is primarily personnel. I am also surprised by that increase of \$123,000, when there is a decrease in person years of a half person year. Could the Government Leader explain that?

**Hon. Mr. Pearson:** There is built into all of these votes a 13.5 percent increase for the staff. There are also some reclassifications, because of people moving from one job to another during the course of the year. Those increases are reflected at Budget time. Primarily, the increase is a direct result of what we anticipate will be a necessary salary increase for the staff. That will come up in every vote in the Budget.

16 **Mr. Penikett:** I had not wanted to say a lot in General Debate. I did, however, want to give the Government Leader formal notice of some questions which he, I am sure, will have anticipated. I think I will ask him anyway. There have been a number of appointments in the Executive Council Office establishment since we last met, including Executive Assistants, Cabinet Press Officers. We would naturally be interested in the job descriptions, terms of employment and the amount that these people would be paid. We fully expect, of course, to be provided with all this information since Executive Council appointments are not like public servants. They are political appointees and, therefore, their duties, their pay and their conditions of employment are of special interest to all Members of the House.

**Mr. Kimmerly:** On the subject of General Debate, I would ask if there is an increase in personnel through contract employees? I am specifically thinking of such contract employees as the Cabinet Press Officer. Where is that monetary figure for contract employees in the line items, and what is the number of contract employees expected over the next year?

**Hon. Mr. Pearson:** The Public Relations Officer is not an increase in personnel. It was a replacement of a position that was there before. That was an Order in Council appointment, filled by contract. At the present time, in the establishment of the department we have eight people who are public servants, if you will, and seven who are Order in Council appointments, or contract employees. They make up the total in respect to person-years shown in that Budget.

17 **Mr. Veale:** As I understand it, there are a Public Relations Officer and two Executive Assistants, one for Mr. Lattin and one for Mrs. McCall. Perhaps the Government Leader could explain why some Ministers need the assistance and others do not, and if the others intend to have them — such as a birthday present for Mr. Lang?

**Hon. Mr. Pearson:** I had not really thought about a birthday present for Mr. Lang, yet.

When we were elected, we went into a brand new ball game and I

was not too sure how we could administratively get the Cabinet set up and functioning. I am sure all Members will recall that we went for a considerable length of time — about the first year — without any sort of direct Cabinet assistance, save and except for the Public Relations Officer who we hired right away. It did not take too long before I was able to determine that if I wanted to keep my head above water, as a Minister with portfolio responsibilities and as Government Leader, I would have to have some special assistance. At that time, we hired an Executive Assistant as an Order-in-Council appointment. Secretaries that were there, and who we took over from the previous administration, were offered either to carry as public servants or to take on Order-in-Council appointments. Any who have been replaced have been replaced as Order-in-Council appointments. In other words they have not had the alternative of being public employees if they were working on that floor. About six or eight months ago, we determined that we had to increase our administrative staff on the floor and this was done by hiring two people who are actually working in a department. Both of them are highly qualified and well-known. They were offered Order-in-Council appointments as assistants, primarily to the Minister of Health and Human Resources and the Minister of Highways and Public Works, because of their administrative workloads. We are finding that as we go along the administrative workloads are, in fact, getting greater and greater for the Ministers and we have to have that kind of help.

I think in the normal evolution of things, eventually every Minister is likely to have some sort of administrative assistance in their department. It is difficult to deal with both the political aspects as well as the administrative aspects of the job fairly if you do not have someone who is looking after a lot of the administrative functions.

18 **Mr. Penikett:** As the Government Leader has just described the functions of the Executive Assistants, they are not Executive Assistants, but they sound like what in Ottawa are called Administrative Assistants to the Department, and who often are located in Ministers' offices but are public servants.

I seem to get from the Minister a hint of reluctance when we began to discuss what these people were paid. I just wanted to confirm to the Minister that we will be asking for their salaries and the duties of these people, including the Cabinet Press Officer. Because this is a new thing, I think it is highly appropriate that the House Committee discuss it. I would like to know if it is the Government's intention to table copies of these contracts, if there are any, in the House?

**Hon. Mr. Pearson:** We are trying to get across to the Members that it is a new body, but it is not a new job. The job has always been there. There was a person by the name of Dennis Senger in the job for in excess of a year and a half. It is the same job, it has not changed in any way, shape or form. Dennis, through his own choosing, decided that he wanted to go on to other work, and he did so.

I do not intend to lay out on the table, on a personal basis, the salaries of these people, whether they are Order in Council appointments or not. I do not think that that is fair ball. If you want to know what my salary is, I am quite prepared to tell you. They are employees, and even though they are employees of the Government, I do not think that it is fair ball that their salaries be laid out on the table.

I will say this. When they were hired, they were hired in the \$30,000 category and they get the increases that the public servants get. That means that they are going to be in the \$40,000 category once a settlement is reached with the unions. If they get the 13.5 percent, they are going to be very, very close to \$40,000, plus their fringe benefits. They get the same fringe benefits as the public servants do.

They are hired on what is considered to be by the Public Service Commission a competitive salary with other people in the like work in the provinces.

19 **Mr. Penikett:** What the Government Leader is saying is simply outrageous. These are not public servants. These are people hired by Order-in-Council. In other words, they are political aides. That is the status that they have, and in any Legislature in the country, the political aides, the salary, the terms and conditions, duties and so forth can be called before the House. They are not exempt from that. These are people who are getting paid more than the people who were elected to this House, paid more than the Government Leader's back benchers, some of whom are full time.

They are not the product, when they are an Order-in-Council appointment, of a public service merit principle contest. They are not the product of that kind of review process, nor are they the product of an election. They are simply Order-in-Council Cabinet appointments, paid for by the taxpayers. The taxpayers have as much right to know what their salary is and what their duties are as they do for the research assistants for the Members of the Opposition.

They are the same kind of animal, they are in the same category. They do not have any privileged status to be exempt from that information being debated before the House.

The Government Leader talked about his former Cabinet Press Officer, who became an Executive Council appointment, and then went back to the Public Service.

**Hon. Mr. Pearson:** No.

**Mr. Penikett:** He is back in the Public Service now.

**Hon. Mr. Pearson:** No.

**Mr. Penikett:** He sure looks like he is. He is doing something around the building.

Perhaps he is on another contract, in which case I would like to know of that. That is more Order-in-Council appointments than we had here before. Perhaps it is not an Order-in-Council appointment, perhaps it is a contract with Public Affairs?

<sup>19</sup> The fact of the matter is that we have a significant Public Affairs Department. We have people doing a public relations function for the Government. I know that the Government Leader has argued in the past that they work hard. We still have not had, even at the last time that we discussed this, clear exposition of what the difference is between the Press Officer and Public Affairs, what their two different functions are, why is one a political appointment and the other a Public Service appointment? It seems to me that to suggest that the knowledge of the salary and the terms, conditions of employment and the duties of a political appointee should somehow not have to be brought before the House is simply unacceptable.

**Hon. Mr. Pearson:** I do not have any problem with some of the things that the Member is saying. Whether he thinks what I am saying is outrageous or not, does not particularly bother me too much. Whether he thinks it is unacceptable or not does not particularly bother me either. These are people who are working for this Government. They have been hired by this Government to do a job. The Honourable Member knows what they are doing. I did not hear him saying these things about the back benchers researchers, whose salaries were discussed last night. I did not hear that at all. I did not hear that mentioned at that point in time.

**Mr. Penikett:** It is a matter of record. We discussed that last night.

**Hon. Mr. Pearson:** We did not discuss them last night in the detail that they are being asked right now. I just think that it is an invasion of their privacy. I am not suggesting, by any stretch of the imagination, that they should have any special status. That is not at all what I am suggesting. There is absolutely no need for us to trot out, on an individual basis, the salaries of these people. In respect to job descriptions, I have gone through that in this House before, exactly what these people do and why they do it.

**Mr. Veale:** No. What it is, is not an invasion of privacy, it is an invasion of the taxpayers' pocket. I question the difference between a political assistant and an administrative assistant. The political assistant for the Minister responsible for Municipal Affairs went to Dawson City one weekend and cut a ribbon with the Minister. Now, the Minister can handle that ribbon-cutting on his own, but the assistant went along with him, on a weekend, and the taxpayer paid for it. What is the administrative part of that function? It seems to me that it is a political function. It should be made public.

