



# The Yukon Legislative Assembly

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Number 26

4th Session

24th Legislature

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## **HANSARD**

**Wednesday, December 16, 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

<b>NAME</b>	<b>CONSTITUENCY</b>	<b>PORTFOLIO</b>
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 Penikett	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  
Wednesday, December 16, 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 to the Order Paper.

**DAILY ROUTINE**

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

**TABLING OF DOCUMENTS AND RETURNS**

**Hon. Mr. Pearson:** I have for tabling today an answer to a question asked by the Leader of the Opposition on November 29, 1981.

**Hon. Mrs. McCall:** I have for tabling the answers to two written questions. I also have for tabling a report entitled the "Annual Health Report".

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

Reports of Committees?

**REPORTS OF COMMITTEES**

**Mr. Hanson:** The Select Committee on the *Wildlife Ordinance* has considered Bill Number 75, the *Wildlife Ordinance*, and directed me to report same with amendment.

**Mr. Graham:** It is my pleasure to table at this time the "Report of the Special Committee on Food Prices".

**Mr. Speaker:** Are there any further Reports?

**Mr. Hanson:** I also have for tabling the minutes, evidence, and working papers of the Select Committee on the *Wildlife Ordinance*.

**Mr. Speaker:** Are there any Petitions?

Introduction of Bills?

Notices of Motion for the Production of Papers?

Notices of Motion?

**NOTICES OF MOTION**

**Mr. Hanson:** I would give Notice of Motion, seconded by the Honourable Member for Whitehorse South Center, that the Report of the Select Committee on the *Wildlife Ordinance* be concurred in.

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

Are there any Statements by Ministers?

This then brings us to the Question Period. Are there any questions?

**QUESTION PERIOD**

**Question re: Whitehorse Pool Project — borrowing of funds without taxpayer approval**

**Mr. Penikett:** I have a question for the Minister of Municipal and Community Affairs.

In a letter dated February 16, 1981, the Minister of Municipal and Community Affairs said to the Mayor of Whitehorse that Cabinet had agreed to allow the City to borrow up to \$650,000 without taxpayer approval, concerning the pool project.

Can the Minister explain for the House what new information or new reasons have caused him to change his position on this question, since February of this year?

**Hon. Mr. Lattin:** At the time I sent the letter, we had had discussions between the City and the Cabinet involving a \$2,000,000 project. The total monies to be spent at that particular time were \$1,350,000, of a line item, and they were going to borrow \$650,000. That was all the money the project was going to cost. Afterwards, they said that they could see it go a possible \$200,000 over. They indicated that they would get the money.

Now, on the latest project we are talking about, at that time we had some problems with it, but we said that if it was in the ball park, we would go with it. Now they have come back to us with a project that is in the magnitude of \$4,000,000 and it is a different ball game altogether. At the time we had the discussions with the City, we were all in agreement that that ball park figure was what they were talking about.

Now, when we are addressing a \$4,000,000 project, the City is using up monies that could be put towards other projects which might benefit Whitehorse taxpayers. So, we insist that the taxpayers should have some say on why a project of that magnitude: the ratepayers should have the opportunity to say whether they want to borrow money for one thing and also go ahead and spend the other money.

There is one little kicker in it. There is the sum of \$340,000 that they said they were going to raise by voluntary contributions. If they cannot raise the money that way, the only they will be able to get it is by borrowing that, too. So, I feel that that is why we made the decision.

**Mr. Penikett:** I felt sure that the Minister was going to express gratitude to me for this opportunity to clarify his position.

Since, as I understand it, the Territory and the City had in their possession at least one legal opinion that there was not or may not have been enough time to hold a plebiscite, can the Minister say why he delayed the announcement about his change of heart to the point that he did — making it difficult to comply with the time periods under his own Ordinance?

**Hon. Mr. Lattin:** Yes, I would be very glad to elaborate on that. When we came out of the House on a Thursday, my Deputy presented me with their request for a by-law. At 5:15 p.m. of that same day, I called my Cabinet colleagues together to set up a meeting for the next day, Friday. We discussed it, and had an answer back to them on what we had to do by the Monday.

The City has known for some time of their dilemma on this project. I think they had ample time to come to us and give us more time, but the fact that we reacted in less than a day-and-a-half shows that we were not procrastinating on this issue. We had the information back to them on the following Monday, before noon.

**Mr. Penikett:** I am sure the Minister is enjoying his participation in the municipal election campaign as much as I am.

I wonder if the Minister would be willing to share with the House the nature or the content or the substance of the legal advice he had on this question? I would specifically like to ask him, in view of this experience: has he seen any reason to consider amendments or tightening up of the legislation regarding plebiscites, since there does seem to be some continuing confusion about the exact problems surrounding such a vote?

**Mr. Speaker:** Order, please. I would allow the latter part of the question, but the first part of the question, as to legal opinions, is not in order. I will permit the second part of the question to be answered.

**Hon. Mr. Lattin:** We had legal advice that there was ample time to go ahead with it: we still maintain that. I understand that the City had other advice. What question was asked of their legal advisor, I do not know; he had a different opinion.

We gave the City assurances that we had done the necessary legal checks and we feel, even at this particular time, that if they so desired, they could have put it down to a plebiscite rather than a referendum. We have no problem with that. I still say that they had plenty of time.

Another sideline that is kind of interesting is that on the new *Municipal Ordinance* there was a provision for a plebiscite in there. On the insistence of the some of the people in the AYC, they had it taken out. Now, when the new *Municipal Ordinance* comes into effect, there will be no provision at all for the people to have a plebiscite on a money by-law. They will have to go to the taxpayers only. This was done on the assistance of the AYC,

which has representation from all communities in the Territory.

**Question re: Yukon property tax to be paid by Foothills on Alaska Highway Gas Pipeline right-of-way**

**Mr. Veale:** I have a question for the Government Leader on the Yukon property tax on the Alaska Highway Gas Pipeline.

The Government has always taken the position that \$5,000,000 is owing by the proponent for 1980, as well as another \$10,000,000 for 1981. I understand that the Government has been negotiating this issue since 1980 with Foothills.

I ask the Government Leader if the negotiations have resulted in any payment by Foothills, or in any agreement to resolve the dispute?

**Hon. Mr. Pearson:** I was deathly afraid the Opposition were not going to raise this issue during the course of this Session. I thank the Honourable Member very much for his question.

We have been under continual negotiations with the proponents of the pipeline with respect to this taxation. It goes quite a bit further than just Foothills; the National Energy Board has to agree, and then the people who are involved have to agree, because these taxes become charges against the eventual users of the pipeline.

We are getting support in these negotiations from a lot of the people who are involved. We are still hopeful. We are probably not as optimistic now as we were at the time that we launched the negotiations, but we are still hopeful that something is going to come of it all.

Next week, just prior to Christmas, one of the vice-presidents of Foothills is going to be in Whitehorse and has asked to see me. Although I did not express it to him, I am hopeful that maybe there is something more significant in that he is going to be here just before Christmas.

**Mr. Veale:** I did not know that Santa Claus worked for Foothills but, nevertheless, we can always hope.

In March of this year, the Government Leader indicated that he would also be making a claim from the proponent for the money spent by this Government in preparing for the pipeline. Are those separate negotiations, or are they part of the \$5,000,000 and \$10,000,000 property tax figures?

**Hon. Mr. Pearson:** Those are entirely different, separate negotiations inasmuch as we have only to go to Foothills and the National Energy Board for those payments. The Northern Pipeline Agency has been on our side respecting that sum of \$1,000,000, ever since we raised the issue. I truly believe that that payment or that sum of money may be the reason for the visit of Foothills this forthcoming week.

**Mr. Veale:** Would the Government Leader indicate whether the \$1,000,000 that he has referred to is a claim for everything up to and including the 1981-82 year, or does it relate to previous years?

**Hon. Mr. Pearson:** I cannot remember what the actual numbers are. It is very close to \$1 million that we made claim for; that would be for our expenditures to March 31, 1982. Then, of course, if the precedent is set at that point, we anticipate further payments would be forthcoming in the future, as we ran into these expenses.

**Question re: Possible development corporation resulting from negotiations on the Alaska Highway Pipeline and the Beaufort Sea development**

**Mr. Byblow:** I, too, would like to direct my question to the Government Leader, in much the same subject area.

In the past, the Government Leader has said that the negotiations that he was having with the various proponents — that is, the Pipeline, as well as the Beaufort Sea development — would lead towards a development corporation. I would ask the Government Leader if, in his negotiations and discussions, this is still the idea being promoted?

**Hon. Mr. Pearson:** I am sorry, I believe that the Member opposite is mixing up two projects. I have never made any secret of the fact that I feel that there should be some sort of a government development corporation in Yukon. That is some-

thing, though, that is separate and apart from what is transpiring with the proponents of the Pipeline, or even with our negotiations as to how we might participate in the development of the Beaufort Sea.

It is highly likely, though, that if we ever get off square one with respect to this kind of funding, some of that money may well be valuable seed money for something like a Yukon development corporation.

**Mr. Byblow:** I think, when the Government Leader was speaking about the development corporation concept earlier this year, he was indicating that, given funding would be forthcoming, it would be useful money for fulfilling a Government role in infrastructure. Given that some funding does come forth, either through the Beaufort Sea development or through the Pipeline revenue, will the Government Leader undertake to earmark any of that for a development corporation, with that original purpose in mind?

**Hon. Mr. Pearson:** Before we could do that, we would have to enter into some sort of a financial agreement with the Federal Government. At the present time, any money that this Government receives goes into the Yukon Consolidated Revenue Fund. There is no other place for it to go; there is nothing else set up that we can put it in. If we receive it, it has to go into the Yukon Consolidated Revenue Fund.

I would suggest to the Member that negotiations respecting resource revenue-sharing, which we are hoping to get into with the Minister of Indian and Northern Affairs, would centre around the very topic the Member has raised. The Minister has indicated to us his willingness to start these negotiations very soon.

**Mr. Byblow:** I would direct this to the Minister responsible for Economic Development.

Yesterday, in responding to comments from this side on his Ministerial address, he indicated some constitutional barrier to the creation of a development corporation. I would like to ask him what he perceives that barrier to be, and why such a corporation could not be struck, just as we have a Yukon Liquor Corporation or the Yukon Housing Corporation?

**Mr. Speaker:** The Honourable Member is seeking an opinion; however, I will let the Honourable Minister answer that question.

**Hon. Mr. Lang:** I do not believe I mentioned a Yukon development corporation in the Ministerial Statement that I presented to the Member opposite yesterday. Perhaps he is referring to some comments I made at a prior time over the course of this Session, with respect to a development corporation.

I think the Government Leader has indicated that, if necessary, and if we had the financing, we would seriously consider it — depending on the merits of the development that was occurring at that time.

**Question re: Increase of annual Social Assistance payments up to Poverty Line level**

**Mr. Kimmerly:** I have a question for the Minister responsible for social assistance legislation.

The National Poverty Line, as established by the Federal Government, is now \$4,834 annually for single people and \$10,639 annually for a family of four. Is the Minister considering bringing Social Assistance payments up to the poverty line level?

**Hon. Mrs. McCall:** Social assistance poverty levels, or what is accepted as the poverty level, are set nationally, and we go by the national guidelines.

**Mr. Kimmerly:** Considering the cost of fuel, food, et cetera, in the North, will the Minister assure us that the national poverty line figures will be adjusted for northern conditions, under the Yukon program?

**Hon. Mrs. McCall:** There is some adjustment made wherever it is possible. Quite often there is an adjustment considered and put into effect.

**Mr. Kimmerly:** When is the Minister considering implementing an increase in Social Assistance payments?

**Hon. Mrs. McCall:** When they are necessary.

**Question re: Public Service Commission — percentage of PSC budget for local versus outside recruitment and hiring**

**Mrs. McGuire:** I have a question for the Government Leader, in regard to local recruitment and hiring within the Public Service Commission.

In response to statistics presented to me regarding the recruitment practice of the Public Service Commission, the total recruiting cost of the Public Service Commission has been quoted as \$484,410, with \$299,417 going towards outside recruitment.

With the Government's repeated statements on its commitments to local hiring, can the Government Leader explain why his Public Service Commission spends 61 percent of its total recruitment budget on outside recruitment?

**Hon. Mr. Pearson:** Yes, it is quite simple and very basic. It costs more money to recruit people from outside Yukon than it does from inside Yukon. That is only one of the beneficial effects of our policy that is very successful. You must not let those figures mislead you; it is a very successful policy. What that figure indicates is that it costs us some 61 percent of our recruiting budget to recruit some 25 percent of our people. That is all it is. It costs that much more to recruit people outside of Yukon than in Yukon. It has nothing to do with the actual numbers recruited.

**Mrs. McGuire:** If this is the case, can the Government Leader state the policy of the Public Service Commission as to how and when a job becomes open for outside advertisement and recruitment? Who sets that policy?

**Hon. Mr. Pearson:** I would be happy to present a copy of that policy to the Honourable Member. I know there is one in the Members' Library in the building.

**Mrs. McGuire:** My final supplementary is, which is the first priority of this Government? Does the Public Service Commission, in their ongoing attempt to encourage local hiring and the training of staff personnel to increase their mobility, attempt to underfill a position before a job becomes open to outside recruitment?

**Hon. Mr. Pearson:** That sometimes has an awful lot to do with the job and also with the potential of getting someone to underfill. Our number one priority since the day we were elected has been to always hire locally. We do that whenever we can. We use whatever means possible to us to do that. Sometimes we can use underfill, but there are jobs where it is necessary to get properly qualified people to fill those positions. If we have to go outside for them, then we do that.

**Question re: Government policy as to freedom of information laws**

**Mr. Penikett:** Let me say for the record that there has been a lot of underfilling in the Government, at the highest levels.

I have a question for the Government Leader. The President of the Yukon Territorial Progressive Conservative Party has recently been promoting freedom of information laws. I would like to ask the Government Leader if such laws are Government policy, and whether it is his plan to introduce such a law at the earliest possible opportunity in this House?

