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HANSARD

Wednesday, April 4, 1979 — 1:30 p.m.

Speaker: The Honourable Donald Taylor

Whitehorse, Yukon**Wednesday, April 4, 1979 - 1:30 p.m.**

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

(Prayers)

Hon. Mr. Graham: Mr. Speaker, at this time, I think that it is appropriate that the Legislature take notice of the fact that we have a visiting class, the Grade Six Class from Selkirk Elementary School, here, in the Gallery.

Hon. Mr. Tracey: Mr. Speaker, I have two Legislative Returns to table.

Mr. Speaker: Perhaps, we will allow that; we have not yet got to tabling of documents.

Hon. Mr. MacKay: Thank you, Mr. Speaker. I would also like to make note of visitors in the Gallery. The President of the Yukon Association of Non-Status Indians, Mr. Bill Webber, and the Vice-President, Margaret Joe.

ROUTINE PROCEEDINGS**TABLING OF DOCUMENTS**

Mr. Speaker: We will now proceed to tabling of returns and documents and the documents referred to by the Honourable Minister will deemed to have been tabled.

Hon. Mr. Lang: Mr. Speaker, I have for tabling a White Paper on real property assessment of Yukon. Mr. Speaker, I also have for tabling the answer to Written Question Number Ten.

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

Are there any reports of Standing or Special Committees?

Petitions?

Introduction of Bills?

Notices of Motion for the Production of Papers?

Notices of Motion?

NOTICE OF MOTION

Hon. Mr. Tracey: Mr. Speaker, I have a Notice of Motion moved by myself, seconded by the Government Leader that this House recommends to the Minister of Indian Affairs and Northern Development the appointment of Mr. Clifford Geddes to the Yukon Territorial Water Board for a further three years.

Mr. Speaker: Are there any further notices of motion?

Are there any statements by Ministers?

MINISTERIAL STATEMENTS

Hon. Mr. Njootli: Mr. Speaker, for information for the general public, the Social Planning and Community Development Committee will be meeting for the next two months here in the Yukon Territorial Government to implement the local concerns from outlying areas in the Yukon Territory.

I would like to note that the box office for this building is 2703 and that I would like the interest groups to try to submit their proposals to this committee to be used as an advisory tool.

Hon. Mr. Graham: Mr. Speaker, it is my pleasure, at this time, to announce to the House and to the general public that the Department of Education now confirms the appointment of Terry Weninger as Superintendent of Education. Mr. Weninger has been an employee of the Territory for the past five years, and in the past year has acted as the Acting Superintendent of Education. This appointment is effective today.

Hon. Mr. MacKay: I would like to take the opportunity to congratulate Mr. Weninger and also the Minister on his choice.

Hon. Mr. Lang: Mr. Speaker, I have tabled, today, a White Paper

on Real Property Assessment outlining the policies of this Government as it relates to assessment. I would like to give some background to our present situation.

In the past, the Government has utilized a method of assessment which reflects 100 per cent market value on land and 1963 building costs on improvements. This means that the land has been assessed at its full value, while improvements have been assessed at much less than their full value. Over the past few years, this has created an inequity in our assessment base causing a major shift in our assessment base from building intensive properties to land intensive properties, often to the benefit of those who are more able to pay as opposed to those who find themselves in a less fortunate position.

Contrary to some public statements, it has been impossible to correct the assessment for the 1979-80 year. It must be clearly understood that the assessment role must be prepared by October 15, of the year preceding the tax year and, therefore, it has not been possible to correct the imbalance for this forthcoming tax year.

Mr. Speaker, the Government will now repeal the present Commissioner's Order pertaining to assessment. This is a major step forward to correcting our present assessment base. A new Commissioner's Order will direct our assessors to adhere to the following principles:

(1). The Government of Yukon will retain the responsibility for assessment throughout Yukon. This principle is important to ensure universality of the method of assessment and maintaining equity throughout the Yukon.

(2). The assessment rolls in all taxing jurisdictions will be maintained and updated on a continuous basis. This will prevent the problems that have arisen over the past years which can be largely attributed to an inequitable assessment base, an insufficient number of trained assessors and the fact that assessment rolls were only required to be updated every five years.

(3). Land will continue to be assessed at market value and will be entered on the assessment rolls at 100 per cent of that value.

(4). Assessment for improvements will be calculated on a basis of current replacement costs and will be entered on the assessment roll at 100 per cent of that value. This will be accomplished by adopting the Alberta Manual, but revising it to reflect current Whitehorse building costs. Of course, depreciation and other factors will be applied to the original base figure to keep replacement cost figures current.

The replacement value approach was chosen over the market value concept primarily because:

(a). there are insufficient property sales in the Yukon to establish a market value assessment base, and;

(b). the market values tend to fluctuate considerably in a boom or bust economy, while replacement values are not nearly as susceptible to those fluctuations and can, therefore, provide a more stable assessment base.

(5). Provisions will be made to exempt from assessments such things as landscaping, sidewalks, fences, repainting and similar improvements to residential properties. The reason that this section has been included is that there has been a misconception in the minds of the public that improvements of this nature will increase their assessment.

With clear delineation of this type of exemption, it will give the incentive for people to improve their homes without the fear of increased taxation.

Mr. Speaker, I have intentionally left out any mention of legislative changes to taxation. Until we have a clear understanding of the shifts which will occur with this new method of assessment, we will not be able to establish a policy for legislative change. We expect, Mr. Speaker, to have this information to the Government approximately May or mid-June. As we all know, the municipalities are responsible for the levying of the general mill rate within their boundaries. The Government is actively engaged in developing the options for changes to the taxation system and we intend to present them to the association of Yukon communities for their views prior

to implementation.

Thank you, Mr. Speaker.

Hon. Mr. MacKay: Mr. Speaker, I would like to congratulate the Minister on having made a statement as he has just done and I think that it is commendable that with such speed, under such pressure from opposition that he has managed to come forth so quickly with these changes.

I also note though, that there is, in fact, no legislative changes required for this change and that it is quite obvious, then, that these changes could have been made some time ago with respect to the changes he has indicated.

However, be that as it may, I think that a number of the items that he has enumerated as being changed are good. I think that the Territorial Government should retain the universality of assessments, that they should be updated on an annual basis and that the balancing of land versus improvements is a step forward.

