



The Yukon Legislative Assembly

Number 25

4th Session

24th Legislature

HANSARD

Tuesday, December 15, 1981 — 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 Information Services.
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 Penkett	Whitehorse West
Maurice Byblow	Faro
Roger Kimmerly	Whitehorse South Centre

(Liberal)

Ron Veale	Whitehorse Riverdale South
Alice P. McGuire	Kluane

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

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

Whitehorse, Yukon
Tuesday, December 15, 1981

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

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

DAILY ROUTINE

TABLING OF DOCUMENTS

Mr. Speaker: Under the Tabling of Documents, I have for Tabling today a letter from the Chair to the Solicitor General of Canada.

I also have a copy of the Auditor General's Report on the Examination of the Accounts and Financial Statements of the Government of Yukon, for the year ended March 31st, 1981.

I also table at this time the Auditor General's Report on "any other matter" arising from the Examination of the Accounts and Financial Statements for the Year Ending March 31st, 1981.

Hon. Mr. Pearson: Pursuant to Section 41 of the *Financial Administration Ordinance*, I have the honour to table today the Territorial Accounts for Government of Yukon, for the Fiscal Year 1980-81.

This report includes the Report of the Auditor General with respect to our accounts.

Hon. Mr. Lang: I have for tabling a report, entitled "Projected Yukon Energy Requirements, 1980-1991".

Mr. Speaker: Are there any Reports of Committees?
Petitions?

Introduction of Bills?

INTRODUCTION OF BILLS

An Ordinance to Amend the Motor Vehicles Ordinance, Number 2: First Reading

Mr. Kimmerly: I move, seconded by the Member for Faro, that a Bill entitled *An Ordinance to Amend the Motor Vehicles Ordinance, Number 2* be now introduced and read a first time.

Mr. Speaker: It has been moved by the Honourable Member for Whitehorse South Centre, seconded by the Honourable Member for Faro, that a Bill, entitled *An Ordinance to Amend the Motor Vehicles Ordinance, Number 2*, be now introduced and read a first time.

Motion agreed to

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

Are there any Statements by Ministers?

MINISTERIAL STATEMENTS

Hon. Mr. Lang: Members will notice that I tabled a report in the House this morning entitled "Projected Yukon Energy Requirements for 1980-1991".

As all Members know, our Government is very concerned about the unreasonably high cost that Yukoners are forced to pay for energy.

While in Ottawa, I expressed this concern bluntly in a meeting with the Honourable Marc Lalonde, the Federal Minister of Energy, Mines and Resources.

There was some good news in that the Honourable Mr. Lalonde has agreed to consider supporting additional energy audit and conversion programs for Yukon. I must stress that I said, "consider supporting".

Under the Canada/Yukon Energy Conservation Incentive Program, a free energy audit service has been available to

industries, businesses and institutions for almost a year. This program will continue until 1984 under the existing agreement. Experience so far has proved that the program is both beneficial and cost-saving to those who have participated.

As a side note, that particular program is being advertised in all our rural communities as well, and we are making every effort to get out to those communities.

I made a strong case with Mr. Lalonde to extend the audit to residences and municipalities. The Government of Yukon is anxious to help home-owners save by using energy more efficiently. That is what the existing programs are doing for institutions and industry, and we feel it should apply to residences as well.

Mr. Lalonde stated that he is prepared to consider the following: conversion from electric heat to wood heat; small off-oil programs for remote communities; development of a natural gas supply system; and examination for use in Yukon of coal and geothermal resources. We have agreed to have our officials meet on these subjects and see whether or not we can resolve these important problems facing Yukoners.

The bad news is that Mr. Lalonde was not at all receptive to the plight of Yukon consumers, in terms of direct cost borne by them owing to the transportation costs of transporting fuel to Yukon.

I argued for an end to the unfair oil and price discrimination between Yukon and southern Canada, since it has not been considered on the National Energy Program.

While I welcomed Mr. Lalonde's open-mindedness on audits and conversions, I want to serve notice today that we treat these matters with the utmost urgency. Our officials will be following up closely with Energy, Mine and Resources officials to make sure progress is made.

As far as the price discrimination is concerned, I am releasing to you a summary of a detailed study of Yukon energy consumption requirements between 1980 and 1991. The study, commissioned by the Government of Yukon, shows that Yukoners are paying two-and-a-half times the per capita cost Albertans pay for energy. It also shows that the proportion of our energy that is diesel generated is gradually rising — along with the cost of diesel fuel.

The report is a serious warning to Government that action must be taken. Concrete decisions must be taken very soon, if we are to avert a Yukon energy crisis in terms of prices and supply later in the decade.

Copies of the summary of the Report are available, and I will be glad to answer any questions any Member has, respecting that Report.

We were encouraged at the beginning of 1981, when a Task Force was established on energy within the federal Northern Affairs Department. In May, the Government Leader appealed to the House of Commons' Standing Committee on Northern Affairs for a greater sense of urgency in these matters. In June, on behalf of the Government, I made a detailed presentation to Ottawa's special sub-committee on the Northern Canada Power Commission. Last month, the Honourable Mr. Pearson once again argued the case with the Honourable Mr. Munro, for action to reduce price discrimination.

We simply do not accept that Yukoners must continue to pay the highest oil and gas prices in Canada, while at the same time contributing twelve million dollars to Atlantic Canada, so that Canadians there can enjoy the lower prices.

The Honourable Mr. Lalonde was not sympathetic to the fact that Yukoners must pay 25 to 35 cents a gallon more for fuel oil than Canadians living in the provinces. Unfortunately, he does not appear to understand what it means to be an energy-consumer north of 60.

In a separate meeting, Northern Affairs Minister John Munro indicated he fully understands our priority for a comprehen-

sive northern energy policy. Mr. Munro undertook to give a high priority to the process under way in his department to produce such a policy. He has agreed there will be full consultation and disclosure, between the Federal Government and the Government of Yukon. This is a significant commitment, in view of the record of policy formulation in the Department of Indian Affairs and Northern Development, because it has usually been a closed and secretive process.

The Minister has also agreed to co-operate with us in a number of other areas. The Minister agreed to arrange a meeting at a later date, between himself, Federal Fisheries Minister Romeo LeBlanc, and myself, to discuss the transfer of the administration of Fresh Water Fisheries to the Government of Yukon. This represents progress in our effort to assume this responsibility in order that it will be better managed, as well as responsive to Yukoners' needs.

The Minister also stated that he fully supports the MacMillan Pass Task Force we set up, as you know, with the mining industry, to plan for orderly development of the region.

I can also report to this House that considerable success was met, in meetings with key advisors to the Minister of Regional and Economic Expansion. DREE had indicated earlier this year that they were not interested in a new General Development Agreement to replace the one that expires in March, 1982. They have now agreed to work towards an extension of the Agreement for two years — until March, 1984 — and have agreed to work with us on new initiatives under the Agreement.

Similarly, there is an agreement to extend the Canada-Yukon Tourism Agreement, which will allow us to go forward with a number of projects this forthcoming year. These include, I am sure you will be pleased to hear, the Museum Interpretive Center for the Watson Lake area, the Information Center in Carcross, and a number of other projects. We have also agreed to work towards a new special ARDA Agreement.

Finally, on a personal note, I hope Yukoners will share my satisfaction in being called upon to co-chair the Federal-Provincial Conference of Ministers of Tourism, held in Ottawa last week. It is the first time that a Yukoner, on behalf of the Government of Yukon, held the chair in a Federal-Provincial Conference. As such, it represents another significant milestone in our Government's policy, and I am sure all Members' individual policies, of increasing participation with the Canadian Government at the Ministerial level. We have made a lot of progress in strengthening intergovernment relations over the past two years and the result is a stronger Yukon voice.

During the course of the Conference, there was a common consensus that tourism is on the upswing throughout the country; there were discussions on the importance of ensuring that Governments encourage private investment, as well as Government assistance, for infrastructure being put in place for visitors to this country. There is no question that the Federal Government, through the federal Department of Regional and Economic Expansion, will play a large role in this important area.

Over all, the results of the meetings were positive. Followed through by the Government of Canada, they will be in the best interests of Yukoners.

Mr. Byblow: In response to the Minister's statement, I would remark that while the Minister indicates having had a positive set of meetings, it appears that very little concrete or committed has emanated, in the name of Economic Development.

While the Minister speaks highly of improved inter-governmental relations, none of us can be at all overjoyed at the very apparent prospect of increasing energy costs. Those increasing costs do nothing towards things like opening new mines, attracting tourists, helping small business, creating jobs, or attracting investment into the Territory.

I can certainly acknowledge the Minister's assessment of Yukon's "have" situation, whereby we help offset eastern energy costs, but I believe that the Government must carry the message louder. It seems that an underlying principle of Con-

federation is to equalize regional opportunity, and if this Government cannot get the message to Ottawa about our energy crisis, then it has not done enough.