**Hon. Mr. Pearson:** I am sure that the Leader of the Opposition if referring to Mr. Willis' candidacy as a mayor in Whitehorse. Probably he has perceived that the same openness and forthcomingness of this Government is not prevalent in the municipality, and he has run into some kind of a problem.

I have never ever heard of, nor had demonstrated to me, the need for any legislation. We are very open and forthcoming on all matters.

**Mr. Penikett:** You will notice that the Government Leader is voting for one Tory and not the other Tory for mayor.

The Government Leader has assured this House and Yukoners on more than one occasion — I believe this was the 113th time just now — that the Territory has an open Government. I note that the Justice and Legal Affairs Committee in Parliament and most of the provinces are now studying, considering, and contemplating freedom of information laws.

I would like to ask the Government Leader, again, whether

he gives any priority to this legislation here, and whether it is his intention to bring in such legislation in the near future?

**Hon. Mr. Pearson:** I did say that it had not been brought up with me that there was a burning desire or need for this kind of legislation. Frankly, at this point in time, I am much more interested in legislation like wildlife legislation than I am in freedom of information legislation.

**Mr. Penikett:** A Government of Yukon news release, dated December 7th, said, "A proposed freedom of information act" was on the Federal-Provincial Justice Ministers' conference agenda.

I would like to ask as the supplementary, to the Minister of Justice, if he could report to the House on these discussions; specifically, if there is a consensus on the type of information law that should be developed and whether his Department is now developing one?

**Hon. Mr. Tracey:** At the Federal-Provincial Ministers of Justice meeting, the *Freedom of Information Act* was given very cursory treatment; there was not much done with it. All that was recommended was that the Deputy Ministers' departments do a bunch more work on it, because there was no decision to be made on it at that time.

**Question re: Availability of "Towards a Future for Yukon Wildlife"**

**Mr. Veale:** Now that we are on the issue of freedom of information and the openness of the Government, I have a question for the Minister of Renewable Resources.

There is, I understand, a document entitled, "Towards a Future for Yukon Wildlife", which was prepared some years ago. Has the Minister made this document public, so that the issue can be debated freely in Yukon?

**Hon. Mr. Lang:** I have not made it public at the present time. I understand some Members have it, in any case. I have no problem, if there are copies available, to table one in this House.

**Mr. Veale:** I thank the Minister for his commitment to table that in the House. It would have to be in the next day or so to be done in this Session.

I have corresponded with the Minister about the issue of the decrease in the mountain goat population. It is the species of big game that is under the most severe pressure. Would the Minister indicate why there has been no re-introduction of these animals into specific locations, in order to build up the entire population?

**Hon. Mr. Lang:** In many cases, as the Member opposite knows, there is no opportunity to harvest that species of animal, in many areas of Yukon at the present time. We are investigating the possibility of re-introduction into certain areas of the Territory of this species, and once we have made a decision based on all the facts which have to be presented, I will let the Member know just exactly what that decision is.

**Mr. Veale:** The decrease in population is well known and those areas have been documented; I think that is information which is generally available now. Will the Minister give a commitment to have this re-introduction program proceed this Spring?

**Hon. Mr. Lang:** It would be totally irresponsible for me to make a commitment of that kind. I would first have to receive the necessary information which is being compiled, from the Department, then discuss it with my colleagues and also look at the financial situation of both the Department and the Government for the forthcoming budget year.

I would like to think that something could be done, but I am not prepared to make a commitment to the Member at this time. I am sure that when he examines the Budget he will be able to find out for himself.

**Question re: Formulation of Yukon mineral policy — discussion with Federal ministers, and current level of progress**

**Mr. Byblow:** I will direct my question to the same Minister in his responsibility for Economic Development.

Among the many things that Government is studying is the formulation of a Yukon mineral policy. Earlier, the Minister

indicated that, along with the energy policy presently being developed, as well as an economic strategy policy, a mineral policy will be prepared which will give Yukon the long overdue direction needed.

Specifically, could I ask the Minister if he addressed mineral policy formulation in his Ottawa meetings last week?

**Hon. Mr. Lang:** Yes, there was some discussion.

**Mr. Byblow:** I would have expected the Minister to indicate a little more direction, so I will give him an opportunity to do so.

DIAND is presently preparing a position paper on mineral policy, and has requested input. Will this Government be providing a policy position to the committee working on that policy?

**Hon. Mr. Lang:** Yes, it would be our intention.

**Mr. Byblow:** Could I then ask the Minister how close to completion this Government is, as regards clarifying their position on mineral policy in Yukon? At the same time, perhaps he could indicate whether it will be presented here in the House before being taken to the committee with DIAND.

**Hon. Mr. Lang:** There has been some work done within the Department with respect to an over all mineral policy. The mineral policy I think the Member is actually referring to is that of the Government of Canada. As far as the North is concerned, we have had a commitment from the Minister of Indian Affairs and Northern Development that we will be involved in the development of such a policy.

It would not be my intention to table the mineral policy until we reach some consensus with the Government of Canada. At that time, I am sure that the Member opposite will get the opportunity to debate it.

**Question re: Effectiveness of current alcohol abuse advertising campaign**

**Mr. Kimmerly:** A question for the Minister responsible for Alcohol and Drug Services.

I have been watching with interest the current alcohol abuse advertising campaign. My question is this: is there an evaluation component to this campaign? That is, is the Minister measuring the effectiveness of the campaign?

**Hon. Mrs. McCall:** I am very glad to have the opportunity to speak to this.

We have found this campaign to be particularly effective. The feedback that we have been getting has been very positive, and we feel that it is having an influence for the good.

**Mr. Kimmerly:** I also watched the "Raven Bay" program aired on T.V. recently, which I thought was excellent. Are there plans to use this Government funded work as a basis for a Yukon-oriented alcohol education program?

**Hon. Mrs. McCall:** Yes, this project was a pilot project, and after we have assessed its effectiveness at the end of this particular campaign, I expect that some of it will go on.

**Mr. Kimmerly:** Is the Minister able to tell us the target dates for the assessment process, and when a Yukon alcohol abuse education program will be established in the schools?

**Hon. Mrs. McCall:** The target dates have not been set yet.

As for an alcohol program in the schools, we have started a pilot project with that as well. It is going on in Faro at the present time.

While I am on my feet, I have the answer to a question asked by the Honourable Mrs. McGuire on November 18th, regarding the "Kearns Report". The cost of this report was \$3,628, which was paid from the budget of Alcohol and Drug Services. The cost comprised a room, air fare, use of a car, and a per diem rate. Mr. Kearns spent 12 full days interviewing and meeting with a wide variety of people involved in the Crossroads program. He then spent additional time compiling and writing the Report. Mr. Kearns, as we all know, is a former director of Crossroads and is presently Executive Director for the Saskatchewan Commission on Alcohol.

As a result of the Report and of present ongoing discussions with Crossroads, I am confident that we will be able to work together, not only to sustain the existing program, but to im-

prove services at Crossroads.

This week, through our representative on the Crossroads Board, I was able to assure the Board of an additional \$50,000 to allow them to continue their present level of program during this fiscal year. It is my intention to continue discussions with Crossroads, with a view to enhancing the co-operation which presently exists.

**Question re: Availability to public of records of harvesting of fur-bearing animals**

**Mrs. McGuire:** Speaking of freedom of information, I have a question for the Minister responsible for Wildlife.

Will the Minister advise me if the records of the harvesting of fur-bearing animals are available to the public from the Minister's Wildlife Department, on the individual trappers doing the harvesting?

**Hon. Mr. Lang:** I would have to check on that. We are talking about individuals' livelihoods, and whether or not that information has been made public before, I do not know.

I know the over all harvest is always made available to anybody who wants them, but as far as individual members and what their harvest is, it could well be the right of the individual to keep that knowledge confidential, if he so wishes.

**Question re: 1982 Territorial general election**

**Mr. Penikett:** I have a question for the Government Leader which arises from the possibility that this may be the second last day of our sitting. Or, if the Minister of Renewable Resources wants to sit next week, we could be here for Christmas.

In any case, since, by Statute, there should be a Territorial general election next November, might I ask the Government Leader's intentions in that respect, and whether he is prepared to announce, within a month, when he plans to call it?

**Mr. Speaker:** Order, please. I would rule the question out of order.

**Mr. Penikett:** With respect, I submit there is nothing out of order about the question because, as my supplementary will make clear, I have a very valid reason for asking it.

**Mr. Speaker:** The question is considered by the Chair to be of a frivolous nature and is out of order.

If the Honourable Member has a specific question to ask which is not frivolous, it would be well in order to ask it at this time.

**Mr. Penikett:** I have a specific question, Mr. Speaker.

Since much legislation has been indicated for the Spring Session, I wish to ask the Government Leader if it is his intention to have a Spring Session prior to the next general election?

**Hon. Mr. Pearson:** This Government's mandate expires, I believe, on December 12, 1982. Now, what may or may not happen prior to that date is a subject matter for myself and my caucus to discuss.

**Mr. Penikett:** Granted, the Government Leader may not have yet made up his mind on the important question. Could I ask him the specific question whether, at this point in time, it is his intention to have a Spring Session and to bring forward the large number of pieces of legislation which have been indicated by various Ministers in his Cabinet?

**Hon. Mr. Pearson:** Certainly, at this point in time, it is my intention to have a Spring Session of the Legislature. This Government is going to have a tough time doing business, if we do not.

**Question re: Local gas supply from Kotanelee gas field to Yukoners**

**Mr. Veale:** I hate to raise the subject of natural gas so closely after the discussion of elections, but I do have a question for the Minister of Renewable Resources regarding the "Hildebrandt Young Report", which was tabled by the Minister yesterday.

The Report recommended that a natural gas supply be ensured for Yukoners, regardless of the construction of the Alaska Highway Natural Gas Pipeline. Has the Minister had discussions with the owners of the Kotanelee Field in the southeastern Yukon, to determine whether there is any potential now or in the future for a local gas supply from that area?

**Hon. Mr. Lang:** No.

**Mr. Veale:** My supplementary question is, has the Minister, then, had some discussion regarding the gas supply of the Beaufort Sea and its potential for supplying the local needs of Yukoners? Specifically, has the Minister had any contact with Dome Petroleum or its partners in that operation, to determine the possibility of obtaining a supply from the Beaufort Sea?

**Hon. Mr. Lang:** No, Mr. Speaker.

**Mr. Veale:** The Foothills line makes provision for a local supply of natural gas. Has the Government made a policy that the local distribution rights will be publically owned, as opposed to privately held?

**Hon. Mr. Lang:** We are strictly in the formal stages with respect to the proposed Alaska Gas Pipeline.

First of all, a decision has to be made whether or not it is going to be built. We are also looking at the what the cost would be to consumers, in both the private sector and the Government, to convert over to natural gas. This is one of the topics that I raised in my conversations with the Honourable Marc Lalonde — that further financing will be needed to look at such a proposal in detail.

With respect to ownership, a firm decision has not been made either way.

**Hon. Mr. Tracey:** I have the answer to a question put forth by the Member for Faro on November 26th, dealing with the Women's Bureau. He asked what we were doing, as a Government, for the training of women.

The answer is that several programs have been developed by the Women's Bureau in co-operation with other departments. These include the Pre-trades for Women course, to orient women to non-traditional trades; the Employment Orientation course, to reach women wanting to re-enter the work force, which will be run again; and, being provided for the first time this year, the Alternative for Single Parents course, developed this year in co-operation with Health and Human Resources and Education.

You may have noticed that the Vocational Training Centre recently advertised for a Co-ordinator of Women's Programs to manage these programs and to focus on training needs for Yukon women.

As a resource to the Public Service Commission, the Women's Bureau has assisted in the consideration of such concepts as job-bridging, whereby predominately women employees might break out of their current job stream into new areas of endeavour: for example, from a secretarial position into administration or research.

Currently, under the auspices of the Women's Bureau, a research project on Women and the Yukon Labour Market is in progress. This project, when complete, will provide a comprehensive picture of the participation of women in Yukon's labour force.

**Mr. Speaker:** The time allotted for Question Period has now expired.

We will proceed to Orders of the Day.

## ORDERS OF THE DAY

### MOTIONS FOR THE PRODUCTION OF PAPERS

#### Motion Number 1

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

**Mr. Byblow:** Yes.

**Mr. Speaker:** It has been moved by the Honourable Member for Faro, seconded by the Honourable Member for Whitehorse South Centre, THAT an Order of the Assembly do issue for copies of: (1) The minutes of the meetings of the Macmillan Pass Task Force; and (2) Any reports prepared by or for the Macmillan Pass Task Force.

**Mr. Byblow:** I think that the Motion is quite simple and straightforward about what is being presented, and I shall not dwell at too much length on it.

The Macmillan Pass Task Force, a commendable instru-

ment of this Government, has met several times this past year and a number of studies are in progress; either in a preliminary stage of completion, or in a completed stage in a preliminary form, or in various stages of undertaking. At least one major wildlife inventory and land use survey is being carried out.

As I have indicated to the Minister previously, I have had a number of solicitations, particularly from the people in my community and the community of Ross River, respecting information about the development in that area. I think it is quite a reasonable request, because developments in that corridor do have an effect on those communities and have the potential of having a major impact upon those communities: particularly again, the community of Ross River. These communities simply want to be kept informed; to have input and to participate in planning. This refers to CYI, to small business, to municipal entities, and to the public at large.

The Motion calls for the availability of the Minutes, in order simply to permit an intelligent response to developments and discussions. I cannot see any reason why the Task Force may want to withhold these. I think that, in the spirit of disclosure of information about a fairly significant Yukon development, this would seem a very logical step. As for any reports, I would expect the same reasonable treatment.

I would simply conclude with the remark that I do expect unanimous consent and we can get on with our job.

**Hon. Mr. Lang:** I would move, seconded by the Honourable Member for Mayo, that Motions for the Production of Papers, Item Number 1, be amended by deleting all words following the word "copies", and substituting the following: "of reports prepared by or for the Macmillan Pass Task Force which members of the said Task Force agree to release as public documents".