I wish to have heard of some kind of indication of the effect that this switch will have upon the various categories of property and this, no doubt, has been calculated by the Government and, hopefully, it will not impose an immediate strain on other types of property owners at the expense of correcting for the people who have had problems before, that we do not suddenly swing the balance too far the other way. Hopefully, the pendulum will wind up somewhere in the middle and everybody should be paying a fair tax.

I think, that is all I have to say. I will look forward to reading the White Paper and also to discussing with the Minister at some future point, other items which are required to be put forward in the Municipal Ordinance. I am pleased to see that he has taken this immediate action now.

Mr. Penikett: Mr. Speaker, as the Minister well knows, I would have loved to give a long, hour-and-a-half oration on this subject and I want him to know I enjoyed reading the White Paper. I suppose "better late than never" is a good description of where we are at and I am reminded of another expression: "Nothing concentrates a man's mind like the knowledge that he is going to be hung in the morning".

I am pleased to see now, from the Government, I think, some fairly precise recognition of the problem, as it has. I am a little uncertain about the Government's commitment to changing the legislation, especially in view of the large number of recommendations that were made by the Miller Committee which covered a whole range of areas in this Ordinance. I think, many of the recommendations made there are still very valid and worth considering.

The Minister has alluded, of course, to the band-aid approach suggested by some, and I am sure that "some" include the Honourable Member from Whitehorse West and I would like to suggest to him that the band-aid was never suggested, but what we were talking about was large plaster cast for a major fracture and it was an emergency operation that was proposed with the amendment to Section 50. However, I am sure we will have a chance to debate that further.

I think that the Minister has made a very good summary of the taxation process, the four stages that are essential. There is one point that I will be returning to when we get into debate and that is the philosophy of property taxation. It is my view and I think that it is the view of the Government of Manitoba, or has been, that property taxes ought only to be used to pay for services to property and that is the origin of that kind of tax and that is the principle on which it should be used. Therefore, I shall probably be engaging in some debate about the appropriateness of using this tax for such things as schools and recreation. I am sure that will be an enjoyable debate when we join it.

I am, at this point, I think, slightly concerned about the use of the replacement costings for improvements. I understand the Ministers reasons for doing it, but I do hope the market values, at least, will be used as a check on the values in the assessments for the replacement values because, I think we can still see some distortions the other way.

Generally, I would like to thank the Minister for his statement. I am sure the debate will be, when we get into some legislative changes, enthusiastic and long, and I might say that I look forward to that with enthusiasm. I cannot sit down though, without remarking on the fact that I think it is a pity that we have had to live with this problem for a couple of years now, and that some injustices had to persist, but I do hope that with some swift action this year, we will be able to rectify them.

Thank you, Mr. Speaker.

Mr. Speaker: Order please. Is the Honourable Member rising on a

point of order or a point of privilege?

Mr. Fleming: I am sure that the Member on my right and myself would have loved to comment to the Minister's statement, but rules do prevail.

Thank you, Mr. Speaker.

Mr. Speaker: I do not think that the Chair can hold that the Honourable Member has raised a point of privilege.

Are there any further statements by Ministers?

This then brings us to the Question Period.

QUESTION PERIOD

Question re: Native Education

Mr. Byblow: I have a question for the Minister of Education, Mr. Speaker.

In light of yesterday's press release from the representatives of the Yukon Native community regarding his Department's attitude in the handling of native education concerns, is the Minister prepared to address this House in response to the demand of his resignation and the subsequent call for a Federal investigation into native education?

Hon. Mr. Graham: Mr. Speaker, I have no intention of resigning and as for the remainder of the press release, I am sorry, I have not actually read the press release. I have read several interpretations of it but I have not read the actual press release so I am not prepared to comment on the Federal investigation.

Mr. Byblow: Is the Minister unable to confirm that the allegations of the press release respecting Native treatment by his Department of Native educational concerns are true?

Mr. Speaker: Order please. I am not too sure that the Chair can accept that question. I believe that the Minister has stated that he does not know of the press release. Perhaps, the Honourable Member might care to rephrase his question.

Hon. Mr. Graham: Mr. Speaker, I think that I have a fairly good idea of what the Honourable Member is getting at. I would like to assure this House that it is the Department of Education's intent to pursue an active role of the native groups within the Yukon Territory. To this end, Mr. Speaker, we have developed a paraprofessional training, a paraprofessional program for classroom assistance. This is basically a native program to have a native present in the classroom in rural schools.

We have developed a language research program. We have contracted this to the Council for Yukon Indians. Mr. Speaker, we are also attempting to develop a program of cultural research which we hope we will be able to contract out to the YNB in the future. We also have the remedial tutor program which also provides the native identity, especially in the rural schools.

We have, coming up in the oncoming year, an optional course on native mythology at the grade 8 and 10 levels. This is a course developed in conjunction with the YNB and, hopefully, this type of course will continue in Yukon schools. We have also developed a policy of giving innovative grants to teachers in the Yukon, especially in the outlying areas, to provide dollars for programs geared to local conditions.

The Department also hopes to continue the professional development of teachers in areas such as teaching English as a second language and teaching in a cross-cultural situation and it is also this Department's intention to consult, on an ongoing basis, with local band councils as well as school committees in rural areas.

I do not believe, Mr. Speaker, that we are rejecting the native content in our schools. We are attempting to accommodate Indian interests as much as we possibly can and it is my Department's intention to pursue that course.

Mr. Byblow: Is the Minister aware that in British Columbia, a Department of Indian Education exists within the Ministry to address special native curriculum concerns in education and will his Department be using that source for consultation?

Hon. Mr. Graham: Mr. Speaker, we are willing to accept information from any source that we can get. At the basic time, our Department is not big enough, and I can remember hearing just a little while ago in the Budget debate where the Members opposite felt that, in fact, our administration was too large as it presently is so, we are going to depend on the YNB and the CYI to give us a lot of input into native programming that we hope to continue in Yukon Schools.