**Hon. Mr. Lang:** Let me make a couple of points here. I have been listening to this with a great deal of skepticism when I hear the Official Leader of the Opposition talking about the value of quasi-political executive assistants, which one needs when they run Government. I recall, very vividly, when the Member opposite was an executive assistant to the Leader of the Opposition in the House of Commons. I would further point out to the Member opposite, who is speaking, in respect to what he is talking about, that it bothers me a great deal as the Member for Porter Creek East, who successfully ran in an election

and, I see being demonstrated now, which I forecasted three years ago, one of the individual candidates, who I beat through the electorate, got hired through taxpayers dollars for three and a half years, and is now running for the Liberals in another riding. At the same time, the Member opposite has the audacity to stand up and say whether or not these people should be hired. I just find it totally and absolutely ludicrous and hypocritical.

<sup>20</sup> **Mr. Penikett:** When I was a political aide, my salary was a matter of public record. The terms of my contract were a public record, my duties including my administrative functions, my press relations functions and all those, were a matter of public record. The duties of the researchers for both the Government back-benchers and the Opposition are clear. Their salaries, if not a public record, I am sure we are prepared to table them here. No one would have objection to that. We are talking about the same kind of thing. It is not a great partisan issue. These are people who assist in the work that the Government Leader has set up: the Government Party and the Opposition Parties. The taxpayers pay their salaries. Taxpayers surely have a right to know what they are getting paid and what for.

It seems to me that I have disputed this with the Government Leader before, but I still feel this is highly inappropriate. We have a funny situation with elected people anyway where you have Deputy Ministers in many cases earning far more than their Ministers, as permanent employees. They, at least, have endured the rigours of promotion and competition to get their jobs. That is not the case with political appointees. A political appointee can be made as a personal choice of the Minister or the Cabinet. I do not know how it is done in this operation. They are very distinct animals, they are a different species of political life. They are political aides.

I am curious about the job descriptions, especially since when the Government Leader first described the Executive Assistant positions here, they were not what I always understood them to be, but they sounded more like what, in Ottawa, are called Departmental Assistants. They help with the administrative load and they acted as liaison between the Cabinet and the officialdom. An Executive Assistant is something different.

**Hon. Mr. Pearson:** I have heard this kind of lecture from the Leader of the Opposition a couple of times before. The one factor that he does not seem to realize is that I do know a little bit about government administration. I feel fairly responsible about what we are doing. It is not practical for this Government to hire Executive Assistants *per se* and Administrative Assistants *per se*. I am just as cognizant of the difference in Ottawa between the two as the Honourable Member is. We are a long way from Ottawa. It is a different administration. We cannot separate them and have Administrative Assistants and Executive Assistants. It would be the most illogical thing in the world to do.

I have been trying to say for two years that it is a bit of both. The second thing is, I have said they are in the \$40,000 range. I can be more specific: there are seven people, with fringe benefits included, who go from \$26,000 to \$45,000. Those are the ranges they are in. These are the Order-in-Council appointments. I still feel very strongly that it is a disservice to them to list their salaries publicly. Their duties are to assist the Minister in whatever way.

My Assistant, as well as the other two, work for all of the Ministers. We are a small Government, and that is the way it has to be. Nobody can hire one person and say to him, "that is your job and you will do only that". That does not happen.

<sup>21</sup> **Mr. Penikett:** We have talked about the Executive Assistants before. We have not talked about the Cabinet Press Officer today. Let me ask the Government Leader, since he has indicated the range of between \$26,000 and \$45,000, if the Cabinet Press Officer is hired on that same basis? If he is a contract employee, what is the term of his contract? At least he could tell us that, whether it is six months, a year? Is he paid on the basis of the salary regimes under the Public Servants, or is it a contract, such as it would be with a private company, on a daily or monthly rate of some kind? Perhaps he could indicate that to the House?

**Hon. Mr. Pearson:** The particular person in mind was looking for a six-month contract and that is what we signed. He is paid \$40,000 a year. It works out to \$40,000 with the fringe benefits. That includes



the proposed pay increase that is going to happen when the conciliation is over with, I hope.

**Mr. Penikett:** Could the Government Leader just take us through, again, the difference in roles played by Public Affairs and this official? It seems to me that most of the Public Relations functions of the Government are clearly carried out by Public Affairs. I must say, for the most part, very well.

**Hon. Mr. Pearson:** The Public Affairs Department does public affairs work for the departments. Mr. Massey's work is involved exclusively, now, with Cabinet and with public statements made by Ministers. At one point in time we had a bit of a problem with overlap.

**Mr. Veale:** Would it not be appropriate for the Government Leader, and certainly helpful to these assistants, to have some criteria or guidelines to determine the administrative side and the political side, so that they know whether or not they are pursuing their job description. It may be very difficult for them to tell. Of course, it is going to have the ire raised on this side of the House.

**Hon. Mr. Pearson:** Two of these people are graduates of university in political science. I have not heard one of the three of them ever complain that they did not know exactly what they were doing, or why they were doing it.

**Mr. Penikett:** That is a strange admission from a political aide, I can tell you, as a former political aide. Given the lack of job security, to admit that you did not know what you were doing would be the kiss of death.

Does the Government Leader have job descriptions for these people and, if it has been his experience that these job descriptions correctly relate to what they do, whether we might see one of these job descriptions? I am curious about that because the Government Leader will recall the last time he and I went through this, we were dealing with verbal information and the Government Leader gave very general descriptions of the job and it was not written down. The precise question I want to ask is, because these are political appointees and this is an election year and we have been advised by the Clerk that the contracts of our research assistants will be suspended as of the writ of the election, will this also be the case with the Executive Assistants and the Cabinet Press Officer?

**Hon. Mr. Pearson:** No, that will not be the case, primarily because so much of their work and responsibility is administrative. What I intend to make sure that I do have in place, when election time does come along, is explicit job descriptions. On the off-chance that I do not succeed myself, I am sure that they will be of great benefit to whoever does succeed me.

**Mr. Penikett:** I want to pursue this just to narrow it down because I do think it is just a question of job descriptions. I am somewhat surprised that such job descriptions are not now in place. I am quite concerned that these people will still be in harness, as it were, during an election period. What assurances may we and the public have that these people will not be engaged in partisan political work, at the taxpayer's expense, during an election period?

**Hon. Mr. Pearson:** I am sure that they will be watched. I am sure that the Members opposite, and every person running in the campaign, will be watching very closely. There is a very fine line. It is easy to separate the administrative and executive functions, come election time, when you have administrative and executive assistants. The executive assistants, there is no question about it, are partisan appointments and they are there until the last dog is hung. They work in an election campaign for whomever they happen to be working for. That is an accepted fact.

It has evolved that these people do have considerable administrative responsibilities. It would be false economy, on the part of everyone, to eliminate those positions at election time. It will be the time when they will probably be of the most value to this Government.

**Mr. Veale:** To get re-elected, of course. Would the Government Leader not agree that it would be wise, judicious and fair on his part to have those terms of reference set out quite clearly so that there is clearly no political function performed by those assistants once the writ has been issued?

**Hon. Mr. Pearson:** I think it is going to be a case of watching. I am sure that we will be called if there is anything untoward happening. I just cannot say any more than that, at this point.

**Mr. Penikett:** I thought a while ago the Government Leader was going to give us an undertaking to table such job descriptions in this House, perhaps before a writ. Perhaps if this Session continues for more than a few more days, he might undertake to do that.

I wonder if he could give me one explanation on something that has been puzzling me. Given his description of the schizophrenic function of these Executive Assistants, in that they both have administrative functions and some kind of role as political aides to individual Ministers or the Cabinet at large, can he explain why, in the case of the two of them, they were moved out of the Executive Council Office, where they were previously, as public servants. What was the purpose of them giving up their public servant role and moving into Order-in-Council appointees. Normally, Order-in-Council appointees, many of them, if the Government changes, are instantly suspended and these peoples' careers would be cut short?

**Hon. Mr. Pearson:** Both of these young people are local products of the Yukon education system. They both have political science degrees. They are both very much interested in the political evolution of the Territory. As it turned out, these two people were both working in the same department. I believe they both came to work for this Government as contractual researchers in the Executive Council Office and eventually evolved into permanent positions. They did give up their public service employment to take these jobs.

**Mr. Veale:** Would the Government Leader advise if the John Massey contract is subject to renewal, built into the contract or coming to a finite end in six months, which would be approximately the end of June?

**Hon. Mr. Pearson:** As most contracts, it has a renewal clause in it. There is an option in it.

**Mr. Penikett:** The Government Leader did not answer the other half of my rambling, somewhat imprecisely put question. Let me ask him if he would give an undertaking or consider giving an undertaking to table the job descriptions that he indicated earlier in this House, if possible, before the end of this Session.