Perhaps part of the solution to Yukon's economic plight lies in what this Government is doing to encourage the broader base it needs to be more self-reliant. It seems as we are constantly going, cap in hand, to Ottawa for programs for this: for that incentive, for this project, or for some other type of assistance. That is fine, because we cannot go it alone and we should not have to, but perhaps the time has come for this Government to take a strong position on economic development, and establish the tools to do it.

Provinces which have created development corporations and which have participated in economic development directly have had remarkable success towards progressive and protective development, with their own dollars and their own decision-making, in a sharing capacity.

I submit that this Government could then be a partner in development. This could go a long way toward assistance to the problems that we are facing, to the problems enunciated by the Minister — be it energy, be it job creation, be it tourism promotion. CYI have taken a position on this, and industry would more than welcome Government participation.

This Minister also said in his address that an energy policy was forthcoming, and that is good, but I would hope that an economic policy would also be presented. I cannot see the two as separate; one is so contingent on the other.

The Minister also detailed the extension of the General Development Agreement, and I would certainly like to hear what dollar commitment has been given to that.

I did not hear any comment on any business development assistance, and that is something we have supported and encouraged this Government to address immediately.

It seems that the bottom line to any Government development program ought to be the number of jobs created. So when the Minister details tourism projects, just how many jobs for Yukoners are established? Jobs which are not taken away from competing operations, because it is the competing operations — the small business sector — that play a major role in Yukon's growth and development.

Mr. Speaker: Order please. I must advise the Honourable Member that his time for reply has now expired.

Mr. Byblow: I have one concluding remark, Mr. Speaker.

Mr. Speaker: Proceed.

Mr. Byblow: I would conclude then by repeating that I would have preferred a more concrete statement on energy and economic development strategy by this Government, but I recognize the smile on the Minister's face, and I realize, too, that we cannot always have our cake and eat it, too.

Mr. Veale: I welcome the statement that has been made by the Minister, because I believe it gives us all an opportunity to discuss what is probably the most important issue before Yukoners today, and, I expect, for the next ten, fifteen, or twenty years.

The increasing energy costs are going to reach a crisis proportion this winter, for some householders who are unable to make the oil substitution programs and those programs that have been provided, and who have been unable for various reasons to take advantage of a number of federal programs to improve the insulation in their homes.

It is not going to be simply a question of saving on fuel costs for everyone. It really comes down to how to manage the increasing fuel costs we are going to be facing and how to keep those increasing costs at a manageable level. The energy costs, unfortunately, represent a higher proportion of all our expenditures in the North than they do for people in warmer climates, and that pervades every aspect from home heating fuel to purchasing food at the store.

I was pleased to see that the Minister has raised the issue of the inequity of the COSP Program — in not allowing people who are on electric heat to convert to wood heat and obtain the benefit of that program.

I have had a number of concerns raised by my constituents, who have made the same representation to the Minister of Energy, as well. I hope that that inequity will be clarified and cleared up very quickly.

I am also pleased to see that there is going to be consideration given to small off-oil programs for remote communities. I think that is one of the most important areas where we can actually ensure that people living outside the urban areas in the Yukon can achieve equity and live at the same cost as we do.

The ideas of developing a natural gas supply system and examining coal and geothermal sources are not new ideas, but they are extremely important for us when establishing long-range programs which are going to benefit everyone in the future. I think that for too long we have looked upon geothermal sources as being important for tourism, and we are now realizing that they could really be a major tool for the production of food at a reasonable price, which is extremely important in the Territory.

I am concerned, as the Minister is, that Mr. Lalonde has not appreciated the concept of equalizing energy prices across this country. I would suggest to the Minister that, because this issue bears most heavily on both Territories, the Minister contact his counterpart in the Northwest Territories, and together they go to Ottawa and bring a concerted Northern lobby to bear on the Minister of Energy. I believe that in that way there will be a great deal more success.

I look forward to seeing the study that the Minister has tabled today about our per capita energy costs, and I trust that that study was placed before Mr. Lalonde on his visit to Ottawa this week.

The idea of extending the Yukon Tourism Agreement, of negotiating a new Special ARDA Agreement and the new General Development agreement, are all very important policies which must come to fruition. In particular, they are going to be important for the construction industry and businesses in general, but more importantly for all Yukoners, at this time, when there is a slow down in the general economy.

Mr. Speaker: Order please. I must advise the Honourable Member that his time has now expired.

Hon. Mr. Lang: I would just like to make a number of comments. I recall that, not too long ago, there was some criticism from the other side of the floor that perhaps there was no need to travel, and now I am hearing that perhaps I should be getting on an airplane tomorrow. I can assure you, it is no fun getting on that airplane and having to travel for two days to attend a number of meetings, and then return.

There is no question that this side of the House is very concerned about the cost of energy, and what is going to be happening in the future. I think perhaps I should take the Members across the way to task to some degree, in that they have not really raised the issue in a substantive manner. This side of the House has recognized the real major problems we are going to face in the near future. I think that is indicated in the initiation that we took with the Government of Canada, in commissioning the Report that is tabled before you, which does outline a very depressing scenario for Yukon if nothing is done.

There is no question that Government of Canada programs, cost-shared with the Government of Yukon, should be implemented in Yukon. I object to the Member opposite saying "cap in hand". There is no question from this side of the House that we are prepared to pay our fair share, but we are part of the Government of Canada, and they have a responsibility, contrary to what the Member opposite seems to indicate in speaking to issues of this kind.

I should point out that we are in a difficult situation, in view of the fact that we are a Territory. We do not have direct responsibility for our resources, so, subsequently, we are not in the same position as a province. We have to rely much more on the Government of Canada and their commitment, as far as the development of the North is concerned.

I think the Member opposite should also clarify that, when he is making public statements. It is nice to say that you can carry

the total load yourself, but right now, in our constitutional position, unequivocally that is not possible.

Further to that, I should point out that as a Government we are committed to the various programs to try to alleviate the present degree of utilization of energy. I think it is important that we not give the impression that Government is going to solve everybody's problems, because we cannot. Each individual citizen has a responsibility and they have to take that responsibility on: and, in most cases, they do. They are converting to wood heat; they are going to smaller vehicles. All these things are a significant factor with respect to our energy needs in Yukon.

I should also point out that there is no question that this Government does support private investment in Yukon. The Member opposite indicates that Government is going to do it all once again. I say to him, "No, we cannot."

I would point out that we are prepared to seriously look at various ventures, if they are in the best interests of the Territory. Mind you, those dollars have to come from somewhere, and everybody better keep well aware of that.

With respect to the various other comments that were made on the question of energy, I do not think that we can forget that tenders are out for the fourth wheel, which will supply 20 megawatts of power to the consumers in Yukon. It will be expensive power, but it will stabilize — at least in part — some of our electrical energy needs.

There will have to be a number of other things done regarding conservation: including, I agree, the area of geothermal energy. However, if the Member opposite is indicating that we should be looking at going to the Hot Springs and the Takhini Hot Springs Road — that was not my idea. There are a number of other areas that have potential, and those are the areas that should seriously be looked at, respecting geothermal energy.

In conclusion, I would like to say that I think we are taking a positive step. We have brought our case forward, and we have been heard. We are going to continue to press for that, and I think that, as time goes on, we will all reap the benefits of it.

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

We will now proceed to the Question Period. Are there any questions?

QUESTION PERIOD

Question re: Steps to be taken by YTG re resource control and revenue-sharing

Mr. Penikett: I have a question for the Government Leader on the topic at hand. I note for the Minister of Energy that there have been more energy questions asked on this side than there have been answers coming from the other side.

The Government's recent paper on Beaufort Sea projects states: "It (the Government) believes that residents of Yukon should be accorded the same opportunities within Confederation as the provinces now enjoy and value".

We are all aware of the struggles in resource control and revenue-sharing experienced recently by Alberta, Newfoundland, and Ottawa, and I wonder if the Government Leader could be more specific and indicate exactly the steps he now plans to take in this area?

Hon. Mr. Pearson: That report, of course, is dealing with off-shore resources primarily, and it is our contention that if the Government of Canada does enter into some sort of agreement with the provinces that presently have or claim off-shore resources, a like kind of agreement should be entered into with Yukon with respect to its north coast, and with the Northwest Territories with respect to their north coast.

Mr. Penikett: That report also points out that the Government "expects to share in the revenues derived from resources produced off its northern shores, and expects to negotiate an equitable agreement to that end".

I would like to ask the Government Leader, in view of his answer just now, and in view of the new Constitution and Bill C-48, which has just passed through Parliament: is it his expectation that Yukon will receive an identical resource re-

venue-sharing agreement to that of the province of Newfoundland, or of the other maritime provinces negotiating?