Question re: Abusive Remark to Chief Danny Joe

Mrs. McGuire: Mr. Speaker, I also have a question for the Minis-

ter of Education. Mr. Speaker, is the Minister quite prepared to apologize publicly to Chief Danny Joe of the Selkirk Band for the crude and abusive remark that was put to the Chief by the Minister and was made public?

Hon. Mr. Graham: Mr. Speaker, I think, I know which remark the Honourable Member opposite is speaking of. I seem to remember making such a remark, I have the horrible tendency to do so. If, in fact, Mr. Joe had taken this remark as I intended it, he would not have felt offended because I, in no way, intended a slur on his reputation. If he took it that way, then I am very happy to apologize, to not only Danny Joe, but also to the Vice-President of the YNB who was present at that time. I did not intend, in any way, that remark towards the YNB or their representatives.

Question re: Land for Sale in Whitehorse

Hon. Mr. MacKay: Thank you, Mr. Speaker. My question is to the Minister of Municipal and Community Affairs. Can the Minister tell us how many developed lots are presently held by the Government for sale in Whitehorse?

Hon. Mr. Lang: Mr. Speaker, I have not had a recent update. I think the total amount is forty and that is a combination of country/residential, residential and there may be one or two commercial in that as well.

Hon. Mr. MacKay: Will it be possible for the general public to buy these lots within the next few months before the building season begins?

Hon. Mr. Lang: Mr. Speaker, I am just reviewing that at the present time.

Question re: Dawson City Administrator's Report

Mr. Penikett: Mr. Speaker, I, too, have a question for the Minister of Municipal and Community Affairs. I would like to ask the Minister if it is his intention to table in the House, the report of the Administrator of Dawson City, Joe Oliver, now that his work is about completed.

Hon. Mr. Lang: Mr. Speaker, I have not received the official report from the Administrator. I expect it within the next day or two.

Mr. Penikett: Mr. Speaker, in view of the fact that some of the observations and findings of the Administrator may have some bearing on the Dawson City Municipal Election, would the Minister be prepared to make that report public before the election day in Dawson City?

Hon. Mr. Lang: Mr. Speaker, it would depend when the report was received and also, at the same time, with respect to my officers having the ability to review it.

Hon. Mr. MacKay: Final supplementary on that: there has been a considerable concern expressed in Dawson City concerning the electoral rules and the method in which the Council has been elected. Has the Minister given any thought to reviewing the situation and trying to get a proper election in place as soon as possible?

Hon. Mr. Lang: Mr. Speaker, I have reviewed the situation. It is my understanding that the way the election has proceeded up to now, has run properly under the Municipal Ordinance, it is a question of interpretation concerning some of the decisions that were made at the local level. As far as I am concerned, it will proceed. If people do have problems with the election, there is a controversy procedure that can be followed.

Question re: Tourism Convention in California

Mr. Byblow: I have a question for the Minister of Tourism. It has come to my attention that the Minister may have erred in telling me, in a previous question, that only his expenses were being absorbed by YTG in his recent California junket. Could the Minister confirm what expenses were incurred by YTG for the trip?

Hon. Mr. Tracey: Yes, Mr. Speaker, I did err. I told the Minister that YTG was only paying my costs, where in fact, the Commissioner's costs were coming out of the YTG budget.

The total cost for the trip to California was somewhere in the neighborhood of \$3,000. I do not know the exact sum. The total costs for the whole package picked up by the province of Alberta and part of the Northwest Territories, was probably in the neighborhood of \$85,000. So we got a pretty cheap go at it.

Mr. Byblow: Would the Minister be prepared to assess the value of the trip toward Territorial tourism benefit?

Hon. Mr. Tracey: Mr. Speaker, it would be almost impossible to assess the value. All we can do is say that it was beneficial to the Yukon Territory and we expect to get full value for our dollar out of it. To put a dollar value on it, that would be impossible to do. The dollar value might not come for two or three years, we do not know.

Question re: Whitehorse Inn

Hon. Mr. MacKay: Yesterday, the Government Leader made a

speech to the Chamber of Commerce, in which he referred to the demise of the Whitehorse Inn. He mentioned, at that time, that he had unforgettable memories of this place, and in view of the dubious reputation of the Whitehorse Inn and the Government Leader, could he perhaps share these memories with us?

Mr. Speaker: Order, please. I must declare that that question is frivolous and quite out of order.

As there appears to be no further questions, we will proceed to the Order Paper.

Mr. Speaker: We will go to Orders of the Day, Motions other than Government Motions.

ORDERS OF THE DAY

MOTIONS

Mr. Clerk: Item Number 1 standing in the name of Mr. Hanson.

Mr. Speaker: Is the Honourable Member prepared to deal with Item Number 1?

Mr. Hanson: Yes.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Minister of Tourism and Economic Development, that the Administration along with the appropriate funding of all natural resources in Yukon be transferred to the Government of Yukon and that amendments to related federal regulations and legislation be made on the advice of the Government of Yukon and that active negotiations commence immediately on the transfer of the appropriate legislative authority to the Government of Yukon.

Mr. Hanson: Mr. Speaker, I do not intend to talk long on this subject. It has, from what I gather, gone before the House before and it has been passed and that is where it died. But this time, seeing we now have party politics, I am sure that all three Parties and the Independents will be voting for this Motion.

The purpose of this is for the Minister for Economic Development who is going to Yellowknife next week for the Resource Advisory Board Council, the last meeting, will have a mandate from this Government to ask to start negotiations now for the transfer of our resources to us. That is the administration and the budget at this time and legislative powers later on.

I could stand all day and say what the benefit of this transfer would be to the Yukon, but I am quite sure that everyone in this House realizes what it would do for this country to get our resources in our hands.

Thank you.

Hon. Mr. Tracey: Mr. Speaker, in our drive for more responsible government for the Yukon, it is considered vital to us that the administration of all our natural resources be in the hands of Yukoners, Yukoners who have been elected by the people of the Yukon and not someone from thousands of miles away, who has no direct interest in Yukon except to ensure for himself and his fellow Canadians from the provinces that they not only have the benefits of their provincial resources but also the benefits of the vast resources North of 60.

Mr. Speaker, we all recognize that Indian land claims will be and should be an important factor in any turnover of resource responsibility, but if we are to have more responsible government it is necessary that we not only have the administration of these resources, we must also own these resources. After all, who should own them, the residents of the area or the residents of the rest of Canada? I say, Mr. Speaker, that the people who live and work in the Territory should own their own resources as the residents of the provinces do.

