



# The Yukon Legislative Assembly

---

Number 7

4th Session

25th Legislature

---

## **HANSARD**

**Thursday, March 29, 1984 — 1:30 p.m.**

Speaker: The Honourable Donald Taylor

# Yukon Legislative Assembly

SPEAKER — Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER — Bill Brewster, MLA, Kluane

## CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Chris Pearson	Whitehorse Riverdale North	Government House Leader — responsible for Executive Council Office (including Land Claims Secretariat and Intergovernmental Relations); Public Service Commission; and, Finance.
Hon. Dan Lang	Whitehorse Porter Creek East	Minister responsible for Municipal and Community Affairs; and, Economic Development.
Hon. Howard Tracey	Tatchun	Minister responsible for Renewable Resources; Highways and Transportation; and, Consumer and Corporate Affairs
Hon. Bea Firth	Whitehorse Riverdale South	Minister responsible for Education; Tourism, Heritage and Cultural Resources
Hon. Clarke Ashley	Klondike	Minister responsible for Justice; Yukon Liquor Corporation; Yukon Housing Corporation; and, Workers' Compensation Board
Hon. Andy Philipsen	Whitehorse Porter Creek West	Minister responsible for Health and Human Resources; and, Government Services

## GOVERNMENT MEMBERS

(Progressive Conservative)

Bill Brewster	Kluane
Al Falle	Hootalinqua
Kathie Nukon	Old Crow

## OPPOSITION MEMBERS

(New Democratic Party)

Tony Penikett	Whitehorse West Leader of the Official Opposition
Maurice Byblow	Faro
Margaret Joe	Whitehorse North Centre
Roger Kimmerly	Whitehorse South Centre
Piers McDonald	Mayo
Dave Porter	Campbell

(Independent)

Don Taylor	Watson Lake
------------	-------------

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

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

**Whitehorse, Yukon**

Thursday, March 29, 1984 - 1:30 p.m.

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

*Prayers***DAILY ROUTINE**

**Mr. Speaker:** Are there any returns and documents for tabling? Reports of committees? Petitions? Introduction of bills? Notices of motion for the production of papers? Notices of motion? Are there any statements by ministers?

**MINISTERIAL STATEMENTS**

**Hon. Mr. Ashley:** In response to several questions, which have been asked recently, concerning the Yukon Liquor Corporation, I would like to provide the following information to this House.

With respect to the pricing policy on liquor sold in Yukon, I would like to point out that there are certain taxes that are levied by the federal government over which neither Yukon nor any provincial jurisdiction has any control. In 1983, for example, there were two increases in the price of alcohol as imposed by the federal government: the first by way of an increase in the level of federal sales tax and the second an increased custom and excise tax.

<sup>01</sup> This House might be interested to note that those increases totalled a 13.3 percent markup in the price of alcohol to all the provincial and territorial jurisdictions, which is certainly well in excess of the federal government's six and five policy.

As a result of these increases, a national lobby group was formed, comprising of the liquor and hotel industries and liquor boards from across Canada to demonstrate against these excessive increases, because of the negative impact they would have on both industry and the average Canadian, not to mention the tourism industry itself.

Last year this lobby group met with the federal Department of Customs and Excise in an attempt to have the government reverse their taxation decision on alcoholic beverages. That effort was not successful, but there is hope that it will help to keep future tax increases to a minimum.

With regard to our own pricing policy here in Yukon, the Yukon Liquor Corporation prices alcohol and public sale on the following basis:

- There is a mark-up imposed on the landed cost of all alcohol;
- and, from that price there is levied a 10 percent liquor tax.

I should also note here that in relation to provincial jurisdictions, liquor taxes vary between six and 12 percent and, furthermore, all provinces use the same mark-up on landed cost plus liquor tax formula.

With regard to the question of correlation between liquor prices and hours of sale and alcohol-related problems in Yukon society, let me first state that it is a policy of the Yukon Liquor Corporation to encourage the consumption of lower alcohol content beverages such as beer and wine over the higher content alcohols, such as fortified wines and spirits.

<sup>02</sup> As an example of this policy, I think it is perhaps fitting that I advise this House today that due to successful negotiations by the Yukon Liquor Corporation, the price of two brand name beers available in Yukon will be reduced by between two and four percent effective Monday, April 2nd.

With respect to any correlation between the hours of sale of alcoholic beverages and alcohol-related problems in Yukon society, the Yukon Liquor Board does not feel that any correlation exists. In fact, by provincial standards the hours that Yukon liquor stores are open are much less than most provinces.

Furthermore, it is felt by the Liquor Board that to reduce hours of sale would only serve to increase the frequency of the illegal sale of

alcohol, an area that the liquor board and this government are very much concerned. And, while it is true that liquor can be purchased on an off-sales basis in certain establishments which operate longer hours than Yukon liquor stores, I would suggest that the same rationale would apply.

Bootlegging, as we all know, has in the past been a very serious concern in Yukon. This problem today has been greatly curbed due to liquor sales and pricing policies.

In closing, I certainly do not wish to leave the impression that this government does not consider alcohol-related problems in Yukon society to be of major concern. We have recognized this problem and are taking actions to combat it, which I am sure my colleague responsible for the department of health and human resources would be happy to elaborate on, if the hon. members opposite care to avail themselves of this information. I trust this statement will help answer the questions posed by the members opposite on this issue.

**Mr. Kimmerly:** We have several reactions. First of all, this is not really a ministerial statement, it is a reply to several questions prepared, obviously, by the minister's underlings to satisfy the questions he could not answer in the last three weeks.

<sup>03</sup> It is significant that, although the federal tax increase is well above the six and five guidelines, which we do not support, the territory is adding a 10 percent tax on the total price after adding the federal tax. By that means the territorial government is compounding the mistake and is profiting to a greater extent than they otherwise would, because of the initial federal increase in tax.

The Yukon and Northwest Territories had similar kinds of alcohol consumption statistics and similar kinds of alcohol abuse statistics. It is interesting that a political approach to that problem has been very, very different in the two territories. The approach that we favour recognizes alcohol abuse as a social problem and we favour the political reaction to it to be one that should be within at least local consultation. That is, the LIDs and the Indian bands and other social groups in the communities ought to be deciding the availability of liquor policies in their own communities.

<sup>04</sup> This government refuses to accept that, and we regret that. The approach of this government is to aid and abet a social problem and then treat some individuals for alcohol abuse and to claim that that absolves them of any responsibility. That is totally hypocritical.

**Mr. Speaker:** Are there any further statements by ministers? This then brings us to the oral Question Period.

**QUESTION PERIOD****Question re: Executive Council allowances**

**Hon. Mr. Pearson:** I wanted to rise immediately in Question Period today to correct the record. I answered a question very quickly yesterday afternoon, from one of the members opposite, with respect to hospitality allowances that ministers receive.

I did misunderstand the question and I did answer erroneously. In fact, in January 1982, each minister began receiving a \$100-a-month hospitality allowance as part of his salary. That was recommended to us, along with the executive compensation package that had been made for deputy ministers. I am sorry if I misled the House. I did not intend to. It just completely slipped my mind, because I just had not seen it. It is part of the pay plan. I must apologize to everyone for that.

<sup>05</sup> **Question re: Women's rights**

**Mr. Penikett:** I have a question for the government leader in his capacity as the minister responsible for intergovernmental relations for part of the past year.

On December 10, 1981, Canada ratified the Convention on the Elimination of all Forms of Discrimination Against Women, which commits the territories, the provinces and the federal government to establish legal protection of rights for women on an equal basis with men, and to ensure effective protection of women against discrimination. Could I ask the government leader, since that date, what steps Yukon has taken to achieve compliance with this convention?

**Hon. Mr. Pearson:** I am sorry, I do not have the answer. I will certainly get it for the leader of the opposition, though. Normally,

what transpires is that when Canada does enter into these agreements, they contact the provinces and territories, advise of the potential agreement and seek ratification from each of the jurisdictions. We would be required to live up to the conditions of that particular accord.

I will look into it, and get back to the member.

**Mr. Penikett:** I thank the government leader for his undertaking.

I wonder if I could direct my supplementary to the minister responsible for the Women's Bureau and ask him: since, according to the convention, Canada is required to file regular compliance reports on such questions as human rights and labour standards, has the minister prepared any such reports and whether he could indicate if Yukon is presently in compliance?

**Hon. Mr. Ashley:** The Women's Bureau has worked on some of this material. They have been working on a human rights green paper that will be introduced later in this session. That, very possibly, will be going forward as one of our reports.

**Mr. Penikett:** I would like to direct my final supplementary to the minister responsible for labour standards, as it is now called. The employment standards policy proposed by this government does not include the recommendation of equal pay for work of equal value recommended previously by this House and enshrined in law in Canada. Could the minister explain the policy reason for that decision?

**Hon. Mr. Tracey:** Yes, a decision was made by the government. There has been a problem of interpretation of equal pay for work of equal value. It is a value judgment; we have maintained that the term "equal pay for substantially similar or similar work" is just as good, or better, an interpretation as "work of equal value", which means making a value judgment on every piece of work performed.

#### **Question re: Cyprus Anvil mine reopening**

**Mr. Byblow:** I have a general question for the government leader on a subject of some importance to my riding, and indeed the territory. Can the government leader advise if he has had any recent communication with either Cyprus Anvil or Dome Petroleum indicating any specific updated plans regarding either full reopening or sale of the mine.

**Hon. Mr. Pearson:** I do not think I have been able to report to the House that the last time that we met with Dome here in Whitehorse, they had along with them, as well as a number of their officials, a gentleman who was introduced to us as the man who sold Cyprus Anvil to Dome.

He has been retained now by Dome to sell Cyprus Anvil to someone else. He must be a very good salesman. His company has been retained by Dome. Dome makes no secret of the fact that they would like to sell the company. I believe that they are doing everything that they possibly can to make the company as saleable as they possibly can. I really do believe that they do want to sell. They, like I, believe that, should they be successful in selling, then we would be looking at an opening very, very quickly.

**Mr. Byblow:** I recognize the dilemma of the situation. As the government leader is aware, the aid package from the federal government supporting the current stripping program expires at the end of this year. At this time, absolutely no plans are in place for 1985. Is this government planning any steps in order to address this situation respecting the community and the mine?

**Hon. Mr. Pearson:** At the present time Cyprus Anvil is tentatively looking at late fall as the earliest date they would be open. That is providing certain things happen in the meantime. The major thing, of course, is the receipt of the CTC report, so that government can make the decision with respect to transportation. At the moment everyone is sitting back waiting for that report. We have not had an opportunity yet to make any plans beyond the receipt of that report. We feel that we have to have that report before we can make any definitive plans beyond that date.

**Mr. Byblow:** On the very subject of the CTC report, regarding the road rail option, has this government had any recent dealings with any of the proponents, namely White Pass and Cyprus Anvil, the federal government and Alaska, regarding this government's

role in either of the two options?

**Hon. Mr. Pearson:** Of course, depending upon what the CTC report says. Let us make a supposition. If the recommendation is in fact roads, then we would have a major role to play. If the recommendation is the existing road-rail then, of course, our role would not be anything like if it was just road. We look after the roads, we maintain them, and we have that major role to play.