Hon. Mr. Pearson: Certainly, prior to C-48, that was our stand. Now, we are going to have to determine whether C-48 is going to have any detrimental effect on us. I am afraid that it will.

Yesterday, I received by telex a copy of a letter to Mr. Sam Raddi, of COPE, respecting their Agreement-in-Principle. He was assured by the Minister of Energy, Mines and Resources, Mr. Lalonde, and by the Minister of Indian Affairs and Northern Development, Mr. Munro, in a joint letter, that C-48 was not going to affect the COPE Agreement-in-Principle.

It may well be, then, if it does not materially affect the COPE Agreement-in-Principle, that it might not affect any off-shore claims as well.

Mr. Penikett: Even given the legal doubt surrounding our entitlement or jurisdiction in the off-shore interests in the Beaufort Sea, and assuming that the Government negotiates what it considers an equitable share of Beaufort revenues at some point, could I ask the Government Leader: in those negotiations, what would be his stated intention as regards the assumption of responsibilities and costs for that development, that he will ask to assume on behalf of the people of Yukon?

Hon. Mr. Pearson: The responsibility for the development of non-renewable resources in the provinces is clear. It is a responsibility that falls with the provinces.

The Government of Canada has made it very clear to us, to everyone in this Territory and everyone north of the 60th parallel, that they intend to retain, in a large measure, the responsibility for development of non-renewable resources in Canada's North. They intend to retain ownership of those resources.

If we go into these negotiations on that basis, then we have to assume that what we are going to be negotiating with the Government of Canada is some kind of a revenue-sharing agreement whereby, for that revenue we are going to get, we will be expected to take on some of the development responsibility. I would respectfully suggest that it will be based strictly on dollars and cents.

Question re: Discussions with NWT re transportation costs of fuel to Territories

Mr. Veale: I have a question for the Minister of Renewable Resources.

In his Ministerial Statement, the Minister made us all aware of the importance of the transportation costs of fuel to the Yukon. We are certainly in agreement with that problem.

Has the Minister had discussions with his counterpart in the Northwest Territories, and what position do they take? Do they share our concern on this matter?

Hon. Mr. Lang: I have had some preliminary discussions with my counterpart in the NWT, but you have to recognize that they have different problems than what we have respecting transportation. They have the Norman Wells, they have the barging of fuel, and various other ways of transportation that we do not have.

There is no question that they do share concerns about the high cost of diesel-generated power, as well as the various other fuels that they have to utilize in their day-to-day lives. We do have the same problems, but in different areas — as far as where our fuel comes from, and the costs directly attributed to it.

Mr. Veale: I feel that it is very important that there be a joint effort on this issue with the Federal Government. Will the Minister be meeting with his counterpart in the Northwest Territories to discuss the areas of common concern, to determine whether a common lobby or joint approach can be taken to Ottawa, so that we can have some action on this issue?

Hon. Mr. Lang: I am sure I will be speaking to my counterpart; whether or not we decide we can take a common approach on the problem has yet to be determined.

Mr. Veale: The Minister has indicated in his statement that various officials will be contacting their federal counterparts. When will the Minister be meeting again, to discuss this precise issue with federal Ministers?

Hon. Mr. Lang: Hopefully, I do not have to. I would like to think that between the two levels of government and our officials we could work out various agreements, and that it would not necessitate another trip to the public trough 4,000 miles away.

Question re: Beaufort Sea Development project: total number of jobs and Yukon percentage of same

Mr. Byblow: I will direct this question to the Minister of Economic Development, on the subject of the Beaufort Sea Development.

In the recent policy paper, it is mentioned that employment recruitment will be taking place in Yukon communities. Could I ask the Minister whether he could advise as to the total number of jobs that are expected on the project, and what percent would be allocated to Yukoners?

Hon. Mr. Lang: That is strictly at the preliminary level at the present time. As he should know, a lot of work has to be done on the Beaufort Sea project, prior to our knowing whether or not it will go into development. There are a number of people, to my knowledge, working on the Beaufort Sea development phase at the present time.

I do not have the exact statistics here, and I am sure the Member does not expect me to have them at my finger tips. If he would give me warning about questions like this, I could provide him with the information. He could phone me in the morning and I would provide him with the information so that he could follow up with his questions.

Mr. Byblow: I was soliciting from the Minister the position of the Government with respect to the percentage of Yukon employees.

I would then ask him, with the recognition that a number of the jobs are highly specialized and therefore are probably going to be filled by southerners, can he advise, at this time, what types of training programs will be offered to Yukoners, and who will be financing those programs?

Hon. Mr. Lang: It will depend on what training programs are required. It will be either the private developer or the Government of the Yukon. I know there is a number of training programs already available through the developer, and I understand that, at least at one stage, there was some indication that if Yukoners wanted to participate, the opportunity was there.

Mr. Byblow: In a final supplement to that, the Report mentions that Dome will be surveying Yukon industry and business to determine the extent of participation. Could I inquire if this is now taking place?

Hon. Mr. Lang: To my knowledge, yes it is.

Question re: Department of Renewable Resources employees interviewed by superior, re discussing department business with media

Mr. Kimmerly: A question to the same Minister in his capacity as Minister for Renewable Resources.

Was it on the Minister's instructions that employees of the Department were individually summoned to a superior's office for an interview, as to whether they did or did not speak to a local newspaper about the public business of the Department?

Hon. Mr. Lang: I do not know whether that was done or not. I know that it appeared to me to be a responsibility within the administration to sort out what problems they had within the Department. I trust that the administrators are doing what we pay them to do.

Mr. Kimmerly: Is there a letter circulating in the Department with the Minister's knowledge and consent, that employees are being asked to sign, which is a statement dissociating employees from statements about the Department made in a local newspaper?

Hon. Mr. Lang: I recognize that the Member opposite came up to the Yukon as a member of the judiciary and has gone on to become a politician. I am sure that his next vocation once he has completed this one, which will be short, will probably be that of plain clothes detective. Following that through, I have no knowledge of that.

Mr. Kimmerly: Supplementary to the Government Leader, in his capacity as Minister responsible for the Public Service.

Does the Government Leader regard such practices as intimidation, and did he seek an opinion as to whether such practices are in violation of the Public Service Commission regulations?

Mr. Speaker: I must advise the Honourable Member that his question is probably out of order, in that he is seeking an opinion. As all Members know, or ought to know, that would be an abuse of the Question Period. So I will rule that question out of order.

Hon. Mr. Pearson: That is too bad. I would have liked to answer that.

Question re: "Contracts" for troublesome children in schools

Mrs. McGuire: I have a question for the Minister of Education.

On the same topic of yesterday — school student dropouts — last year it was the practice of some schools, namely F.H. Collins and Jeckell Junior High, to place troublesome children on contracts. The contracts gave these school officials the right to kick the child out of school for any misbehaviour, without appeal, without any defense or counsel, and without further onus on the school officials. I want to ask the Minister if this is still the practice in those particular schools?

Hon. Mrs. McCall: There are certain reasons children can be suspended or expelled, but there certainly is an appeal process which is used.

Mrs. McGuire: In my supplementary I will ask the Minister, then: since this contract policy contributes greatly to the dropout rate of children in previous years, are these contracts legal? Is this a legal procedure enshrined in school by-laws at this time?

Mr. Speaker: Order please. Again, the question would appear to be out of order. Questions cannot seek an opinion, either legal or otherwise, and must not suggest their own answer. Perhaps the Honourable Member would care to be a little more precise in phrasing her questions.

Mrs. McGuire: That was a question. I am asking the Minister are these contracts legal? Is this a legal procedure enshrined in school by-laws?

Hon. Mrs. McCall: I might as well answer that. Anything that is done in school processes is definitely legal and in legislation.

Mrs. McGuire: As recommended in the Bob Sharp Report in 1979, did the Minister's Department of Education establish an independent committee to examine problems faced by students — to play an ombudsman role with students, regarding difficulties encountered in schools and suggested remedies?

Hon. Mrs. McCall: No, I do not believe a committee such as that was formed.

I might say that I have not had it brought to my attention, nor do I believe, that it is children who are suspended for good reasons who are the problem in the case of dropouts. I think it is a much deeper problem and a social problem.

Question re: Workers' Compensation Board/YTG jurisdiction over

Mr. Penikett: I have a question for the Minister who is sometimes responsible for the Workers' Compensation Board.

The Minister announced on November 30 that workers now have the right of access to their Compensation files. When explaining why no public announcement was made, the Minister said, "The decision is made by WCB, not this Government." In answer to another question, in the case of the Workers' Compensation logo, he said, "WCB is a Government department."

My question, then, to the Minister is this: exactly when is the Workers Compensation Board a Government department, and when is it not?