That is why, Mr. Speaker, we feel that it is imperative that negotiations begin immediately for the ownership of these resources. We hear much about resource revenue sharing bandied about in the Liberal Party in Ottawa.

I suggest, Mr. Speaker that this is a game in which the only loser would ultimately be the Yukon. We should be very wary of resource revenue sharing, for, once we have entered into any such agreement, we would find it very hard to negotiate for our rightful ownership of these resources.

Last month while in Vancouver I approached the Assistant Deputy Minister with regard to transferring of resources to the YTG. At that time, he stated that resource revenue sharing would be more satisfactory to the Federal Government. I would suggest that whenever the question of resource transfer comes up, we are going to hear the same lines over and over. However, nothing less than ownership is satisfactory to us as a majority in the Legislative

Assembly and I would certainly hope that nothing less would be satisfactory to the Opposition. Therefore, I support this motion, Mr. Speaker, and, furthermore, I will be going to Yellowknife this coming week to support the mining community in the North, in their bid for local control. The Government of the Northwest Territories will be doing the same when the Northern Mineral Advisory Committee holds their final meeting before turning their report into the Minister.

Thank you, Mr. Speaker.

Hon. Mr. MacKay: Mr. Speaker, when I first read this motion, I think that I probably read it in a manner which the Honourable Member from Mayo intended me to read it and that was a fairly routine, motherhood issue that everybody would support without question. I think that that was the assumption that was made across the way. But I have to rise again as I have in the past in this House and point out that there are other considerations other than what we want here.

The consideration is plainly that this motion, if passed by this Government, by this House, would clearly impinge upon the land claim negotiations that are presently being held. I have to think of it as a most insensitive time, at this time, and in this place for us to be negotiating this kind.

It is clear in the minds of the Government that what we are talking about is not merely the administration but the ownership of these assets. It is very clear from what the Minister of Tourism and Economic Development just said, that is the purpose of this motion. It is cloaked in terms of "we should just take over the administration so we will get used to it", but the real issue is the ownership and I am not prepared to discuss the ownership of these resources, at this time, because I think that it would be a provocation. I think that kind of thing is best handled at the negotiating table and the land claims and if the Members opposite do not think that this kind of subject will come up at land claims, I suggest they think again.

The other motive, perhaps, for having this motion on the floor, at this time, was to gain political points, to be able to say that bad government in Ottawa is withholding our resources from the true owners. That is probably a pretty sensible thing to do if you are fighting a federal election campaign.

I do not think that any of us are particularly interested in fighting a federal election campaign in this House, so I cannot see what good political points being scored in this one will do. I can argue and I can debate and I can do many things from my heart but I cannot use this House to get into a debate that should be taken somewhere else.

I think, as we said many times, during the campaign last Fall, what is required now is, number One, the settlement of Indian land claims. Everybody said that. Number Two, how do you do that? Well, I think, we all agreed that there must be the proper atmosphere of trust and cooperation established to do that.

To blunder into this kind of subject in the midst of reopening of land claims negotiations, to blunder in, Mr. Speaker, at this time, is not being sensitive to the required atmosphere.

I, therefore, will make no hesitation in voting against this because, nowhere in it is there any recognition of the land claims issue. If there had been some in this motion, I do not think that I would have had much difficulty supporting it because the principles involved of ultimate control of Yukoners of their resources does not meet with any problem in this Party, here.

Where it does have a problem is in the timing. The sensitivity displayed in producing this motion is a real problem because it indicates, deep down, are the Members opposite really serious about negotiating in good faith with the Indian people?

Thank you, Mr. Speaker.

Hon. Mr. Njootli: Mr. Speaker, I would like to speak on the motion. I notice that the Honourable Member of the Opposition has tied in the Yukon Indian claims with the motion and I think that with every motion that comes before the House, there is going to be an attempt by the Opposition to try to tie things into the motions that are discussed within this Legislature.

Just recently, Mr. Speaker, I opposed a motion put forward by my Honourable colleague, the Minister of Municipal and Community Affairs regarding the Territorial Government taking over lands mainly because it is jeopardizing the Indian people, and more particularly, my constituency and I mentioned specifically, also other areas in the Yukon. But this motion does not, in any way, reflect upon that previous motion that I opposed.

In my view, Mr. Speaker, if we continue to let Ottawa control the resources whether it is natural, whether they are renewable or non-renewable, if the natives negotiate with Ottawa, then I feel,

from past experience, that the Federal Government would not release as much as the natives are asking for with regard to resource revenue in Yukon Territory.

Speaking on resource revenue sharing, Mr. Speaker, I would like to specify that there are resource revenue sharing going on in different parts of Canada and here in the Yukon, for instance, if we do have resource revenue sharing it would be the Yukon Territorial Government and the Federal Government, whereas, if the negotiations took place then it would be a third party which is not inconsistent with the Opposition's policies.

Based on those facts, Mr. Speaker, also being the first Indian to sit on the Government side of this House, it makes it difficult for me to speak with good judgement in concerns such as these. So it puts me in a position where I have to make good judgment on my part as an Indian for the best development of this Territory for the future of the people of the Territory.

I would like to stress also, Mr. Speaker, when I speak to this motion, I am an advocate of the one Government system and I believe that this could work if the native people sit down now, which I think, they are doing in Vancouver, and negotiate the land. Everything is open to them, Mr. Speaker, and if, in fact, negotiations are going to take another ten years, I do not see why this Government is going to sit back and let the Federal Government make policies and regulations and take all the mineral resources out of the Yukon Territory.

If we do that, there will be nothing left to negotiate. The Honourable Member from Whitehorse Riverdale South and the Member from Old Crow, would not benefit in any way, shape or form from resources if we are speaking of the Federal Government continuing the ownership of resources in the Yukon Territory.

Based on those observations, Mr. Speaker, I have no alternative but to support the motion.

Mr. Byblow: Mr. Speaker, I must express that I have some very fundamental reservations about the motion as it stands. I agree with it in principle, because it is inevitable that it must take place, but I think, at this time, it is too premature and too ill prepared to really be taken seriously and, as such, I will take a slightly different approach to discussing the motion than some of the previous speakers.