#### **Question re: Ministerial responsibility**

**Mr. Kimmerly:** To the government leader about ministerial responsibility in a fairly specific way. The minister responsible for the liquor board said yesterday "The minister is not responsible for what the liquor board does". Is it the government's policy that the minister responsible for the liquor board is not responsible for what the liquor board does?

**Hon. Mr. Pearson:** The liquor board is established to make recommendations to this government on some matters, particularly policy matters. It is the responsibility of this government to make the policy decisions. The liquor board also makes decisions, with respect to the granting of licences. No member of this government should, in any way, try to influence that decision-making process and we do not do it.

**Mr. Kimmerly:** I fully understand that the licencing process should be independent of the political process, but the general guidelines, established by the board, that go into liquor policy are certainly a political question. Who is responsible to this House for those policy guidelines?

**Hon. Mr. Pearson:** Those policy guidelines are set out in the legislation; they are the responsibility of this House.

**Mr. Kimmerly:** Is it government policy that the minister responsible for the liquor board is responsible for the implementation of those policy guidelines?

**Hon. Mr. Pearson:** If it is perceived that the liquor board is not following the policy guidelines set out in the legislation, then it would fall to the minister responsible for liquor control to make sure that the board is aware of what the policy of the government is, that is correct.

#### **Question re: Bear control program**

**Mr. Porter:** My question is to the minister responsible for renewable resources.

I would like to ask the minister if the Wildlife Advisory Committee has convened to discuss the available data as it pertains to the bear control program? Have they met to discuss that program, yet, to his knowledge?

**Hon. Mr. Tracey:** I believe that they have, yes. I believe that all of the information has been made available to them.

**Mr. Porter:** Has the Wildlife Advisory Committee made any recommendations on the proposed bear reduction program to this government?

**Hon. Mr. Tracey:** No, they are not asked to make recommendations on it, on a broad picture such as that. All of the proposed regulations were put to the Wildlife Advisory Committee and they made their recommendations on it.

**Mr. Porter:** I would like to ask the minister if the government is drafting a predator control policy and, if so, when will it be tabled in the legislature?

**Hon. Mr. Tracey:** I could not give the member a time or a date for that. If they were, it would be some time in the future, after we have finished this three year project.

#### **Question re: Video display terminals**

**Mrs. Joe:** I have a question for the minister responsible for occupational health and safety.

Yesterday, in answer to my question about the health hazards of VDTs, the minister said there is absolutely no evidence to show that video terminals create any hazard to the operator. Could the minister tell us if that conclusion was based on information received from questionnaires circulated throughout this government?

**Hon. Mr. Pearson:** I have some further information as a result of the question yesterday. If I could have the indulgence of the House, I might quickly give it to the hon. member and it might help

with some of the questions.

The video display terminal committee was established by the Public Service Commissioner in January of 1983. It was established to review the current status of VDT use in the Yukon government, for example, the number of units, locations and the problems and to try to identify what the problems were going to be.

They were also to review the literature and reports that summarize areas applicable to the Yukon government conditions and to develop a set of recommendations to the Public Service Commissioner encompassing, among other things, the relative safety of different types of equipment, working conditions and operations.

Under the chairmanship of a member of the Public Service Commission, the committee consisted of members from the Systems and Computing Services of Government Services, Labour Standard Services and Occupational Health and Safety in Consumer and Corporate Affairs, and the Yukon Government Employees Union.

The committee members met throughout 1983 and reviewed a considerable body of written material. The committee submitted its report to the Public Service Commissioner in January of 1984.

Representatives of the Public Service Commission and Consumer and Corporate Affairs are now in the process of evaluating the committee's report and drafting guidelines for the operation of VDTs within this government. These guidelines will then undergo a review by appropriate government committees, such as the Deputy Minister Review Committee and Union Management Joint Consultation Committee. When implemented, the guidelines will be monitored by the Occupational Health and Safety Officers of the Department of Consumer and Corporate Affairs.

**Mrs. Joe:** That answers some of my supplementaries, but I would like to ask the government leader if the study and recommendations will be tabled in this House and made available to the public.

**Hon. Mr. Pearson:** As I said, the study is strictly an internal study. The report was made to the Public Service Commissioner. I do not know even in what manner this report was made to the Public Service Commissioner, but to ask us to table in the House internal studies is pretty difficult at times. I would suggest that possibly the hon. member might sit down and talk with the Public Service Commissioner about it. He may well have some information that he could give to her. I certainly would have no objection if she availed herself of the opportunity to go and visit the Public Service Commissioner.

#### Question re: Occupational health and safety

**Mr. McDonald:** I have a question for the Minister of Consumer and Corporate Affairs. The Throne Speech two weeks ago said that, effective April 1, the government's responsibility for occupational health and safety will be consolidated within the Department of Consumer and Corporate Affairs. Can the minister state what the consolidation entails and whether any new responsibilities will be assumed by the department at that date?

**Hon. Mr. Tracey:** The consolidation that we are talking about was that occupational health and safety and the government employees were going to come under the occupational health and safety officers in the government. We were going to try to upgrade our occupational health and safety within the government to safeguard the government against a possible serious accident happening.

Our statistics have shown that without the government employees being under the purview of our occupational health and safety measures, we were fast getting to the point where a serious accident could happen. So, the decision was made by the Cabinet that we would put all our employees under the occupational health and safety purview of our health and safety officers.

#### Question re: Mines inspection

**Mr. McDonald:** Has the minister engaged in negotiations with the federal Department of Indian and Northern Affairs to have the Government of Yukon assume the responsibilities for mines inspection?

**Hon. Mr. Tracey:** We are working on a new occupational

health and safety act and all of those things will come under the purview of that act. Certainly, we have to speak to DIAND, regarding mining safety.

**Mr. McDonald:** Has the minister made plans to establish a multi-partheid occupational health and safety task force to assist in the formulation and development of legislation, as was recommended in the report commissioned by this government some three years ago?

**Hon. Mr. Tracey:** Yes, we certainly do. I have sent letters out to every organization, especially the labour organizations, asking them to name members to me. To this date, some of those members — including the Yukon Federation of Labour, I believe it is — have not recommended a name to me.

#### Question re: Occupational health and safety

**Mr. Penikett:** I have a question, as well, for the minister from Tatchun, on the same general subject area.

When were the regulations providing for the safe operation of heavy equipment on construction projects in Yukon last reviewed? Has Cabinet reviewed them recently?

**Hon. Mr. Tracey:** No, I am not aware of it. Perhaps, if the member has a problem with it, he could raise it with me. I am not aware of it being reviewed.

**Mr. Penikett:** Concerning the roll-over protection on heavy equipment that the minister will know about. Has the government considered requiring the kind of canopies that are now standard in British Columbia, Alberta and the Northwest Territories?

**Hon. Mr. Tracey:** Yes, that would be addressed in our new occupational health and safety legislation.

**Mr. Penikett:** I look for great things in this new legislation.

I have received a complaint that, in the course of a construction project in this city, of a construction crane being driven on Yukon highways and operated on a worksite with the crane operator seated in an unsecured kitchen chair. In this government, to whom should one direct such complaints, and is there, under present law, anything that any official of this government could actually do about this situation, at the moment?

**Hon. Mr. Tracey:** Yes, there is. The complaint should be addressed to the occupational health and safety officer.

"

#### Question re: Water delivery

**Mr. Falle:** It has been brought to my attention from some constituents in the Carcross area that there has been a change of policy in the water delivery structure. I would like to ask the minister if he is aware of that?

**Hon. Mr. Lang:** Yes, there is a proposed change coming into effect April 1st, as far as increases are concerned. It is our intention to increase from \$10 a month to \$11.10 a month for three deliveries a week during normal working hours and also we will be putting into effect a schedule increase from \$15 a month to \$16.65 a month for three deliveries a week during normal working hours for water tanks of 500 gallons or more.

With respect to the off hours and weekends, it is an area that was brought to my attention. We were proposing a major increase. I am prepared to review it. Once I have the opportunity to sit down with the department, I will be contacting the member directly on the matter.

#### Question re: Expo '86

**Mr. Byblow:** I have a question for the Minister of Tourism on a subject I raised with her last week, namely Expo '86. It was brought to my attention that applicants for the position of convention coordinator have been advised over a week ago by letter that that position was in fact filled. Yet, only last Thursday the minister advised me that the position was not filled. Has the position been filled, when did it happen and who is it?

**Hon. Mrs. Firth:** The position has been filled. There is a successful candidate. We will not be making an announcement, however, due to the fact that individual has some matters to clear up with his previous job.

**Mr. Byblow:** Could I ask the minister if her government, or department, conducted any form of feasibility respecting the

physical requirements and the monetary requirements of the pavilion in Vancouver?

**Hon. Mrs. Firth:** We have made some preliminary inquiries. We are waiting to have the position of the Expo coordinator filled so that he can carry on that function of the whole Expo organization for us. We do not have the resources within the department to start on a very large investigative or planning process for Expo and we are waiting to have that position filled.

**Mr. Byblow:** It was brought to my attention that the Northwest Territories, who not only have been working on their contribution to Expo for the past year, also did a feasibility, and are concerned now that they may not be ready in time. Given that the Yukon has only made its decision, I would be curious why we have delayed in our decision and plans for so late?

**Hon. Mrs. Firth:** Firstly, we announced much later than the NWT did, and made the decision to participate later. I believe the NWT was one of the first in Canada to announce their participation. We have been reassured by the Expo people in Vancouver that they will give some assistance with the feasibility study and they have passed on to us certain marketing studies that they have done. We have started to accumulate a considerable amount of information within the department. I am not anticipating that we are not going to be behind.

In view of the present conditions in BC right now, the delay of Expo is up in the air anyway, but we are in touch with the Expo officials to see if everything is going to go on as scheduled.

#### Question re: Child welfare

**Mr. Kimmerly:** Again, about ministerial responsibility, a question for the minister responsible for child welfare. He said yesterday at page 101 of *Hansard*, "The department is not allowed to tell me anything that goes on in that area. I do not know about the specific cases".

Is it the minister's policy that he has no right of access to the Director of Child Welfare's files for the purposes of deciding government policy?

**Hon. Mr. Philipsen:** Under our present legislation, it is the director of Human Resources who has access to that information, and he would be breaching confidentiality if he were to relate any specific information of any case in the child welfare area to myself or my deputy minister.

**Mr. Kimmerly:** I re-read the legislation this morning and I am surprised at the minister's answer. What accountability policy is presently being followed for funding decisions in the child welfare area?

**Hon. Mr. Philipsen:** I would like to know why the member opposite is surprised.

**Mr. Kimmerly:** Because the minister is wrong, and I expected better. Is the director accountable to the minister for the policy direction taken by him, or is this a case of the tail wagging the dog?

**Hon. Mr. Philipsen:** The director is responsible for his actions to the minister of this legislature and if he goes outside the bounds of his responsibilities, he would have to answer for those actions.

#### Question re: Information system on predator program

**Mr. Porter:** I have a question to the Minister of Renewable Resources. On February 22 of this year, the Department of Renewable Resources announced that they would be starting an information system to get regular information on the predator program to the media and to the public. Has such system been decided on, and could the minister, very briefly, describe how it works? Has the department adopted the one-contact system?