**Mr. Veale:** I think it would be appropriate to support the amendment, to the extent that all the parties who prepared those minutes and were involved with them should be a part of the decision to make them public. I think that the people of Ross River, in particular, have felt a little left out of Yukon development in their area, and we all know how important it is to them. Their lack of input gives rise to a great many problems.

I think that though their need will not be completely met by this, it would at least allow them to know what is taking place behind those doors, and I think it is also an excellent chance for a freedom of information policy to be implemented on the floor of the House.

**Hon. Mr. Lang:** The reason I am putting forward the amendment is for the specific reason outlined by the Leader of the Liberal Party.

The various reports, in many cases, are cost-shared, so it is not just strictly a government function. It is government and private enterprise, and out of courtesy to them I think we should have their agreement. I think that in most cases there will be no question that that agreement will be forthcoming.

I should point out that a lot of the information will be made public. The Land Inventory Survey that we are doing is not dependent on the Task Force. That information will be available, once completed, at the Department of Renewable Resources. If the Member for Faro wants to give me a call I might even give him a special tour, so he could find himself in the proper location to be able to examine the records in a very detailed manner.

Following that through, I should point out that the Macmillan Pass Task Force is strictly at the feasibility study level, at the present time. I do not think that we should be raising the expectations of anybody in the general public or the private sector, until such time as any of the mine developers get down to the decision of whether or not a development is feasible. It is strictly in a feasibility stage.

I should point out that I had a request approximately two weeks ago from the Council for Yukon Indians, for participation on the Macmillan Pass Task Force. We have discussed it

with the other members of the Task Force and we have agreed that, if they wish to participate and send somebody they feel could represent them, they could participate on the Task Force. We would then have a total Territorial viewpoint, concerning the Task Force and what is taking place. It would also give CYI the capability, with the resolution of the Land Claims, to perhaps go into development with some of the major mining developers, which I think would be in both their and Yukon's interest.

I might also point out that the Ross River area of which the Member spoke is well represented by the Member for Campbell, Mr. Bob Fleming. He in fact spent a number of days there, approximately a week ago, talking to the people within the area. I did send correspondence to them respecting information that was available, indicating to them that information will be made available as soon as it is produced, and that, if something major were to happen, I would personally go out and meet with them in Ross River.

I recognize that they would like to be part of it, and there is no question but that if a development decision is made, the developer and the Government have the responsibility to go to communities such as Ross River, perhaps Faro, even Carmacks for that matter, to explain to the general populace what benefits can be derived and how they can participate and the various options of participation.

I amend the resolution, under the principle that the Leader of the Liberal Party put forward, basically because I need the agreement of other Members of the Task Force.

As far as the minutes are concerned, minutes are kept by the Territorial Government and they are not given out to all members of the Task Force. It is strictly a record that we can look back on. I do not think that we should be releasing that at the present time, because in some cases some of the subjects of these records could be misconstrued, if one were not involved in the conversations or the meeting at that time. I have not even seen all of these records.

It is our intention to be as open as we possibly can. I think the Member for Campbell has indicated his willingness to work with the people from Ross River, to the point that he has gone out to Ross River and assured them of his support wherever possible. I have indicated in writing that I will be working very closely with the Member for Campbell. So, the Member for Faro does not have to worry about Ross River; it is very well represented.

**Mr. Speaker:** It has been moved by the Minister of Tourism and Economic Development, seconded by the Honourable Member for Mayo THAT Motions for the Production of Papers, No. 1, be amended by deleting all words following the word "copies" and substituting the following: "of reports prepared by, or for, the MacMillan Pass Task Force which members of said Task Force agree to release as public documents".

*Amendment agreed to*

**Mr. Speaker:** I must advise the Honourable Member that, having twice spoken, he will now close debate.

**Mr. Byblow:** I would like to say that, in listening to the Minister of Economic Development outline his reasoning behind withdrawing the minutes for public disclosure, we find the motion as amended an acceptable position over on this side and we support it. We certainly are pleased with the response to the solicitations that we have had, respecting this development.

*Motion agreed to*

## **MOTIONS OTHER THAN GOVERNMENT MOTIONS**

### **Motion Number 34**

**Mr. Speaker:** It has been moved by the Honourable Member for Whitehorse Riverdale South, seconded by the Honourable Member for Kluane, THAT the Assembly urge the Yukon Government: (1) to implement mandatory seatbelt legislation preceded by an extensive education program promoting the use of seatbelts, and (2) to implement mandatory driver training for new drivers and driving offenders.

In the case of this Motion, before I hear debate on it, it is

necessary for the Chair to divide this Motion into two parts, because the Motion deals with two separate and distinctly different subjects.

The Chair has divided them into two parts. I will, however, allow debate on both sections, but I will have to call for two votes, one on each portion of this Motion.

**Mr. Veale:** I think it would be advisable to have the vote on the two separate sections.

Driving conditions, accident records, and the entire issue of driver safety is something that has been raised time and time again in Yukon. Most recently, in a report submitted by Carol Tennis to the Minister of Education, a series of driving conditions in Yukon were cited that bring us to bear upon the issue of safe driving and on how we can improve the situation in the Territory.

Miss Tennis noted such things as poor visibility due to dust on unpaved roads, poor vehicle control in muddy conditions, heavy transport traffic, soft shoulders, construction, lack of directional lines, snowploughs, livestock at large, and even tourists stopping unexpectedly in inopportune places, as factors contributing to hazardous driving here in Yukon.

These are problems which are unique to our area and which serve to put an added burden on all drivers in Yukon. They are also factors which have been noted over the years in contributing to accidents involving injury, death, and millions of dollars in both private and public property damage. Problems such as these must lead us to look for constructive steps towards increasing driver safety, compensating for the additional hazards that we, as Yukoners, face while driving in Yukon.

However, we can take immediate steps to improve the calibre of driving on Yukon roadways. There were a number of recommendations set out in that Report and I sure that the Government has had sufficient time to assess those. Many of them came from the Government itself, from a variety of people that submitted positions to Miss Tennis; she then incorporated them into her report.

She recommended mandatory training of new drivers, mandatory training for offenders under the *Criminal Code* and *Motor Vehicle Ordinance* relating to driving offenses, a meeting of all Departments concerned in the Yukon Territorial Government to establish lines of communication to work towards solutions, and a meeting of the public to open avenues of communication and give them a chance to express their concerns. The last recommendation is a very interesting one, and I believe that there are going to be some public seminars held in the future on the subject.

There is a second step, though, that is being taken in many Canadian provinces and many countries throughout the world, which dramatically increases road safety, and reduces the number of deaths and the amount of injury that people suffer in accidents.

Studies have been conducted in almost every part of the world, regarding almost every car driven by man, in all types of conditions, which reveal that there is a single safety device which has been the most effective factor in reducing personal injury and death incurred through motor vehicle accidents. Quite simply, that safety device is the seatbelt.

Since 1964, it has been mandatory for vehicle manufacturers to install seatbelts in motor vehicles sold in this country. Although vehicle construction and safety measures have been vastly improved since that time, all are designed to work in co-operation with seatbelts.

Shock absorbent bumpers, padded dashboards, head-rests, and reinforced occupant compartments have all been constructed to make the inside of the vehicle safer for the occupants. But only the seatbelt can keep an occupant inside this protective shell.

In an Alberta report, released in April of 1979, studying the action and effectiveness of seatbelts, safety belts proved to be successful in, firstly, lowering the rate of deceleration experienced by a person in a crash. That means that when the vehicle decelerates very quickly, if a person is moving at the same

speed as the vehicle, he of course comes into a tremendous collision with his own vehicle, and seatbelts reduce the rate of deceleration. Secondly, seatbelts are very effective in spreading the point of impact over a larger portion of the body surface. Thirdly, it directs the point of body impact away from the head and neck, and towards the less easily damaged pelvic areas.

Restraining the person inside the passenger compartment prevents the secondary collisions with the pavement and the outside vehicle, if that person is thrown outside the vehicle as a result of a collision.

Numerous methods have been designed to voluntarily encourage drivers and passengers to wear the life-saving seatbelt. I am sure that most people are familiar with some form of buzzer, or buzzer and light combination, or ignition interlock system, reminding them to buckle up. I am also sure that many people have many frustrating moments trying to defuse the reminder, rather than paying any attention to what the message is about, to buckle up their belts.

However, gentle reminders, voluntary education programs, and numerous study results made public have not served to radically change the habits of motor vehicle passengers and drivers. In other words, all the education in the world, unfortunately, does not significantly increase the use of the seatbelt by drivers and passengers.

The most effective method, to date, is to ensure the mandatory use of seatbelts in motor vehicles; thereby lowering personal accident fatalities, injuries, and accident-related hospital and emergency facility costs. This type of action is one which is never taken lightly but it has been realized as the best possible way of ensuring seatbelt usage, thereby reducing personal injury and death and the ever increasing costs of motor vehicle accidents to the public purse.

Legislation dealing with seatbelt usage is now in effect in Australia, New Zealand, Czechoslovakia, Sweden, Spain, Belgium, the Netherlands, Luxembourg, Puerto Rico, France, Finland, Israel, Norway, Denmark, and Switzerland, and is presently being studied in many other countries. It is also in effect in this country, since 1976, in the provinces of Ontario and Quebec, and, since 1977, in the provinces of Saskatchewan and British Columbia.

These are not governments bent on curtailing the personal rights and freedoms of their citizens. Mandatory seatbelt legislation has been and is being adopted by forward-looking governments concerned about the increasing burden of motor vehicle accidents on the lives and the public purse of their jurisdiction.

This type of legislation has been brought in only after exhaustive studies, not only on death statistics for belted and unbelted drivers and passengers, but also from a clearer understanding of the types of collisions an occupant is most likely to be involved in.

In a major study conducted by Transport Canada Safty Division, accidents are divided into two categories: the vehicle collision and the human collision. The study states that at the outset "the passenger compartment usually is not damaged at all by the vehicle's collision; instead it is only damaged by the person striking it with his head or body. This is the collision which cases injury and death." That is the human collision. In a 50 kilometer an hour barrier crash, an occupant strikes the interior of the car with a force of several thousand pounds. When a person hits something hard he must come to a stop over a very short distance: one to two inches. Because the hard surface will give way very little, his body must absorb most of the force of the impact. On impact, the car begins to crush and slow down; however, an unbelted person inside a car has nothing to slow him down and continues to move forward at the same rate the car was travelling, whether that be 10 or 100 kilometers an hour.

Some people choose not to wear seatbelts, saying they will brace themselves in the event of an accident, but with only fractions of a second to react in the event of a collision, a

sudden stop at 50 kilometers an hour has the effect of increasing one's body weight 30 times, and you cannot hold that weight in a collision. These unbelted bodies then become high speed projectiles during a collision, endangering not only the person themselves but other occupants of the car.

In frontal collisions, people in the front seat can receive serious neck and spinal injuries from being struck by the rear seat passengers. Although many back seat passengers can survive front end collisions by colliding with padded front seats, front seats have very little strength, and will break away with the force of impact — often crushing front seat passengers. In a side collision, an unbelted passenger can be thrown against the passenger beside him, dealing a fatal blow, or forcing him out a door or window.

However, bodies which are held by seat belts fare much better, because on impact, as the car begins to slow down and crush, the person moves forward only as far as his seat belt allows him. A properly fitted seatbelt will keep the occupant from striking his head or chest against the car interior or another passenger. Together, the lap and shoulder belts work to keep a person in his seat, distributing the force of the collision over the hips and shoulders: the most able part of the body to withstand sudden force. Also, upon impact, many drivers are jolted away from the steering wheel, losing complete control of the vehicle and becoming a helpless body inside the car. A belted driver, however, cannot be jolted away from the controls, enabling him to remain at the wheel and to be better able to react to any secondary hazards. This type of information is the result of exhaustive studies.

One of the most respected reports into the effectiveness of seatbelts was conducted by the Volvo Corporation of Sweden. They examined 28,780 accidents involving 37,511 front seat occupants. Not one fatality was reported in belted occupants at speeds of up to 60 miles per hour, while deaths were observed in the unbelted group at speeds as low as 12 miles per hour. Belted people received one-half as many injuries as unbelted people, in collisions at all speeds. The average injury-reducing effect of seatbelts is between 40 and 90 percent, depending on speed and type of injury.

North America's General Motors has also kept track of their safety efficiency record. Out of 160 cases, General Motors summarized in 1971, 60 per cent of the vehicles had sustained heavy damage, of the type often associated with occupant injury, but 99 percent of the users suffered either minor injuries or no injury at all.

It is information such as this which has increased awareness of what actually happens to a person during a collision, and which has led medical associations, safety leagues, emergency service workers, and aware citizens to voice their concern for increased seatbelt usage.

I would like to table a document: a letter from the Yukon Medical Association, dated November 30, 1981, to the Honourable Meg McCall, taking the position that they would support mandatory seatbelt legislation.

In a report prepared for the Government of Ontario in 1979 studying the safety benefits of seatbelt legislation, a Mr. Pierce, the study's author, explained some of the background leading up to mandatory seatbelt legislation in that province. I quote: "The Ontario Government first decided to try and increase belt use through an extensive public education campaign beginning in early 1975. This approach showed virtually no success in increasing belt use, which remained stable at 17 percent, but it did have the effect of increasing public support for seatbelt legislation."

Other reports on the influence of mass media educational campaigns have shown similar results. In 1968 and 1969, the National Safety Council of the USA conducted a nationwide 18-month campaign costing \$51,500,000. Seatbelt usage remained virtually unchanged. That is information from an Alberta report.

In Canada, in spite of increased public awareness, the tightening of safety standards, and education programs, the high-

est seatbelt usage ever achieved without legislation is 35 percent. That is just a little over one-third of Canada's driving public — no doubt concerned and aware Canadians, but Canadians taking unprecedented risks with human life.

It seems therefore, that no matter how favourable public opinion is towards the use of seatbelts, the only measure of any consequence in getting people to use seatbelts is mandatory seatbelt legislation.