Hon. Mr. Tracey: As the Member well knows, the Workers' Compensation Board, when it deals with claims, is an autonomous body that this Government and the politicians do not

interfere with. The administration of the Department is something else. That is a function of this Government and of my Ministry; the Workers' Compensation Board answers to me on the administration.

As far as the Workers' Compensation Board allowing the files of the claimants to be turned over to the people, that is a function of the Workers' Compensation Board. Whether the Workers' Compensation Board uses the Yukon word mark logo or whether it uses its own logo is a function of myself and my colleagues.

Mr. Penikett: So the Minister is in charge of the easy stuff. Let me say I thought that the most interesting statement on the separation of powers that I have ever heard.

Let me ask the Minister, since he said in his last answer, "Not all files are available to the worker; there are some confidential files that deal with medical or mental matters about which it is felt the workers are better not having the information": could he clarify his answer and tell the House exactly what medical and mental matters the Minister was referring to, and whether that was a policy decision of the Minister or the Board?

Hon. Mr. Tracey: I think the Member has answered his own question. If it deals with, perhaps, mental matters that the claimee should not know, it would not do him any good to know what the doctors say about his mental condition.

As far as whether it was on my instructions as the Minister, the answer is no. It was done because there was a court case in British Columbia that forced the Workers' Compensation Board to turn over the files. So, the Workers' Compensation Board looked at that and decided that, rather than become embroiled in a court case in Yukon which they would most likely lose, they would as much as possible turn the files over.

Mr. Penikett: In the case of claims dealing with work-related stress, where workers would not have access to the files: as a general proposition in terms of this area, could I ask the Minister if it is his intention to ask or require of the Workers' Compensation Board to advertise this recent decision, so that workers may know about their rights in this area?

Hon. Mr. Tracey: It was not my intention to ask the Workers' Compensation Board to do it. I would expect that the Workers' Compensation Board has a member on staff to educate the people. I would certainly think that this would be one of the functions of that member to do this job. I do not think that it is incumbent upon me, as the Minister, to tell the Workers' Compensation Board what they should do in regards to their files. That is up to them.

Question re: Non-availability of advertised travel guide offered through *Worlds of Alaska and Canada's Yukon*

Mr. Veale: I have a question for the Minister of Tourism regarding the publication entitled "Worlds of Alaska and Canada's Yukon".

The Minister is well aware that inside the publication there is a tear off sheet, allowing the holder to have a Yukon travel guide. I understand that, although the magazine has been out for several months, the guide has not been prepared and is therefore not available. Would the Minister explain why it is not available, as I assume that that is one of the primary reasons for our participating in this magazine?

Hon. Mr. Lang: It is in the process of being prepared, and once it is prepared it will be sent out.

Mr. Veale: The magazine also has a section called a guide or directory. I am concerned about the small number of private advertisements that appear in that particular guide, considering the vast number of businesses involved in the tourism industry.

Will the Minister explain why there are such a small number of companies in the tourism business allowed to advertise in this magazine?

Hon. Mr. Lang: I think it is the same question that the Member opposite asked me yesterday; perhaps he could read the Votes and Proceedings.

For further clarification, I would point out to him that the

response we send to one requiring information is a joint publication between the Yukon Visitor's Association and ourselves, which contains a lot of the information that the Member is asking about, as far as small business is concerned. It is made available through that process, when somebody sends for it.

If he has any further administrative questions of me I would be more than happy to meet with him in my office, but I think he is wasting the time of Question Period.

Mr. Veale: I can assure the Minister that there are many businesses in tourism in this Territory that do not feel that it is a waste of the concern of this House.

Page 124 of this publication, under Whitehorse, has precisely four references. Would the Minister explain why there is such a small number of businesses advertising in something which costs the taxpayer over \$100,000?

Mr. Speaker: Order please. I rule the question out of order as being argumentative.

Question re: Ceiling on number of women in pre-trades training at Vocational School

Mr. Byblow: I will direct a question to the Minister of Education.

Earlier in the Session, the Minister advised me that she would investigate the reason for a ceiling of 20 in the pre-trades training for women at the Vocational School. I have since learned that, in fact, this ceiling is 12. Could I ask the Minister if she has conducted her investigation to find out why the ceiling is so low?

Hon. Mrs. McCall: I do not have the answers to that, but I will get them.

Mr. Byblow: In addition to the commitment to undertake why the ceiling is so low, will she also undertake to investigate the possibility of offering that particular course more than once a year?

Hon. Mrs. McCall: Yes, if it is feasible there is no reason why that should not happen.

Mr. Byblow: Also, on the same general subject, I had asked the Minister respecting getting single parents off social assistance and she responded that her Government was very conscious of that, and would undertake to help people get into the employment field by re-training.

Considering the problems single parents have in financing such a program, will the Minister undertake to increase the YTG income contribution to the program, presently at \$70?

Hon. Mrs. McCall: The Member has asked that question before, and my answer was that the subject of training programs for single parents is under study and the question of financing is also under study.

Question re: In-service training of community alcohol workers

Mr. Kimmerly: I have a question to the same Minister, in her capacity as being responsible for Alcohol and Drug Services.

I understand that community alcohol workers have now had one in-service training session this last year, and will not receive any further training until the Alcohol Conference in the spring. Can the Minister confirm that this is correct?

Hon. Mrs. McCall: I do not have the schedule with me. I think that it is likely that the training program will not continue until the Alcohol Conference happens, because all these sorts of things are going to be discussed at that Conference: how often training in-service programs should be held and so on.

Mr. Kimmerly: I understand the agenda for the spring Alcohol Conference is being drawn up now, and thus far there is no discussion of training of community alcohol workers on the agenda. Does the Minister intend to include it?

Hon. Mrs. McCall: Yes, indeed we do.

Mr. Kimmerly: The community alcohol workers are provided with minimal supervision and scant ongoing training. Will the Minister make a commitment to bring these workers to Whitehorse at least four times a year for proper training?

Hon. Mrs. McCall: Neither the Member opposite nor I are

experts on how often these people ought to have programs. I believe that more training probably is necessary, but that is something which is going to be discussed at that conference. It is something that is a very valuable part of the conference.

Question re: Assessment and taxation of property improvements to mineral claims

Mr. Penikett: I have a question for the Government Leader concerning money, in his capacity as Minister of Finance. I would like to ask him, or the Minister of Municipal Affairs, whether or not property improvements built onto mineral claims are currently being assessed and taxed by this Government?

Hon. Mr. Lattin: Yes, they are.

Mr. Penikett: Can the Minister indicate when he began to do assessments and taxation of improvements on mineral claims; whether or not all such improvements are being assessed and taxed; and can he give us some indication of the impact on the revenue for the Government of Yukon?

Hon. Mr. Lattin: Assessments are done on a routine basis whenever the assessor is in a particular locality. As far as the impact is concerned, I cannot answer that question. That is really not in my department; it is in Finance.

Mr. Penikett: It has been observed by constituents of mine that there is a significant number of small operating mines in the Dawson area which have improvements on them which may not be assessed and taxed by this Government. Could the Minister indicate whether or not that is the case, and if he has had an occasion to investigate whether or not that is the case, and, if he has, what he has done about it?

Hon. Mr. Lattin: I am not aware that that is the case but I certainly will look into it, and if there are revenues there that we are missing, I will certainly be after them.

Question re: Implementation of Federal-Provincial Road Safety Program

Mr. Veale: I have a question, I believe for the Minister of Consumer and Corporate Affairs, regarding the Canadian Conference of Motor Transport Administrators.

In 1979, the federal/provincial Ministers responsible for transportation and road safety established a Canadian Federal-Provincial Road Safety Program. This Government is a full participant in that program. Would the Minister advise what steps the Yukon Government has taken to implement the program here in Yukon?

Hon. Mr. Tracey: I have would have to take that under advisement. I am not privy to everything that goes on in my Consumer and Corporate Affairs Department, although I would like to be.

Mr. Veale: I am reading from a Transport Canada brochure generally available to the public. Would the Minister, when he examines that issue, determine what his Government is doing regarding the specific objective to reduce fatalities by 17 percent in 1983 through an 80 percent use of seat-belts? What will his Government be doing to reduce fatalities, by an 80 percent increase in the use of seat-belts?

Hon. Mr. Tracey: We have had a little go around on seat-belts in this House before. We have a motion put forth by the Member across the floor to bring in seat-belt legislation.

Our side of the House has done a poll of the people in Yukon and we have reached the conclusion that the people of Yukon do not want seat-belt legislation. We all recognize that perhaps seat-belt legislation is maybe good for them, but we are a responsive Government. We act, hopefully, to the best of our ability, the way that the people want. If the people do not want seat-belt legislation then we are not prepared to force it on them.

Mr. Veale: I thought it was only the NDP that were doing secret polls, and I look forward to seeing those results.