**Hon. Mr. Tracey:** The members of the media have been told who to contact. There is no specific day set up that they can receive information. They have been given the name of the people to contact and we also told them that, if any specific new information came up, we would make it available.

I tabled in the House yesterday the total package that we have on the predator/prey relationship study that we are doing. That information has been given to the media, along with a lot of other information, as has been given to the member across the floor.

**Mr. Porter:** I understand that, at one point, the minister of the

department was receiving, on the average, 10 letters a day protesting the government's predator control program. Can the minister tell the House how many letters his department has received, to date? By letters, I mean those letters that are complaining about the predator control program?

**Hon. Mr. Tracey:** I am surprised that he would only want the ones complaining and that he would not want the ones that are in support.

However, no, I cannot give him the numbers. There have been numerous letters from all over North America, especially the United States, from various organizations that are preservation conscious or, at least, conservation conscious. A great many of those organizations, and those people, do not know the details of the study; they are operating from information — and sometimes false information — that has been provided by various groups and organizations. As to the number, I cannot give the member that.

**Mr. Porter:** In the past, some of those letters were addressed to the Minister of Renewable Resources as Tracey Howard. Is the minister still being referred to as Miss Tracey by letter writers?

**Mr. Speaker:** I will rule that question out of order as being frivolous.

#### Question re: Women's Bureau

**Mrs. Joe:** I have a question for the minister responsible for the Women's Bureau.

Last April, the minister said that a special study of women in the labour force was shelved due to lack of funds. I would like to ask the minister now what the present status is of that study?

**Hon. Mr. Ashley:** The study is still on the shelf.

**Mrs. Joe:** A number of years ago, the advisory committee for the Women's Bureau was struck; that committee was never active, due to lack to funds. Could the minister tell us if it is the intention of the department to activate that committee in the near future?

**Hon. Mr. Ashley:** The member opposite is going to have to wait for the budget to come down.

**Mrs. Joe:** Okay, I can hardly wait.

I understand that the sole employee of the Women's Bureau is taking an extended leave of absence from her position. Could the minister tell us if the department intends to fill that position?

**Hon. Mr. Ashley:** Yes, we will be filling that position on a contract basis.

#### Question re: Calibration of gas pumps

**Mr. McDonald:** I have a brief question for the Minister of Consumer and Corporate Affairs.

Can the minister state whether he has received any complaints regarding a gas station in this city operating without his gas pump being calibrated?

**Hon. Mr. Tracey:** No, I have not, but I would be very surprised if there was a gas station here that operates without its pumps being calibrated. All new pumps, if it is a new gas station, that come into the territory are pre-calibrated.

**Mr. McDonald:** Can the minister say what procedures are followed by this government following receipt of complaints by consumers concerning alleged violations of consumer laws?

**Hon. Mr. Tracey:** It is not the function of this government to enforce federal consumer laws; however, if a complaint was given to my department and they felt that it was a serious one, they would probably pass it on.

#### Question re: Yukon Housing Corporation

**Mr. Byblow:** I have a question for the minister responsible for the Yukon Housing Corporation.

Recently, the Yukon Housing Corporation served a number of tenants around the territory eviction notices because a written rental agreement did not exist between those tenants and Yukon Housing.

**Mr. Byblow:** Since Yukon Housing have not communicated with those tenants for four years prior to the eviction notice, I would like to ask the minister what new diplomatic policy this government has put in place to prompt this peculiar action?

**Hon. Mr. Ashley:** This government does not put in a policy to the Yukon Housing Corporation. It operates under legislation, as

the other corporations do, and the boards themselves set their own policy. The board decided that, as we have also decided, they should fall under the new legislation, the *Landlord and Tenant Act*, and so they have been complying with that. They have been in contact with all the tenants, but there were some that did not have rental agreements signed. Tenancy agreements have gone out to them. The correspondence you are actually referring to is at the bottom of that correspondence that said that the corporation, although they were advising them, because of the *Landlord and Tenant Act*, they had ninety days, or that they were going to have to move out of their rental accommodation. That was basically their formal notice. What they are doing is going around now and talking to these people within this ninety day period and hopefully will have a tenancy agreement signed by then.

**Mr. Byblow:** The minister has not addressed the question that eviction notices did go out without any communication prior to that eviction notice in four years. I am simply asking the question of the minister: what explanation can he provide for this action by Yukon Housing that called for an eviction when the tenants had lived in those units for years and years, paid their rent, and were good tenants? Is this policy of Yukon Housing?

**Hon. Mr. Ashley:** The policy of Yukon Housing is to live up to the *Landlord and Tenant Act* and there certainly has been correspondence between the tenants and Yukon Housing Corporation or they would not have been in the house in the first place.

**Mr. Byblow:** The minister fails to realize that the correspondence was more than four years ago. I would ask the minister simply, could he undertake to give me an assurance that the Yukon Housing Corporation will be a little more cordial in its relationship with its tenants in the future?

**Hon. Mr. Ashley:** If that is the case, certainly that will be looked after if it has not already. I believe, and what my information is although there may not have been correspondence, the people in the areas go around and discuss the things with the tenants. It may not be written down, but it certainly has been done verbally.

**Mr. Speaker:** There being no further questions, may I have your further pleasure.

**Hon. Mr. Lang:** I would move that Mr. Speaker do now leave the chair and the House resolve into Committee of the Whole.

**Mr. Speaker:** It has been moved by the hon. Minister of Municipal and Community Affairs that Mr. Speaker do now leave the chair, and that the House resolve into Committee of the Whole.

*Motion agreed to*

15

## COMMITTEE OF THE WHOLE

**Mr. Chairman:** We shall take a short recess to 2:30 and, when we return, we will go on to Bill 13, *Fifth Appropriation Act, 1983-84, Operation and Maintenance of Health and Human Resources*.

*Recess*

16 **Mr. Chairman:** I will now call Committee of the Whole to order.

**Bill No. 13: Fifth Appropriation Act, 1983-84 — continued**

### *Health and Human Resources, continued*

**Mr. Chairman:** We will now go on to Operation and Maintenance, \$745,000, Department of Health and Human Resources.

**Mr. Kimmerly:** We have almost finished this department. I am sure, but I do want to continue the question that I asked in Question Period a moment ago, because it is relevant to this line, specifically the \$110,000 identified for child welfare. The minister said yesterday at page 101 that he was not allowed to look at the child welfare files or know the specific cases, and I am following that up. I indicated surprise last night and I followed it up in Question Period. I was surprised at the answer.

In this case, I am going to try to deal with it solely from the point of view of financial accountability. I would warn the minister that

on the mains, in the next couple of weeks, I am also going to ask the same kinds of questions about the political accountability, or the policy direction of accountability.

17 In this case, presumably the director has made decisions to go after various orders in the courts. They have financial implications and the minister is coming back to the legislature for a supplemental amount money. What financial accountability is there on those decisions or is there none followed?

**Hon. Mr. Philipsen:** The director is obviously accountable to the deputy minister and the minister.

There are some points that the member opposite has made that I believe are slightly inaccurate. The people who are being placed outside are being placed there by the court system. The courts are placing the people outside because those are the areas that are available to handle the type of individuals who are in a position for that type of placement. If there were places locally available to handle those individuals, the courts would then place them there.

If the director has asked them to be placed outside, he is obviously aware of the fact that the people he is asking to have placed in them are best served in areas other than here and that it would only be a catastrophic situation if they were placed here, because we could not handle those individuals.

Another area that I think I would like to address would be an area where, if I were in possession of certain facts that were of a confidential nature, and if those facts were being misrepresented in a newspaper or some of the media about cases that are being reported in from this legislature, I would be bound not even to discuss whether the facts being discussed in the paper were true or not.

18 The point that is being made here is a moot point by the member for Whitehorse South Centre.

**Mr. Kimmerly:** The minister essentially made two points and I would like to comment about one, and that is the second one. He stated that children sent outside were obviously only sent out if it was a serious case, and there was no facility available here. I would like to simply comment in a sentence or two, and I put the minister on notice that, if they are going to be following up exactly that issue, I am interested in the total amount of money that is estimated for next year for per diem expenses for children sent outside and the amount spent last year. I recognize it as a significant problem and it is my opinion that it would be a fruitful policy to establish a care facility here in Yukon and if the numbers are inadequate to establish that kind of facility where other provinces would send children to attend, and pay us. It is very feasible and it would be of a substantial benefit to the Yukon.

19 The second point is a major one and it is really an answer to my question about confidentiality, or the minister's right to look at individual cases or to know confidential information about individual cases. It is absolutely clear that it would be a wrong exercise to use ministerial prerogative, and out of curiosity go through individual cases in the child welfare area. It very well may be defensible to keep the names of the individuals involved secret from the minister to avoid any thought of any political interference.

It is my judgment that there is no political interference, and there is no accusation on anybody of political interference in this area. Clearly, all over the nation, and specifically in Ontario and Alberta — especially Alberta — these kinds of issues are significant political issues. That is, the level of activity of the director and the social workers working under the director, and the tests they are using for such things as parental neglect and child abuse and those sorts of unfortunate problems.

20 It is clearly a political question the country is facing today, and *The Children's Act* raises it head on. The proposition I am trying to make absolutely clear to the minister is the responsibilities for the policy implicit in those individual institutes is clearly ultimately the minister's. The minister can only exercise that responsibility in any reasonable rational informative way, if he knows the information involved. It is not necessary to delve into every case, and the time constraints on ministers would not allow that. However, it is clearly within the responsibility of the minister to supervise those decisions in the broad policy sense.

Considering the political implication of those policies, to my

mind it is absolutely incredible that the minister would allow the director to say, "I will not tell you about the cases and just accept that". If I was minister, I would not accept that. I would look at the cases.

**Mr. Chairman:** Mr. Kimmerly, are you talking about the budget or policy? It seems to me you are talking more about policy than you are about the budget.

**Mr. Kimmerly:** I will go on to the budget.

The minister is asking in this supplemental for \$110,000, as a supplemental for child welfare services, which is an increase of just under 10 percent of the total allocation in the mains. That supplemental must be justified and the policy decisions that the minister makes and the way he audits the director in a policy fashion affects that amount of money. It is of extreme relevance what direction the director gets as to the expenditure of those funds and the policy has a direct financial link with the supps.

Does the minister not agree that it is the minister's responsibility to answer for the funding implications implicit in these policy decisions?

**Hon. Mr. Philipsen:** I would like to thank the member opposite for the first question. On the second point raised, I would like to assure the member opposite that the director has never refused me any information that I have ever asked for, and I just would like to correct the record on that item.

I would also like to assure the member opposite that I do understand my area of responsibility and I hope that I have enough character to not bring forward a one-sided argument in this House dealing with any case, and I would not do it to the member opposite and I would appreciate it if he would not do it to me; report one-sided arguments. I will not discuss matters pertaining to that.

As for as the question that keeps being raised, I explained that the cost is \$106,000. It is an increase in the per diem costs for the number of children who are placed outside by court order.

**Mr. Kimmerly:** I believe the point is well made, and it would serve no useful purpose to repeat it. I intend to stop asking that same question now, although I wish to say that I am not satisfied with the last answer, or other answers. The minister and I will pursue the question in the main estimates. That is the responsibility of the minister to supervise the policy direction of the director.