I asked the question sincerely because he will understand that it is all very well to say that we are going to seek these assurances before an election. The Government Leader will understand that, not only to partisan politicians, but to members of the public, this may be a sore point during the campaign. Whatever else one may feel about the usefulness or the need for such persons, I do not think it is fair to those individuals to be subject to continual carping and public criticism and complaints, if the rules by which they are to operate during that period are not generally well known and well understood.

**Hon. Mr. Pearson:** I thought I had made it clear that these job descriptions do not exist. I am hopeful that I am going to get a chance to create such job descriptions before the election. I cannot possibly make an undertaking that between now and the time the House adjourns or prorogues, or whatever might happen, that I will table them. It would seem to me that the major concern has to be mine because it is going to be my political head on the line, and it has to be those three people because they are going to be the ones who are going to be criticized. I have not heard any criticism from anyone about any one of those three appointments, nor have I heard any fear expressed that they might not do what is exactly right and proper.

**Mr. Penikett:** I hesitate to suggest this, but the Government Leader may like to read some of my mail sometime. If it is possible for him to do here, I hope that it is an invitation he does not take without discussing it with me further. I think, though, that whether there are 10,000 people marching the street on the issue or whether there are a few concerned citizens, the important thing is that, as the Government Leader pointed out, we are in an evolutionary process. Things are changing here. New institutions of partisan politics and political party style, political government and responsible government, are emerging. I think it is very appropriate that we, and the citizens at large, question and consider carefully, and debate, what kind of institutions, what kind of roles, what kind of responsibilities, and what kind of offices are created here.

The Government Leader and I both agree that many times it is not appropriate to continue to borrow models and institutions from Southern Canada. I think we do that far too often as a reflex action. We are a very small community here and the need for the kind of apparatus such

as operates in Ottawa is totally unnecessary.

It is highly appropriate that we discuss the advent of such new institutions such as Executive Assistants. It is also appropriate that the Rules by which they operate should be known very clearly from the day one. They should be known not only by the people who hold those positions but also to the public at large.

I would urge upon him that if he was not planning to make this a very high priority — I still think it is not the number one priority — that he give some thought to completing a draft of those job descriptions and guidelines, and make copies available either publicly or to Members in the House as soon as possible.

**Mr. Chairman:** I would like to refer Committee to page 20, under Executive Council, the amount of \$717,000.

**Mr. Kimmerly:** I would like to ask the Government Leader what changes in policy and what changes in the pattern of expenditures lead him to make the estimate that the amount actually spent is going to be slightly over \$700,000? I ask the question because if you look back over the record under this line, the 1979-80 actual amount spent was \$398,000 or approximately \$400,000. The 1980-81 actual amount spent is \$575,000, which is an increase in one year of \$175,000. Going on to the next year, the 1980-81 actual is \$575,000 and 1981-82 forecast is \$696,000 or an increase of \$121,000. The increase is projected now as \$21,000, which is a substantial departure over the previous years. Why is the projected increase lower than the pattern in the last three years?

**Hon. Mr. Pearson:** I am going to say something very important to the Honourable Member, because I kind of suspect what he has done, as part of his homework, is go through each budget and do this same exercise. There is a logical answer in every single one of the departments for this, except one, which is Government Services. It is that the provision of rent has been taken out of each of these budgets and put in Government Services. In this particular department, that means an extraction off the top of \$80,000. It has not disappeared from the Budget, but rather from this department to Government Services. I am sure that answers the question the Member is asking.

**Mr. Kimmerly:** If we consider the \$80,000 and the increase of \$21,000, the actual increased expenditure over last year is going to be approximately \$100,000, which is an increase of 13 or 14 percent. Is that primarily salaries, or what is the reason for that increase?

**Hon. Mr. Pearson:** It is virtually all salaries. There has been a bit of an increase in the Cabinet Tours, just because of travel expenses going up. Also, there are some decreases in travel expenses as well. We anticipate that there will not be as large a requirement for Government travel by Ministers during the course of this year because of the election.

**Mr. Byblow:** Under personnel in the allotment on page 20, when I look at last year's Budget, the amount was \$390,000 as an 1981-82 estimate, compared to a \$427,000, 1981-82 forecast. I assume that that came through the Supplementaries that we voted the other day, part of which was \$36,000 for salaries. Is that a correct reading of the increase in that particular category under personnel?

**Hon. Mr. Pearson:** Yes.

**Mr. Penikett:** Before we clear the item, I would note that it is not surprising that after the conversation we had, I noticed that since the 1978-79 account, the budget for this item has gone up from \$421,000 to \$717,000. I do not know if that is in line with inflation or in war with it.

**Hon. Mr. Pearson:** At the risk of starting another great long debate, I would respectfully suggest that we are providing better Government, cheaper now than if we had continued on in the same manner prior to us being elected.

*Executive Council Office in the amount of \$717,000 agreed to  
On Office of the Commissioner*

**Mr. Chairman:** I refer the Committee to Office of the Commissioner, to the amount of \$79,000.

**Hon. Mr. Pearson:** We have an agreement with Ottawa, as yet unwritten, in respect to the cost sharing of the Commissioner's office.

The Commissioner, as you are all aware, functions as the Lieutenant Governor of the Territory. He carries out exactly the same duties and functions. We feel that as people in the Territory, we must recognize that. We should be carrying our share of the cost in respect to him

carrying out those functions.

There is an obvious decrease in the Budget. It is not because we have cut the Commissioner's expenses or anything else. It is, once again, because of the rent factor that the decrease in his Budget comes about.

**Mr. Penikett:** I suppose as we evolve through it, it seems less and less seemly to get into a long discussion of the Estimates of Her Majesty's representative, as it were. However, I feel bound to note for the record and ask the Government Leader to comment on the Commissioner's new accommodation.

I have had at least two comments from constituents of mine in respect to the cost and the appropriateness of the Commissioner's new quarters, and some expression of regret about the expenditure involved. Perhaps the Government would like to make some comment.

**Hon. Mr. Pearson:** We would have had to incur some of those costs in any event because we would have had to rent that space or similar space somewhere else.

The move of the Commissioner accomplished two things. It did separate, visibly, his functions from those of the Government of Yukon. It also freed up some space that we did need in this building. Having said that, I want to say that we did spend a considerable amount of Territorial money providing those accommodations for the Commissioner. We did it because we felt that people in Yukon, who want to, or have to, go to see the Commissioner, or take someone to see the Commissioner, would like him, as the Queen's representative, to be in suitable quarters.

They were fairly expensive to make the way they are. Hopefully, we only have to do it the one time. That was the reason. There was little doubt about it. They are much more plush than anything I ever expect to be quartered in on behalf of the taxpayers.

**Mr. Penikett:** The Government Leader has alluded to a considerable amount of Territorial money involved. Would he care to indicate, for the record, what the amount was?

**Hon. Mr. Tracey:** I can give the Members opposite the figure.

The rental for that building and the renovations comes to \$67,000. That also included the section that we moved, the administration of Heritage and Cultural Resources.

**Mr. Penikett:** So that \$67,000 included the Commissioner's Office and the Deputy Minister for Heritage and Culture? What else?

**Hon. Mr. Tracey:** There are five members of Heritage and Cultural Resources over there. There is 2,800 square feet that we rented, and the cost to us, including the renovations for that total area, cost us \$67,000. It costs us approximately \$30,000 a year to rent it.

**Mr. Penikett:** Would the Minister responsible for Government Services just answer briefly, how much of that was involved for the Commissioner? The \$30,000 rent is an ongoing basis for how many years? Is that a long-term contract?

**Hon. Mr. Tracey:** That is a five-year contract. The \$67,000 is the total that we spent to renovate the 2,800 square feet to make it suitable for the Commissioner and install the offices for the rest of the Government employees.

That included executive offices for the Commissioner; his secretary, a board room, and also another office in case the Commissioner ever requires an executive assistant, which we hope he never will.

*Office of the Commissioner in the amount of \$79,000 agreed to  
On Internal Audit*

**Mr. Chairman:** We will proceed with Internal Audit in the amount of \$157,000.

**Hon. Mr. Pearson:** Primarily, the increase here is salaries.

**Mr. Penikett:** I have slight knowledge of this office. I wonder if the Government Leader could indicate ways in which that office is changing? Have its functions been changing? Is anything reflected in this Budget in terms of new responsibilities?

**Hon. Mr. Pearson:** No, there has not been any real changes. We are finally getting into the business of having internal audits done in this Government. As I am sure all Members are aware, we went through quite a long period of time to get internal audit off the ground and working properly in YTG. I believe, sincerely, that it is doing that now.