For those who look only at the paternalistic nature of such legislation, there are also sound economic advantages to such a move. In a report to the Government of British Columbia, a former RCMP officer estimated the annual savings to Canadians, if all provinces adopted mandatory seatbelt laws, to be over 13,000 lives and some \$260,000,000 in medical social assistance costs and lost productivity. That is an annual saving, money, and manpower that is presently lost, simply because most Canadians do not take a few seconds to buckle a seat belt before heading down the street or out on to the highway.

The Ontario Health Ministry's statistics have shown that the average medical cost to treat an unbelted accident victim is \$419. However, the average cost incurred in treating belted accident victims is only \$228; these costs are rising yearly. I think that it would be of great interest to many Yukoners to know that seatbelts can in fact can have a very significant effect on the amount of money in our health care program. The Ontario Government is now saving \$2,000,000 annually, a savings that they attribute directly to the mandatory use of seatbelts.

Why then, with the increased awareness of Canadians, is mandatory legislation considered controversial, or an infringement on personal freedom? Where is the infringement on the taxpayer? Is saving thousands of dollars annually in medical emergency and rehabilitation services an infringement? Are lower insurance rates, based on decreased personal injury claims, infringements?

People are often not generally aware of the fact that up to 25 percent of their damages award in a Court decision can be deducted for failure to wear a seatbelt, if the lack of wearing a belt contributed to their injury. It is indeed something that I find amazing; it happens every day, I guess, in every law office in town, that someone is astounded to learn that their failure to wear that seatbelt is treated as contributory negligence to their own injury, which may have resulted from the negligence of the person that ran into them.

Still, there are those who would argue against the odds, but as the slogan goes, the reasons some people have for not wearing seatbelts could prove them dead wrong. One of the most popular reasons given by those who refuse to buckle up is the apparent evidence of harm caused by wearing a seatbelt. This is true, but the argument ought to be kept in perspective. I am quoting from a report now that states: "The problem generally arises only when individuals have not attached their belts properly and in these cases there may be some pelvic or abdominal injury. The main point to remember, though, is that the injuries would almost always be far more serious where the seatbelt was not worn than those injuries which may result from being worn, even improperly. Bruising in the abdominal area, for example, pales, beside a fractured skull, facial lacerations, and a broken kneecap."

Then there are those who will not buckle up because they are just going around the corner. However, if there is ever a time to wear seatbelts, it is when you are just heading down the street. I quote from the previous report: "More than half of all fatalities occur within 25 miles of homes and at speeds at less than 45 miles per hour.

Some people hold the belief that it is safer to be thrown clear of the vehicle; to be thrown clear of the strategically designed protective shell of the car; to be thrown unprotected into traffic onto the roadway or against similar unyielding objects. In cases of fire or immersion, where quick exit is of the utmost importance, study reveals that immersion only occurs in about one in every 300 injuries producing accidents. The odds against fire are about the same. When it does happen, the safety belt,

which takes less than a second to undo, is your protection against collision with the inside of the car, and resulting loss of consciousness. The danger in fire and immersion cases is precisely that you will be unconscious and unable to help yourself or cry for aid. That is how the safety belt helps, not hinders, fire and immersion victims.

However, local protest against mandatory seatbelt laws comes from those who feel it is an infringement of individual civil rights, and their argument is the most fallacious. Driving on publicly-owned streets and roadways is a privilege. It is an earned privilege, not a right. Furthermore, it is a privilege which is subject to all kinds of restrictions, of which stop signs and speed limits are but two examples. But there are examples of similar laws designed to increase road safety, decrease personal injury, and reduce potentially chaotic driving situations.

The wearing of seatbelts reduces the costs of accidents to all members of society. By refusing to wear a belt, just as by refusing to observe a speed limit, an individual is not merely making a personal decision, he is making a public declaration that he holds no regard for the rights and safety of others. He is also increasing our taxes and insurance premiums.

Mandatory seatbelt legislation is not an end in itself. It is a means to effectively and dramatically reduce personal injury, death, and escalating public costs as a result of traffic accidents. In country after country and province after province, responsible governments are moving towards lessening the burden of traffic accidents upon society through improved driver training programs, reduction of speed limits, effective education programs, and mandatory seat belt legislation.

During the first year of mandatory legislation in Saskatchewan, there was an 8.9 percent reduction in personal injuries and a 19.5 percent reduction in traffic deaths, in spite of a 10 percent increase in motor vehicle collisions in the province.

Statistics from an Ontario roadside survey, conducted in October of 1975 and again in March 1976, three months after the introduction of a mandatory seatbelt legislation act, show a 55.5 percent increase in belts used for urban drivers and a 55.9 percent increase for rural drivers.

As made clear in the letter to the Minister of Health from the Yukon Medical Association, there is public support for mandatory seatbelt legislation, by those people who are most directly involved with the carnage that they see as a result of accidents on a daily basis.

In 1980, the Canadian Medical Association approved the concept that the non-use of restraint systems be considered contributory negligence, in the event of an accident producing injury to vehicle occupants; that is now being adopted by Courts.

No other programs, policies, or legislation have proved to be as effective in dramatically lowering the risk of personal injury or death as a result of traffic accidents as mandatory seatbelt usage. It is a step that we as responsible representatives of the Yukon public can take, to reduce the risk to human life and the increased drain on the public purse.

By redoubling our commitment to preventative medicine and constructive legislation, increased savings in medical care may be freed up, to be channeled back into public education and continuing safety programs. For, as is evident in the implementation of mandatory seatbelt legislation in other jurisdictions, the continued use of seatbelts is most effective when coupled with a comprehensively designed advertising and public relations campaign.

The Government of British Columbia, in summarizing their seatbelt program, concluded: "A major factor in the success of any ministerial program is the understanding and support of a well-informed public". By ignoring the tremendous gains achieved by those who introduce mandatory seatbelt legislation, we are contributing to negligence: negligence both towards increased cost to the public and towards the value of human life here in the Yukon.

**Mr. Njoodli:** Coming from the most northwestern riding in the country of Canada, I should be the person sitting down on

this.

I have three or four points that I would like put forward and be on record as saying. I see an increase of about 30 or 40 a day in court cases in the City of Whitehorse alone, not counting Dawson, Watson Lake; mandatory seatbelt legislation would also cost the Yukoners — more specifically taxpayers — more money to pay lawyers' fees in the Yukon courts. That is not counting the fines, on which the Honourable Member for Whitehorse South Centre might possibly expound later, which could be imposed on these particular people if the mandatory seat belt legislation came into force.

Let me cite one particular incident that took place in my constituency in 1980. If mandatory seatbelt legislation had been in place, when a member of the RCMP who was not wearing a seatbelt drove a skidoo right into the Porcupine River — if that seatbelt had been on him that member would never have survived that accident.

I have been listening with great care, and I realize that the Honourable Member for Riverdale South has taken time to look at statistics and compare them with those of Yukon, but the Member should realize that there are differences between southerners and northerners. We are all human beings, but there are some differences that we should take into consideration when we are dealing with legislation as such.

For instance, let us take the mobility clause in the Constitution. If we are building a pipeline up here or one great big giant development takes place in the north, we have to teach or educate southerners how to drive in northern conditions. To have mandatory seatbelts and to have somebody up here from San Francisco going up the Dempster Highway is, to me, ridiculous. If we can take time out and educate this man and make sure that he gets to Inuvik, I am sure that it would not take that much time to teach him how to drive on snow, how to put snow tires on his car, instead of putting this guy before a judge and going to a lawyer and paying expensive fees.

I do not think Yukoners would like mandatory seatbelt legislation. If you go down the street now and an RCMP stops you and this person is in good physical and mental condition but does not have his seat belt on and has to pay a fine — I just cannot see supporting this Motion.

**Mr. Speaker:** Any further debate?

**Mr. Fleming:** I cannot support the motion as it is now; hopefully there will be some amendment to it from this side of the House.

I would say to the Member that his statistics and his speech were wonderful. Lots of very good statistics, I hope. However, we do not know for sure that they are all exactly that way. I think that the idea of mandatory seatbelt legislation is something that this Government is going to have to do some day.

I think that the Member has forgotten, maybe, that we do live in Yukon; we are here for a reason: we like it because, in part, some of our rights have not been taken away yet, not all of them, and I would hate to see them going faster than is absolutely necessary. I would agree with the Member that the seatbelt has probably saved many many people in the large cities, where cars are driving bumper to bumper every day. I cannot disagree with that. I cannot disagree, after being 25 to 30 years on the Alaska Highway, that there are no statistics for that.

However, I believe in facts, too. I have seen for myself that there are many cases where I would never want that seatbelt on. There are many truck drivers in this country who have left this country because they did not have the seat belt on. If they would not have left, they would have been still buried here. I have seen it with my own eyes, and I do not disagree with the principle that the Honourable Member is speaking on.

I would hope that we could go a little slower, and educate the people a little more to what seat belts really may do, and before the population gets too thick and before we drive too fast, maybe inform them about what is going to happen, rather than just bring it in right now and cause a problem.

I think the Member has almost said it for us in his last sentence, when he said that the well-informed public of B.C. was

the thing that really decided them. I think that that is the way we should go, too. Inform the public first and get some statistics of our own. We do not need statistics from London or somewhere like that, where there is a million people living in the city, we need statistics right from the Yukon Territory first. I think then the decision could be made whether we need seatbelts, but not have it mandatory yet.

**Hon. Mr. Tracey:** I have listened with interest because, personally, although I do not always wear my own seatbelt when I am driving my car, I am in favour of seatbelts being worn.

As I stated in the House on a few occasions, most recently a couple of days ago, we took a poll of some of the population of the Yukon and that poll showed us that the people were not ready for seatbelt legislation.

Now I do not disagree that it is to their benefit to have mandatory seatbelt legislation, but as I stated at that time, we are a Party of the people; we listen to the people; and, quite frankly, we are not prepared to bring mandatory seatbelt legislation in at this time.

It is interesting to listen to all the statistics from the Member across the floor, and probably they are all right. I would suggest that he has also left some of them out. When you bring mandatory seatbelt legislation into most of the provinces, the accident rate drops and the seatbelt usage goes away up, but, in future years, the seatbelt usage goes back down again and the accident rate climbs again. People do not want to wear seatbelts. The ultimate answer is that we design cars that do not need seatbelts.

For example, the Member also said that Ontario saves \$2,000,000 annually out of their Health Care because the people wear seatbelts. There are 7,000,000 people living in Ontario. If you do the division on that, it would save the people of the Yukon Territory \$1,700 a year. Is it worthwhile bringing legislation in just for the people to save \$1,700 a year? Are we prepared to take all the flack from a public who does not want it?

What I am proposing is that we do an extensive education program. As the member said in Ontario, the extensive education program had the effect of educating the people to the fact that seatbelts were necessary, and then they were more ready for seatbelt legislation. I am proposing that that is exactly what we do.

The other part of the Member's motion was to deal with mandatory driver training for young people and mandatory driver training for driving offenders. Can you imagine what would happen to somebody in Beaver Creek if they got a driving conviction and they had to have mandatory driver training? Can you imagine the cost to those people to have to come to Whitehorse to take it — because Whitehorse is the only place we have driver training? Can you imagine a 16-year old child in Dawson City or Watson Lake wanting to get a driver's license and having to move into Whitehorse and take driver training? While the idea is all right, it is ridiculous in our situation.

However, driver training is an excellent form of teaching people how to drive. It is an excellent form of treating people who have driving offenses. I would like to see driver training schools in Yukon. Two or three months ago, I instructed my Department to get all the information to set up training schools in Yukon: not government training schools, but private enterprise. There is also a very good possibility that young people can save as much as 15 percent of their insurance costs, by having gone through a driving training school. I am in favour of driver training.

What I would like to do is propose an amendment to the Motion: moved by myself, seconded by the Minister of Municipal and Community Affairs, THAT Motion Number 34 be amended by deleting all the words following the word "Yukon Government" and substituting the following: (1) To implement an extensive education program promoting the use of seatbelts, and (2) To enact regulations governing the licensing and operation of driver training schools and to encourage new drivers to make use of the training offered by licensed driver

training schools.

**Mr. Speaker:** It has been moved by the Honourable Minister of Justice, seconded by the Honourable Minister of Municipal and Community Affairs, that Motion Number 34 be amended by deleting all the words following the words "Yukon Government", and by substituting the following: (1) to implement an extensive education program promoting the use of seatbelts, and

(2) to enact regulations governing the licensing and operation of driver training schools, and to encourage new drivers to make use of the training offered by licensed driver training schools.

Here again we have a situation where we have an amendment to a Motion which has two parts. The Chair does apologize to the Honourable Members for not spotting it. I guess we have perhaps been too busy to notice it.

I would ask in the future that Honourable Members, when proposing motions, or amendments to motions, take into account that each motion must deal with a separate item, and ought not to be double-barrelled.

However, in this case, the only thing we can do is to consider any debate on the amendment as we did on the main Motion, and then I will put the question on both parts of the amendments and on both parts of the Motion.

Is there any debate on the amendment?

**Mr. Kimmerly:** Let me say first that I was impressed by the excellent speech made by the Leader of the Liberal Party. It is a speech that is clearly an excellent argument for wearing seatbelts. I purposely made reference to the Leader of the Liberal Party, because I would like to also state that it is the Canadian experience in the provinces that mandatory seatbelt legislation has been brought in by all Parties in the various provinces. That is, the Conservative Party has brought in mandatory seatbelt legislation, and also the New Democratic Party, in other provinces of course.

The Minister of Justice made a reference that "we" cannot support the Motion. I hope that this vote will be allowed to be a free vote, as it is my belief that it is more a matter of conscience and a matter of democratic principle than a matter of Party affiliation.

After saying those very complimentary things about the mover of the Motion, it is my position that I cannot support the Motion, and I do support the amendment put forward by the Minister of Justice. I adopt the reasons that the Minister of Justice stated, and also the reasons stated by the Member for Campbell, but I wish to elaborate and give a reason or two of my own.