In the past several weeks we have been discussing a number of things. We have raised questions. We have debated. We have proposed various concerns related to economic development. We talked about resource development strategy. We have talked about planning transportation and energy grids and corridors of development, and were lead to believe that there is a plan for the Territory's future growth and development. That it is being thought of now, and it is being articulated into a document.

At the same time, as pointed out by the Minister, we are entertaining discussions with interested investors, we are sitting on Federal committees along with industry and we have our own Territorial structures of communications to express our concerns. This is the point I would like to make. This motion implicates industry and, specifically, the mining industry because it is to that industry to whom the motion will have any implication, if and when natural resources are transferred.

Mr. Speaker, I do not think that we should be so naive, or contradictory to think that we can have our natural resources, that we can participate in land claims, that we can permit a pipeline to be constructed, and expect mining, our primary industry, to continue.

There is a problem here. It has already been pointed out that a price will have to be paid to assume the responsibility. To date, we can boast of nothing more than being an advisory capacity respecting natural resources. That is true, and suddenly without any demonstrated capability to get together in advice that we want to give, we demand full control.

Mr. Speaker, I suspect that we would be laughed out of any courtroom if we present that kind of a case, the way we are presenting it now.

Do we really think that we can encourage resource development without the Federal concessions that are possible now? Do you think that this Territory can encourage a mine into production with the tax breaks that has had to be the case, when, for example, Anvil came on stream? You could not, you could not do that. Why? Because you would need every possible cent to pay for the infrastructure, to pay for the services that you have already got in place, not to mention the ones that you will still need.

It seems to me, Mr. Speaker, that the thinking here is that if you have full control of your natural resources, you can increase your revenue, you can improve your fiscal position and deliver a better quality of service to you taxpayers. Mr. Speaker, I submit that that

is a misconception and a myth. Allowing this motion to represent the position of this House, I believe, would be an irresponsible move at this time. I have, before me, a researched set of financial statistics. It is compiled by various departments of this Government and the Department of Indian and Northern Development. For the year 1977-78, if the Territory were a province, the additional cost to Yukon to administer natural resources, if the existing taxation and royalty structures remain in place as they are now, would amount to a difference of something like twenty-one million dollars. Mr. Speaker, that does not even take into account the capital costs of some five and a half million dollars. That is for natural resources, only, of the cost it would be to us if we assumed full control under the existing structures.

I now submit, Mr. Speaker, that you would have to pick up that twenty-odd million someplace, and if you intend to maintain your level of service, I fail to see what plan is in store to make up that difference.

If you try and hit the industry for greater taxation or royalties for the service, for the resource that they are extracting, whether that is in mining or in energy, or forestry, you are effectively eliminating them from existence. Industry will go where the buck is and it will not be here. If you try to hit average Joe Citizen for twenty-odd million, I dare say that 23,000 people are not going to be prepared to cough up a \$1,000 bucks to make that difference.

I further submit, Mr. Speaker, that if the real thrust of this Government is economic development, then we are going to have to show more long term planning and fiscal accountability. This motion does not show that. I suppose though, that like the provinces, Yukon will be going, cap in hand, as a have-not, for the deficit grant and so on, but I fail to see how we will have any leverage or reasoning to get very far under this kind of an arrangement.

Mr. Speaker, I said earlier that I agreed in principle with the motion, and I do. Control of our natural resources is an evolutionary reality, if we really expect any "no strings attached" autonomous growth. The time to ask for your natural resources is not now.

Only two weeks ago, the Minister of Health and Human Resources pointed this out; this House amended a motion that called for land development that, by predicating land claims to that motion and I repeat the concerns that were expressed earlier. Where is that consideration now? As I pointed out, where is the fiscal accountability?

Mr. Speaker, the Government House Leader has repeatedly told us that his Government's priorities are land claims, pipelines and economic development, in that order. I maintain that the economic development priority has to be more gradual, more accountable, more planned and more responsible, and is not ready yet for this move.

Mr. Speaker, this then is essentially my position. It is a premature motion. Like the provinces that entered into Confederation since 1867, the need for more federal aid now in developing those natural resources is vital. If we are going to gain control of those resources it is not the right move now. I think that we need more producing mines on stream, I think we need our major hydro electric development. I think, we need some planned economic development. We need an inventory of the resources we have got, then we will run our own show.

If some of these things can be negotiated in the next few years, Mr. Speaker, I will be glad to support and even help develop the realities of that motion, but right now, Mr. Speaker, this motion, I believe, should be defeated. In fact, I suggest that perhaps it should even be removed from the record to show our responsibility.

Mrs. McGuire: Mr. Speaker, I rise in protest of this motion as well. The motion, as it now stands, is basically a neat cover-up call for provincial type status. It is also a contradiction of the present PC Party policy that promises to take the question of provincial status to the people of the Yukon via a referendum.

The most astonishing thing about this motion is that in direct violation of the Canada/Yukon Territory Memorandum of Understanding, where the Territory has entered into an agreement involving land claims, which, at this time, is completely binding and confidential.

Mr. Speaker, what we are debating here, today, is quite probably a negotiable item in the land claims talks and if this is the case, it should be debated at the negotiating table.

I have no doubt in my mind that this item was simply plucked from the negotiating table and laid before the public.

Mr. Speaker, I am charging this Government with a direct breach of confidence of the debate about land claims issues. If this

motion is passed in this House today, I hope you are prepared to deal with the consequences that will result from the passing of this motion.

Mr. Speaker, I wish to inform the Minister of Health and Welfare that I have no problem in judgement.

Mr. Fleming: Yes, Mr. Speaker, I also, will be rising in non-support of this motion. I only have to read the first two lines, "That administration along with the appropriate funding of all natural resources". That means exactly what it says, all natural resources. I refer back to the Land Claims Settlement where possibly land, that you do not have resources without land, it is going to apply to both.

As has been said here before, we have passed a motion in this House before, and it had it amended because of the very same thing, in the last few days, in this House. I just do not understand how the Government could come from that side, with that type of a motion again, saying absolutely nothing other than we just take over and if the land claims are settled, we deal with the native problem once again as a Yukon Territory.