The function is one that is very much behind the scenes in that the two people involved go into departments, with the knowledge and the approbation of those departments, and do very, very extensive internal

audits and write copious reports. Hopefully, as a result of those reports, the people involved take an honest look at themselves.

They are experts at organization and administration. As part of their function they give advice, they table some criticism, and we consider that very seriously and act where it is prudent and possible to act.

The system that we are working on is that each department in the Government is going to be audited at least once every five years, in rotation. It would have been desirable to have increased, by one man-year, the staff in this particular branch this year. It would just mean that we could get a little more work done. However, we have decided that we will hold off on that for at least a year.

**Mr. Penikett:** This is a question the Government Leader may wish to answer at another time. Has the Internal Audit Committee met yet?

**Hon. Mr. Pearson:** That is rather a moot question, because I am the Chairman of what has virtually been a non-existent Internal Audit Committee. I meet with the Chief Auditor, as the Chairman of the Internal Audit Committee, on quite a number of occasions. I guess, as far as he is concerned, those are Internal Audit Committee Meetings. He makes reports to me as the Chairman of the Internal Audit Committee. I have had conversations with the new Deputy Minister of Finance and he has agreed to make the creation of this Internal Audit Committee, and the proper functioning of it, a top priority, because he will be an integral part of the Committee.

*Internal Audit in the amount of \$157,000 agreed to  
On Public Accounts*

**Mr. Chairman:** The total amount for the Executive Council Office is \$953,000.

*Executive Council Office in the amount of \$953,000 agreed to*

**Mr. Chairman:** I should like, at this time, to call a brief recess.

*Recess*

*On Department of Education*

**Mr. Chairman:** We will now be considering the Department of Education in the amount of \$27,409,000 and open it up with General Debate.

**Hon. Mrs. McCall:** I would like to give a little opening statement to put everyone in the picture a little more and bring them up to date.

The 1982-1983 Budget for education has experienced a moderate increase over 1981-82. The Government has attempted to maintain the quality of education and still maintain a hold-the-line budget as much as possible. The increases in this Budget are attributable to inflationary-type increases. These have been held to a minimum by closely and carefully trimming those areas of the Budget that were not considered absolutely crucial. Essentially, the employees are being asked, during these times of economic restraint, to work harder. The economic times have led us to predict a drop in number of pupils. Thus there is expected to be a corresponding drop in the number of teachers. Adult and Continuing Education has experienced only a very slight increase, that does not compensate for the increases in costs. This year the department was asked to include only those courses we fully expect to be operational in 1982-83 and for which there is a reasonable expectation of the purchase of student places by the Canada Employment Commission. However, the department has been requested to continue negotiating with Canada to recover funds for other courses that are needed by Yukoners.

A new *Training Agreement Act* has not been finalized at this time. Negotiations between Canada and the provinces and territories are still continuing, so the level of funding to be realized by this Government, from Canada, is unknown to us. Thus, this Budget cannot be interpreted as a de-emphasis. I would like to emphasize this area. It only reflects the uncertainty due to the state of negotiations with the Federal Government. This Government, in recognizing the situation, students may find themselves during these economic times, and, in recognition of the escalating costs of all types of post-secondary education, we are putting forward changes to the *Student Financial Assistance Ordinance* to enable a wider variety of Yukoners to take advantage of a more generous plan.

Another program being maintained by this department is our Summer Student Employment Program. This program, through the Educa-

tion Department, assists other Government departments to hire eligible students — a total of 12 — to work in the various departments in their area of specialty. This is not only to assist students financially, but also to assist them in developing in their chosen profession.

The Recreation Branch is presently under an extensive and very enthusiastic review, as I am sure you all know. The results of this will be known later this year and from that review will come new initiatives and directions for the '80's. Thus, the 1982-1983 Recreation Budget is also a hold-the-line budget.

The Women's Bureau is no longer going to be buried in the bureaucracy, but will report directly to the Deputy Minister. It is my intention for the Women's Bureau to take on a much more aggressive and supportive role for women in Yukon. While the Women's Bureau has served a very useful purpose in preparation of policy and legislative documents, the resources will now be turned to new direction.

This is not an expansionary year, but I am encouraged that the department, through efficiency and realistic restraints, will be able to continue to offer quality programs and continue to meet the needs of Yukoners.

**Mr. Byblow:** I thank the Minister for her introductory remarks and particularly for her references to the vocational aspect that she is addressing. It is perhaps largely in that area that I want to address some opening General Debate comments in this particular vote.

I think firstly, though, I would like to make an observation. As indicated in this Budget, education, in general, is a pretty expensive business and the same time a very controversial and complicated one. What makes it so difficult to evaluate, as I am sure the Minister has found, is that it cannot really be treated strictly as an economic business.

Besides being one of the most fundamental benefit in our society, it is also the one that is taken most for granted. It has a monumental impact on the lives of the people who pass through the system. By that factor, I think it gets a number of interpretive analysis in terms of its value.

I think it is guided by many philosophies and in the final analysis always turns out to be as good as the people who are delivering the service and as good as the people who are administering and providing the leadership for that service.

Having said that in a general way, I probably could further observe that education in the last fifteen or twenty years only, has had quite a number of pendulum, philosophical swings.

Firstly, from the strictness of the 3 R's to a more permissive, free wheeling, small "l" liberal orientation and back to a traditional structure, and probably now to a more moderate, but almost directionless meandering. I say that in very general terms.

It brings me to one of the concerns that I have always had about education in the Territory and, in part, to what the Minister just addressed a few moments ago. It seems that despite the annual ritual each year in these Main Estimates, over the higher profile that we are going to be identifying with vocation and trades and apprenticeship training, I cannot help but observe that we are floundering a bit.

Certainly, in this past year we have had numerous things happening. We have had a stepped up public demand for vocation instructional improvement in the school system, and as well as that, we have had a lobby for a streamlining of the trades and apprenticeship vocational aspect.

I think the Minister is quite serious and genuine when she says we are providing these programs, we are continuing these and we are attempting to implement these others, and hold the line on those, and we are attempting to negotiate terms with the Federal Government on the delivery of Manpower programs available through that level of Government. I certainly have no hesitation in observing that there is some improvement in the delivery and in the scope of that aspect of education. I submit that we are really doing somewhat of a half-hearted, slightly disoriented and ill-directed job in that area.

There is some increase budgeting in this area, but I submit that money is really not the problem so much as the organizational framework to deliver it. That is where we are weak.

I do not have to repeat any of the allegations of the past few months emanating from the vocational halls across the way, but the fact does

remain that I do not believe we have addressed adequately the whole component of vocational and trade concerns in the Territory. As I said, it stems from the structural aspect of it.

I think we have to take the Manpower we have and take the resources we have, and we have many of them. We have facilities, we have people and we have funding. What we have to provide is some training in that very area, in the administrative sense, in the philosophical sense, in the directional thrust, and assemble the leadership to put together something a little more solid as a function in the whole gamut of vocational education.

I do not think we have to be looking at increased Manpower or any tremendous amount of increased funding. Going back to what I referred to earlier — the existing structure — we have certainly had a number of administrative changes; principals resigning, and so on, in the administrative end of vocational. I think with the increasing demands made to us on the training components, of the people who are asking for it, on the attempts of the expanding programming of the branch, it is more important than ever to put into place something that will deliver the training components clearly, with direction, and with competence.

<sup>33</sup> So, I guess it would seem logical to me that this organizational framework is very important. I repeat, it does not need increased expenditure and, I suppose, to leave that particular aspect, and I have several others relating to education in general, I would like to approach the Minister in the context of whether she is addressing the vocational, the trades, the training, the apprenticeship component adequately in terms of the problems and the demands in that area?

I say that in consideration of the very real things that have happened — the transfer of the Manpower Unit back into education. I say that in light of this phantom departmental organizational proposal. I say that in light of the stepped-up incentive on the Federal end. I say that in light of the demands being made by the industry. I say that in a general sense from the need and the demand from society as a whole.

To put it another way, my question is, what is the Minister doing, and planning to do, in this whole area of vocational trades and apprenticeship training to make it a more functional service, a more functional delivery of the goods that are obligatory upon us to deliver?

**Hon. Mrs. McCall:** I think that I would like to address some of the concerns that Mr. Byblow had first, if I may.

I appreciate the Honourable Member's comments. I know that he has a fair amount of expertise in this field and I respect what he has to say. He has used the word, "floundering" a couple of times in this House, and I really do not think that that is a fair assessment of what is happening in that department. There are changes, indeed, going on there, and I think that first I would like to settle something, and that is the changes in administration. I think that people have been under a misapprehension. Over the course of the last several years, we have had five principals leave, all for very good reasons. The analysis of why they left is very pertinent to the whole criticism that we are having.