I have previously stated that the vote or the question ought to be a matter of conscience. There is a moral element in the decision as to whether to vote for the amendment or not. We are elected representatives of our constituents and I, too, canvassed the views of selected constituents, selected on a reasonably scientific basis, and I have come to the conclusion that it is the will of my constituents that I do not support mandatory seatbelt legislation, even if I personally support it.

Now, we can draw analogies to many other important public questions. They are not precisely on topic, but the same general issue is on topic. The public drinking issue is on topic, in that it is a policy decision, between the principle of the public good or the public will and individual freedom. Another probably more important and more divisive question in society is the abortion issue, and the issue of individual freedom to carry out an abortion, and the public good involving the public feeling about the right to life, and the feeling that some people have when other people have abortions. It is the same general issue of individual freedom, although the ramifications of that question are very, very different from the seatbelt question.

Another question, of course, is gun control. There are the same general, in the widest sense, principles involved in the public good and the individual freedoms. It is my opinion of the political will of Yukoners, and especially of my constituents whom I have canvassed, that there is a widespread belief that the wearing of seatbelts is a good thing and that people should

wear seatbelts, but people are not ready to give up the freedom not to wear a seatbelt if they so choose.

The policy that elected representatives ought to follow, in my opinion, is that of making Government expenditures for an extensive education program promoting the use of seatbelts, and, at such time as the public is ready, to at that time propose the mandatory legislation.

**Hon. Mr. Lang:** I have been listening to the previous speakers with a great deal of interest, and I have to commend the Member for Riverdale South for the work that he has obviously done with respect to the subject at hand.

The only problem that I see concerning the presentation made is that it would probably have been more appropriately made in the Ontario Legislature as opposed to the Legislative Assembly of Yukon. It is fine to quote statistics, but I think the Member for Campbell made some very good points, with respect to the driving conditions and the various things that we are confronted with here in Yukon as far as drivers are concerned, as opposed to what happens in the major cities in Ontario.

It is fine to quote statistics but I would like to bring it a little closer to home. I have a friend, today, who has two kids and there is no question that he is alive today because he was not wearing a seatbelt. There is no question. If he had been wearing a seatbelt he would not be alive today. This incident happened a number of years ago.

I have another friend who was working on heavy equipment. If it had been compulsory to wear a seatbelt he would not be alive today. Perhaps this is the one out of 300. But I am not talking statistics; I am talking people. I recognize that, in some cases, depending on the accident and what takes place, that you may well be better off with a seatbelt as opposed to no seatbelt, but it is my opinion, and I have to agree with the amendments put forward by the Minister of Justice, that yes, we have a responsibility to inform the public.

I do not think it is just a question of the Member for Whitehorse South Center's indicating that we go to the extent of brainwashing the public, and then we are ready and we will bring in the legislation. I would like to think the idea of informing the public is to try to encourage them to put on the seatbelt themselves, as opposed to big government making it mandatory.

The Member for Riverdale South said that it is a fallacious argument about the rights of the individual but, as the Member for Campbell mentioned earlier, it is another law, another direction, and another reason for the RCMP to stop you. If they have not got any other reason then that could be a reason to stop you, whether you like it or not. Do not get me wrong. I have the most respect in the world for the RCMP, but I do not see the purposes of making laws for the sake of making laws.

From where I sit, I have no problem voting for the amendment to inform the public with respect to seatbelts: how to use them, why you use them and whatever. I think we have to look at our situation in Yukon as a total jurisdiction, different and distinct from the situation that the Member quoted, from perhaps Ontario. Our driving conditions are different. There are all sorts of different circumstances as far as our small population of the Territory is concerned. I think it has to be taken from that point of view.

Now, it could well be, we will find, when we develop and start reviewing the various accidents, that it is in our interests in Yukon to put in mandatory seatbelt legislation, but it should be considered at that time. That work has not been done. We have not informed the public on the topic of seatbelts and the uses of seatbelts. I think that that is our first responsibility.

Further to that, I just have to say to the Member opposite that to implement a mandatory driver training program is absolutely and utterly ludicrous. I hope the Member realizes that we were going to put it into legislation; we were going to make it a requirement.

However, from a pragmatic practical point of view, it is not feasible, considering where our various communities are located.

Now, as the Minister of Justice has indicated, what do you do if you are from Beaver Creek, or if you are the young driver learning how to drive, or the young guy from Mayo? What are we going to have? Ten more people within the Civil Service? What do we call it? Job creation?

As a parent, I think that we all have a responsibility. We can take that responsibility on. Granted, it would be nice to have a driver training school if somebody is prepared to start one. If you do not want to assume the responsibility, you send your young teenager to that school. I think that I can speak for a lot of people in Porter Creek East; they are prepared to take on that responsibility, or if they are not, they will do it in concert with someone who has the knowledge and ability to train their young lad or young daughter to drive.

I just find that I cannot agree with the second part of the Motion at all, with respect to the way it has been put forward by the Member for Riverdale South. I think the Minister of Justice has taken a very responsible look at it, saying: "Look, if we are going to have a driver training school, there will be certain requirements asked of it, if necessary, and it will be looked at by the Government to see whether that is not necessary."

I want to reiterate that, as far as just arbitrarily bringing in a motion saying we shall implement seatbelt legislation — and I have to say it will not be very often that I will be agreeing with the Member for Whitehorse South Centre — there is no question that the public is not ready for it and I do not think they should be ready for it.

If our program is successful — and I think we can borrow from the various other provincial jurisdictions in respect to work that has been done — I would like to think that it would not be necessary to put mandatory seatbelt legislation into effect.

**Mr. Veale:** I welcome the amendment put forward by the Government. Most of what the Members have said is very encouraging. They are saying that they are convinced that seatbelts are the right thing. I think that the concept of an extensive education program promoting the use of seatbelts is something that I can support. I would indicate that the Motion that I presented indicated that mandatory seatbelt legislation would be preceded by precisely that: an extensive education program.

The issue of mandatory driver training is one that I have some concern with — the positions stated by the Members on the other side.

We talked recently, in the Select Committee on Wildlife, about mandatory training for hunters, and it is funny that the Government can consider mandatory training for new hunters, but they cannot get it together to think about mandatory training for drivers.

Would it not be a wonderful policy of decentralization to have a car being driven from Whitehorse to Beaver Creek and do the program out there? In other words, we could think of decentralizing government and having the program delivered to people in the communities.

I am sure that the Members are aware of the fact that there has been a number of offers by local car companies to provide that vehicle or vehicles free of charge. In other words, they are very interested in a program of that nature. I am a little disturbed to hear that we cannot proceed on that as well.

The amendment in the second part, about enacting regulations governing the licensing and operation of driver training schools, is something I certainly could not oppose. However, I would indicate that, although I will support that amendment, I do not believe that it goes anywhere near far enough, and I hope the Government will be giving consideration in the future to the issue of having a program run in the schools. There are a number of statistics indicating that that is where the greatest driving problem is today.

I should note that it must be an election year, because I have never heard of so many polls being taken since I have been sitting in Assembly. The Government has taken a poll and the Member for Whitehorse South Centre has taken a poll; I would really be happy to get together with them afterwards, and see how scientific the polls were and what the results are.

In any event, I take it, as stated by the Member for Campbell, that this is a first step to the consideration of the introduction of mandatory legislation, and that that is something that is commenced at the initial stage of every jurisdiction before the mandatory legislation came in. As with the Member for Campbell, I hope that he will support the next motion in this Assembly to move for mandatory legislation.

*Clause 1 amendment to Motion agreed to*

*Clause 2 amendment to Motion agreed to*

*Clause 1 of Motion as amended agreed to*

*Clause 2 of Motion as amended agreed to*

**Motion Number 33**

**Mr. Speaker:** Is the Honourable Member prepared to deal with Item 4?

**Mr. Njootli:** Yes.

**Mr. Speaker:** It has been moved by the Honourable Member for Old Crow, seconded by the Honourable Member for Hootalinqua, THAT this House supports the Department of Indian and Northern Affairs in that department's efforts to gain Federal Government subsidies on freight rates to Old Crow.

**Mr. Njootli:** I would like to proceed on this Motion at this time because this is a Motion to help my constituents, whether they are New Democrats, Liberals, Independents or Rhinoceros. The people of Old Crow must be supported in their requests, their endeavors. In this case, it is an urgent matter of subsidization.

The Honourable Leader of the Opposition, who was on the Legislative Food Pricing Committee but who is not in his seat now, can use his political position to urge the Honourable Member for Faro and Whitehorse South Centre to support me on Motion 33. I cannot afford to wait for Christmas for that particular present.

The Food Prices Report was tabled today. I never had a chance to look at it, however, Oliver Nelson, the Regional Director of Indian Programs here in Yukon, said recently that some kind of a study is needed to supply information which the Department can use to decide whether it should subsidize the freight rates of some essential, or all, goods into the community of Old Crow.

An interesting situation took place on November 26th, when Trans North Turbo Air left Whitehorse with some bread, milk and eggs to Old Crow; the cost of the food was \$772 and the cost of the freight was \$785. So you see, the cost of the freight bill was higher than the cost of the food. God knows how long this type of freight arrangement has been in effect. It is time now to do something about this or it may even become worse.

I think the situation is at the crisis stage now. There are only 15 permanent jobs in Old Crow; therefore the wage economy is very low and the Old Crow Co-op is in financial trouble. At this time, I would like to say that I do not blame the situation on the Co-op managers. I blame the situation on the high cost of turbo fuel, which is probably because of the Federal Government's energy policy.

Because of this, I am asking this House, on behalf of my people, to support the Department of Indian Affairs in that department's efforts to gain Federal Government subsidies on all freight rates to Old Crow.

We all know our geography correctly; that Old Crow is 80 miles inside the Arctic Circle, and there is no highway into the community. The only way now is to fly our food into this remote village. I am not for a moment suggesting the fact that a highway should be built — maybe it should be built, but I would assume that consultation with my people would have to be initiated in order for that to become a reality.

The matter of subsidization arose in May of 1981, when the Old Crow Chief and myself met with the federal Indian Affairs Minister, to discuss this very particular subject. As far as I know now, the Whitehorse office of Indian Affairs is expecting some kind of a Food Pricing Report sometime in January which will then be analyzed. I suspect that around the middle of 1982 some form of subsidy will be implemented. Again, I ask all Members to support subsidy for all freight rates to Old Crow —

not just for some, but for all items.

The Honourable Members for Mayo, Campbell, Haines Junction, possibly others, know how difficult it is to trap a wolverine. Incidentally, the food prices dropped last year, when today in Old Crow one could find close to three feet of snow and trappers have to go way out far and wide to catch these furs, to feed their children who are attending the school there. We must never forget the price of gas and the amount of fuel used when these people go out to trap or when they hunt. The costs of extra skidoo parts and the ammunition for the rifles is also outrageous. The limited hours of daylight is also a factor.

Many years ago, the people of Old Crow lived without paying the existing freight rates which we are speaking about today. They lived nomadically, they lived semi-nomadically, and now they are living in semi-modern times. Times have captured these people in the situation where they rely on people like us here today.

One way we can react to their requests is to support the Motion at hand. Some say it is at the crisis stage, so that the way I might describe that situation might come very very close to a section I see in Annotation 286 of Beauchesne's Parliamentary Rules, which states that "The specific matter requiring urgent consideration for the discussion of which adjournment of the House may be moved under Standing Order 26 must be so pressing that public interest will suffer if it is not given immediate attention".

The urgency for action is the responsibility of this House towards this northern Yukon village. From the Cancun summit meeting, where 22 heads of countries discussed the very thing we are discussing today, the Prime Minister was prepared to provide millions of Canadian tax dollars to people who are living on the other side of the world. Today the Old Crow people are asking for a subsidy that does not come close to the amount that Mr. Trudeau is giving to other parts of the world.

Earlier, I referred to a Food Pricing Committee which was established by this House. I was in attendance at the Old Crow hearings on September 17th, when 46 people from that particular community attended that particular Food Prices hearing. There are 61 houses in the village, where 264 reside. The Co-op has been in existence for 11 years and it is owned by the people of Old Crow. If it comes out with a fiscal profit then small dividends are divided among its owners. At the time of the Food Pricing Hearing a 10 kilogram bag of dog food cost \$23 in shipping.

So what I am saying here is that if they let the Porcupine caribou herd bypass Old Crow this year, more dog food would have to be shipped in. The average income in the small community is between \$3,000 and \$7,000 per year. That might be about one-third of the rest of the Yukon's income range. Certainly, if we had a reasonable freight subsidy rate last year, the (unintelligible) materials would have cost one-half of what the Government estimated. The Old Crow Co-op and the Old Crow people would have received more dividends, interest, and probably a feeling of accomplishment and success.

If you travel to Old Crow with fresh food as luggage, one is expected to pay \$1 per pound. Last year, I learned that there was no sugar in Old Crow so I took a 25 pound bag of sugar with me. I had to pay Trans North \$25 just to get it to Old Crow. That is not counting the cost of the sugar itself. So, I again urge all Members to think carefully and support me on this particular Motion.

Just to give the House a general idea of how much difference there is in food prices between Whitehorse and Old Crow, one pound of coffee in Whitehorse is \$1.29. In Old Crow it was \$2.10. That is a 62 per cent difference. One pound of hamburger is \$1.89. In Old Crow it was \$2.74. That is a 44 per cent difference. A case of pop is \$1.99 in Whitehorse. In Old Crow it was \$18.00. A liter of oil is \$3.10 in Whitehorse and it was \$6.00 in Old Crow. That is almost a 100 percent increase due to the cost of the freight rate.

We all have to add the cost of other products and inflated rates. For heating we pay \$110 for a cord of wood. Everyone in

Old Crow burns wood, and being that far north it is not like going into a timber forest on the West Coast; to get wood now is to buy a lot of skidoo fuel, because you have to go further away from the community to get firewood. So, again I hope this House gets the message from the people of Old Crow.