I do not think that you are going to find the people, about a third, or quarter of the people in the Yukon Territory, especially in the native area, that are going to agree with that.

I just cannot support the motion. These motions have been here before. I have been here for almost five years. I have seen the same motion a dozen times around this House. In the first while I was here, we used to pass these motions without thought of the land claim issue pretty well as they did not get anywhere at that time. The last year or two that I was here, I am almost sure that we always referred to the claims and made sure that we did not just pass a motion as they were going to try to pass the other day, and we had it amended. This motion was amended to take into consideration the Land Claims Settlement and to be acted upon immediately after that. I will be in full support of it, but not as we stand today.

Mr. Falle: Mr. Speaker, I have sat here today, and I have listened to the land claims being brought up. I would like the people to remember our platform on land claims. It is a priority, but it is a fair and just settlement for all Yukoners.

One of our main reasons, I think, that we are the majority government is because we consider all Yukoners in the land negotiation. It must be fair for us all. And on this side of the House, we are going to do our best to go ahead with development and we definitely hope we get the cooperation of all Yukoners.

We cannot jeopardize every person in the Yukon and come to a solid stop because somebody in Vancouver, Ottawa, who is sitting on the negotiating table, refuses to budge. We have to keep the Yukon moving forward and we are going to.

I believe, Mr. Speaker, without having control of our resources, we are not much more than a puppet government. We have no control over our money matters, no control over the land which so many people want and they come to the Government every day, "When are we going to get land?" Well, we have not got it to give them or to sell them, a little wee bit, that is about all, but I would like to state that I am definitely in full support of this motion. We have to get control of our resources and our mines.

Hon. Mr. Pearson: Mr. Speaker, the discussion has been quite interesting. Once again, we are getting back to a couple of old saws that I have been sitting patiently in this House listening to during the course of our debates. The major one I think I would like to dispell, Mr. Speaker, is that when it comes to land claims there is a "them" and an "us". Now, Mr. Speaker, the people of the Yukon Territory, I am very hopeful, will be and should be, united. If there is going to be a "them" and an "us", for the sake of everybody in this Territory, Mr. Speaker, it had not better be the Indian population and the white population in the Yukon but much rather it had better be Yukoner against Ottawaite. That is the only way it can be or else, Mr. Speaker, I respectfully submit we are all going to end up losers.

Now, Mr. Speaker, the motion, as it is written, was very, very carefully thought out and is very, very carefully worded. The specific point in the motion, Mr. Speaker, is that we are seeking the administration of these natural resources in this Territory at this time. Mr. Speaker, the motion goes on very clearly to state that the appropriate legislative authority is going to have to be negotiated.

Now, Mr. Speaker, I really do believe that it would be of benefit to all people in the Territory if in fact, all of the people in the Territory did have the administrative control of natural resources in the Territory and at that point, we are in a position, as all of the people in the Territory, to negotiate with Ottawa in respect to the legislative turnover of those authorities.

The motion, Mr. Speaker, is not in contravention nor does it jeopardize land claims. It has not been in the past, nor will it be in the future. There is no reason for the motion, at this time, to recognize land claims. It is part of the negotiating process.

Mr. Penikett: Mr. Speaker, I am certainly glad that the fine Tory gentleman who is the Leader of the Government got up to speak because, I think, from the contribution from some of the other Members on that side of the House, there could have been a lot of confusion about that motion. I am willing to grant to him that the wording in this motion is extremely careful. It is so careful that someone might even call it devious, but of course, I would not go that far.

I want to say that the impression created by the first Conservative spokesman to this motion, left the impression that as usual, the Conservatives were putting the cart before the horse, and what was worse; the horse appeared to be walking backwards and heading straight towards a collision that it had no way of anticipating.

I think that it is unfortunate that some specific reference to the land claims negotiations was not made in the motion because, I think, to even suggest that the control of all the natural resources in Yukon should take place prior to the settlement of land claims is potentially to put us in the situation of that province to the south of us right now where they became a province prior to the settlement of land claims and they are now faced with the prospect of having to be parties to negotiation of a fair settlement and a settlement which I think, their political perception tells them that they could not possibly financially afford. That is only one aspect of the situation in which BC finds itself in.

The Honourable Minister of Tourism, Economic Affairs, Renewable Resources and Consumer and Corporate Affairs gave us a little lecture on the provincial resources question and the traditional situation with which some of the provinces have addressed Yukon and their old attitude of what is ours is ours, and what is yours is ours too, and I admit that we have some historical grievance on that score. He is quite right and that debate is going to go on for a long time. I am fascinated to hear that he is going to be taking a very strong stand on the resource sharing question and I think that is fine also.

But I think to proceed in the manner that is suggested by this motion is, in fact, to indicate a total ignorance of the history of this country. The fact of the matter is that it is possible that you can have provincehood without settling land claims. But I would suggest to everybody on that side of the House, with the best will in the world, that they would be absolutely crazy if they did it.

It seems to me that from the point of view of the people in the Territory, the land claims process and the constitutional development process, the aspirations of the two communities in the Yukon, because we are, I think, in some significant ways, still a divided community, there ought to be a parallel process.

From my point of view in terms of the interest of the Yukon taxpayers, I certainly think that it would be to our considerable advantage to settle land claims before we achieve provincial status but I agree that they ought to be parallel processes.

The fact of the matter is, if you look at the constitutional history particularly of western Canada, provinces like Alberta did not get control of their resources until some number of years after they became provinces. There were some very good reasons from the federal point of view but I think, knowing that the federal governments, no matter what their political stripe, tend not to change their methods and procedures and their constitutional practices over a long historical period. In fact, it is extremely likely that we are going to be having to face those historical precedents and we are going to probably have to live with them.

I think that it is highly unlikely that we would have resources transferred to us in advance of provincial status. I think, the very fact that the Federal Government today is still in land claims negotiations with various people in the country using a model for settlement of land claims which was in effect a hundred years ago, would suggest to me that they are not likely to be any more flexible in terms of the question of constitutional development.