However, my question for the Minister is this: does the Minister disagree with the fundamental assumption of the Road Safety Program that, through 80 percent seat-belt usage, you can have a reduction in road traffic fatalities of 17 percent?

Mr. Speaker: I do believe that question has been answered;

however, if the Minister wishes to answer it again, perhaps we will allow that.

Question re: Appearance of the Deputy Minister of Justice in Territorial Court on November 30th

Mr. Byblow: I will direct this question to the Minister of Justice.

On the 17th of November, in answer to a question concerning the Deschesnes Report, the Minister advised the House he had instructed that the Deputy Minister of Justice should not be appearing in court before a Territorial judge. Was the Minister aware, at that time, that the Deputy Minister intended on appearing in Territorial Court before the Chief Judge on the 30th of November, at least 10 days later?

Hon. Mr. Tracey: When I told my Deputy that he was not to appear in front of the judge any more, he was, at that time, in the middle of a very important case costing the taxpayers of this Territory thousands of dollars; I did not instruct him not to appear before the Judge in that case. However, subsequently, he did refrain from appearing and sent somebody in to replace him.

Mr. Byblow: Then I would like to ask the Minister: why did he leave the impression with us in the House that the Deputy Minister was not going to appear, when in fact he was going to appear, and the Minister knew full well?

Mr. Speaker: I do believe that that question has also been answered; however, if the Minister wishes to answer it again, I will allow it.

Hon. Mr. Tracey: I think he is just flogging a dead horse. We have court cases in the Territory where, when the Judge orders witnesses brought from Quebec and things like that, it costs us thousands of dollars. We are certainly not prepared to adjourn the Court, send all the witnesses back, and then bring them back here again and cost the taxpayers thousands of more dollars. Maybe the Member across the floor would recommend that we do that, but I am not prepared to do that. My Deputy Minister did refrain from going in front of the Judge.

Mr. Byblow: My question does not question the Minister's intention to save the taxpayer money. My question to the Minister was, why did he leave the House with the impression that the Deputy Minister was not going to appear, when he knew full well that he was?

Hon. Mr. Tracey: I did not know full well that he was, and if the Member wants to name me and say that I did, then please proceed to do so.

Question re: Status of Business Development Assistance Program

Mrs. McGuire: I just have a short simple question for the Minister of Economic Development.

I ask the Minister: is the Business Development Assistance Program now active, and if not, why not?

Hon. Mr. Lang: No, and the basic answer is that there is no money. We are looking at the small business loan that was in effect here a number of years ago. We are negotiating to see whether or not we could realign or change and modify some of the present guidelines that were in place for that particular program, and see whether it could be re-implemented in the Territory. That is a question under negotiation at the present time, and if we are successful the Member will be notified.

Mrs. McGuire: Apparently the Minister has been negotiating for nineteen months.

My supplementary is: are collections of debts owing to the former federal Small Business Loans still being carried out, or were the bad debts write-offs, or will the Business Development Assistance Program inherit these outstanding collections?

Hon. Mr. Lang: The Member is confused with the programs. One was under the *Business Development Incentive Act*, which was passed by this House but never implemented, because it was felt that there would be some finances made available by the Government of Canada for this all important program. It turns out that that has not been the case.

With respect to the collection of debts under the Small Busi-

ness Loan Fund, they are in the process of still being collected. Now, some of them may well have been written off, I do not know, but over all, there are still collections outstanding and they are still being pursued.

Question re: Types of programs being considered by the Public Service Commission re: employment opportunities for Yukoners recovering from mental illness

Mr. Kimmerly: I have a question for the Minister responsible for Social Services and Health.

On November 26th, I asked the Minister, in recognition of the International Year of the Disabled, if there were any programs being planned for job training and employment opportunities for Yukoners recovering from mental illness. In response the Minister said, "They are planning to facilitate jobs for those people. It is in the Public Service Commission."

I would now ask exactly what types of programs is the Public Service Commission considering?

Hon. Mrs. McCall: The Public Service Commission is not one of my responsibilities. I cannot tell the Member opposite exactly what is planned. Programs for people that are disabled for whatever reasons are definitely either under way or in the planning stage.

Mr. Kimmerly: I would direct the same question to the Minister responsible for the Public Service Commission.

Hon. Mr. Pearson: I thought that all Members were very well aware of the program that we have in place at this time. We voted money for it in the House in the Spring Session. It is there now. I do not know how many people are participating in it at the moment, but I do know that the program is being actively followed.

Mr. Kimmerly: I have a question for the first Minister. Are discussions ongoing with local volunteer agencies and the citizens' committee on this issue?

Hon. Mrs. McCall: I have not had any discussions lately on this subject but I believe they are ongoing.

Question re: Logistics of public disclosure re White Pass Railway, as agreed on prior to YTG financial assistance

Mr. Penikett: I have a question for the Government Leader, which concerns the recent appointment by this Government of a representative to the Board of Directors of the White Pass Railway Company.

When the House was debating the financing of the railway back in 1979, it was agreed that there would be full public disclosure before we gave them any money. I would like to ask the Government Leader or the Minister of Economic Development, whomever is responsible, how Mr. Miller will be reporting to this House? Will it be through the Government Leader or through the Economic Development Minister?

Hon. Mr. Pearson: It is very likely that we will have Mr. Miller report to the House through the Minister of Tourism and Economic Development: I would think that that would be the proper area for that to fall in. It will be the responsibility of that Minister to ensure that our representations with respect to that railway are carried out.

Mr. Penikett: I apologize if I am wrong, but the Government Leader seemed to give the impression that he had not given this question a great deal of thought.

I would ask him if it is his intention to have those reports to the House by way of Ministerial Statements, or perhaps by the tabling of some appropriate documents, so that we can have the kind of accountability that we desire?

Hon. Mr. Lang: There is no question that if there are any reports of any consequence I will be the first one to inform the Member opposite.

Mr. Penikett: I look forward to the first report soon.

I would like to ask the Government Leader if he considered appointing a Cabinet Minister to this post, so that this investment by the people of Yukon could be protected, and we could have a Minister here who would be daily accountable for our interest in this ongoing concern?

Hon. Mr. Pearson: I did not consider it seriously at all, primarily because I do not think it is a function of Cabinet

Ministers to be on those kind of boards.

From my point of view and from the point of view of our caucus, we have one of the most responsible people in this Territory as our member on that board. We were very, very happy that he agreed to take on this job on our behalf.

Mr. Speaker: Order please. The time allotted for Question Period has now passed.

We will proceed to Orders of the Day under Government Bills and Orders.

ORDERS OF THE DAY

GOVERNMENT BILLS AND ORDERS

Bill Number 81: Second Reading

Hon. Mr. Tracey: I move, seconded by the Honourable Member for Whitehorse Porter Creek West, that Bill Number 81, *An Ordinance to Amend the Landlord and Tenant Ordinance*, be now read a second time.

Mr. Speaker: It has been moved by the Honourable Minister of Justice, seconded by the Honourable Member for Whitehorse Porter Creek West, that Bill Number 81, *An Ordinance to Amend the Landlord and Tenant Ordinance*, be now read a second time.

Motion agreed to

Bill Number 83: Second Reading

Hon. Mr. Tracey: I move, seconded by the Honourable Member for Hootalinqua, that Bill Number 83, *An Ordinance to Amend the Judicature Ordinance*, be now read a second time.

Mr. Speaker: It has been moved by the Honourable Minister of Justice, seconded by the Honourable Member for Hootalinqua, that Bill Number 83, *An Ordinance to Amend the Judicature Ordinance*, be now read a second time.

Motion agreed to

Mr. Speaker: May I have your further pleasure?

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

Motion agreed to

COMMITTEE OF THE WHOLE

Mr. Chairman: At this time I would like to declare a short recess.

Recess

Mr. Chairman: I would like to call the Committee of the Whole to order at this time.

The last time we discussed Bill Number 79, we were on Clause 1, in general debate. We will resume general debate on Clause 1.

On Clause 1

Hon. Mr. Pearson: When we last discussed the Bill, Members opposite raised two concerns with respect to this legislation. One was the question of the definition of a recognized political party, and the other question dealt with the lack of any requirement for reporting donations made.

As a result of those representations, I have made some further inquiries and I would like to move two amendments to the Ordinance.

It is moved by myself, that Bill Number 79, entitled *An Ordinance to Amend the Income Tax Ordinance*, be amended in Clause 1, at page 1 by striking out the definition of "recognized political party" and substituting the following for it: "registered political party" means a political party registered under the *Elections Ordinance*."

Mr. Penikett: On the amendment, I will rise to say that we will support the amendment, because it has substantially met half our objections to the Bill.