<sup>34</sup> The first one was Mr. Pearson, who quit for reasons of his own, but who is indicating a desire to come back. Mr. Schuman left the position, of course, to serve as Acting Assistant Deputy Minister of Education. Mr. Adamson left for personal reasons, and they were very real personal reasons that forced him to leave. There were two others who left, Mr. Schaeffer and Mr. Reed. Mr. Reed left after three years in that position, who would also like to come back. That leaves one who left for no particular reason that we know. The picture is not as dismal as has been painted. It did happen and we would wish that it would not happen. We are taking steps to ensure that it does not happen again.

There was another headline somewhere, Vice-Principal leaving, which was technically true. He was leaving as Vice-Principal to assume the position of Acting Principal. I really feel that that has something that has been a topic of conversation, and it is not a picture of ineptitude on the part of the Government in truth.

Since you all have seen the leaked document on one proposal of reorganization, that is an example of work that is being done to stabilize the department, and we can enlarge on that as we go on.

Certainly there is a demand for more vocational training and nobody is more aware of it than we are. The structural aspect of the depart-

ment, which we were talking about again, with the transfer of Manpower to the department, is making it more comprehensive. The department was sort of emasculated for a while there without it. It was a bad move to have it separated, but it has been rectified now.

Apprenticeship training is something that we are very, very keen to do. We have 40 percent more apprenticeships in the industry than we had before. We intend to second from Alberta someone with tremendous expertise in the field of Manpower training. One of the things that we have planned to do, under this individual, is to train people within the department so that we begin to bring people through the system, who make their homes here. This is part of the solid things that we want to do to stabilize the department in that way.

<sup>35</sup> Ministers of Education across the country feel that some of this discontent is a bit of propaganda on the part of the Federal Government. Education is a provincial and territorial responsibility, and the Federal people are very keen to get on education. One way that they are doing it is saying that the provinces and territories are not doing a very good job with all this training business.

I have had a fair bit to do with Mr. Axworthy lately and this is something that the Ministers of Education, across the country, hold against them.

The criticisms that we are getting here, interestingly enough, are Canada wide. Surely some of these rich provinces are doing something right. It tips me off when, all across the country the same criticisms are being given to the Departments of Education, it is too much of a coincidence for that kind of training to be falling down all along the way.

Training dollars certainly come from the Federal people, and we are very dependent on them at the moment, as you can see. I really feel that there is a certain amount of psychological propaganda going on in this way, or we would not have the same complaints in every single province and territory. It is exactly the same everywhere.

I suspect that there is something else there. I simply cannot believe that all of sudden training has gone to pot all over the country; apprenticeship training and Manpower training. So, are we addressing the inadequacies adequately. I believe that we are and certainly trying to do more and more in this way. Since we have Manpower back in the department, I think we will be able to do much more.

**Mr. Veale:** I do not think it much matters to debate whether vocational training is floundering. There is, though, the definite problem that there has not been continuity. It seems to me that even among those that have left for valid reasons, there has been the concern expressed that somehow they are way out in the bush somewhere and they do not really have that strong input into the Education Department. It is more that just perception, I think.

The reorganization proposal may perhaps address it, but as I understand it, there simply is not the money available to go into any major reorganization in the next year.

I would like the Minister to address precisely how the Vocational School is going to be made a real part and parcel of the department, and secondly, how the Vocational School will be brought closer to the academic stream in F.H. Collins, for example, so there is not this incredible dichotomy. You either go one way or the other and you have difficulty after entering the Vocational School to get back into the academic training. I would certainly like to hear some comments from the Minister in that regard.

<sup>36</sup> There is no question that there has to be some tightening up in this Budget. I would like to ask the Minister if there is any rational to the tightening-up process? Going through it, you can see that French language is down, Yukon campus is down, in-service training is down. Is that because those were the easiest to chop or is that because French language is not as strong as it was last year when the program was initiated? Are there justifications other than simple cost-cutting for the decreases that are taking place in those areas? I am very concerned to see the administrative costs increasing by 22 percent. I have always been astounded that with the small population of the Territory that we seem to have such an overload on administration. I would certainly like to hear why it is going up 22 percent. We do have tremendous distance costs and I understand that in terms of travel and keeping tabs on things, but it seems to me that for the school population we have, we have more than a proportionate share being allocated

to administration.

I am pleased about the increase going into special education. Perhaps the Minister could elaborate a bit on that, to tell us what is happening there, and also on the Education Centres in Faro and Watson Lake — there is a road show associated with that, too, as I understand it, taking equipment around — and I would like to hear about that in terms of how that is going to upgrade the education, particularly in small communities like Swift River, where there might be half a dozen or a dozen students.

The other area that I was talking to a stranger about is the computer revolution that is taking place and the introduction of computers into schools. My concern would be that in Yukon we are not staying up with that revolution. You hear stories about kids down south going back at night to run the computers because they are mesmerized by them. They are all going to go on and get high-paying jobs. Are we going to be part of that revolution? Are the students of the Yukon going to have the same opportunity to take advantage of obviously one of the largest expanding vocations in this country?

Finally, I might comment on the School Committee policy. It seems to me that the Watson Lake incident points out a problem with School Committees. Various communities seem to have different powers and spheres of influence. You run into a situation where perhaps the School Committee in Watson Lake feels they have been totally undercut. Perhaps they were not involved in the actual hiring of that principal and that created some of the distance and problems. Could there not be a School Committee policy which would be uniform? There could also be encouragement to move up to the Education Board concept. That might create a difference, but at least there would be two distinct processes involved.

Some communities are directly involved in the hiring of their principals and others seem to be all upset when it occurs. I would appreciate comments on that from the Minister, as well.

**Hon. Mrs. McCall:** I am really not being defensive about this because I, too, have always been very interested in the school system in Yukon. I was at school here for a very short time. My children were at school here and it is something that I watched evolve. Having the Department of Education as part of my portfolio was a great thing for me. I am very pleased to have it. I am really not being defensive, because I have been very critical of the school system in the Yukon myself.

I really have to say, honestly, that the problems with the Vocational School have been blown out of proportion. They truly have. There is not really a problem of continuity. I know there must be disaffected people working there and, in their own minds, they may see it. Looking at the overall policies, and the way that we can see it shaping up, looking at the umbrella — each department may have problems for all I know — this disaffection is coming from somewhere. I believe, probably, from within. I do not know just exactly where. There is continuity and continuity of plan as well, which is something that Mr. Veale commented on.

On reorganization, perhaps as that comes about, a pattern will take shape that you can recognize, and see that there is a method and there is a plan. There is a policy and this will become apparent. It may not be the proposal that you all have copies of, because that was one of several. That is quite a good proposal, and maybe a few things will be utilized from it.

There is a tightening up all over. Mr. Veale mentioned certain programs being cut, but really, it was a general tightening up all over. It was not that there was less importance placed here or there, there were reasons for tightening up. As we go through the votes, program by program, it will become apparent.

I would like to address Special Education as we come to it as well. Adult Education in the communities is something that we really want to strengthen within financial restraints, as much as we can, as time goes on. The mobile units are just one of the most fantastic things that have happened to the Yukon. They are ideally suited to the Yukon and the vast distances that we have. I do not know if any of you have seen them, but it is worth going and having a look at the way that they work. It is an incredibly good way of teaching. The one that I saw, in particular, was small mechanics; outboard motors, lawnmowers, chainsaws and, not being mechanically-minded, I swear I could learn

to fix one of those things from this. I really could. It was quite clear, even to me. They have a computer screen that you work with. You press a button, it says, "wrong this time, try again", and all that sort of thing. You also have a very enthusiastic instructor there. I have never met such an enthusiastic teacher in my life, the person who was running that unit, someone who has been doing that sort of work for years and who is absolutely enchanted by this new system.

It is something that, if you have a chance, you would all find it very interesting. Of course, you can teach anything by this method. It is mobile, so it is three months in each community. It has been to Haines Junction and I am sure that perhaps the Member for Haines Junction has seen it. It is now in Watson Lake and it will be going all around. We hope to have other mobile units teaching other things that will do the same thing. I think it is a very good thing for the Yukon.

Anyway, as we go through program-by-program, I think the Member will see the answer to some of his questions.

We are in the computer age now and, within the constraints of finance, we are approaching this as best we can. I find it very important. Children are learning computers at a very young age now and they should be growing up with them because they will be living with them all their lives. I can only say that we are extremely aware of this and we can only do so much. This is something that we are not unaware of at all. I am particularly aware of it.