Now, I think, the Government Leader made an excellent point when he said that we are all Yukoners together and we should be getting together to go against Ottawa. Great. Then I would like to know why we are not doing that in the case of land claims. The fact of the matter is that this Government, which is supposed to represent all Yukoners, is sitting on the other side of the table from the Indians, is sitting on the Federal side of the table, not on the side of the table of the Yukon people.

I think that the Honourable Member for Old Crow and Minister of Human Resources, expressed his concern, his confusion, his problem of coming to a judgement on this question, I think quite

eloquently. The reason he did is that it is absolutely nonsense to suggest that somehow that land claims has got something to do with the land question, which we were debating a week or two ago, but somehow does not have anything to do with resources. It clearly is a fiction if you are going to suggest that land and resources are not intertwined, and that renewable resources, particularly, are not as much an item for negotiations in the land claims settlement as the land question.

Now, I must say, to vote against this motion, I would probably feel somewhat in a similar position as the Minister of Municipal Affairs, the man who described himself as responsible for issuing sewer and water in this House, I must say I feel like he did yesterday when he expressed some anxiety about voting for gun control, because I think this is a motherhood question. There is no doubt that it is part of the genuine aspirations of all the people in the Territory.

If I were a lawyer, I am sure that I would find the precise careful wording of the motion probably to my satisfaction. It says negotiations, and if I am really generous I suppose that I would have to assume that includes land claims negotiations as well. But I must say to the Minister of Tourism and Economic Development, et cetera, that when he talks about going to Yellowknife and walking in there with his resolution of the Yukon Legislative Assembly and talking tough, saying "Look here guys, we are going to take over the resources", I must suggest to him that that would probably present a bit of a comical front because he may realize that there are some people on the Federal Government's side on the outside who know a little more than he apparently does about the history of this country and about the history of the transfer of resources to provincial jurisdictions and I would suggest to him, with all the kindness that I can muster, that a much better bargaining position might be to go armed with some research about the transfers and about his constitutional negotiations and so forth. I know that is available from the Government because they have done some good work on it.

I think that he would probably advance our cause much better if he were to do exactly that.

Mr. Speaker, that I think that it would be a mistake to leave the impression that somehow this House is talking about the transfer of resources without reference to the land claims negotiations because, I think, there is a constitutional aspect as everyone well knows. I think, the Government Leader has been very careful in this House not to, as he says, state bargaining positions of this Government in the House, or to be involved in public pronouncements which would appear to prejudice the land claims negotiations.

Now, I have asked him, several times, questions which I think are matters of Government policy, not bargaining positions. He disagrees with me on that point, but let me suggest to him that this is much more clearly a negotiable item at that bargaining table than, perhaps, some of the other things I have talked to him about. So I think, and I think that it is important what the Government Leader said, and I think that it is important that it be reiterated, that if this resolution passes, and it goes through the House, it is not being done with blinkers on, we are not being backed into a situation where we are denying the reality of the land claims negotiations and the very genuine demands and interests of Indian people in the Territory and renewable resources.

Now, I do not expect any Government, much less a Progressive Conservative Government, to be able to predict the future. I think that Progressive Conservatives, particularly, ought to be well acquainted with the past though. I think that so many of them apparently want to live there, I think, they ought to know something about the history of this place and this country. I would advise them against even appearing to do something or to suggest a direction that would put us in a position, such as British Columbia is in now, where they are going to have extremely complicated and extremely painful land claims negotiations because they had the land transferred to the provinces, and the resources transferred to the province and they acquired full provincial status before they had settled Land Claims.

Let me suggest to them, the experiences of provinces like Alberta where they had to wait, I think in that case, almost a generation before they got control of the natural resources, suggests to me that it is highly unlikely that this Federal Government, whatever the political stripe, is going to transfer renewable resources before provincial status.

So it seems to me that it is very hard to talk about this question out of context of provincial status, out of context of the Land Claims. I think all the questions are very closely intertwined and I think when the Minister is speaking in Yellowknife, whenever it is next week, and the Government Leader is speaking for this House,

that relationship, those linkages between those things has to be made very clear.

Thank you, Mr. Speaker.

Hon. Mr. Lang: Mr. Speaker, on a point of privilege, I would like to correct the Member who has just finished speaking. He said earlier in his debate that I voted for gun control. I want to make it very clear that I did not vote for gun control. I voted for a program that we had no choice but to administer.

Mr. Speaker: Order, please. The Honourable Member has not raised a point of privilege. It would appear to the Chair that there seems to be an allegation of fact between two Members, which, of course, as all Members know, does not constitute a prima facie point of privilege.

Dr. Hibberd: Mr. Speaker, I would move that we adjourn debate on Motion Number 19.

Mr. Penikett: Mr. Speaker, I second that.

Mr. Speaker: It has been moved by the Honourable Member from Whitehorse South Centre, seconded by the Honourable Member from Whitehorse West that debate on this motion be now adjourned.

(Motion agreed to)

Mr. Clerk: Item Number 2, standing in the name of Mr. Fleming.

Mr. Speaker: Is the Honourable Member prepared to deal with Item Number 2 at this time?

Mr. Fleming: Next sitting day, Mr. Speaker.

Mr. Speaker: So ordered.

We will then proceed to Government bills and orders.

PUBLIC BILLS

Mr. Clerk: Third reading, item number 1, standing in the name of the Honourable Mr. Tracey.

Mr. Speaker: The Honourable Minister of Tourism and Economic Development.

Bill Number 11: Third Reading

Hon. Mr. Tracey: Mr. Speaker, I move, seconded by the Minister of Municipal and Community Affairs, that Bill Number 11, An Ordinance to Amend the Dental Profession Ordinance be now read a third time.

Mr. Speaker: It has been moved by the Honourable Minister of Tourism and Economic Development, seconded by the Honourable Minister of Municipal and Community Affairs, that Bill Number 11 be now read a third time.

(Motion agreed to)

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

Hon. Mr. Tracey: Mr. Speaker, I move, seconded by the Minister of Municipal and Community Affairs, that Bill Number 11 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It has been moved by the Honourable Minister of Tourism and Economic Development, seconded by the Honourable Minister of Municipal and Community Affairs, that Bill Number 11 do now pass and that the title be as on the Order Paper.

(Motion agreed to)

Mr. Speaker: I shall declare that Bill number 11 has passed this House.