I have been speaking at length now on a freight subsidy program, requesting such a program to be initiated by the Federal Government. I want to talk a little on a program which was initiated in 1978 in northern Saskatchewan, on food items only. From Prince Albert, in southern Saskatchewan, all food was trucked to the town of Lac LaRonge, approximately 250 kilometres north. From LaRonge, foodstuffs were flown to five isolated centers. Similar circumstances of Whitehorse to Old Crow.

The Department of Northern Saskatchewan Subsidy is based on the cost of air transportation, and its main objectives are to achieve retail food price equalization with LaRonge, to maintain the profit margins for retailers, and to ensure that the program is simple in structure and easy to administer, and that air transportation is included, as well as all shipping and handling charges incurred between LaRonge and northern Saskatchewan communities. The delivery cost from the plane to the store in the community was also covered by the Department.

As a result, the retail prices at LaRonge stores and the participating and isolated communities would only differ by variations in the retail market. For example, if the LaRonge stores have a 20 per cent mark up on cheese, for instance, and the stores in the isolated communities have a 25 per cent mark up, then the retail price difference for this community would be five percent.

From a recent survey done in November 1980, price differences showed only four percent, not the 99 percent difference in the liter of oil I mentioned earlier between Whitehorse and Old Crow.

This food subsidy program is administered by the Department of Northern Saskatchewan, as I mentioned earlier. The administration of this program is relatively simple and only involves two hours of manpower per month.

Let me just give an example of what this two hours involves: a monthly payment of air invoices for delivering foodstuffs; twice a year the Department of Northern Saskatchewan does an audit of the stores' records for the food subsidy; as well, the store managers are required to send monthly food lists for the foods covered under the subsidy program.

From the Department of Northern Saskatchewan's viewpoint, its twice yearly audits have not created undue strains on its accountants. At this point, I just want to say that I am not asking this Government to set up a Department of Northern Yukon. Maybe some day I will, but I do not feel it is necessary right now.

However, the co-ordination of food orders and their shipments are the responsibilities, as I see it from the research point of view, of the retailer, the distributor, and the air charter companies.

Now, here comes the backbone of the whole Motion: the cost of the subsidy. We will find out by the Indian Affairs Subsidy Study for Old Crow, but just to give the House a general idea on how much money it costs for the Department of Northern Saskatchewan Food Subsidy Program in 1979-1980: the cost was \$174,538. This cost was paid by the Department of Northern Saskatchewan, and was expected to increase to \$230,000 in 1980-81 due to increase in air transportation rates. Of course, if similar increases were to continue, then the cost of the subsidy was estimated to be \$300,000 for the fiscal year 1981-82.

So, I say to Prime Minister Trudeau, if he can spend millions of dollars on the other side of the world in other countries while his government is in a deficit, I am sure his Government can spare a few bucks on northern Canadians. If his government is willing to answer the far northern call of my motion with approval, then and only then will my constituents enjoy the increased availability of food in their community by insuring

payment of transportation costs for food and other items. I am sure that the local Co-op would order larger quantities of freight with the knowledge that Old Crow residents will purchase the lower priced goods, whether it is food, clothing, tools, gas, skidoos, and so on.

I should mention that when, in the past, the plane has landed in Old Crow with fresh fruits like oranges, apples, and grapes, some people do not get their share because there is only enough for a few. Because of this situation, some children wish they did have their share.

Of course, besides increasing the availability of food and other items, the subsidy will also improve the nutritional value to the diets of the Old Crow people.

Let me quote a constituent of mine who said to the Food Pricing Committee in September 17, "Eating habits have changed in Old Crow since I was a kid. Now kids want fresh fruits and not much meat." Peter Charlie, whom I have just quoted, has been a very knowledgeable resident of Old Crow for about 60 years now.

Forty-six people attended the meeting, a very good turnout despite the fact that the meeting took place during working hours. The RCMP Corporal, Don Pedendry, said: "Subsidizing freight is the best solution" and I agree with him.

I can make assurances that all perishables brought into Old Crow are bought out from the Co-op the day they arrive. So, I would suggest that the Federal Government, through its Indian Affairs Department, look seriously at enough charters — TNTA or other Yukon airways — per week or per month to accommodate these needs. I think they should also investigate the storage areas of these transportation companies, so that the food does not spoil when the planes cannot fly into the village of Old Crow.

I am quite sure that the shareholders of the Old Crow Co-op will be happy if all of us, regardless of our political affiliations, support these people. They will be happy, because foods which are normally sold in small amounts will be purchased in increasingly larger amounts. Food will be available on a more regular basis and the store will not incur extra costs for outrageous mark ups.

In conclusion, I want to thank the people who were involved in negotiating the continuation of the Northern Energy Subsidization Program until the end of the current fiscal year. I am sure it is a lot of help to my people. The decision to implement the freight subsidy program for the isolated village of Old Crow is in the hands of each and every one of us today. I expect a relatively positive reply from other Members.

Thank you for letting me elaborate at length on this important Motion.

**Hon. Mrs. McCall:** I would just like to rise in support of my colleague from Old Crow. I think that he has said it more eloquently than I can, so I just briefly would like to say that people ought not to be penalized for living in remote places. In our vast Territory we do encourage and support the settlement of these areas, but as long as it remains difficult to feed and clothe a family, we will not have the stable populations in these remote places that we would like to have.

I hope that this House will see fit to support Mr. Njootli on this Motion.

**Mr. Kimmerly:** I am going to be extremely brief. The Member for Old Crow has gone on at great length and elaborated the position very clearly. Indeed, at one point I thought he was going to mention one Mr. Nukon's love of ice cream.

The position of our Party is that we support this Motion, but the wording is perhaps slightly unfortunate, in that we would not be dependent on the efforts of the Federal Department of Indian and Northern Affairs.

**Mr. Veale:** I do not think that there is any question but that the people of Old Crow have a case for a freight subsidy of this nature. They have their own Co-op, which has been established for a number of years and is operated by the people themselves. In fact they are charging for food probably, in terms of their efforts, a very small amount for the services performed,

so that the great increase between the price of goods in Whitehorse and the price of goods in Old Crow must clearly be due to the transportation expenses. Our Party certainly supports the Motion.

**Hon. Mr. Pearson:** I rise to indicate my support for the Motion put forward by the Member for Old Crow.

I think I would like to elaborate on one point made by the Member for Old Crow, with respect to why it is just now that these costs are rising so dramatically. The costs in the last few months have been rising very dramatically in Old Crow.

It is a function of the cost of fuel — once again an energy cost — that has skyrocketed, and I do not blame, in any way, shape or form, the transportation companies. They have to make their profit if they are going to be expected to provide the service. I have no problem with that whatever, if they are finding it necessary to charge these, what we think might be, exorbitant prices to haul this freight into Old Crow.

I also recollect from the Member's speech a reference to the possibility of a road being built into Old Crow. I recall when the Dempster Highway was being built, that there was some discussion with the people of Old Crow as to whether or not they should become the last community in the Territory to be linked to our road system. At that point in time, the people of Old Crow made it very, very clear to this Government that they did not think that they wanted to be connected to a road system. I, personally, did not blame them for that stand then, nor do I blame them for it now. I do not think that the decision would be any different today, if we asked the people in Old Crow whether they wanted to be connected to a road system. I do not think that they would opt for it.

It is a very, very unique community. It is one that we in the southern part of the Territory should be very proud of, because they live a lifestyle that is different to ours. They live it proudly but they are suffering because of something that is completely beyond our control, and that is an energy policy that forces prices right out of sight.

The Member for Whitehorse South Centre, in reference to his Party policy, stated that the wording of the Motion was unfortunate. I would suggest that Mr. Njootli, in drawing up this Motion, made the wording very deliberately; it was not unfortunate at all. It was very, very deliberate.

The Government of Canada has a direct responsibility for the people of Old Crow. They have to be forced — if that is what it is going to take — to live up to that responsibility.

**Mr. Fleming:** I will not belabour this subject, but in this world of subsidy we live in, I can do nothing but support this Motion.

As the Government Leader has said before, the Old Crow people may be unique. I think we are all a little unique who live in Yukon, but we must remember that we are the ones who are trying to develop this country and, to me, any motion that would bring a subsidy to people in the North — from the Government that is going to some day reap the harvest, to people who are someday going to develop this country — I would have to go along with it.

**Hon. Mr. Tracey:** I, too, will rise in support of the Motion. I do not know how we, in all conscience, could not support the Motion.

We have just spent the last few months having a Food Prices Survey done in Yukon because we feel that our prices are too high. We know the only reason why the prices are that much higher in Old Crow is because of the freight. So, as I said, I do not believe that any of us can say that we are not going to support the Motion.

**Hon. Mr. Lang:** A lot of hours have been spent on the subject and I have a great deal of sympathy for the people of Old Crow, in view of the fact, as the Government Leader has indicated, there is only one mode of transportation to that community and that is by air, which is very energy-intensive and consequently costs are ever-increasing. I do not think that there is any question either that the Department of Indian Affairs has a direct responsibility and that they are going to

have to carry it out.

I also think, in the long term, that we should be looking at some way to at least alleviate the dependency on bringing that amount of food into the community. There are various vehicles that are available. One, for an example, is the special ARDA program where we could well be looking at taking initiative, perhaps in co-operation with the Band, to see whether or not we could be putting in some sort of a marketing program in the community, so that they are not so dependent on that type of food coming into the community.

In the short term there is no doubt in my mind that, at the present time, there has to be some alleviation. As the Minister of Justice indicated, if we feel we are paying high prices, we should all go Old Crow for a weekend, then come back home and we will think we have a deal.

*Motion agreed to*

**Motion Number 39**

**Mr. Speaker:** It has been moved by the Honourable Member for Whitehorse Porter Creek West, seconded by the Honourable Member for Whitehorse Riverdale South, THAT the membership, as established by Motion number 31 of the Second Session of the 24th Legislature, and amended by Motion number 25 of the Third Session of the 24th Legislature of the Standing Committee on Public Accounts be revised

By rescinding the appointment of Mr. Byblow and appointing Mrs. McGuire to the said Committee.

**Mr. Graham:** I wish to first of all make one comment, in that this Motion in no way reflects on the Member for Faro's ability to perform on the Public Accounts Committee. It is simply a matter of numbers.

I wish to take advantage of this opportunity to express, for all the Members of the Committee, our appreciation of having the Member for Faro on the Committee for the last few years. I know that Mrs. McGuire will have a large job to do, if she fulfills her duties as well as the Member for Faro has.

**Mr. Byblow:** I would like to just rise briefly on this Motion and thank the Member for his very fine comments.

I, too, realize that there is nothing personal in this Motion. It is a simple reality of political evolution here in the House. Unfortunately the Liberals do not have representation on the Committee, now that I have made my wise decision to join the New Democrats.

I would like to say how thoroughly rewarding it was to be on the Committee, and that was no less heightened by the recent national report on Public Accounts Committees which highly complimented the Yukon Public Accounts Committee for its organization, its quality of work, and the innovative changes brought to the style of investigation.

I think a Committee of this importance, which scrutinizes the expenditure of public funds in a non-partisan fashion, is certainly a valuable and commendable instrument to this House and thereby to the people of Yukon. I trust that the Committee, with its new membership, will continue in its high road fashion.

**Mrs. McGuire:** I rise to say that I will, of course, graciously accept the position as appointed.

I would like to advise the House that, in case of my absence on the Committee, Ron Veale will be a substitute, with this Council's approval, of course.

*Motion agreed to*

**PUBLIC BILLS AND ORDERS OTHER THAN GOVERNMENT BILLS AND ORDERS**

**Bill 110: Second reading**

**Mr. Kimmery:** I move, seconded by the Member for Faro, that Bill 110 be now read a second time.

**Mr. Speaker:** It has been moved by the Honourable Member for Whitehorse South Centre, seconded by the Honourable Member for Faro, that Bill Number 110, *An Ordinance to Amend the Motor Vehicles Ordinance, No. 2*, be now read a second time.

**Mr. Kimmery:** I realize it is getting late in the day and Honourable Members might reasonably be expected to be

tired, but I do wish to state fairly a principle of this particular Bill.

The existing *Motor Vehicles Ordinance* was passed by a previous Assembly, of course, and the sections of that Ordinance dealing with the suspension of licence of a person convicted of impaired driving under the *Criminal Code* and convicted of criminal negligence in the operation of a motor vehicle under the *Criminal Code* have not been proclaimed in force. The old *Motor Vehicles Ordinance* from 1977, prior to the amendment, and the new one being passed, is in force: specifically Section 34 of that old *Motor Vehicles Ordinance*.

The principle of this Bill is to establish a system of dealing with the licences of persons convicted of impaired driving and, of course, it is a substitute for the unproclaimed section of the *Motor Vehicles Ordinance* passed in 1977. In order to summarize that previous statement, it is an amendment to a section of a Bill that has never been proclaimed.

The principle of the Bill is fairly simple and it is this: that where a person is convicted of impaired driving or of refusing to blow into a breathalyzer, under Section 234, 235 or 236 of the *Criminal Code*, that person's licence will be removed from him.

The current law is that there is a judicial discretion to remove the licence, for a minimum of one month and a maximum of life — an extremely wide discretion, of course — and to grant a restricted driver's licence.

The principle of the amendment is this: that where a person is convicted of impaired driving for the first time within a five year period, he will lose his licence for a minimum of three months, and the convicting judge or justice of the peace may grant a restricted driver's licence in order for him to drive for work purposes, for example, or if there is no public transportation where the person lives.

However, if a person is convicted of impaired driving for a second time within a five year period, there is a mandatory licence suspension for a minimum of two years, and no possibility of a restricted licence. This is only in the case of a person convicted for the second time within two years.

The last principle of the scheme is that, if a person is convicted of impaired driving for a third or subsequent time, all within the period of five years, he loses his licence for life.

I would like to make a reference to the current situation with regard to impaired driving in the Yukon, in order to rationalize the policy that the Bill adopts. Impaired driving, in my opinion, is the single crime which causes the most property damage in the Yukon, over and above all other crimes, including break and enter and the more traditional criminal crimes. Impaired driving also causes loss of life frequently in the Yukon.