I am interested in your comments on the school committees. There is a School Committee Policy. The Member may not be aware that there is a very definite School Committee Policy. All school committees are not aware of it, unfortunately, but, there is a definite policy that people just do not seem to keep in their minds when these things come up.

All the communities are involved in the hiring, but what they fail to remember sometimes is that they can only make recommendations, no matter how involved they are. Unless they want to become a school board, they do not have the power that they sometimes think they have. Until they become school boards, and until we have school boards in Yukon — and I think that will be a long way away, except, perhaps, for Whitehorse — those committees are very, very helpful, in most cases, but they can only make recommendations.

I would like to comment just a little more on the Watson Lake incident, since the Member mentioned it. I think it was a very regrettable incident to have been fought out all over the Yukon. I am afraid that I have to feel that, again, it was a case where the media was not as responsible as they might have been. I think that the people who support Mr. Shire in the community, meant very well. I think that it must have been an embarrassment for him to have had this all laid before the public in the Yukon and I would have wished that it could have happened another way. Democratically, it should have been settled between the school committee, who were duly elected by those people, and the people of Watson Lake. I am sorry that it did not happen that way. The department surely had a role in it. Mr. Shire was never told that he would be fired, but there were problems, as everyone knows. Given a choice I would certainly not have had it happen that way.

**Mr. Kimmerly:** I have some very general remarks which will devolve, after I explain them, into questions. They are in four specific areas. It is my opinion that it is probably better not to address all four questions all in one speech, but to allow the Minister to answer on each of the four areas one by one.

The first major area is a very sensitive one. I want to start by expressing it this way. In my former employment in the Justice Department, I was very well aware of a public issue about the sentencing practices and possible differences in sentencing practices between Native and non-Native people. Obviously the law is absolutely clear that people are sentenced the same or treated the same, be there Native or non-Native. As Minister, you have said, repeatedly, in the House, that the education system does not discriminate between Native and non-Native people or identify even in your records, for the most part, Native and non-Native people. However, I raise a question. In the community of Carcross for the past eleven years, the number of Native graduates of our secondary school system is exactly one. I believe in the whole of the Yukon, in the past eleven years, the number of Native graduates is 27. Those are figures collected through the Council for Yukon Indians, and I cannot vouch exactly for their accuracy and the

definition of the Native person being a status of non-status or a Metis person is often controversial. I was in the school system repeatedly when I was a Judge, and I used to speak to especially the senior grades. It is obvious that the number of brown faces is a minority, especially in the senior grades.

<sup>40</sup> I was at F.H. Collins speaking to two classes of students this very Tuesday. It was grades 10 and 11, and there was not a single brown face in the classroom. I do not wish at all to be critical, because I think that that is counterproductive. I do have a concrete point in raising this issue, and I am going to ask some funding questions which I believe are very germane to this point.

As the Minister probably knows, there is substantial Federal money available just now for developing post-secondary education for Native people. As the Minister mentioned there is obviously something of a tension between the Federal system and the Provincial and Territorial systems in this area, the responsibility for Indians being Federal.

I have several specific questions around this general area. Does the Minister recognize that there is a problem in the success of Native children going through our system? Is it a major problem or does the Minister deny that a problem exists in the general sense? I think it is important the Minister of Education make a general remark about that specific question because several things follow from it. I want to absolutely clear that, I do not wish to criticize this Minister, this administration or any teachers or any particular individual. I wonder if that question could be answered, and following that, on the same general issue, I would ask if negotiations occur, or are being pursued with the Federal Government, around the issue of funding Indian education, or are there recovery programs in some department, probably Indian Affairs, for the possibility of funding the Territorial education system with Federal money with a specific reference to Indians. I know that the present funding of post-secondary Indian education is identifying the underlying problems of the primary Indian education. Is that being pursued?

<sup>41</sup> **Hon. Mrs. McCall:** I am interested in hearing the Honourable Member's remarks. He is aware of the sentencing practices with Native and non-Native people as he has described. He says that he has heard me say that the educational system does not discriminate. I would be very surprised to hear of true incidences of actual discrimination against individuals, I would be the last to say that our Indian people have not suffered from many disadvantages.

I truly believe that that is changing because at least they have the opportunities now. I know that the former chief of the Indian Band in Dawson City, who, many years ago when she finished school in Moosehide, came over the trail to Dawson to ask the principal if she could continue going to school and he said, no, because you are Indian. That is just a truly horrifying story. A super-intelligent girl and a very intelligent woman who became the first woman chief in the Yukon. No one can deny that these things did happen. They did and they are pretty terrible.

There are not the Native graduates of the high schools that there should be, I must say, and to be fair, everyone must acknowledge, that this is a Canadian problem. This is not just a Yukon problem. It is something that I think every province and territory is looking at, and rectifying, in their own way. Things do not happen soon enough. I would like to see this changed sooner than it is changing. But, I believe it is changing. If the Honourable Member would like to know if I am aware of this problem, I went to school here, I grew up here and I am well aware of this problem. Perhaps even more than the Honourable Member, with respect. It has been something that has bothered me all of my life. It was also another reason for going into politics. I am hoping that this is changing. I am hoping that my tenure in the Department of Education will have changed it a certain amount as well.

Something very dear to my heart as well as the new brain research that is being done in the hemispheres of the brain. I believe that it is possible that, it is so new that we have not discovered yet whether it is going to be an answer. I believe it may be one answer to the learning problems, besides the very deep social problems, that our Indian people have had. There will be a different way of learning and a different way of teaching that may just be a breakthrough. I am sorry

that I will not be in this job to see this happen, because it will take a while yet. I believe that the Yukon will do well to keep an eye on the sort of things that are going on with this research. I think that there will be a key there to something that we have not been doing. We have not been doing it anywhere in Canada, and perhaps in the world with some groups of people.

<sup>42</sup> There are a couple of more things that I will touch on. There is no way that we can provide separate funding for Indian children and non-Indian children. There is no way of the Department of Education knowing this. Another Honourable Member mentioned to me the other day that he thought DIAND had some knowledge of this. But we do not.

**Hon. Mr. Lang:** I just want to add a couple of comments to what my colleague who has just stated in respect to the education system in the Territory. I recognize the Member opposite that is "the critic" has not been here this long so, and perhaps we should fill him in in respect to the history of the education system in the Territory. At one time, as far as the Native people of the Yukon Territory were concerned, there was an agreement, in the early '60's, which was done away with. There was a conscious decision, which our Government has carried on, and that is the decentralization of our school system to put the facilities in those communities to ensure that we could provide them with the services that one would get, as a student, in any larger centre. Effectively, this has been done. For example, in the past couple of years grades have been expanded in the area of Haines Junction and Teslin. The list goes on.

A number of programs have been put into effect — not just recognizing the fact that some of the Native children do have problems, but that there are other children that have problems — and I think that the Member has the tendency to forget that. In view of their social background, whether they are raised in a small community, or a larger community, and, overall, I would say that the Department of Education, through the teaching staff and the administration, is doing everything that it possibly can to meet those needs. The Member from Faro stood up and thought that the only weakness in the Budget was perhaps in the area of vocational training, on which he was soon corrected by the Minister of Education with respect to what we are doing in that area.

I do have a question, and I think it is fair in Committee of the Whole, that we could turn this around.

**Mr. Byblow:** I said in my statements that one area of concern was vocational training. I said I had others and that I would bring them up later. The Member is indicating that that is the only deficiency I had of the Budget. Incorrect.

**Hon. Mr. Lang:** It is not often I am incorrect, or stand corrected, but perhaps I misunderstood what he said earlier. We will have to check Hansard probably on Monday to see who was correct.

To go a little further with respect to what the Honourable Member for Whitehorse South Centre was concentrating on. I recognize and I remember some time ago, on reading a number of articles, that the Honourable Member was talking about different types of sentencing. I want to know, and I would like to ask a very direct question to the Member, am I to gather that, it is the policy of the NDP and the Party that that Member represents that there is going to be two sets of laws depending on just exactly what background one comes from?