**Mrs. Joe:** One question that I would like to have clarified by the minister is with regard to the means test for social assistance. I had a person come in to see me who was seeking social assistance. This fellow was a Yukon Indian person whose home was in the Yukon, but had left the Yukon for a number of years and came back. He did not meet the requirements because he had not worked long enough and had not lived in the territory long enough. I just wondered if the minister could tell me if he would be considered a transient; not only a Yukon Indian person, but any other person who would meet the requirement of having his home in the Yukon as opposed to a transient.

**Hon. Mr. Philipsen:** No, I would not make that decision. I would leave that decision to the social worker the individual visited and to the social worker's supervisor. If the individual was not happy, then that decision would be made by an independent body, not government people — in essence, an appeal committee — and if there was still no acceptable solution to the problem, it would go to the appeal board. I would not, personally, feel that it would be in anybody's best interest if I were to personally get involved in any of these cases.

**Mrs. Joe:** I would just like to know if the minister could tell me if there should be some kind of policy in place to deal with that. I think it is quite important to the concerned people whose homes are in the Yukon.

**Hon. Mr. Philipsen:** I believe I had explained the policy to the best of my ability last night. If the member opposite has a problem with this area, I would like her to bring forward a recommendation that possibly we could look at. I suggest that the policy we have is a policy that has been looked at by the Canada Assistance Plan auditors and they have found no fault with it whatsoever. It was done as recently as September, 1981.

**Mrs. Joe:** I do not know whether or not this problem has ever come up before and I would just like to put the minister on notice

right now that I would like to have him check back with his department to find out if, in fact, there is some written policy with regard to this area that I have been talking about.

**Hon. Mr. Philipsen:** I am sorry, I cannot stand here and say that when a person leaves an area how long he can leave and come back and still be a resident. I am sure that this question has been approached a number of times in the Department of Health and Human Resources. I am sure there have been people who have been away who have to go to the appeal committee or the appeal board. I would imagine that somewhere in that process there would be a definitive answer.

*Operation & Maintenance in the amount of \$745,000 agreed to  
Capital in the amount of \$714,000 agreed to  
Health and Human Resources in the amount of \$1,459,000 agreed to*

#### On Justice

**Hon. Mr. Ashley:** I will just give you a list of what this \$445,000 is made up. There is an increased cost of a private bar under legal services for about \$60,000. Legal Aid costs are up, estimated at about \$170,000. Policing is up about \$60,000 and corrections is up \$55,000. Capital is \$78,000; \$15,000 is court renovations and the rest is Whitehorse Correction Centre, as to what is said in the booklet here, in the supplement.

**Mrs. Joe:** I have a few comments that I would like to make, but I would also like to find out from the minister some information with regard to this department and the expenditures. The minister has stated that some of the capital expenditures that went to the court and I did not catch that amount.

**Hon. Mr. Ashley:** It is for renovations in the court, done with surplus salary dollars in the territorial court, because the chief judge was on leave without pay. So, there is \$15,000 we have spent there, under capital, part of that \$78,000. The rest was the retro-fitting and roofing program at the Whitehorse Correctional Centre.

**Mrs. Joe:** I am just trying to figure out how capital expenditures get into paying for something because the chief judge was away.

**Hon. Mr. Ashley:** O&M can be transferred into capital and that is where those dollars came from, which is my understanding from finance. It was done with management board finance agreement.

**Mrs. Joe:** With regard to the capital expenditures, the rest of the money that was given to the correctional institute. Was that money to renovate the two trailers that were going to be used to go out to the communities?

Also, I understand that the judge's secretary is having an office built inbetween the two judges' offices and I just wonder if that was also included in this?

**Hon. Mr. Ashley:** The renovation to the court is to make that office between the two judges' offices for the secretary and a waiting room, to accommodate the needs of the court and the needs of the judges. That is what the \$15,000 is for.

Before I forget, there is also \$100,000 that is not going to add up. There is \$100,000 contingency fund that the government leader spoke of. Sorry, I forgot to mention that.

**Mrs. Joe:** With regard to legal aid, the figure of \$170,000 is an estimate and I was reading in the paper, last night or the night before, that the crime rate in Yukon has gone down from the year before. I wonder if the minister could tell me the reason why we are needing this much more money for legal aid, when there does not appear to be that much crime? Do we have more people who are needing legal aid and who are unemployed? Is that the case?

**Hon. Mr. Ashley:** All of these first are estimates; none of them are fixed costs until we get the final figures of the year, and that comes later on. But, yes, the cases are up so there is more cost involved — or, the cases that are applying for legal aid are up.

**Mrs. Joe:** I just wondered if the minister might have figures that he might give us as to the amount of money spent on different legal aid cases, as there was last year with a couple cases? That total amount of money spent for one case was quite high and I just wondered if there were any cases that the department had spent a considerable amount on?

**Hon. Mr. Ashley:** I am not in possession of those figures right



now. As I said, these are just estimates. I guess it is the end of the month, so they will be fairly correct. Still, they were made a while ago, so they are just estimates. As far as a per case basis, I do not have that information.

**Mrs. Joe:** I would like to know if that kind of information could be available to us. I think I would be interested in finding out how legal aid money is spent, how many cases it is being spent on and how many people took advantage of it. Also, I would like to know how much money has been allotted to each case. If the minister could provide us with that information, I would certainly appreciate it.

While I am standing, I would like to ask the minister a couple of other questions and that is in relation to some other areas with regard to these figures here. I understand that we finally have a new deputy minister of justice and I would like to know if the minister might tell us why the first deputy minister left, after such a short time, and if there was a specific reason for it. I also do not know whether the deputy minister who has been appointed is on staff yet. If he is not, when is he coming?

The other question that I would like to ask is with regard to the court registry. This all pertains to money that is being spent. I had voiced some complaints to the court registry during my reply to the Speech from the Throne. Over the last couple of years, or longer, I have been aware of how the court registry works, and I have heard many complaints about the court registry, not in how the people working there do their work, but in the way they appear to be short of staff.

What has happened, and I have seen it happen so I know that this information is correct, is that when somebody leaves from the registry nothing is done until that person leaves. After that person is gone, somebody else will have to do their own work plus the work of the person who has just left. A notice is sent out that there is a vacancy there, and then they start accepting applications. Sometimes four to six weeks down the road, they may start doing interviews and they finally will select a person to take over that position.

<sup>26</sup> That happened when I was with the courts and it is still happening today. I think it is a very, very serious problem, because it slows down on the court process. It also causes the people working in the registry to become upset over the whole process and I feel it does not make for a very good working relation. I would just like the minister to give me some information on the court registry and what the department intends to do about improving this situation that has been there for a number of years and really has not improved, at all.

When I was with the courts, a few years ago, there was a person brought in to do a study of the court justice system and there was an awful lot of money spent to bring in this person. I do not know if he is still here, but he did spend a year or two and he was paid a salary. I am not sure whether or not there was a completed study with recommendations after he left, but I am sure those changes regarding staff in the registry have not changed much since that time. I just wondered if the minister could bring me up to date on what is taking place and if they are looking very seriously at the problem there?

**Hon. Mr. Ashley:** First, on legal aid, the figures are not confirmed yet, so I cannot give them out; they are not updated. When they do become available, I will certainly make them available to the member opposite.

On the deputy minister question, we have a Mr. William Byers, who will be joining us in May. He has been hired and it has taken a while to wrap up his practise. He will be joining the department as of May.

There was no other deputy minister hired. We thought we had one, but before he had actually accepted it, he said he would not accept. We had not hired one previously.

So, as I said, we have a new deputy minister and we have new lawyers coming on staff, all at the same time. By June of this year, I expect to have a full-fledged Department of Justice, legal services area, operating.

**Mr. Chairman:** I would ask all the members to just ask questions one line at a time.

<sup>27</sup> **Mrs. Joe:** I am interested in the money that is spent on the

trailers at the Whitehorse Correctional Centre. The information I received, I guess, was last summer. I have been up there and I have just gone on a tour of the jail. It is not the first time that I have done that because I am also interested in what is happening up there. At that time I went through the two trailers and I was given the information that they were going to be used to do special projects out in the communities. What would happen is that the guards would go out and they would be housed in the trailers. They would be working on special projects there. The kind of work that they were doing would not cut in on the employment situation of any local people.

I have been trying to find out just exactly what was happening, with regard to those trailers because I understand that ministers have said under the Question Period that they are being tested in town. I am not sure whether they are being tested to find out whether or not they can live in them or whether they were being tested for something else. The information that I received is that there was a problem with regard to the personnel who go out with the trailers, and working hours, and a number of other problems. I just wondered if the minister might tell me about that and also about the money that it is costing to do that and also to keep them up.

**Hon. Mr. Ashley:** I cannot get into advanced funds for 1984-85 so I will have to wait till the mains to discuss that. What I can tell the member opposite is that the retrofit for the buildings that those units adjoin to — that is where the retrofitting is done on that, the adjoining buildings not on those units themselves — if I understand the question properly — are not being done to the trailer units. They are to hook into when they are sitting at Whitehorse Correction Centre. The roofing project at the Whitehorse Correction Centre is where those funds were expended. On the other, I will have to wait until the mains to discuss them.

**Mrs. Joe:** I was under the impression that there was money to spend on those trailers and that is what I was asking about.

**Hon. Mr. Ashley:** We are discussing capital money, but yes, not on the trailers, but where the trailer used to hook up to, to make it so that it is a unit that can be operated at the Whitehorse Correction Centre in the winter when the units are in there.

**Mrs. Joe:** Could the minister then tell me what is happening in regards to the situation with the trailers going out into the communities. I am very interested in that because that is the reason why the money was to be spent on these trailers. He had mentioned that they were going to be tested all year. If they were going to be going out into the communities then should they not be tested out there?

**Hon. Mr. Ashley:** I really cannot answer part of the question again until we come to the mains, but what I can tell the member opposite is that the units are a brand new concept. Other governments are coming and looking at these units just to see what we have done. It is a totally new concept. They have to be tested in a spot where they can be repaired readily in case they do not work properly as we were expecting them to. As I said, it is a brand new concept. As far as testing goes, yes they are being tested right on the spot where the manufacturer can do whatever needs be done.

<sup>28</sup> **Mrs. Joe:** I will probably pursue that a little bit more in the mains.

The minister had said that there was \$55,000 spent on corrections in the O&M, and I wondered if you could tell me what that money is for. Is it for the increase in inmates incarcerated? I would just like to know that.

**Hon. Mr. Ashley:** That is part of it, but it is also because of the staffing of the units. It is all for casual staff and overtime staff at the correctional centre. That is what the whole amount is projected for. It is partly for the inmate count and partly for looking after the extra person needed to go out into the trailer complex.

**Mrs. Joe:** I want to know if the minister could tell me if they are hiring, or have hired, new people to work in there. Now that they are working in the trailers and they are testing them, has the department hired new personnel?

**Hon. Mr. Ashley:** I will take that under advisement and give the answer when we discuss the mains.

**Mrs. Joe:** I have another question in regard to the conference in Yellowknife that took place about two weeks ago. Unfortunately, I

was not able to go. Was there money spent by the department to send any government employees out, or other people? I know that there were some justices of the peace who went, and there were some other interested people who did go, and I just wondered if the department made a contribution to the group that went and if there were any government employees who did go?