For the record I want to make quite clear what the problem would have been had we not included this amendment. As I understand it, because my office has communicated with, I believe, all the provinces which now have similar laws, there is considerable difficulty with the present B.C. law, on which this is substantially based, in that if the definition of a political party is not quite clear — and I submit that the definition of a "registered political party" under the *Elections Ordinance* of Yukon is quite clear. There is a registration procedure: a certain number of people have to certify that they are members and supporters; the officers of that party have to be named; it has to be identified with the Elections Board; and, in the tradition of Ontario, no party with a similar name can attempt to confuse the electorate, or muddy the waters, or poison the wells of the political system, by creating parties with similar sounding names.

However, as this Bill read before, it would be perfectly possible to, for example, create a Social Credit party in Yukon or a Rhinoceros Party or any numbers of the parties from the exotic right or the exotic left that are beginning to crop up in the land. Even more seriously, it would be possible to have two parties with the same name, both of which could be raising money under this law. Raising money is inoffensive enough, except that it is quite possible that the taxpayer could be picking up the cost of three-quarters of that money.

It seems to me that if you have political parties running around which could not legally contest any elections here, which were not legally able to field any candidates, or legally able to raise money, that would be an abomination. It seems to me that political parties spend money from time to time, but, at least when they are out of office, their principle expenditure is on campaigns and comes from the money contributed by their members and supporters, and that is as it should be.

I think though — the Government Leader will understand I will not anticipate the debate on the other point: the problem of public disclosure is a difficult one and I may say now that it is really a twin problem with this other one, because you have registered political parties, and in most of the provinces where there is electoral law in this field, the parties are registered and there is a regular, annual reporting required. Some of those reports are incredibly detailed; I may table for the information of the Members here, in case they are interested in seeing, the reports of Ontario.

Now, that is a jurisdiction with considerably more money at its disposal than we have, and they have a much more elaborate election machinery. Interestingly enough, though, it is run by the Clerk of the House, just the same as ours, in effect, is, if we are perfectly frank.

The situation in Ontario is that, although they have a financing law which is different than ours, any citizen can go to the Chief Electoral Officer and obtain from the Chief Electoral Officer a list of all persons who have contributed over a certain amount. I think that this is important and so does my Party, because to be able to have secret financing of campaigns or hidden donations or hidden contributions is an extremely dubious practice. The reason that public financing was first introduced was to get away from that, so that, as we talked about previously, the elections did not become the plaything of the rich; that ordinary citizens could contribute and that the government and society would encourage them to do so, by making tax credits.

The difficulty that we have is that we do not have with our election law or Election Board an instrument which can easily receive such disclosure statements. We did have, and this may be, I do not know, the reason why the previous Legislature put in a requirement that the parties exist as societies. We have, as you all know, a requirement which is sometimes obeyed, that societies file annual financial statements with Consumer and Corporate Affairs.

Now, we might have been able to argue, had we still had that requirement, that parties be registered as societies; that having done they were required to do some kind of financial repor-

ting; and then, as part of that financial reporting, you could have had a list of contributors who benefited from tax division.

Because we got rid of that *Societies Ordinance* provision, we cannot do that. There are good reasons for getting rid of that. I do not know what it was like for the other Parties, but I know in my Party that we had a situation where the Party's constitution sometimes conflicted with the requirements of the *Societies Ordinance*, and it made it quite difficult to report as we were required to do by law.

Let me explain to the Government Leader that the difficulty I have with not having public disclosure has to do with the principle of public disclosure, and public expenditures. In effect, if the Government Leader, Mr. Pearson, gives \$100 to the Conservative Party and Mr. Lattin gives \$100 to the Conservative Party and Mr. Tracey gives \$100 to the Conservative Party, that is fine. I believe there is nothing wrong with having disclosure of that. You ought to know who is financing political parties because if there ever gets to be a problem with someone giving a political party in power a million dollars, and then something starts to be done for that particular donor, there might be perfectly appropriate questions raised about the suitability of the Government acting; there will be inevitable questions raised about whether it was in response to that contribution.

Let me say that this is not a frivolous question, because we have a situation in Canada right now where the major banks have, in the last few years, contributed funds approaching millions of dollars to the major political parties. That, it seems to me, is a matter of public disclosure, and is a matter, as it ought to be, of public discussion.

However, what we are proposing here is that Mr. Tracey give \$100, Mr. Lattin give \$100, Mr. Pearson give \$100. What happens in that case is they give \$100, but that contribution is being underwritten by the public to the tune of \$75 in each case, if that is all they contribute. The public is making a contribution, in essence, to a party, but, without disclosure, it seems to me we do not have the proper accountability.

I do not want to suggest today to the Government Leader that I have a quick and ready amendment, because I clearly do not, especially when we are dealing with the *Income Tax Act*, but it seems to me it is a problem that will cause us some pain, especially because we have to report under the federal *Election Expenses Act*.

I would serve notice that I think this is a proper subject for further discussion, in terms of amendments to the *Elections Ordinance*, and it would be a proper subject to think of in future Sessions or the Spring Session of this House. I admit, and I want to say in closing, that I recognize that such disclosure provisions probably cannot be implemented in this Ordinance.

I am pleased and I want to say this about the amendment: in terms of the definition of political parties, we will support that.

Hon. Mr. Pearson: I did not anticipate the Honourable Member getting on to the disclosure section at this point in time, or else I could have answered them before he got up and made his speech.

I was going to respectfully suggest to the House that disclosure is another matter; it is not properly in this kind of legislation. Rather, if we, as a Legislature, feel that we should have disclosure, then we should properly put it in the Elections legislation rather than in this legislation. This legislation only deals with donations up to a maximum of \$550. After that, there is no need to disclose anything at all.

Mr. Chairman: Just before Mr. Penikett speaks, I want to let all the Members know that the clear indication to the Chair is that general debate is over with. We were on general debate, at one point in time. The Honourable Member has submitted an amendment, so now I would like the Committee to consider that amendment.

Mr. Penikett: I thank you for your admonition and I appreciate the Government Leader's review.

I just want to say that, while I support the amendment, I want to make it perfectly clear that we will be pressing for some

disclosure principle, and if the Government Leader is prepared to commit his Government and his Party to that, we will be pleased. I do want to say, though, in correcting one small point, that the larger the donations get, the more the disclosure principle becomes important, not less.

Hon. Mr. Pearson: That was exactly the point that I was getting at. I would, again, respectfully suggest that disclosure in this Bill would virtually be meaningless. That is not, I think, what we, as a Legislature, should be concerned about, under this legislation.

I might add that I also have another amendment to Clause 1. Maybe I should give them both to you and then you can deal with them as a package.

Mr. Chairman: I suppose that is in order because they are closely related. Proceed.

Hon. Mr. Pearson: I move by myself, that Bill Number 79, entitled *An Ordinance to Amend the Income Tax Ordinance*, be amended in Clause 1 at pages 1 and 2 by striking out the expression "recognized political party" wherever it occurs and substituting for it in each case the expression "registered political party".

Mr. Chairman: We shall deal firstly with the first amendment. Is there any discussion on the first amendment?

Amendment agreed to

Mr. Chairman: You will find that the second amendment deals with page 2.

Amendment agreed to

Mr. Penikett: I have one other question about Clause 1. In the final paragraph of Clause 1, it reads: "...if payment of each amount contributed that is included in the aggregate is proved by filing receipts in the prescribed form with the Minister, signed by an official of the recognized political party or by an agent of the candidate, as the case may be." Could I just ascertain from the Government Leader, my understanding is that the Minister there would be the Federal Minister, would it not?

Hon. Mr. Pearson: Yes, that is correct. What will happen is we will prescribe, by regulation, the receipts that must be used; receipts will be issued to the registered political parties for their use. We will then have those receipts attached by donors to their income tax returns.

Mr. Penikett: I just have one final point that I would like to make, on the question of that Clause and the question of receipts.

I certainly hope, when we get into this, that some caution will be issued by this Government with respect to the use of those receipts. Many people may not understand, when this process first gets under way, that those receipts are literally worth money, and that the care and custody of those receipts for a political organization is an extremely important function.

The registered agents, or whatever they will be called, who will be charged with the responsibility of maintaining and keeping the records, have something very precious and very valuable in their hands; people should understand that, under the federal Act, there have been a number of prosecutions, not because of people doing anything criminal, but because of people doing things carelessly. A lot of trouble and pain and unpleasantness has resulted.

Hon. Mr. Pearson: The Clerk has just pointed out to me what I believe to be a typographical error in the Bill. It is right in the top line on top of page 2. Everywhere else in the Bill, as my amendment indicated, we did refer to "recognized political parties" and we have changed that to "registered political parties", but, in that one instance, it now refers to "recognized party" and the word "political," I respectfully suggest, should be in there.

Mr. Penikett: We have no problem regarding that as a typo. *Clause 1 as amended agreed to*
On Clause 2

Mr. Penikett: Before we clear Clause 2, because this would give our consent to this thing coming into effect right away, I wonder if the Government Leader would be prepared to make

some statement as to his Government's intentions respecting the matter of disclosure that we previously discussed?