There are statistics compiled in a Government Report dated May, 1980, called "An Analysis of Impaired Driving in Yukon", with recommendations for program development, which clearly demonstrate that the incidence of conviction for impaired driving in the Yukon is three-and-a-half times the national average. This is not simply because of better enforcement in the Yukon, because the incidence of accidents involving alcohol are three times the national average.

The problem of impaired driving in the Yukon is more serious than in other parts of Canada. It is possibly to do with our northern environment and the population figures. The Canada Census tells us there is a younger population in the north than in the south. In any event, it is a very serious problem in the Yukon.

In one sense the treatment of impaired drivers in Yukon is more lenient than in other provinces. Most provinces have adopted a minimum three month licence suspension, with no possibility of a restricted licence whatsoever after a first conviction for impaired driving. That is certainly the case for the bordering provinces of Alberta and British Columbia, and also the eastern provinces.

It is true that the fines established for impaired driving convictions in the Yukon are far above the national average. However, it is also true that the licence suspensions character-

istically awarded by the courts today, or the current sentencing practice with regard to driver's licences, is more lenient than in the other provinces.

There is excellent data about the use of the restricted licence in Yukon. It comes from Phase Two of the "Yukon Impaired Driving Study", which is a YTG document and is dated March, 1981. There is a whole chapter dealing with restricted licences, starting on page 57. I am not going to bore the Members with all the tables and statistics, but I am going to read parts of the conclusion of it on page 62.

Now this is an extremely recent study done this spring, and there was an analysis of the conditional licences which the courts have granted over the past years. I will read selected portions of it. I will not take very long.

"The analysis of conditional licences granted in 1979 shows that just over one-third of all impaired driving offenders actually receive a restricted licence." It goes on to talk about the characteristics of the people who are turned down for restricted licences. It goes on, "The main point of concern is that several of them" — referring to people with restricted licences — "were multi-time offenders and thus were potential problem drinkers. These are the individuals who should be kept off the road. Although their numbers are not great, it shows that the application process is not infallible, and that some potentially dangerous drivers were being allowed to drive."

The point is that most of the restricted licenses are granted to first time offenders, and this Bill would not change that at all. However, there are restricted licenses granted to problem drivers and problem drinkers. The statistical analysis is extremely forceful, if Members care to go through it in detail.

The policy of the Bill or the principle of the Bill is clearly to be tougher or less lenient with regard to driver's licenses. I have some experience with sentencing impaired drivers. In my former career, I have sentenced almost 1,000 Yukon impaired drivers. As a lawyer, I have dealt with impaired drivers and I can tell you that when a person is convicted of impaired driving his first concern is his driver's license. The fine is not as important to him as the driver's license is, and this would have a significant deterrent effect, in my opinion. But, even more than the deterrent effect it also has the effect of keeping problem drivers off the roads, therefore making the roads safer for the Yukon public.

**Hon. Mr. Tracey:** I am very interested in the comments from the Member across the floor. In his former occupation as a judge, I do not recall too many times when he gave three months suspension of a driver's license to some of these 1,000 people that appeared before him. More importantly—

**Mr. Kimmerly:** On a point of order, Mr. Speaker.

**Mr. Speaker:** Order, please.

**Mr. Kimmerly:** Rather a point of privilege. It is probably improper, as a former judge, to defend decisions made on the bench, but the facts of the matter are that the sentencing policies of the Yukon Territorial Court from 1978 to 1981 were far more severe than the present sentencing policies; the Minister's statement is, I believe, inaccurate.

**Mr. Speaker:** As the Honourable Member knows, there is no point of privilege. Here again we have a case of an allegation, or the difference as to an allegation of fact, between Members. Perhaps Members could keep this in mind, when standing on questions of privilege. Questions of privilege ought to be very rarely ever raised in this House or any other House and ought to be of a serious nature to be raised.

**Hon. Mr. Tracey:** I did not want to cast any aspersions on the Member across the floor.

The point I was trying to make was that Section 34, which we do operate under now, allows for a one month suspension of a license, and on the second offense allows for a three months suspension. The point that I was trying to make was that I have not seen too many three month suspension of licenses in the Yukon.

These two sections would make it very very hard for Yukon people. Yukoners, probably more than any other residents of

Canada, are dependent on vehicles. A vast majority of our people are dependent on them every day. There is no public transportation. Very many of our residents are truck drivers and such who require their driver's license. I am not saying that I am condoning their impaired driving.

I would also like to raise another point. Mr. Kimmerly is, at this time, a member of a study group that we have looking at impaired drivers. He is a member of the Impaired Driving Study Group, which has been meeting and is going to meet again on January 14th. One of the things that they will be looking at is exactly what we are talking about today. I fail to understand why the Member is trying to second guess this study group, which includes Alcohol and Drug Services administration, Probation, Justice, the Judge of the Territorial Court, the Chief JP, a member of the RCMP, the Crown Attorney, the YTG Security Service, the EMO, and our Motor Vehicle Department. That is exactly why this committee was set up: to make recommendations to this Government as to what we should do. Here is one member of this committee, who has participated in these meetings previously, who is already second guessing this committee.

We realize the situation and we are trying to find out what is the best thing to do. He, rather than listen to the opinion of those other members, is now proposing a Bill on the floor.

Our side of the House will not be supporting this Bill. We will wait for the recommendations from that committee and at that time we will make our decision on what we will do.

**Hon. Mrs. McCall:** Drinking and driving is something that concerns me very deeply, and I am very anxious to see measures taken that will contribute to solving the great problem we have in the Yukon.

Since the committee is sitting, I would prefer to wait until we have their recommendations, so I will be supporting the Minister of Justice in this.

**Mr. Speaker:** The Honourable Member for Whitehorse South Centre upon now speaking will close debate.

**Mr. Kimmerly:** I thank the Minister of Justice for his implied statement that the terms of reference of the committee now sitting include the recommendation to this House of matters involving impaired driving sentencing.

*Motion defeated*

**Mr. Speaker:** I must declare that the Motion has not carried and that Bill Number 110 has not passed second reading. We will now proceed with Government Bills and Orders.

#### **MOTIONS OTHER THAN GOVERNMENT MOTIONS**

**Mr. Hanson:** I would like now to have the unanimous consent to proceed with a Bill other than a Government Motion at this time.

**Mr. Speaker:** Could the Honourable Member be specific as to what is intended here?

**Mr. Hanson:** The Motion is to ask concurrence of this Assembly on the Report of the Select Committee on Bill Number 75, the *Wildlife Ordinance*.

**Mr. Speaker:** It has been asked by the Honourable Member for Mayo, seconded by the Honourable Member for Whitehorse South Centre, for unanimous consent of the House to move that the Report of the Select Committee on the *Wildlife Ordinance* be concurred in.

Does the Honourable Member have unanimous consent?

*Agreed*

**Mr. Speaker:** It has been moved by the Honourable Member for Mayo, seconded by the Honourable Member for Whitehorse South Centre, that the Report of the Select Committee on the *Wildlife Ordinance* be concurred in.

**Mr. Hanson:** In the last two weeks, the Select Committee of this House has met many times and deliberated on Bill Number 75, the *Wildlife Ordinance*. To speak of this Ordinance and the work of the Committee, I must first speak of the support we have had from the Legislative Assembly staff, and for those members of the Government who worked so hard on our behalf forming the Committee and getting the necessary work done for us. I think that we were very, very fortunate in having Mr.

Clerk and his staff and those members of the staff not in the House today prepare our paperwork for us, see that letters were mailed out and that advertisements were put in the newspaper, and ensure that these bills were distributed throughout Yukon so that we could have a good turnout from the public.

The Committee had thirteen meetings from December 1st to December 15th. These meetings took approximately 46 hours, which is the equivalent of about nine sitting days of the Assembly.

The Committee also held four days of public hearings. Submissions were received from the following organizations: Council for Yukon Indians, Yukon Trappers Association, Yukon Outfitters Association, Yukon Fish and Game Association, the RCMP, Yukon Chamber of Mines, and from six individuals.

The Committee was encouraged by the participation of the public at large. Their comments were accepted, and in a great many cases were used in our amendments to the Bill, of which there are 96.

I am also very proud to have served as chairman on that Committee, because I do not think anybody could ever have asked for four better members on a Committee than the four I had.

There were some really hot and heavy moments at some points, but we were able to settle our differences, and they settled them so well that I only got to vote once. I do not know if that means they did not have any faith in their chairman or not, but they settled their differences without calling on me to help, which you can take as a compliment or as an insult.

On the top of the advertisements announcing our public meetings is a picture of a sheep. The Member for Riverdale South brought up a point of order that this was a picture of the chairman of the Committee. Of course, I have been called worse names than that, but out of the light into the darkness came a voice saying, "No, no, that is not Mr. Chairman. Mr. Chairman is an old goat."

I am not going to mention any names because the red face will tell you who it was. In future, I would ask Mr. Clerk to put the picture of an old goat on the next advertisement for a Wildlife Committee of which I happen to be chairman.

**Mr. Kimmerly:** I must rise at this stage. I, too, would like to say that, first of all, the work of the Committee could not have been done without the extreme number of overtime hours put in by the Clerk and the Deputy Clerk. That made the Committee's work possible.

This was our first experience with a Select Committee, and because of that, I feel it is necessary to make a few remarks about the performance of the Committee — leaving aside, of course, the policy questions, which Members may or may not agree with.

The Select Committee, in my opinion, worked extremely well. The partisan division that Members of this House occasionally engage themselves in was noticeably absent concerning the constructive debate, but was, of course, noticeably present concerning the informal joking and informal conversation.

The Committee was appraised in the Press, and many of the witnesses thanked us for the opportunity of public input; for that principle this Committee was extremely successful.

There is one thing, though, I would like to mention. That is that there was a fairly onerous time limit put on the work of the Committee and I would recommend to the House that in future, on bills involving this magnitude of work, the substantial bills, there should be a substantial period of time, a minimum of four weeks and possibly no specific period time, imposed on the Committee. The Committee would undoubtedly do the job more thoroughly. Indeed I understand there are some clerical errors yet, which is inevitable when the Committee works under the conditions they did work under.

Another specific problem with this Committee that we discussed was the problem of the information concerning the Indian land claims. It was not a specific problem of the Bill; it

was clearly stated that the Bill did not contemplate the agreement-in-principles reached to date. However, the Committee received a submission from the Council of Yukon Indians and I note in the Press there is reference to Indian rights or future Indian rights. The Committee was not able to deal with those questions of prime public importance affecting wildlife, and would have done a better job if all the information were available to it. That is an unfortunate circumstance but probably one peculiar to this particular situation.

**Mr. Veale:** I think the Committee concept proved itself, and all Members certainly enjoyed their time working on this particular Bill.

I, too, would like to thank the Clerk and the Deputy Clerk for the hours that they put in behind the scenes when we leave, leaving them with a pile of work to produce by the next day for us.

I think, also, that all Committee Members are extremely thankful that so many organizations and individuals were able to appear on such short notice and make the kind of recommendations they did, many of which they will see incorporated into the Committee report.

A major concern, I think, is the one of timing, and in the future I believe it would be more appropriate, when we have a piece of legislation of this nature, to bring it down at the outset of the Session and then we can have the bill distributed widely throughout the Territory. We can even put out the Committee notices of the times of hearings and allow people in the outlying areas to have an opportunity to read and digest the bill — particularly in this case, where the Bill was extremely complex. That would allow them to read it and even have discussion about the various aspects of it with the government department involved. Then, I think, we would be in a better position to set out the dates several weeks in advance, so that many of those people, individuals, and organizations who are volunteers and who are not paid when they appear in front of a committee could have the opportunity to make their representations. I think we did not have the benefit of people from the outlying areas that we probably could have, had we had the time.

I think that the Committee concept of working to a large degree on consensus and non-partisanship was extremely important and I expect that it will work well in the future. I think the Select Committee system is proving its value. People so often are disturbed when they hear that a major piece of legislation is brought down and dealt with in a week, before they really have an opportunity to take a look at it and express their views. I think we had the expression of a lot of interesting views at the time.

I am in agreement with the Member for Whitehorse South Centre regarding the land claims issue. Many of us would have preferred to have all those documents pertaining to the wildlife issue before us, so that we could really digest what the legislation, or what the impact of the legislation and the difficulty of amending it at a future date would be. I think the commitment of the Government, as I see it, or the commitment of members of the Committee to change that legislation at the appropriate time, was the only way that we could have dealt with it in the Select Committee in any sensible fashion.

I think that the public education process which the Select Committee really initiated is going to have to be continued and really enhanced by the Department. I believe most members of the Committee really agreed on this concept, that there be a layman's bill drafted or brochures drafted on the Bill itself, to be spread out among the public, because it is very difficult for anyone to sit down and read the number of sections and pages in that Ordinance. It is a monumental task to sit down and read it and find out what you need.

I hope that the public education process that we have started will be continued and that we will see the use of the Select Committee system even more.

**Mr. Njoodli:** I want to say just a few words on the makeup of the Select Committee on Wildlife. I also look forward to chair-

ing the Committee that will be going through the amendments in an orderly fashion. Because of that I feel that the birth of the Select Committee arose from the report of the Standing Committee on Rules, Elections and Privileges. It was a very good idea to send the *Wildlife Ordinance* to it.

I agree that the Honourable Member for Whitehorse South Centre was the choice in the makeup of the committee, due to the fact that he has in the past heard evidence from witnesses from around the Territory, and I certainly wish that his judgments, as a committee member, may have been great assistance in the final outcome to the Committee work.

The Honourable Member for Whitehorse Riverdale South is also experienced in the same vocation. I feel that he sat and listened to the testimonies and was helpful to the Select Committee. I certainly hope that he enjoyed that.

We certainly supported the makeup of the Committee. I liked the idea of Mr. Hanson, for instance, who I know used to be a trapper and who used to work out in the bush, and who certainly is qualified to handle the job as chairman. The Honourable Mr. Graham's involvement would be an addition, not only because he understands committee work, but also because he knew people in and outside the capital city of Yukon. I know the Honourable Member for Campbell is a veteran of seven years in this House. His knowledge of remote areas was an asset.