<sup>43</sup> **Mr. Kimmerly:** I will answer the question in due course. In responding to the Minister of Education, I thank the Minister for the remarks and I interpret them this way, or I will react to them this way and the Minister will tell me if I am wrong, of course. I had asked the question, would the Minister make a statement about the departmental policy with regard to the Indian question or the Indian problem? Does the department recognize the question as a problem or does the department deny that a problem exists? The interpretation I have is that the Minister very clearly said, "I hope things get better, things were worse and they are getting better", all of which I accept. The interpretation I take is that there clearly is a problem that is recognized by the department, and the department is doing everything that it knows how to do to solve that problem. In response to the question of the former Minister of Education about justice, it is probably out-of-order in the Education Estimates, although I am pleased to answer it. The answer is



definitely and emphatically, no. That is not our policy and we have never stated any policy like that in the past. It obviously is an issue, because it is public knowledge that this Government has signed an agreement with the Council for Yukon Indians and the Government of Canada with respect to game that there will be a discrimination based on race, with respect to the availability of game in perpetuity and the protection of game. It obviously is a very sensitive constitutional issue, and a very sensitive issue in the area of peoples' rights, civil liberties and the like. I am glad to have the opportunity to state that it is my policy, as an individual and as a Member of this House, and it is our Party's policy, which is well-stated in writing, that everyone is equal before the law in Canada regardless of age, sex, racial origin and other factors, as well. Clearly, we do not stand for two sets of laws.

<sup>44</sup> If you look at the statistics of the Corrections Branch, which were tabled this week, I believe, 55 percent of the admissions to Whitehorse Correctional Centre are Native, including Status and non-Status. If one walks into the Correctional Centre and looks at everyone, the impression is that the population is more than 55 percent Native and, in fact, that is true. At any given time, the population of the jail is more than 55 percent Native because statistically Natives get longer sentences.

**Mr. Chairman:** Just to remind the Honourable Member that we are under General Debate. The Department we are talking about is Education. Proceed.

**Mr. Kimmerly:** The problem is to sentence unequal people equally and to take the social differences into account, which is the proper function of the education system and the justice system, and all systems of government, and to treat those people in an appropriate way in order to achieve the most equitable results. The next general area that I would like to go into and ask the Minister is around the question — and it has budgetary implications — of school drop-out and expulsions from school. I would draw on my past experience in the Juvenile Court. What frequently occurs is that a person appearing in the Juvenile Court is expelled from school or is a school drop-out. Most frequently, they are expelled from school, and what happens is in the effort to rehabilitate a juvenile, one of the important things is to get that child back into school and functioning in the school system. That becomes a goal of the probation officers and the justice system in general.

<sup>45</sup> Especially for children who are expelled, there is a tension. I do not mean to be critical of either system or critical of anyone. There is a tension, in that the justice system is trying to maintain a problem child in the mainstream, or as much in the mainstream as possible, and the education system, responding to very, very real pressures — classroom size and those kinds of things — occasionally expells children, or makes the statement that it is important for the efficient operation of the school and for the rights of the other children in the class to a normal classroom function, that a student be expelled.

That obviously has great budgetary implications in connection with the size of classes or small special classes, and things like that. I would ask the Minister to make a general statement about the policy of the department with regard to that question and refer that to the budgetary implications.

I would specifically ask the question, would it be possible to accommodate more children in the educational system if more money were voted? I think I know the answer to that question, but perhaps the Minister could give an idea of what amounts of money are involved, or if the question is specifically studied by her officials.

**Hon. Mrs. McCall:** Yes, the questions of school drop-outs and expulsions from the school system are very complicated and probably predicated on the individual case. I think there are children who can go back into the school system and be looked after.

The mandate of the Department of Education is to look after as many children as possible and to keep them in school, and to keep the schools and education system going, and to keep them in school for as long as they can. The Honourable knows well that a seriously disturbed or upset child is a difficult problem and affects all the other pupils, and can compound the problems; give problems to other children, and all sorts of things.

I appreciate very much that the justice system wants to keep life as normal for a child and that they want to get it back into normal life. I do

not think it is a question that can be easily answered by anybody. It is a difficult question.

As to the question, will more money be able to accommodate more of these special children and their very special needs? More money can do almost anything, I suppose.

<sup>46</sup> The whole question about juvenile offenders and their lives, the whole problem of crime and everything else, is something that a lot of good minds are analyzing to try to find out what is wrong.

Along those lines, though, I might add that in my other portfolio, Health and Human Resources, I hope that the Honourable Member is aware that we had much criticism over the original Young Offenders Unit at Wolf Creek. Our two units, the Fifth Avenue Residence and the Pelly Block have been a wonderful success as a new system of residential treatment and care for young offenders.

I think this is the way that we are moving, and society is moving as well. I think that our new units are as advanced as any in Canada. I think they are proving to be very fruitful. I think this is being demonstrated because the justice system and the social workers and the schools and everyone are using these new facilities. This is one thing that the Government is doing.

I can only say, as far as Budgetary questions are concerned, of course, more money can do almost anything at all.

**Mr. Kimmerly:** The next area of questioning I have is around the drop in the number of pupils in the Territory. I can be very short about this.

The Minister has told us of a projected lessening of the number of students in the Territory. Is the planning of the Department taking into account that, as the number of students drops, there are more person years freed up for special-needs people, and teachers with special skills, such as remedial reading skills and speech pathology, and those sorts of things. Is it going to be the policy of the Department, as the number of students drops, to maintain the expenditures, maintain the person years, in order to add these new services?

**Hon. Mrs. McCall:** We expect a drop in the number of pupils in the Territory. The projection is about 300 pupils, approximately. We may be right, we may be wrong. We will just have to wait and see.

There is a staffing formula of so many teachers to so many pupils. We are governed by that. That is determined by a Cabinet decision. We cannot get the teachers if we do not have the pupils, the formula does not allow us to get them.

<sup>47</sup> **Mr. Kimmerly:** My last question in general debate is about the expense of administration of the department in general. I wonder if the Minister has compared the number of administrators per student, in the Yukon system, to the Provincial system. I know that I have. The numbers are not in front of me but the administrative person per capita is tremendous. It is a startling figure, and I believe it even goes over, on a percentage basis, the general government official per capita ratio in the Yukon. Because of that, I ask the question, is the Department studying any way that it could reduce the amount of administration and use the same money for special psychological or special needs in the education system.

**Hon. Mrs. McCall:** I would just like to make a few comments on the Member's remarks. In the Yukon, it is an ancient myth — and I have contributed to it myself before I came into Government because I truly believed that it was so — that the Department of Education was top-heavy with administrative people and supervisors. I know for a fact it is not. It has been said for years and years and years. It seems to be a self-perpetuating myth. You examine what each of those supervisors is doing and it has all been pretty vital. We are tightening up everywhere so it just may be that we will have to tighten that, as well. If we do, it is doubling the workload of somebody else. I feel pretty confident that they are working very, very hard as it is. That is the watchword with the whole department. People will be working harder. I can only say that.

In the vote, when we look at the administration, there are things in there that would not necessarily be in administration — Curriculum Development, for one thing. However, you have not been reading that. I think you will find, as we come to the Department, that it is not just totally administration.

**Mr. Byblow:** I would like to make a couple of observations on some of the discussion that has precipitated since I spoke last — an

hour ago. I have a series of questions in general areas.

48 On the subject of Indian education, I was particularly pleased to hear the response from the Minister on the matter of the funding, and certainly the Minister or the Government Leader can correct me if I am wrong. I believe at one time funding was originally provided under terms of the *Indian Act*, and it was changed by letter of instruction of the Minister of Indian and Northern Affairs of the time, back in 1968. There was still some separate funding up until 1974, at which time all the funding became part of the block transfer with the deficit funding procedure to the Government. I am pleased to see the directional thrust that the Minister has committed the Department to, and the awareness of the problems in that area. When we get into it, as a specific item in the votes, we will probably have more questions with respect to the specific programs.

The second comment or observation relates to the school committees. Indeed, I think it is perfectly correct to say that it is a matter of jurisdiction or authority under the existing Ordinance, or Act, that we may be facing some problems with respect to their participation in the delivery of school decision-making. I think there are a number of other areas in that Ordinance that are being looked at for possible update. This year is not a year for reopening it, but I think that that is something future administrations will have to address very soon.

Reference was made to the Watson Lake case and I think it is terribly regrettable and unfortunate that an administrator's integrity had to be debated in public. Those things should never happen. It is indeed a regrettable thing.

The Minister, in replying to my original comments on the vocational aspect of education, commented that there was discontent in education in general across the country. I would suggest, as an observation, that it probably has a lot to do with the simple fact that education has not kept up with society's expectation of what education should do, specifically in the vocational area. It was very prevalent through the '50's, '60's and early '70's to be importing a lot of the skills and trades people that we were using in this country. That market has dried up. We did not put into place, across the country, the training facilities for replacing that marketplace.