Hon. Mr. Pearson: Certainly. I have listened with interest and a considerable amount of personal sympathy to what the Honourable Member has had to say about disclosure. I, personally, am prepared to raise the matter with my caucus, and see what their feelings would be with respect to it.

Clause 2 agreed to

On Title

Title agreed to

Hon. Mr. Pearson: I move that you report Bill Number 79, *An Ordinance to Amend the Income Tax Ordinance*, as amended.

Mr. Chairman: It has been moved by the Honourable Mr. Pearson that the Chairman report Bill Number 79, *An Ordinance to Amend the Income Tax Ordinance*, as amended.

Motion agreed to

Mr. Chairman: I would like to refer Committee to Bill Number 81.

Mr. Penikett: I rise on a point of order.

I wonder if it would assist in the expedition of House business if we could proceed to another matter, since both the Cabinet Minister and the official Opposition critic on this Bill are absent from the House at this time?

I have no problem with passing it, let me make that clear; but it seems to me that there is the formal matter of the mover of the Bill not being present. Our critic is not here, either.

Since we take some pride of parenthood in this legislation, we have no objection to it, but there may be a procedural matter which you would want to take under consideration.

Hon. Mr. Pearson: I am not sure where the Minister of Justice has sneaked off to at the moment. We could go ahead with the Justice Bills and leave the landlord and tenant legislation until later, if that is what you wish.

Mr. Penikett: That would be agreeable.

Mr. Chairman: We will now proceed with Bill Number 83, *An Ordinance to Amend the Judicature Ordinance*, since the Minister of Justice has arrived.

On Clause 1

Hon. Mr. Tracey: This Ordinance answers many of the questions that have been raised to myself by members of the general public, by the Law Society, and also by Members from across the floor. It allows for interest at prime rate to be paid on judgments, and it also allows for interest to be paid on special damages awarded by the Court.

This will have the effect of encouraging early payment of judgments, rather than prolonging them sometimes for up to a period of years, wherein they are utilising some one else's money. It will hopefully speed up the payment of judgments, and make everybody happier when it comes to dealing with judgments in the courts.

Mr. Byblow: I do not think we are going to have any problem at all with this Bill. It is certainly quite long overdue. As I understand the system at the moment, there is a ceiling on the amount of interest that can be charged on a judgement; if my memory serves me correctly, it is something like three or four percent, and, as a consequence of that, the Minister is quite correct. In the assignment of a judgement you can very well put off paying it because it is to your advantage not to pay it, in that you could secure a far better rate of return by not having paid it.

I would reserve several other incidental questions, regarding the prime rate interpretation, until we get into the section by section debate, but at this point there is absolutely no problem with this Bill. It is long overdue.

Hon. Mr. Tracey: The Member was talking about the interest rate. It was set at five percent. Section 11 of the *Judicature Ordinance*, which this amends, actually allowed the Court to set the rate. What we are doing now is, rather than giving the Court the rate, we are going to put right into the legislation what the rate is. Everybody knows what it is; they know before they ever go to Court what they are going to have to pay if they

do not pay the judgements. It is probably going to have the effect of stopping some judgements from proceeding, because they will pay it, rather than go to Court and have to pay it retroactively.

The prime rate will be set the month preceding the month that it is brought into Court. If the writ was issued or started two years before, it would take the prime rate of the month preceding that, and that prime rate would be paid all the way through to the end of the judgement.

Mr. Byblow: On that subject of the prime rate, is it the month preceding the offense, as opposed to the month preceding the judgement? I was not too clear on that.

Hon. Mr. Tracey: No, it is the month preceding the judgement. It will either go forward or it will go backward.

On Clause 1

Hon. Mr. Tracey: Could I suggest that we just go clause-by-clause, because it is a fairly lengthy one, and we can just dispense with it as we go?

Mr. Byblow: In 11(1), I am unclear as to what documentation is used to determine the Bank of Canada prime lending rate?

Hon. Mr. Tracey: The Bank of Canada prime lending rate right now is set every week. Previously it used to be set once a month or whenever. Now it is set every week and it is printed by the Bank of Canada; those are the figures that we will use.

Hon. Mr. Tracey: Section 11(3) is the section that I was just explaining a few minutes ago. The rate is set the month previous to the judgement: it goes back to when the original claim was made and it goes forward to the end of the judgement period.

Mr. Byblow: I am just a bit unclear on Section 11(4), with respect to the "six month period", following the notice in writing referred to in the previous clause. I assume that a judgement that is being made assigns a damage suit which could have taken place a year previous.

Now, is what is being implied here that the damage suit could have changed through the course of the year leading to the actual judgement date?

Hon. Mr. Tracey: No. It says just like it reads there. If special damages are awarded, the interest is calculated on a six month basis.

Mr. Byblow: It seems to me that Clause 11(7) permits the allowance for the interest calculation which we are trying to assign to be disallowed. Could the Minister give me an instance of why that would take place?

Hon. Mr. Tracey: I could not give the Member a specific instance off the top of my head. What it does is to allow the judge to consider all the aspects of the matter, and to decide whether the interest is too high or too low or whether it should not be charged at all. He just gives the judgement; they pay it, and that is it. It allows the judge to reach a judicial decision.

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Title

Title agreed to

Hon. Mr. Tracey: I move that you report Bill Number 83, *An Ordinance to Amend the Judicature Ordinance*, out of Committee without amendment.

Mr. Chairman: It has been moved by Mr. Tracey that I report Bill Number 83, *An Ordinance to Amend the Judicature Ordinance*, out of Committee without amendment.

Motion agreed to

Mr. Chairman: Is Mr. Tracey now ready to proceed with Bill Number 81?

Hon. Mr. Tracey: No, Mr. Chairman. I believe that the Opposition Member wanted to be here for that. Could we deal with Bill Number 82?

Mr. Penikett: On that point of order: I have no problem doing whatever the Minister wishes, but it is quite clear that our critic on Bill 82 is going to be tied up in the "critters" Committee for some time, and I am therefore quite prepared to

deal with it on his behalf.

Mr. Chairman: We will now proceed with Bill Number 82, *An Ordinance to Amend the Justice of the Peace Court Ordinance*, Clause 1, general debate.

On Clause 1

Hon. Mr. Tracey: This answers many of the questions that have arisen in this House, and it answers some of the problems that I had with Justice of the Peace Council. It answers the question of the Opposition Member, in regard to the RCMP officers being Justices of the Peace.

We are quite satisfied, and so are the RCMP, to have the RCMP removed. I am more than satisfied to have the Minister and politics out of the administration of the Judicial Department, as far as the administration of the actual Justices of the Peace goes. I do not want to be a member of the Judicial Council, so that is the reason that that is here. It also goes along with the Deschenes Report, recommending less political interference.

Mr. Byblow: The Minister is so correct. He is very correct in describing what this Ordinance does. When he refers to the Deschenes Report he is making reference to a couple of principles that emanate from that Report that are actually here in this Bill. I think that speaks quite highly of having these amendments come in at this time.

The change in the composition of the Justice of the Peace Council, as well as the automatic appointment of RCMP commissioned officers as Justices of the Peace, distinctly removed the potential of political interference in the judicial process. That is what we are talking about in the last while: independence of the judiciary. So, the Minister is very correct in saying that this Bill does embody some principles from the Report.

In particular, the section which provides for a broader representation of a council is, by far, a better arrangement than exists, not only because the Minister may not want to sit on that council, but also because it provides for a much broader decision-making body to advise the Ministry on necessary action.

I would be curious, however, as to who the two unnamed persons on the Committee will be, and what their specific purpose will be in terms of their representation. I am sure the Minister will be quite willing to answer that.

We have no problems supporting this particular Bill; in fact, it is complementary. I would also note that the Minister has honoured his commitment to include a section that was introduced by us earlier and later withdrawn — that is, the section respecting commissioned officers. We will certainly be lending support to this Bill.

Hon. Mr. Tracey: I would also like to comment on the formation of the Justice of the Peace Council. The way the Council is set up under the existing Ordinance, the Minister is a member of the Council that makes recommendations to himself. What happens is that he goes to the Justice of the Peace Council; they sit there and discuss a subject; then they reach a conclusion as to what they are going to recommend to the Minister, but the Minister is already there. So, the Council has made the Minister's decision already, instead of recommending to the Minister. I was in total disagreement with that, and I had fully intended to change this before the Bill come from across the floor.

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Clause 4

Mr. Byblow: The Government is to be complimented for the inclusion of Clause 4 in this Bill.