I suppose for me to second the Motion to make up this Committee — at the time of the Motion I was proud to be a seconder to that particular Motion.

**Mr. Fleming:** I would like to stand, just for a moment, and thank the Clerks and the staff that we had working for us, for putting up with all the headaches that we have given them; they took it very kindly.

Of course, all the Members I worked with I found very enlightening to work with under the conditions we were under.

I would say, as I think all the Members have mentioned before, that the time element is something that I think the Government should definitely look into and we should all look into: to have more time than we actually had with this Bill. However, this being the first time that it is tried, it must be called, I suppose, an experiment. I would hope that that experiment has been well taken care of and that it proves to all Yukoners that the good of all Yukoners were at heart when we worked in that Committee. I think that when you go through the Bill later and with the number of amendments that are here, it will show that that is exactly what has been done.

**Mr. Penikett:** I just wanted to get a word in here, because from listening to the Members of the Committee, it sounds like what was going on in the caucus was virtually a religious experience. I have been frankly patting myself on the back that I had managed to evade a Committee, for a change, unlike the Member for Porter Creek West, and have actually caught up on my mail. It sounds like I really missed something. I had expressed a concern at Second Reading that we might be ramming the Bill through, as it were, but it seems to me that the Committee has done an amazing job in completing the work in little more than the time that was available. I am sure Mr. Clerk is feeling sheepish at the number of times which his name has been mentioned, but I hope he will take that in good humour, and I want to pay special tribute to the Chairman of the Committee, and express my great pleasure that the NDP Member on the Committee did not get his goat during his time in that responsibility, and I look forward to similarly elevating and profound working relationships here in this Committee.

**Mr. Falle:** I have really enjoyed this little debate this afternoon. I sat back here and I listened to the Members opposite finally agree that this Government was not a secretive government. We, this Government, had set up this Committee. Public participation is the answer, and that is what they got. I am glad the public has had a chance. Thank you.

**Hon. Mr. Lang:** It is not too often that I have an opportunity to agree with the Leader of the Opposition but, yes, it does appear to have been a religious experience, there is no question about that. I do appreciate the constructive work that the

Members of the Committee put forward. I just want to draw one thing to the attention of Members, and the number of amendments here actually do not reflect in substance what was actually done to the Bill. I think in fairness to the people who actually drafted the Bill — for an example, when we changed endangered wildlife to specially protected wildlife, it subsequently called for ten or 15 amendments — I would say that I think that the people involved in originally drafting the Bill have done a very good job. I also appreciate the fact that there has been a number of substantive changes, largely at the request of those people that appeared before Committee.

A number of speakers have referred to the time frame that was actually allowed for the Bill. I want to caution them that as soon as the Bill was Tabled, within a day or two, as the Minister responsible, I did send letters to those organizations letting them know that the Bill was Tabled and was available, so that they could at least get a copy of it. Once the Select Committee was formed I indicated to them that they had the choice to appear. There was time given to those organizations that were interested in this type of legislation to go through it, and as it turned out we did go into the Select Committee hearing process.

I think that we do have a good Bill. I should point out, in respect to the question raised by a number of speakers, on the question of Indian land claims, and the resolution thereof, it is all subject, as you well know, to a final settlement coming to resolution. Subsequently, as a Government, we are committed to any commitments we have made to make the necessary changes in legislation, if so required. They will be coming forward to this House as expeditiously as possible. At the same time, we do have a responsibility in respect to all the people of the Territory, as far as the legislation is concerned. There are a number of specific, major changes, as far as penalties are concerned. The Greenpeace amendment, and various other important sections, as far as the legislation is concerned, and it should be put into law fairly soon.

I recognize we are going to have a further discussion, probably in Committee of the Whole, on the Bill, and we can deal with a number of sections at that time.

**Mrs. McGuire:** I, with the rest of this Assembly, have given unanimous consent in accepting the report of the Select Committee on the *Wildlife Ordinance* into this House. But that is all I did. That is not an indication that I will be voting for this Bill. I intended to speak in general debate on Bill 75, entitled *The Wildlife Ordinance*, in Committee. However, given this opportunity, I want it to appear on record as many times as possible that I will not be voting for this Bill on Third Reading. The reasons being that I feel that we are embarking on a useless, or perhaps I should say, premature, exercise. As it is, my understanding is that this very issue on wildlife laws and management is now at the negotiating table of land claims.

By all reports, the wildlife package is near completion. Indeed it is. It has been determined, and reported publicly, what management boards will be set up, the quotas for the harvesting of game, the preference of hunting seasons, a plan on the conservation of game and fur-bearing animals, restrictions and/or non-restrictions on trophy hunting: all these things, and many more, have been determined, and are contained in a land claims wildlife package.

The first question that comes to my mind today is why is this Government in such a hurry to legislate a new wildlife ordinance? What is the motive behind this rush, and I sincerely ask you that today? We have a legislative game ordinance, revised just a year ago, which we could very well make do with until such a time as — perhaps, in less than one year — the land claims wildlife package is presented. At that time it could very well be less complicated to incorporate the land claims management plan into this Ordinance.

The Member across the way told us a few minutes ago that this Government is not secretive. I say that they are. Indeed they are.

If this Government's intentions are honourable, why then, I

ask you, are you not incorporating the completed portions of the land claims plan into this Ordinance now? I fail to see the reasoning behind all this.

I can foresee great complications arising when the day comes to incorporate these two huge wildlife documents into one. I want the Members today to sit and think about that.

Let us hope that we do not end up with two *Wildlife Ordinances* in the Territory. Before this Bill become legislated, I would like to see here and now a commitment, a guarantee from this Government, that the Land Claims Management Package will be accepted and incorporated by amendment into the YTG *Wildlife Ordinance*, or, that this proposed *Wildlife Ordinance* be held over until such a time as the Land Claims Wildlife Package is endorsed by the Federal Government in Ottawa, and is ready to be implemented in the Yukon. These two alternatives I can accept, and then I feel I could vote yes.

**Hon. Mr. Pearson:** I had absolutely no intention of rising on this issue because I did not, for one minute, think that there was any Member in this House who seriously doubted the necessity for this legislation.

I must say that I am terribly disappointed in the speech that I just heard from the Member opposite. She obviously does not know what she is talking about. She does not have any idea of what she is saying. Now, we are involved with the Council for Yukon Indians, as a part of the Government of Canada's team, in a land claims negotiation. One of the items in that land claims negotiation is a hunting agreement. Another item is a trapping agreement, and there are some 14 or 15 other items. The day that there is agreement on all of the items, that will then constitute a land claims settlement. This Government, if it is agreeable with that land claims settlement, will do everything possible. We have always said we would. I am confident that we will be here to do it, as well, to do everything possible to put that land claims agreement into place. I do not care what the Honourable Member opposite thinks at all. It has been this Government, and this Government alone, that has made land claims progress to the point that they are at today, and we intend to continue that, and we do not intend to see it detracted from in any way, shape or form. I resent very much the implications made by the Honourable Member. She obviously does not know what she is talking about.

*Motion agreed to*

**Mr. Speaker:** May I have your further pleasure?

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

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

**Some Members:** Disagreed.

**Mr. Speaker:** Would all those in favour of the Motion please rise?

*Motion defeated*

**Mr. Speaker:** The Chair has called for Government Bills and Orders, and there was no response. May I have your further pleasure?

**Hon. Mr. Pearson:** According to my Order Paper, under Government Bills and Orders there are four Bills for Third Reading today.

**Mr. Speaker:** The Honourable Member is quite correct. It was called and no-one wished to proceed with them at that time. Is it the wish of the House to proceed now, with Government Bills and Orders?

**Hon. Mr. Pearson:** I must have fallen asleep, or something. I was out of the House at one point, but I do not recall you asking whether I wanted to proceed with Bill Number 7.

**Mr. Speaker:** The Chair really has no indication. I did call Government Bills and Orders and it was not proceeded with. However, if it is the intention at this time to proceed with Government Bills and Orders, we shall.

Mr. Clerk, if you have determined anything I have not been able to determine, what is to be done?

### **Bill Number 79: Third Reading**

**Hon. Mr. Pearson:** I move, seconded by the Honourable Minister of Justice, that Bill 79, *An Ordinance to Amend the Income Tax Ordinance* be now read a third time.

**Mr. Speaker:** It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Justice, that Bill 79 be now read a third time.

*Motion agreed to*

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

**Hon. Mr. Pearson:** I move, seconded by the Honourable Minister of Justice that Bill 79 do now pass, and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the Honourable Government Leader, seconded by the Honourable Minister of Justice, that Bill 79 do now pass and that the title be as on the Order Paper.

*Motion agreed to*

**Mr. Speaker:** I declare that the Motion is carried and that Bill 79 has passed this House.

### **Bill Number 83: Third Reading**

**Hon. Mr. Tracey:** I move, seconded by the Honourable Member for Mayo, that Bill 83 be now read a third time.

**Mr. Speaker:** It has been moved by the Honourable Minister of Justice, seconded by the Honourable Member for Mayo, that Bill 83 be now read a third time.

*Motion agreed to*

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

**Hon. Mr. Tracey:** I move, seconded by the Honourable Member for Mayo, that Bill 83 do now pass and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the Honourable Minister of Justice, seconded by the Honourable Member for Mayo, that Bill 83 do now pass and that the title be as on the Order paper.

*Motion agreed to*

**Mr. Speaker:** I declare that Bill Number 83, *An Ordinance to Amend the Judicature Ordinance*, has passed this House.

### **Bill Number 82: Third Reading**

**Hon. Mr. Tracey:** I move, seconded by the Honourable Member for Mayo, that Bill Number 82, *An Ordinance to Amend the Justice of the Peace Court Ordinance*, be discharged and that the Bill be referred to the Committee of the Whole for the purpose of considering amendments substituting the term "Member of the Executive Council" for the term "Minister" wherever appropriate in the text of the Bill.

**Mr. Speaker:** It has been moved by the Honourable Minister of Justice, seconded by the Honourable Member for Mayo, that the Order for Third Reading of Bill Number 82, *An Ordinance to Amend the Justice of the Peace Court Ordinance*, be discharged, and that the Bill be referred to the Committee of the Whole for the purpose of considering amendments substituting the term "Member of the Executive Council" for the term "Minister" wherever appropriate in the text of the Bill.

**Mr. Penikett:** This is a procedural innovation, to say the least. I wonder if the Minister would be so good as to provide us with a brief explanation of the reason for this initiative, at this point in the passage of the Bill?

**Hon. Mr. Pearson:** With the indulgence of the Minister of Justice, I think I would like to try to answer that question for all Members.

As part of what we perceive to be the gradual political evolution in the Territory, we have started using some of the "accepted terminology" in respect to government. One of those specific terms is the term "Minister."

In the letter of instruction to the Commissioner, in October of 1979, one of the statements made by the Honourable Mr. Epp — I am sure all the Members will remember — was that Members of the Executive Council could and should be styled Ministers. However, he had a proviso that we should not use the term "Minister" in legislation until some future date.

We did some preliminary checking with the Department of Justice and felt that it was timely, at this particular Session, for us to start using that term. Some of our legislation, particularly this Bill, and specifically the Wildlife legislation, have the proper definition of Minister.

Regrettably, I was advised yesterday by the Department of Indian Affairs and Northern Development that should we pass this legislation, the Department would instruct the Commissioner to withhold assent.

I feel that both these pieces of legislation are important enough to revert back to the accepted terminology, "Member of Executive Council," which is, by the way, accepted by the Department, and which is in other legislation. Wherever the word "Minister" is referred to in the Bill, it will become "Member of Executive Council."

*Motion agreed to*

**Bill Number 81: Third Reading**

**Hon. Mr. Tracey:** I move, seconded by the Honourable Member for Old Crow, that Bill 81 be now read a third time.

**Mr. Speaker:** It has been moved by the Honourable Minister of Justice that Bill 81 be now read a third time.

**Mr. Kimmerly:** On Second Reading, the Minister did not give an explanation of the Bill, and consequently I did not rise at that time. During the Committee stage I was in the Select Committee and so I did not get an opportunity to rise at that time either.

I simply wish to say that it is the position of our Party that we support the Bill, and are glad that the Government brought it in, even though they needed a little prodding to do so.

There are other amendments necessary in the *Landlord and Tenant Ordinance*, and we look forward to those in the spring Session.

*Motion agreed to*

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

**Hon. Mr. Tracey:** I move, seconded by the Honourable Member for Old Crow that Bill Number 81 do now pass and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the Honourable Minister of Justice, seconded by the Honourable Member for Old Crow, that Bill Number 81 do now pass and that the title be as on the Order Paper.

*Motion agreed to*

**Mr. Speaker:** May I have your further pleasure?

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

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

*Motion agreed to*

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

*The House adjourned at 4:49 p.m.*

**The following Legislative Returns were tabled December 16, 1981:**

81-4-11

People employed by YTG: Women (incl. teachers) below & above mean annual salary (Tabled by Chris Pearson in reply to Tony Penikett's Written Question #6)

81-4-12

Public Library Development (Tabled by Meg McCall in reply to Maurice Byblow's oral question asked Nov. 24, 1981 at Hansard page 390)

81-4-13

Official trips and absences of Minister of Health & Human Resources, and Education (Tabled by Meg McCall in reply to Alice McGuire's Written Question #5)

The following Sessional Papers were tabled December 16, 1981

81-4-44

Annual Report, April 1, 1980 - March 31, 1981, Yukon Health Care Insurance Plan, Yukon Hospital Insurance Plan (Meg McCall)

81-4-45

Report of the Select Committee on the *Wildlife Ordinance* (Peter Hanson)

81-4-46

Minutes, evidence & working papers of the Select Committee of the *Wildlife Ordinance* (Peter Hanson)

81-4-47

Report of the Special Committee on Food Prices (Doug Graham)