I would like to advise the House that we are prepared to receive the Commissioner in her capacity as the Lieutenant Governor to give Assent to certain Bills which have passed this House.

Madam Commissioner enters the Chambers announced by the Sergeant At-Arms

Mr. Speaker: Madam Commissioner, the Assembly has passed a number of Bills to which, and in the name and on behalf of the Assembly, I respectfully request your Assent.

Mr. Clerk: Northern Natural Gas Pipeline Agreement Ordinance, Firearms Administration Agreement Ordinance, An Ordinance to Amend the Dental Profession Ordinance.

Madam Commissioner: Mr. Speaker, as this wholly elected Assembly has received, debated and passed this Legislation, I hereby Assent to the Bills enumerated by the Clerk.

Mr. Speaker: May I have your further pleasure?

Hon. Mr. Pearson: Mr. Speaker, I rise, at this time, to seek unanimous consent of this House to waive Standing Order Number 30, for the purpose of proceeding with motions respecting the adjournment of the House and the appointment to the Water Board.

Mr. Speaker: Do we have unanimous consent?

Some Members: Agreed.

Mr. Speaker: We will proceed then, with Motions as referred to in the suggestion by the Honourable Leader of the Government.

MOTIONS

Hon. Mr. Tracey: Mr. Speaker, I will read the Motion I made earlier. This House recommends to the Minister of Indian and Northern Development, the appointment of Mr. Clifford Geddes to the Yukon Territorial Water Board for a further three years.

Mr. Speaker: It has been moved by the Honourable Minister of Tourism and Economic Development, seconded by the Honourable Leader of the Government, that this House recommends to the Minister of Indian Affairs and Northern Development the appointment of Mr. Clifford Geddes to the Yukon Territorial Water Board for a further three year term. Is there any debate?

Hon. Mr. MacKay: If there was a way of "thirding" this motion, Mr. Speaker, I would do so, however, I would like to say that I do thoroughly endorse this appointment.

(Motion agreed to)

Mr. Speaker: We will then proceed to Government motions. The Honourable Leader of the Government, are you prepared to proceed at this time?

Hon. Mr. Pearson: Yes, Mr. Speaker.

Mr. Speaker: It has been moved by the Honourable Leader of the Government, seconded by the Honourable Minister of Education, that the House, at its rising, do stand adjourned until it appears to the satisfaction of Mr. Speaker, after consultation with the Government Leader, that the public interest requires that the House shall meet. Mr. Speaker may give notice that he is so satisfied and thereupon the House shall meet at the time stated in such notice, shall transact its business as if it had been duly adjourned to that time; and that in the event of Mr. Speaker's being unable to act owing to illness or other causes, the Deputy Speaker shall act in his stead for the purpose of this order. Is there any debate?

Mr. Fleming: Yes, Mr. Speaker. I am not going to rise in opposition to this motion; however, I have a few comments I would like to make.

As you know, any motion to adjourn the House means that we should have done considerable business and we are now leaving for a recess until such time as we are needed by the people of the Yukon Territory, or by the Government, to return to this House for more business.

As we know, there has been a new government, new Ministers and so forth, and I feel that they do need time to come forward with legislation and work for this House and; therefore, possibly they have not had enough time to do some things that we may have asked to have done in the past few years.

They are aware of most of the problems. I would only hope that we do sit again in the not too distant future because I feel that we, as MLAs in the Yukon Territory, and I include all MLAs and Ministers, are here to do the best we can for the people who we are supposedly representing. I feel that a Government that does not sit and have the views, especially the views from the Opposition to work on, will never do any fantastic things for the Yukon.

I am sure that we may hold up the business in some ways, but I am also sure that we will be giving advice that is much needed. As I said, I hope that it will not be too long; there was some business I let pass here, this morning that I would have liked to go through. But to help the way along and see that the Government can get their business done and their work done and come back with some legislation, I am quite willing to let that pass until such time as we sit again.

I hope we do not have to wait too long for the next sitting.

Thank you, Mr. Speaker.

Hon. Mr. Njottli: Mr. Speaker, for the first time, on adjournment of such a Session within the Government of the Yukon Territory, I would just like to make a couple of comments.

It has been an experience for me to participate in such a session. I appreciated it and I enjoyed it. This break will give me more time to work with my particular departments and also in my constituency.

I feel that while we are recessing, that the native people should consider seriously the land claims negotiations and they should come to an agreement in principle as soon as possible so that the subject would not apprehend all of our legislative works here in the next few years.

Hon. Mr. MacKay: Mr. Speaker, I seem to have risen from my seat more than most during this session and I hope that the Members opposite have not got too tired of hearing my voice. I would just like to say that I, also, have enjoyed this first session and I have also appreciated very much the advice from the senior Member of the Opposition from Campbell on the matters as we went through them.

I would like to say that the Government should feel free to advise, Mr. Speaker, in consultation with all the various other people, to call back the Assembly at the earliest possible moment should there be any break at all in terms of land claims, in terms of White Pass doing something precipitous, in terms of a pipeline proposal or a Heritage Fund, or any such negotiations that they feel this Assembly may be able to assist them in. These are the kinds of things that I hope would be in the public interest, in the Government's mind, to reassemble this group.

I think that there is probably a lot of work to be done by the Government, getting together the legislative package. I hope, it will be done as expeditiously as they can. We are ready to sit as soon as they are, anytime.

(Motion agreed to)

Mr. Hanson: Mr. Speaker, I move, seconded by the Honourable Member from Hootalinqua, that we do now adjourn.

Mr. Speaker: It has been moved by the Honourable Member from Mayo, seconded by the Honourable Member from Hootalinqua, that we do now adjourn.

(Motion agreed to)

Mr. Speaker: This House now stands adjourned.

(Adjourned)

The following Sessional Paper was tabled on April 4, 1979:

79-2-24

White Paper on Real Property Assessment, Yukon

The following Legislative Returns were tabled on April 4, 1979:

79-2-15

DREE and ARDA Applications

(Oral Question, April 2, 1979, Page 293)

79-2-16

Consumers' Association Grant

(Oral Question, March 27, 1979, Page 251)

79-2-17

Dempster Highway Maintenance Cost

(Written Question Number 10)