Clause 4 agreed to

On Clause 5

Clause 5 agreed to

On Clause 6

Clause 6 agreed to

On Clause 7

Clause 7 agreed to

On Clause 8

Clause 8 agreed to

On Clause 9

Mr. Byblow: I raised the point earlier in my remarks, as to what the intention of the Minister was respecting, under Section 12(1)(e): "...not more than two other persons". Could the Minister elaborate on that?

Hon. Mr. Tracey: At this time there is no need for two other members. I do not recognize that there will be any need. This Section is in there in case some circumstance arises where the Justice of the Peace Council feels that they should have some expertise in some area or another: this makes it available for us to appoint the expertise at that time if it is needed.

Mr. Byblow: So the Minister is saying that, at this point in time, it is not a designated position. It is going to be as the need arises.

Hon. Mr. Tracey: Right.

Clause 9 agreed to

On Clause 10

Clause 10 agreed to

On Clause 11

Mr. Chairman: A quotation mark is missing after the word Commissioner. Would you like to insert that in there?

Mr. Byblow: Yes, I think we could accept that as a typo.

Clause 11 agreed to

On Clause 12

Clause 12 agreed to

On Clause 13

Clause 13 agreed to

On Title

Title of Bill agreed to

Hon. Mr. Tracey: I move that you report Bill Number 82, *An Ordinance to Amend the Justice of the Peace Court Ordinance*, out of Committee without amendment.

Mr. Chairman: It has been moved by Honourable Mr. Tracey that Mr. Chairman do now report Bill Number 82, *An Ordinance to Amend the Justice of the Peace Court Ordinance*, out of Committee without amendment.

Motion agreed to

Mr. Penikett: I saw some indication on the other side that the Minister of Municipal Affairs was looking for some relief from the over-stimulation in this exciting debate; however, I could suggest that Bill 81 need not detain the Committee very long at all, if we wish to proceed at this point.

Mr. Chairman: Do you wish to proceed with Bill 81?

On Clause 1

Hon. Mr. Tracey: This was an ordinance that we were planning to bring in. When the Members across the floor brought it in, we were a little bit surprised, because there were a couple of other things that we wanted to introduce. We wanted to introduce, for example, trailer parks, but when we got around to looking at it, we reached the conclusion that it would be unwise to do it at this time. What we have done is to take off the \$500 ceiling, and we have brought in a damage deposit which will be a part of one month's rent that is paid. We have also increased the interest that will be paid to 10 percent, from five percent.

Mr. Penikett: We will be supporting Bill 81. In saying that, I want to say that I appreciate the Minister's speedy action in responding to the initiative with respect to the \$500 ceiling. He mentioned trailer courts. I want to urge upon him the importance of bringing in some coverage there, because it is exactly that group of tenants from whom I have heard a lot of complaints since summer.

I have heard a lot of screaming about rents. The Minister will understand that a lot of rents in my constituency are now above the \$500 mark, and these people need protection. I think that I would agree with him that the major group of tenants now denied any protection would be the trailer court people, especially since one of the practices that seems to be happening there is that there is a tendency toward arbitrarily changing the terms of tenancy in mid-term, whether it is a year or two

years, or whatever is understood, and when there have not been very many options for trailer owners. That has caused a lot of annoyance, and I happen to know that the Consumer and Corporate Affairs Department has been, at least, asked, to arbitrate a number of disputes between trailer owners and tenants.

It seems to me that the Minister is responding to a real need when he indicates that there is a need for new legislation in that area, because the power and the capability of his officials to arbitrate these disputes right now is pretty flimsy. We would urge upon him the importance of bringing in that legislation.

I have nothing more to say in general debate, except that I would appreciate some brief comment from the Minister, when we get to Clauses 3 and 4, as to why 10 percent was the designated interest rate, rather than five percent? I appreciate that it has doubled, but I would be curious about that.

The other change: with respect to security deposits, and using the last month's rent, I think really all it does is legalize and normalize what is now an existing practice, and probably there is no objection to that.

On Clause 1

Clause 1 agreed to

On Clause 2

Hon. Mr. Tracey: I have an amendment to make to Clause 2(3) on page one by renumbering Clause 2(3) as Clause 3(1).

Mr. Penikett: Is it the intention of the Minister to renumber all such clauses prior to amendment?

Mr. Chairman: It would be the proper procedure for the Chairman to have a copy of the amendment.

Hon. Mr. Tracey: I will make the amendment available to you, Mr. Chairman. As I said, it was just being drafted.

In regard to the renumbering, yes. I have another amendment, and that deals with Clause 3(1) on page two. It would be to renumber Clause 3(1) to Clause 3(2).

What that does is make Clause 2(3) become 3(1), and 3(1) become 3(2), and then you move on to 4(1).

Mr. Penikett: While I appreciate your courtesy and efforts to provide us with copies of the amendment, the amendment is quite clear, and we will support it.

Mr. Chairman: Just for order's sake, the Chair would like to take a look at those amendments.

Clause 2 as amended agreed to

On Clause 3

Clause 3 as amended agreed to

On Clause 4

Mr. Penikett: I gave the Minister notice of my question to ask why the 10 percent was chosen as the designated interest rate. Can he now respond?

Hon. Mr. Tracey: The Department drafted this, and they considered the interest rate. They felt that the best that they should be prepared to accept was 10 percent. Now, I am easy on it. It is just a number, really. If we want to make an amendment I am prepared to consider an amendment right here.

Mr. Penikett: I would make one modest suggestion. There is, from time to time, difficulty on behalf of tenants in obtaining not only the full amount of the security deposit but whatever portion may be deemed to be acceptable, and I would suggest that, if the interest rate were 20 percent, the speed with which landlords would return it might be considerably enhanced.

Hon. Mr. Tracey: I do not necessarily agree. Also, you have to take into account that the damage deposit and the first and last months' rent are actually a part of this whole contract, and whether the tenant should get full interest rate on it is a debatable matter, too.

Clause 4 agreed to

On Clause 5

Clause 5 agreed to

On Clause 6

Mr. Penikett: Just before we clear the final section, I wonder if we might have some indication from the Minister as to when he might have further amendments to the Ordinance ready, particularly with respect to the trailer people that he mentioned?

Hon. Mr. Tracey: I am hopeful that we will have it ready in the spring. I wanted to have it ready for this Session, but we could not do it.

Clause 6 agreed to

Title agreed to

Hon. Mr. Tracey: I move that you report Bill 81, *An Ordinance to Amend the Landlord and Tenant Ordinance*, out of Committee with amendments.

Mr. Chairman: It has been moved by Mr. Tracey that Mr. Chairman do now report Bill 81, *An Ordinance to Amend the Landlord and Tenant Ordinance*, out of Committee with amendments.

Motion agreed to

Hon. Mr. Pearson: I move that you report progress on Bills and beg leave to sit again.

Mr. Chairman: It has been moved by Mr. Pearson that the Chairman do now report progress on Bills and that Mr. Speaker do now resume the Chair.

Motion agreed to

Mr. Penikett: On a small point of order. I am not sure I heard the Government Leader request that the Speaker resume the Chair, or whether it was your intention, in fact, to call a recess before doing that. Could I have clarification on that point?

Mr. Chairman: It has been moved by Mr. Pearson that the Chairman do now report progress on Bills, and that Mr. Speaker do now resume the Chair.

Motion agreed to

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

May we have a report from the Chairman of Committees?

Mr. Njootli: The Committee of the Whole has considered Bill Number 79, *An Ordinance to Amend the Income Tax Ordinance*, and Bill Number 81, *An Ordinance to Amend the Landlord and Tenant Ordinance*, and directed me to report same with amendments.

Further, the Committee has considered Bill Number 83, *An Ordinance to Amend the Judicature Ordinance*, and Bill Number 82, *An Ordinance to Amend the Justice of the Peace Court Ordinance*, and directed me to report same without amendment.

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

Some Members: Agreed.

Mr. Speaker: Motion agreed to. May I have your further pleasure?

Mr. Falle: I move, seconded by the Honourable Minister for Economic Development, that we do now adjourn.

Mr. Speaker: It has been moved by the Honourable Member for Hootalinqua, seconded by the Honourable Minister for Economic Development, that we do now adjourn.

Motion agreed to

Mr. Speaker: This House now stands adjourned until 1:30 pm tomorrow.

The House adjourned at 3:55 p.m.

The following Sessional Papers were tabled December 15, 1982:

81-4-39

Letter from Hon. D. Taylor, Speaker, to Solicitor General of Canada regarding interception of Member's communication (Taylor)

81-4840

Auditor General's Report on the Examination of Accounts for the year ended March 21, 1981 (Taylor)

81-4-41

Auditor General's Report on "any other matter" arising from the Examination of Accounts and Financial Statements for the year ended March 31, 1981 (Taylor)

81-4-42

Government of Yukon Territorial Accounts Fiscal Year 1980/81 (Pearson)

81-4-43

Projected Yukon Energy Requirements 1980-91 (Lang)