**Hon. Mr. Ashley:** We paid for the acting Chief Judge Bladon to go to that conference, as one of the conferences that judges attend during the year. In that way, yes, we did pay. I believe that a probation officer also went, but I would have to get back to you. I can answer that in the mains, too, if you like.

**Mrs. Joe:** When Judge Bladon and the probation officer went, and some justices of the peace — I do not know whether or not there was money given to them to go, and if there was, I have no objection to that — I felt that it was a very valuable conference. I would like to know if the minister is going to be looking at the results of the conference and the recommendations that were made there in regard to improving our system here, which, as I have stated many times, is very far behind the times and outdated in many cases. We lack many services that should be available to the Yukon. I speak mostly in regard to the courtworker services and other things that we do have problems with.

**Hon. Mr. Ashley:** I believe the question is: did we monitor the outcome of the conference and the deliberations? Yes, we did and we are getting the transcripts back and the department is looking at all of that. If there is anything that we can apply, we certainly will apply it to our system. As for as the courtworkers, I explained it in question period.

**Mrs. Joe:** With regard to the courtworker program, I believe, as do most people, that if a person is charged anywhere in Yukon or Canada, he should never go to court unless he knows what he is doing when he goes to court. I think it is very serious that a person should have to go to court because he has not had somebody to represent him in that court. This happens in many cases in Yukon. We have many JPs who are trained and they are trained very well. They conduct their own courts in the communities.

What my concern is is that the accused do not have any kind of legal counsel when they go into those courtrooms. Very often, the JP will do whatever it is that they can do but, very often, the JP understands that the accused does not understand what he or she is doing there.

The minister has said that they spent a lot of money upgrading the JP system — and they have — but I think that I would like to know when they are going to, or even if they intend to, upgrade the services that could be available to a family who has to go to family court or a family court judge, or to the accused who has to go to court and does not understand what is happening. As I said, it is a very serious offense and I do not think that they should have to go to court unless they know what is happening there. The minister said, time and again, that they do not have the money to do this, but I think that if they have money to upgrade JPs, and they found that money to upgrade JPs, then they should find money to upgrade whatever services could be in the communities to help those people who need it when they go to JP court.

**Hon. Mr. Ashley:** During the last O&M budget, I believe I advised members opposite that we were trying to look at different systems that we could possibly work in in conjunction with this, by using community workers, and that sort of thing. That has not been forgotten, it is still being worked on. We have not found great answers for it, yet, but we are still working towards that end.

**Mrs. Joe:** It has been almost two years since we first sat in this House and I think that the problem could go on forever, the lack of these services. The minister could look at them forever, but the problem does not go away by your waiting and trying to look at them, as he says. Hopefully, we will be able to get more into this type of thing in the mains.

I have another question — getting back to the Yellowknife conference — and that is with regard to the judge who went and the probation officer who went. I just wonder if the minister could tell me if those two people, because they are employed by the government, are bringing back recommendations or reporting back to the department some of the things that happened and how Yukon

might be affected by all the information that was given at the conference.

**Hon. Mr. Ashley:** Certainly. There was a debriefing held the next day as soon as they got back. The department staff went to it and they all discussed what went on at the conference. Also, I believe there were transcripts taken of it and they went through the papers as well.

There are only so many dollars in a budget and we have certain priorities. The first one is to upgrade our JPs, which we are doing. Then we have to look at other things, which we are doing.

**Mrs. Joe:** As I mentioned before, I complained about not having enough dollars to upgrade our JPs and it appears that the government has looked at that very seriously and they are talking about using that money to upgrade JPs. I think that is great. I want to put the minister on notice that I will be complaining about money to upgrade other services that are needed in the communities.

**Mr. Kimmerly:** I have three areas that I wish to get into. First of all, so I am sure I understand the information already given, I would ask the minister to confirm two figures for me. For legal aid, we are now voting another \$170,000. The supplemental number one was \$102,000, and the original estimate of \$420,000. By my arithmetic, that is \$692,000. Is it accurate that the new estimate for that program is \$692,000?

**Hon. Mr. Ashley:** Very close to that, if not that.

**Mr. Kimmerly:** Similarly, on legal services, it was originally \$587,000. We voted \$132,000 on supplemental number one and an additional \$60,000 now. By my arithmetic, that is \$779,000. Is that accurate, or nearly accurate?

**Hon. Mr. Ashley:** It is close to accurate.

**Mr. Kimmerly:** I am obviously understanding what is going on then.

I wish to ask questions about the court registry. As a practising lawyer, I have occasionally experienced problems. I remember one day, I received a man in my office. I was acting as a politician and he came in to complain. He is a landlord. He had a dispute with a tenant of his, or, a past tenant, and he wished to lay a claim in the small claims court. This was last fall, I believe. He went to the small claims court and he was told that because a staff member who usually looked after it was either away or there was a change of staff, he could come back in three weeks.

Now he believed that the past tenant was going to be out of the jurisdiction and unavailable in approximately three weeks and he was very upset. I went over with him and insisted on the claim being received then and there, as it is a statutory duty on the official to do that.

Other problems of a similar nature have been experienced in the maintenance area. That is, when the court officials and the courts themselves become bogged down, as they apparently are, maintenance is sometimes treated with a lesser priority than other matters, for example, child welfare and criminal matters. That works a hardship on mostly women who are trying to get money out of husbands to support their children. It is a very real problem.

It is clear that there have been staff vacancies at the court registry over the past years. Is the minister doing everything he can to ensure that, in the next year, those vacancies will be kept to an absolute minimum?

**Hon. Mr. Ashley:** Certainly. If things are brought to our attention, we certainly act on them. If there is certainly a wrong thing committed or something has gone astray, we will certainly look into it and look after it if that has happened. As far as small claims go, we had started actually through the winter we had trained people in a mediation course. JPs basically can look after that and try and alleviate that situation. But, yes, we do look after that or, certainly, we can look after problems that come up like that.

**Mr. Kimmerly:** The mediation initiative is excellent and I will take that answer as a recognition of the problem. The minister is certainly exhibiting an attitude that is constructive.

The next area is in legal services. I am questioning the additional vote of \$60,000, primarily because in the last supp we voted in additional \$132,000, and that is going to mean that the supplemental vote is \$192,000 and the original estimate \$587,000. It is

more than a 33 percent increase and I would like an explanation as to why, in that area, the supplementals are so high. What is the \$60,000 actually for? For what legal services that were not forecast a year ago?

**Hon. Mr. Ashley:** A year ago we had hoped to have a DM on staff by now. That is one of the major causes. Shortages of staff solicitors has led to the provision of legal services to government by the private bar. The cost is higher than what we had estimated at that time. We could not foresee the cost coming in. We pay now about \$60,000 a month for that.

**Mr. Kimmerly:** I can understand that argument better if I appreciated the expenses under administration. If there is a shortage of staff solicitors, there should be a saving on the salary dollars under administration. On the first supp we voted an additional \$131,000 on administration, which was in fact approximately a 30 percent increase over the original estimate. I would ask the minister to rationalize the savings that should be experienced if there is a shortage of solicitors and why that does not offset the cost under legal services.

**Hon. Mr. Ashley:** The main reason is because we still have acting deputy ministers; they get paid the rate that basically the DM was getting. There was no saving there to be made in the DM position in the administration staff so that the funds were eaten up. The salary for a clerk is transferred to help and try and assist them.

**Mr. Kimmerly:** Just another question to follow that answer. I still do not understand. If there is no DM there should be a savings on the original salary estimates. Acting deputy ministers would obviously take up that saving. I understand that when Mr. O'Donoghue left there was a termination package, and maybe there were salary dollars actually coming out of this department for the old deputy minister and the acting DM. Would that be the case?

**Hon. Mr. Ashley:** Basically, yes, there was that buy-out contract, or a termination package, and there was also a contract position during the summertime when they had Mr. Bill Hamilton. That, plus the acting DM salary being up, took care of all the costs funds.

**Mr. Kimmerly:** For what period of time will we effectively be paying the salary of two deputy ministers?

**Hon. Mr. Ashley:** The one contract position would have been the only time that we were actually paying. Any time you terminate an employee, you are not actually paying salaries to two people.

**Mr. Kimmerly:** I understand that. What was the period of time that the acting deputy minister was actually paid, approximately? Was it one month, six months, a year?

**Hon. Mr. Ashley:** If I understand the question correctly, it would have been over a full year, when we had an acting DM in there. That pay would have been going out to that acting DM, although that acting DM was not a lawyer. That is where I had to bring the contract lawyer in, at least for the summer.

**Mr. Kimmerly:** I think I understand. The acting deputy minister was paid an additional salary. That was an administrator of the department, and also there was a termination package for Mr. O'Donoghue, and also a contract position who was a lawyer, and it all adds up to a lot of money.

Is there any estimate, if you add up all of those things, as to what approximately it did cost us, to the nearest couple of thousand if you can estimate that.

**Hon. Mr. Ashley:** I believe it would be in the administration, which I believe would be in the neighbourhood of \$512,000, but that is everything. That is not just that one. I cannot break it out right now; I do not have those figures right now. We can discuss that in the mains.

**Mr. Kimmerly:** I am interested in that question and I will bring it up again in a couple of weeks in the mains.

Under legal aid, I am very interested in this area, and whenever I discuss it, I first say that I declare an interest because of my law firm and I, myself, do work under the program. It is of financial importance to me, personally, but aside from that, I am interested in the scope of the program, and especially at this particular time in the supplementals. The auditing or the responsibility concerning legal aid expenditures, as the minister is well aware, as am I, attracted media attention about this in the last little while, I think,

quite properly.

It is interesting that we originally budgetted \$420,000, and the first supp was \$102,000. This is \$170,000, so it is approximately a 40 percent increase.

I wish to question for a little while this particular program. I will do the same thing on the mains concerning the future years and I will review the proposal I previously made about combining this program and the courtworker program, at least administratively, if not concerning the funding, because of the federal factor.

It is fairly clear that there is some dissatisfaction with the auditing of lawyers' accounts, under the legal aid plan, and it was made public that — I believe that it was in a shoplifting case, identified in the media — that cost a lot of money or a number of hours of research claimed by some lawyer. I advocated in the media that there should be ceilings in various kinds of cases, with a procedure to go over the ceiling in special cases.

I would ask the minister, especially because of this large supplemental, are lawyers' accounts now being audited in a different way than they were at the beginning of the year?

**Hon. Mr. Ashley:** No, we have not changed the legislation, under legal aid, but we are certainly looking at doing that. We are working with the Law Society and we will be looking at trying to find a way of changing things so that we can regulate those costs in a much better manner, whichever way we find.

The *Legal Professions Act*, I believe, is going to help deal with part of the problem, once fees are actually set in court for us to take the accounts and to have them checked in court, or taxed in court.

**Mr. Kimmerly:** In that area, I can think of cases that seem to go on interminably and there is a discussion, informally, among those on the inside, occasionally, about the wisdom of certain cases or the policy involved in certain cases. It appears to me that it may be a problem that a case may occur where either the lawyer or the client, who is funded by legal aid, is really abusing the system by making unnecessary appeals, by going to trial where there is really no defensible issue or defensible reason for going to trial. Is the procedure for screening those types of cases the same now as it was at the beginning of the year?