49 To get to a question I have of the Minister in this area, I believe when we were debating this a year ago the Minister did say that her department had plans to introduce vocational aspects earlier in the school life of a student. I am moving away from the post-secondary aspect of trades vocational. I am asking the Minister to what extent in this past year has there been any move towards a stepping-up of programming or a lowering of the introductory level for vocational training in the high schools?

**Hon. Mrs. McCall:** The Honourable Member has discussed with me before the question of funds directly for Indian children. Obviously he knows the history that changed in 1968. We have no way of separating funding for Indian children as opposed to non-Indian children. The *School Committee Ordinance*, something the Honourable Member may not know, does not need to be changed. There is a provision for School Boards already in the Ordinance. It is something that has been brought up several times since I have been in this portfolio. We have discussed it at the Educational Advisory Committee. There is quite a lot of reluctance to go to School Boards, but I have discussed it with the Mayo people, and they considered that they might like to change to a school board. The provisions are there in the Ordinance already. If they want to take on that kind of responsibility, if a community feels ready for it, they can do it. No one is holding anyone back from that. Personally, I do not really see how a smaller town or community could go to school boards. I think it is possible that Whitehorse will be ready for a school board before too long.

The other thing the Member mentioned was that society has not kept up with certain challenges that the times have demanded. This is true to a certain degree. As the Member knows, I was at an unemployment conference in Paris. The Scandinavians discussed training, apprenticeship and so on. Germany, Austria and Switzerland had in place apprenticeship training, the old European methods, starting at a very young age of 13 or 14. Certainly, our best trades people were European for the last while and they name up under that system. That system, however, will not work in North America today, not the way that it was in Europe. Those children were just about slave labour, they were paid

almost nothing, and no young person today in North America would suffer that system. North Americans are not used to that and it would not work.

50 I am vitally interested in this. I think the evolution of community colleges has been something that is answering that need in society. You do your two years and you can get a job. It is manpower training. At the same time, you have not closed the door on anything academic. You can then go on and complete a four year degree. I think community colleges have come about in a very natural way as a result of the demands of society today. I have a very interesting article somewhere on community colleges. I think community colleges have been a natural evolution.

The career and vocational in the younger grades is in place in Mayo. This was one of the problems when we had some problems with the Mayo school. We have addressed that, and it is working in a very suitable and happy way.

These mobile units are another way of addressing that. Anyone who wants to take those courses can, including the school children and the adults. It is something we want to emphasize more.

There is another little misapprehension here though. I think some of the Indian people in particular have been trying to address the problem of why their children are dropping out and not having jobs. They say, "O.K. we better have more vocational training." At the same time they are discouraged over the academic record, so we cannot lose sight of that. I think it would be sad for the Indian people to think that they were cut off from academics forever. That is something educators must address: why has the record been poor? Partly, it is deep social ills, but it is also a different approach to learning that I am hoping this new brain research will prove to be a key to.

51 **Mr. Byblow:** I could not agree more with the Minister when she makes the reference that there has been a stigma associated with Vocational education programming in the system. It is something that educators have to break away from in demoting its value. I think it is something that we all must collectively address at the same time.

If I could then move to another point the Minister made in response to my original commentary, and that is with respect to the improving structure she is hoping to implement in the Vocational Branch. She made reference to a person from Alberta being seconded, that that person would be working with Department officials here. I distinctly would like to hear much more about that, and how it is going to fit into the framework of organization.

I think that is what I was trying to comment about earlier, saying it needed this framework to work from. We have the manpower. We have the resources. We have the facilities. We are just meandering.

**Hon. Mrs. McCall:** Yes. Well, possibly since the hour is late there is no use getting into that, into more detail on this secondment. I think the Member will find that the plans that we have there will answer the concerns that he has. Unless he wants me to elaborate on it now, perhaps we should wait until we come to that part of the Budget.

We will be seconding somebody, a year's secondment, and there will be people training from within under that individual.

**Mr. Penikett:** I would just like to make one small statement in this period of general debate. It has to do with my constituents' responses that I have been hearing recently concerning the Department of Education. We all, as many individuals, have opinions pro and con about the school system.

I have been surprised — and I have said this privately to officials of the Department and the Minister — with the frequency I hear the comment that they think that the education system is one of the most valuable parts of the Government, that the school system is perhaps the most useful thing we have. However, it is a very, very common comment to hear criticism about the administrative costs versus the program costs, or the administrators versus the teachers.

I know that we have discussed this every time these Estimates have come up. I know we have heard the Minister's answers. I would want to draw the Minister's attention to that as being a very frequent kind of comment that I hear from my constituents.

**Hon. Mrs. McCall:** I would like to thank the Honourable Member for the compliment. I know that each Member of this Government who has been the Minister of Education, and we have had a few of them I guess, has been very concerned with all these issues. You cannot



change things overnight, of course. Everyone knows that. I do think it is a very good Department.

As one of its critics for a lot of years, I was very impressed with it when I had the opportunity to look at it first hand. Nobody is perfect. Of course, there are things that are not the way that we would like. It is very impressive. I think that if you brought someone from somewhere else to see the equipment that there is in the schools in outlying areas, and the number of grades for the number of people in the area, it is very impressive as a matter of fact. In some cases, I hate to say it, it is over-equipped.

<sup>52</sup> There are machines, and so on, in some of the outlying areas where there is not the talent to use them. The Yukon has been very generous to the school system, I have to say that. The Member was not here when we discussed the administration as "top-heavy business." I have to say it again. I would like someone to analyze just exactly where it is top-heavy. I criticized that myself, when I did not know anything about it, from Dawson and from Clinton Creek, and I know, now that I look at it firsthand and closely, that this is not a valid criticism. It is another myth, but we are surrounded by myths.

**Mr. Kimmerly:** In the past few weeks I have discussed, with individual teachers, the concept of mastery learning. I would ask if the administration of the department is considering, on a large scale, introducing this concept in education. Just briefly, I will explain what it is. When I went to school there were exams and we were graded. If you got over 60 per cent you passed. There were "A" students, "B" students and "C" students. We were streamed into "A" students and "B" students, et cetera. The concept of mastery learning is something that is used especially with Native children and underprivileged children and other categories, with great success. It involves a student staying with a particular subject matter, until the student is an "A" student and only then going on to the next item of business, the next concept, or the next grade level. What it does, especially for underprivileged students, is it gives the students a feeling of accomplishment because everything they do they keep doing it until they do it well. The feeling of accomplishment comes from that, as opposed to keep doing it until they reach a passing level and then go on to the next. It dramatically reduces dropouts.

I can supply the Department with references, if the Department is interested in that concept.

<sup>53</sup> **Hon. Mrs. McCall:** Yes, this is very interesting. Mastery learning is something that I am very familiar with. I know that it works. For underprivileged children, disadvantaged children, or children who have fallen behind, for one reason or another, it is a very good way of learning. I know of a lot of people who have had a lot of success with this.

I think that it is something that we would love to try in the Yukon. All these good ideas would be marvelous, but, the success of mastery learning, to my knowledge, demands vast resources in teachers and expense. To have one child devoting its entire time and a lot of attention to one subject is something that demands vast resources that I do not think that we could provide. Not that we would ignore it, because I know that it works. I know it is a very good system. If you can give one child individual attention, it is a way for that child to feel some success, and they can learn that way. It is a matter of individual attention, though. I just think for the costs it would be just impossible for us to do it. Nevertheless, the concept is good and I would never ignore the concept if it was possible to put it into practice in any way that we possibly could.

**Mr. Graham:** I move that you report progress on Bill No. 5 and beg leave to sit again.

**Mr. Chairman:** It has been moved by the Honourable Mr. Graham that Chairman do now report progress on Bill No. 5 and beg leave to sit again.

*Motion agreed to*

**Mr. Graham:** I move that Mr. Speaker do now resume the Chair.

**Mr. Chairman:** It has been moved by Mr. Graham that Mr. Speaker do now resume the Chair.

*Motion agreed to*

*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. Chairman:** Mr. Speaker, the Committee of the Whole has considered Bill No. 5 *Second Appropriation Act, 1982-83* and directed me to Report progress on same and ask leave to sit again.

**Mr. Speaker:** You have heard the report of the Chairman of Committees. Are you agreed?

*Agreed*

**Mr. Speaker:** Leave is so granted.

**Mr. Graham:** I move, seconded by the Honourable Member for Campbell, that we do now adjourn.

**Mr. Speaker:** It has been moved by the Honourable Member for Whitehorse Porter Creek West, seconded by the Honourable Member for Campbell that we do now adjourn.

*Motion agreed to*

*The House adjourned at 5:27 p.m.*

**The following Sessional Paper was Tabled Thursday, April 1, 1982:**

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