**Hon. Mr. Ashley:** The cases are first screened by a legal aid clerk and then screened, in turn, by the legal aid committee. I believe they may be checking them a bit closer, now, but there is only so much checking they can do under present legislation. That is why we are looking at possibly amending it.

**Mr. Kimmerly:** Another issue relevant to the expenditure, of course, is the scope of the program. It was actually implemented, I believe, in the previous year, that the scope was slightly restricted and the role of the courtworker increased, which I am not necessarily criticizing. There is, of course, a priority decision to be made, which is ultimately a political decision for the government minister or Cabinet

To balance the scope of the program and the auditing of the individual cases or the amount of assistance offered an individual in a case, similar to the kind of prioritizing the minister responsible for social assistance makes, because it is a non-discretionary program as far as the clerk is concerned, an eligible client comes forward, and it is impossible to deny them even if the funds are gone. I would ask the minister, especially because of the very large sum asked for this time around, if that prioritization or that political decision is being a base now. Is the political machinery looking at that question or is it entirely postponed until the report of the committee announced some time ago?

**Hon. Mr. Ashley:** I will not prejudice the committee and that is basically what that would be doing. I am waiting for the committee report and what they propose first and then I will consider the other options.

**Mr. Chairman:** The committee will recess until 4 o'clock.

*Recess*

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

**Mrs. Joe:** I just have a couple of other questions in regard to the special constable program. I would like to know about the \$60,000 for

the special constable program. Were there more special constables hired this year?

**Hon. Mr. Ashley:** Actually, in 1981-82, the federal government increased costs. They increased the billing costs, but did not put that in the base, so the Department of Finance advised Justice not to pay because they had to negotiate that with the federal government. After negotiations between Finance and DIAND, the base was adjusted, so that meant that \$50,000 went to the prior years and \$10,000 went to 1983-84.

**Mrs Joe:** The minister had mentioned the registry and how they were going to improve the working conditions there. He mentioned that they were going to be using JPs. I would like some clarification on that. Are they going to be sitting JPs who work those positions, and would they be sitting on the bench and also working as court clerks or small debts clerks at the same time?

**Hon. Mr. Ashley:** It is small claims mediators, actually. They would be sitting on small claims as mediators, if I understood. Maybe I misheard the first part of the question but I think that is what she asked.

**Mrs. Joe:** I understand now what the minister was talking about. I needed some clarification, but in regard to the registry, you had mentioned that you were going to be looking at it and improving the system as it was. I just want to be sure in my mind that that is exactly what he said: rather than having to wait four months before we replace somebody, that those positions will be filled right away.

**Mr. Kimmerly:** I was almost finished my questioning about legal aid. There is really just one thing left to say and it encompasses several points under a general category. It is about the justification for this size of a supp.

I fully realize that in speaking to the mains that I stood here and implied that the amount budgeted was not enough, and I predicted supps, but even after considering that, I feel it is my duty to say, because I do have knowledge about this program, that it is a crucial program; it is recognized virtually universally in the free world now. Certainly, if the program were removed, there would be serious Charter implications, so it is a very necessary program.

<sup>39</sup> The minister answered my previous question by saying he would not second-guess the committee, or the committee is studying the question. That is obviously the minister's style of decision-making.

I wish to say two things about the point and I thank everyone for being patient and listen to it. They are, firstly, that the way the plan is operating now is not contemplated by the statute. I fully realize that there will be a new statute bringing into legal force, or legal authority, the way the plan operates. That is a very dangerous situation, in that clients of the program — or lawyers who feel aggrieved that they are not getting their share of the business, so to speak — are probably in a position to take legal action and that is a very dangerous situation to be in.

I wish to emphasize that either the administration of the program comply with the statute or the statute be changed as soon as possible. Were I the minister, I would not tolerate it. I would change the statute immediately.

<sup>40</sup> Secondly, the minister has established a committee and what is missing from the committee is an adequate representation of the consumer interest; that is, the people who actually use the program. They are not well represented on the committee and it is my opinion the direction that the administration of the program has now taken is in some cases a financial benefit to the legal profession, but to the ultimate detriment of the client being served. I firmly believe that. It is with no fault of the sole employee who works there under the direction of the committee, but there are serious problems and the committee studying them does not represent all of the relative interests.

*Operation & Maintenance in the amount of \$445,000 agreed to  
Capital in the amount of \$78,000 agreed to  
Department of Justice in the amount of \$523,000 agreed to*

#### Motion Under Standing Order 2(7)

**Hon. Mr. Lang:** In view of the hour, and in view of where we are in the proceedings, it occurs to me that we may well be forced to go over our normal time of adjournment. Therefore I would

move, pursuant to the provisions of Standing Order 2(7), the following motion: That the committee of the whole assembly be empowered to continue to sit beyond 5:30 for the purpose of continuing committee consideration of Bill No. 13, The *Fifth Appropriation Act 1983-84*, to permit the assembly to consider a motion for third reading of the same bill.

#### *Motion agreed to*

<sup>41</sup> **Mr. Penikett:** I just heard the motion. I wonder if I could get some explanation of the absolute necessity for expediting the matter before us on this day.

Previously, the government leader had indicated to me, in a private conversation the desirability of proclaiming the new *Financial Administration Act*, effective at the beginning of the next month, and the new estimates coming forward under the aegis of that act.

I would understand that someone who was an obsessively neat person would want to clear up, as best they were able, the financial transactions of the government of the previous year, under the old act, as quickly as possible, or as effectively as possible and, if possible, clear up all the old transactions under the new act and have the new fiscal year to get into the new act and everything that happened under that operate under the new act.

It would seem to me that — and I believe I have heard — we will almost certainly have another supplementary this year, at some point. There will be some necessity, probably when all final accounts come, to, perhaps, have another appropriation act for the fiscal year 1983-84. Correct me if I am wrong on that, but it would seem to me that there is at least that possibility, and that that act would come before this House once the new *Financial Administration Act* could be proclaimed. So, I am not sure, in that sense then, why that situation of such an appropriation bill would be different from the situation of this appropriation bill. Since we are in committee, I would appreciate it if I could have — perhaps from the Minister of Finance — some explanation of the reason for the rush to complete this bill within this time limit.

<sup>42</sup> **Hon. Mr. Pearson:** The leader of the opposition is correct in his assumption that certainly this is necessitated by the new *Financial Administration Act*. It does make it very much neater. It also makes it very much safer for us politicians, as I explained at second reading of the bill. The leader of the opposition is also right in assuming that there will be another supplementary estimate for this fiscal year that we are dealing with here, 1983-84.

Hopefully, and if we are doing things right today, that supplementary estimate will only be to deal with laps and balances; in other words, to turn back into general revenue those funds that were voted today, but were not expended, in order to make our books balance with the auditors report for the end of the fiscal year.

That is why for each of the departments there is in fact this contingency fund that we have been talking about in each department; to make sure that we are voting all of the money that they will have in fact expended by March 31st.

The final supps are strictly to balance the books and would be only in respect to laps and balances.

**Mr. Kimmerly:** I must admit that I do not understand and I raised the issue for these reasons. I fully understand that it would be quite impossible to essentially do a pro forma debate or finish early and raise all of the questions on mains in a couple of weeks could be entirely possible. It might be reasonable but it appears that the questions about last year are most appropriately raised here.

As long as there is going to be another supp for the 1983-84 year, I do not understand why it is important that this is passed today, or rather, the first of April.

<sup>43</sup> It appears to me that if the hours are extended, with other commitments, and also the tiredness factor, there is some kind of a pressure to get through it all quickly, which is to be avoided. I would ask for an explanation of those two points, and that is balancing the undesirability of the pressure to get through it quickly and the desirability of passing it before the first of the year. I do not understand why the decision is made the way it is.

**Hon. Mr. Pearson:** All I can do is reiterate once again. The year-end supps for 1983-84 will not be to vote any money. We will not be voting any money. What we will be doing is voting laps

and balances. We, as a legislature, will be turning money back from the departments to the general revenue fund at that point in time. Or, that is what we should be doing and it is important that we do that, because the departments do not have the authority to spend money that has not been voted by this House.

**Mr. Penikett:** It may be a technical point, but I would appreciate it if the government leader could help me, for a minute, to try to understand the situation that we are in.

Is the problem that we potentially face a problem because the appropriation we are talking about here is a supplementary which involves voting money, that if were the debate extended until Monday, and we would be under the new *Financial Administration Act*, there would be some lack of clarity about which act we would be voting money according to. Does such a problem result from fundamental difference in the nature of the way in which we vote money under the two acts?

If that is the case, what is the situation in respect to the money we have voted for interim supply, which we have done during the life of the old *Financial Administration Act*, but which money we have voted for is for a period under which we would be operating under the new *Financial Administration Act*?

« The government leader will understand my puzzlement there and I would appreciate some enlightenment.

**Hon. Mr. Pearson:** Under both the old and the new *Financial Administration Act*, we have the capability, as a legislature, to hold interim supply. Under the new *Financial Administration Act*, which comes into force on April 1st — well, we would like to have it come into force on April 1st, it would be a pity if we did not have it come into force on April 1st — under that act...

I am sorry, maybe I should go back to the old act. Under the old act, the Commissioner had the authority to spend money and then come to this legislature and have it ratify that expenditure, by way of supplementary estimates. It did not matter when the supplementary estimates were passed.

Under the new *Financial Administration Act*, the departments spend the money, not the Commissioner. The departments spend money via votes, but they do not have the authority to spend money that has not been voted by this House. The legislature must give them the money so that they can spend it. That is the difference.

**Mr. Penikett:** So, to be precise, there is no problem with respect to interim supply, because it did not matter under which bill we operated that. The problem comes in with the question of the supplementaries.

**Hon. Mr. Pearson:** Correct.

**Mr. Penikett:** To be precise, then, the problem is that if we did not pass this today, come Monday, those departments...

**Hon. Mr. Pearson:** ...would have no authority.

**Mr. Penikett:** Those department could not spend this money. Or, they would have already spent it, but we could not approve it.

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

**Mr. Penikett:** Presumably, we could approve it. You see, that is the problem I am not sure of. They have already spent the money, I assume. We are, in fact, approving something after the fact and technically, under the new act, they could not spend it without our approval, but the money they have spent already is under the old act.

**Hon. Mr. Pearson:** It will still happen. It is the nature of the beast. No government can come to a legislature and say this is the maximum amount of money that is going to be spent in the year, because that is just impossible to do. They still have to have the flexibility of being able to come back to the legislature and get approbation for spending the money. However, the new act is very explicit in saying that that approbation must be granted to them in the year that it was spent.

On Monday, we would be talking about giving approbation to money that was spent in the year previous.

**Mr. Penikett:** Since we have not been provided a copy of the motion, could we have it read to us before voting?

**Mr. Chairman:** The motion reads that the Committee of the Whole and the Assembly be empowered to continue sitting beyond 5:30 p.m. today for the purpose of continuing committee consideration of Bill No. 13, *Fifth Appropriation Act, 1983-84*, and to permit

the Assembly to consider a motion for third reading of the same bill.

45 **Mr. Kimmerly:** I am still confused. I understand the technical points raised. I am concerned about members being tired. I am certainly willing to be as reasonable as possible because we expect the other side to be reasonable about our motions; occasionally they are. I am wondering if another proposal is possible to accommodate all the members. I do not know will of other members but it may be appropriate to go through the supps in the fairly pro forma way. Again, at the undertaking of the government, that the opportunity would be there on the mains to go through all of these items if we could essentially not ask all of the questions about last year, but ask them at another time when we are not tired and rushing through it all. I wonder if that is possible?

**Hon. Mr. Pearson:** I am sure the member from Whitehorse South Centre recognizes that the opportunity, especially in the mains, to ask questions about last year, two years ago, or 10 years ago, or even three years hence, is there. The capability of questioning in respect to the mains is completely unlimited. I regret that this has happened. I did not foresee this happening. I, too, like the member from Whitehorse South Centre, would like to get out of here on time. I would point out to him, with all due respect, the motion is such that in fact we sit until we have finished with the bill. If it was the opposition's will that we deal with it on a pro forma basis, then that really is his choice. I want to assure him that we on this side will afford him and his colleagues all of the time that they wish, in order to discuss the bill.

46 **Mr. Byblow:** On the proposal put forth by my colleague, I would want to hear very clearly from the side opposite that the undertaking to permit discussion of items contained in this bill be permitted during the mains. I raise that, because in previous sessions during debate on a bill regarding financial matters, questions were specifically of previous expenditures and they were ruled out of order. I want to be clear that if this opportunity is being considered that the undertaking is clear for this type of discussion to take place.

**Hon. Mr. Lang:** I think the point that is being overlooked in respect to the questioning in the main estimates — and I might add that we have been debating this motion for 20 minutes, and time goes on — is that you have the ability to ask any questions related to the main estimates. You may refer, as a member, back three years to whatever has been presented to this House and discussed. But, if the question is, if we are going to go through a detailed debate on the proposal that is before you now, yes, we would be ruled out of order. But, if you can relate your questions to the supps and how it relates to the main estimates — they are all tied together — there is no question that it is going to be permitted under the rules of this House. I do not believe that we have that much longer. This is just a motion in case we go past 5:30, and it empowers us to do it. I would call question.

*Motion agreed to*

#### **On Highways and Transportation**

**Hon. Mr. Tracey:** The \$327,000 is made up of a \$100,000 contingency. There were some unexpected requirements in regard to the Road Transportation Association of Canada, and some photocopy equipment and office supplies that amounted to about \$10,000. There were long distance telephone calls and supplies needed for construction staff, about \$13,000. There was a provision to purchase calcium chloride for next year out of this year's budget. Because we had an opportunity to save a lot of money buying calcium chloride for next year, we purchased it out of this year's money and had it delivered. That amounted to \$375,000. That is where the money comes from and that is what it is for.

47 **Mr. Byblow:** I have a question about expenditures three years ago. My first question is of a clerical nature. In respect of the money being voted back on the capital line item, I note that there is a variance of \$23,000 from the recovery figure in the booklet on page 26. I would be curious about why because, on the surface, it would appear that, if these capital monies are being voted back for uncompleted work, which are totally recoverable, the two figures ought to be the same or should there be any administration costs

associated, then the variance should be the other way.

**Hon. Mr. Tracey:** I do not really understand the argument the member is making but, under the capital — which we are not dealing with, we are dealing with O&M — there is the engineering services agreement money that was voted to be expended and was not expended because of the impossibility of completing the project. That money is recoverable at 106.5 percent. Also, on capital, there is some other money and that was to do with exhaust systems and the Cassiar weigh scale, which we had money for, but could not expend because we had not started the project, so that money is lapsing. We have revoted it in the capital budget. As you know, in the last capital budget, we revoted the Cassiar weigh scale. That money had to lapse out of here. That capital money is not just the engineering services agreement.

**Mr. Byblow:** So the reason for the variance is simply that it is not only the engineering services agreement recoverable amount and, having that cleared out of the way, I can accept that. Just to clarify a small question: under the engineering services agreement, is that for work related to the Alaska Highway only, or is that for other federally-sponsored road upgrading work, such as the Dempster and Haines roads that are maintained through other than territorial direct funding.

**Hon. Mr. Tracey:** Yes. It includes other projects that we would have under the federal government. The main money that is expended under the engineering services agreement is on the Alaska Highway. That is the agreement that is designed to maintain the Alaska Highway. It also would be the Dempster Highway and, in this case, it is the Dempster Highway. It is \$2.5 million because Dawson Construction got the contract to build the Dempster Highway and they were supposed to work all winter and then we found that the gravel pits in the area, that they were supposed to utilize, were too wet. So, last fall, just at freeze-up, the decision was made to stop that project from going ahead because the material that they would put on the road would be unsatisfactory this spring.

**Mr. Byblow:** On the O&M side, or portion, we voted some \$1,400,000 in last fall's supplementary appropriation. That was intended, primarily, for a substantial amount of highway brush clearing for some highway projects of upgrading and, I suspect, some specific jobs.

Regarding the highway brush clearing, were all of the projects completed that were undertaken in this past year?

**Hon. Mr. Tracey:** I believe, yes, they are completed or are about to be completed.

**Mr. Byblow:** The minister will also, then, recall that in the fall we appropriated some \$7,000,000 additional dollars on the capital side for these projects and we are now voting money back. I would assume that they all relate to federal projects and not the projects that were undertaken by the territory?

**Hon. Mr. Tracey:** No, some of these monies that we are giving back are some of these projects. For example, I raised the exhaust systems. We have stopped the development of the exhaust systems in our garages because we are finding that they are not working properly. So, we are giving money back in that area.

However, in other areas, for example, the South Canol road drainage replacement, we expended some extra money. So, there are more than just the Cassiar weigh scales and the exhaust systems, although those are the two biggest ones. The rest are little bits of dollars here and there to make up the money.

**Mr. Byblow:** The minister will recall, during last fall's discussion on this portion of the supplementaries, the question of the Campbell Highway was raised, in terms of the surface treatment and the condition that occurred there late last year, through last summer and fall. I believe the minister, at that time, undertook to ensure that the question would be addressed at the earliest opportunity.

Obviously, that opportunity did not arise last fall because of the early setting in of freeze-up. I assume that that undertaking will be honoured this spring.

**Hon. Mr. Tracey:** Without a doubt.

**Mr. Byblow:** I do not have anymore questions but, by way of notice, I want, during the mains, to discuss with the minister the application of the Jorgenson system on the road planning of

maintenance and upgrading in the territory. That is just by way of notice, during the debate on the mains.

**Mr. Porter:** The minister stated that one of the problems associated with the Dempster Highway construction was wet gravel pits. They were not suitable material for the construction to proceed. Who has the responsibility to identify and survey and prepare those gravel sites?

**Hon. Mr. Tracey:** The gravel pits have been identified for a few years. The federal government was aware of them. All these gravel pits were picked out before the contract went out to tender. When those pits were tested previously, they were dry. I guess, because of the wet year, when they got into them they turned out to be wet. It was something that was uncontrollable. The federal government, I suppose, could have gone back and drilled gravel pits all over again, however, they had done it previously.

**Mr. Porter:** If I understand that the minister stated it was the federal government who identified the gravel pits, it was the federal government who had the responsibility of possibly going back and re-drilling the gravel pits. What was the responsibility of this government in terms of the maintenance of those gravel pits and the preparation of those gravel pits for construction purposes?

**Hon. Mr. Tracey:** We have no responsibility. We are managing that contract for the federal government. That is what we are doing.

**Mr. Porter:** Because of the condition of the gravel pits, there was a statement by the minister about a delay in construction proceeding by Dawson Construction. I also understand that Dawson Construction, because of the fact that they were awarded the contract, proceeded to relocate heavy equipment to the site and presumably that cost them money, to bring equipment up to the Dempster and leave it sitting there. Down time runs into a lot of bucks. Were they compensated, and if so by whom?

**Hon. Mr. Tracey:** No, I do not believe they were compensated and I think it was by mutual agreement that the contract stopped.

**Mr. Porter:** The minister also talked about some of these funds having been identified for the drainage problem with respect to the South Canol river. Is he talking specifically about the Rose River sites on that particular highway and the problems that were experienced by his department with respect to the culvert virtually being torn up by the river?

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

**Mr. Porter:** I understand that the government is pursuing work in that area. That work is not yet completed in respect to the Rose River. Part of the program is taking out the Bailey bridges and installing culverts, which in this case did not work. The culverts, as I understand it, were put in the previous year. Because of the problems associated with spring run-off overflow and drainage problems in terms of Rose River, can we expect a delay in the opening of the Rose River for this particular season?

**Hon. Mr. Tracey:** We may, naturally, because we expected that the culvert was going to be completed. However, we cannot open the road until the culvert is completed. We are also contemplating doing other work on that road this year. The road might not be open for through traffic this year under any circumstances.

**Mr. Porter:** One of the problems that was related to the culvert process containing the overflow was that the original engineering design of that particular installation had no accommodation for the volume of water that came. There was no provision for riprap to contain or channel the water. Has that problem been addressed and solved?

**Hon. Mr. Tracey:** I do not know where the member across the floor got his information from, but my information is that that was not the problem. It was not that the culvert could not contain the water; it was a problem with harmonic vibration, and the end of the culvert lifted up and consequently the water could not flow through the culvert and the water washed the road out.

*Operation and Maintenance in the amount of \$427,000 agreed to  
Capital in the amount of a reduction of \$2,772,000 agreed to  
Department of Highways and Transportation in the amount of  
\$427,000 agreed to*



### **On Public Service Commission**

**Hon. Mr. Pearson:** I notice the leader of the opposition is not here. Is he aware that this item is on now?

The funds specifically are required for the following organizational studies that have been done or we are in the process of being done.

The Department of Tourism, Recreation and Culture, \$18,000; the Department of Renewable Resources, \$34,000; the Department of Justice, \$30,700; the Department of Economic Development, \$25,800; the Department of Advanced Education and Manpower, \$42,622; and the government-wide study, \$78,500.

In addition, there was \$4,000 expended by the Public Service Commission in respect to studies primarily concerned with improving the efficiency and there is a \$40,000 contingency fund.

**Mr. McDonald:** Before we get into even a brief review of this department, the departmental objectives in the supplementary number one seemed to have differed quite considerably from the departmental objectives in this new supplementary. I wonder if the government leader could just explain whether or not this is just a rewording of the objectives to generalize them or whether this is a change in departmental objectives substantively?

**Hon. Mr. Pearson:** No, there is no change in the departmental objectives in any substantial way, but what we have done over the course of the last few months is take a very close look at all of the departmental objectives with the view being to try to write the departmental objectives in a manner that will make it clear exactly what parameters of each of these votes or departments are. There has been a considerable amount of work done, and I am sure that members will realize. When they start comparing the departmental objectives in last years budget and in this year's budget, the changes will become very apparent.

In this particular case, there is no substantive change.

**Mr. McDonald:** I suppose we can review that again when the instances come along.

<sup>51</sup> Before we get into any sort of discussion at all about the government organization review, can the government leader just state briefly what program in the Public Service Commission this government organization review would fall under?

**Hon. Mr. Pearson:** These reviews are carried out pursuant to the *Public Service Commission Act*. It is specific that this particular department has the responsibility to conduct the reviews when it is necessary to do that. We, of course, have made a decision that it is time that these reviews were done. It has been, in fact, some 10 years since these particular reviews have taken place in this government.

**Mr. McDonald:** I am sorry, perhaps I did not make my question clear.

There are, of course, various programs within the Public Service Commission: the Office of the Commissioner, Labour Relations, et cetera. I am looking to be able to pin this down as to where this might fall, in terms of program line items that we will be seeing in the main estimates next year.

**Hon. Mr. Pearson:** We hired consultants to do the review: the Public Service Commission does not do the review, we hire consultants to do the reviews.

For the program reviews, the reports are commissioned by the Public Service Commissioner and they go to the Public Service Commission, who then refers them to Management Board for information and whatever action we, as a government, might want to take as a result of the recommendations made in the report.

**Mr. McDonald:** Can the government leader say whether or not this is the entire cost of the proposed review and also whether the cost of this review is borne entirely by the Public Service Commission?

**Hon. Mr. Pearson:** Yes, the cost of the review is borne entirely by the Public Service Commission. As I said, some of these studies have been completed. There are six listed here: four have been completed and two are still underway. Needless to say, of course, the government-wide study was just started not too long ago.

**Mr. McDonald:** Could the government leader just give a brief view as to what the organizations are meant to achieve and what the

organization review entails?

**Hon. Mr. Pearson:** As I indicated, this government has sort of grown like Topsy. We are in one of those locations in Canada where the government is growing on an annual basis, continuously, because we are getting more and more demands for services all the time.

Over a period of 10 years — I do not think it could be avoided — we are actually getting duplication of services in departments. Now, the people who we contract to do this kind of work are expert at this kind of work: they do it in all of the provinces and they do it for the federal government. There are a number of firms in Canada that specialize, specifically, in this kind of work. We go out to bid and take what we consider to be the best proposal.

<sup>52</sup> What they do is look at the organization of the department, from top to bottom. They also look very closely at that department's relationship, or interrelationship to other departments in the government, and the government as a whole, and, as a result of their expertise, make recommendations. Normally, they come up with as many as five alternatives. Of the five, they will say which one of one, two, three, four, five, that they consider to be their top recommendation. It is normal for them to come up with at least five different alternatives.

**Mr. McDonald:** I am sure we will get involved with this in the discussion on the mains. Can the minister take then, by way of notice, a few other areas we will be pursuing. One area, of course, is the area of casual employees. We went through this discussion, I believe, on the debates on the first supplementary regarding the procedures for informing casual employees of their duties, rights and obligations.

The government leader undertook, at that point, to find out whether or not such a procedure existed. If the government leader would like to answer now, he is perfectly entitled. However, we will be discussing that again in debate on the mains.

There are a large number of issues to deal with, and one of the issues is the issue which came up rather recently, which had to do with the qualifications necessary for jobs within this government. It was felt by members of the public, and some members of this House, that the qualifications were far too high. Perhaps by way of notice, that is one issue that I would like to deal with in considerable depth in the debate on the mains.

**Hon. Mr. Pearson:** I would be quite prepared to deal with them then.

***Public Service Commission in the amount of \$273,000 agreed to***

### **On Finance**

**Hon. Mr. Pearson:** The Finance supplementary estimates are broken down primarily into four categories: treasury is \$53,600; grants is \$70,000; prior year accounting adjustments is \$156,057; the write-off and allowance for doubtful accounts is \$11,290, for a total of \$290,947.

In respect to treasury, we have a lapsing balance of \$44,000 in respect of personnel because of vacancies. There is a higher than anticipated cost of transportation for employees, \$8,200. Professional and Special Services, legal fees, brokerage, and safe-keeping fees for the issue of debentures and securities was \$45,000. Additional funds required for capital plan completion, \$37,500. <sup>53</sup> Under Repairs, Maintenance and Supplies, there is a higher cost of requirements than anticipated, \$6,900: a total of \$53,600.

Under Grants, \$70,000, we have a higher assessment result and more people qualifying for the Homeowner Grants this year than last year. For the information of members, at the 31st of March, 1983, we had 2,719 homeowner grants processed, for a total amount of \$768,491.97. On the 29th of February, of this year, a month earlier, we have 2,893 homeowner grants, processed for a total amount of \$821,150. Our average cost of the homeowner grants is up from \$282.63, last year, to \$283.84, this year. So, the average cost of grants is up by about \$1.20 each. That is all, but there is a substantial increase in the number of grants this year and that has necessitated, of course, some additional money.

With respect to prior year accounting adjustments, highways and transportation had a double invoicing of \$83,100 that had to be

cleared up; municipal and community affairs credited a recovery account and it should have been an account receivable, that was \$10,783; we had a deletion of taxes for \$2,390; miscellaneous is \$1,333; and we had an accrual error in renewable resources, a credit, of \$20,000. That all totals \$77,576.

The allowance for the balance of the year for potential adjustments is \$78,481 and that is done on a straight pro-rated basis, just on what has happened in other years; the write-off allowance for doubtful accounts is \$11,290. It was one bankruptcy and we had to write that money off.

I believe that that is about as much information as I can give members opposite.

**Mr. Penikett:** I thank the Minister of Finance for the information and would ask Mr. Chairman if he would be so kind as to clear the items here.

*Operation and Maintenance in the amount of \$641,000 agreed to  
Capital in the amount of a reduction of \$1,000 agreed to  
Department of Finance in the amount of \$641,000 agreed to*

#### **On Tourism, Recreation and Culture**

**Hon. Mrs. Firth:** The member for Faro and I have carried on several discussions through the pages. If he has any further questions he would like to ask me, I am prepared to answer them, but I do not think we need anymore remarks about tourism.

**Mr. Penikett:** On a point of order. The rest of us are quite prepared to have the item cleared in that fashion, on one condition: that is the notes that have been exchanged between the member for Faro and the member for Riverdale South be entered into the record.

**Hon. Mrs. Firth:** They were all figures. There was an item that the member for Faro was concerned about that did not balance and we balanced the item. If the member would like, I will write him a note with the balanced numbers.

**Mr. Byblow:** I want to make it quite clear that the notes I was writing pertained strictly to tourism.

I did not quite get all of the questions cleared away in that fashion. I would like the minister to perhaps take a minute and explain the simple library study in terms of its purpose and in terms of how it will relate directly to tourism.

**Hon. Mrs. Firth:** That was not to relate to tourism, but to the library services within the department of tourism, recreation and culture. It was a feasibility study for the whole government as to amalgamating a library of information, tests and so on. The other portion was for tourism literature that we had printed.

**Mr. Byblow:** I drew reference to this in some comments previously in the House; the maps that have been so severely lobbied for and are now being produced by the government or at least paid for I should say, had in fact, run out. Has the minister any information on whether or not more maps are being produced and whether in fact part of this appropriation is for that?

**Hon. Mrs. Firth:** I was not aware of the maps running out. We have not had that indicated to us. I have not, as the minister, anyway. I was under the impression that there were some areas, some businesses in Whitehorse and in other parts of the Yukon that still had a surplus supply of the maps from last year, because we had to make some arrangements with them since we had now made the decision not to charge for them. I was not aware of us running out of the maps. As for paying for the production of the new one, I do not believe there is any funding in there for that purpose.

**Mr. Byblow:** The minister will recall our rather extensive discussion last fall during the supplementary estimates about the various projects that were promised around the territory and announced, and money being spent on them. I assume that some of these are the projects now that are not getting completed. A double barreled question on the subject: are these projects going to be completed, and which are some of the major ones that did not get done last year?

**Hon. Mrs. Firth:** I assume the member is talking about capital funds that are being turned back. As it says on page 31 it was a reduced requirement resulting from the weather conditions. That was mainly for some of the groundwork that was required around the visitor reception centres and some of the outdoor carpentry work

that we had expected to do.

Also there was a lower bid for a project that we expected was going to be higher, and that was for the old territorial administration building roof.

**Mr. Byblow:** With respect to the supps, those are several questions I have. By way of notice there are a number of things I want the minister to know I will be querying in the mains and, of course, one of them will be on the subject raised yesterday. Certainly I will want the department to demonstrate its commitment of supporting outside corridor tourism development.

Certainly, there will be questions relating to the various programs that have been cost-shared with the federal government in the past and what is happening with them, and that enters into the Economic Development Agreement. Of course, the subject of signs will be thoroughly and blindly stretched out, I hope.

So, those are some of the areas in the mains that the minister can anticipate.

*Operation and Maintenance in the amount of \$78,000 agreed to  
Capital in the amount of a reduction of \$275,000 agreed to  
Department of Tourism, Recreation and Culture in the amount of a reduction of \$197,000 agreed to*

#### **On Department of Renewable Resources**

**Hon. Mr. Tracey:** The money for renewable resources is under the GDA. We had an additional \$600,000 requirement and an additional \$3,000 for the administration of the agreement. That money is 100 percent recoverable.

Under administration, \$20,000, was for material and supplies and consultants, who assisted us in the salmon treaty negotiations and the placer mining hearings, and also some additional systems for some computer work for statistical analysis.

Resource planning and management is \$75,000. We needed more than anticipated aircraft charter time for the moose-bear predator study, which was approximately \$50,000. We also have \$25,000 for moose and caribou in the Finlayson area and that is 100 percent recoverable.

For the balance, \$263,000, it was: \$130,000 for moose inventory in the Watson Lake area; \$70,000 for wolf inventory in Game Management Zones 7 and 9; \$25,000 to monitor the response of the caribou and moose population with regards to the wolf removal; and \$5,000 for monitoring the White Mountain goat transplant; trapper education program, an extra \$8,000, as it went throughout the territory; \$25,000 to prepare a layman's version of the *Wildlife Act*.

**Mr. Porter:** The minister talked about monies in terms of the department's activity in the study areas, the wolf inventory and monitoring caribou and moose in response to wolf removal. We also see that there are funds, in part, for employment stimulation projects. I was wondering if he could explain what those projects were?

**Hon. Mr. Tracey:** That was on the capital side; I thought we were dealing with O&M. The employment stimulation projects were \$227,000. It was for public display facilities in our regional and district offices, \$50,000; \$177,000 for labour and material to construct a workshop in the Marwell area.

**Mr. Porter:** The minister talked about \$25,000 being made available to write, in his words, the *Wildlife Act* into layman's language. What process is that particular work at or are we expecting more funds to be expended on this particular program?

**Hon. Mr. Tracey:** I am not just sure where it is at. I think it is well on its way to completion and I do not believe that we will be needing more funds.

**Mr. Porter:** Can the minister explain as to what the purpose of the construction of the workshop in the Marwell area is to be.

**Hon. Mr. Tracey:** The campground division of renewable resources manufactures and constructs an awful lot of equipment for campgrounds, and also does a lot of maintenance work to maintain the existing equipment that we have. Our workshop in the area was not big enough to do that. The workshop involved a lot of construction for the heritage branch. We do a lot of restoration work on the *Tutshi* in Carcross, so we had to have more area. Under this project, we bought the materials and we hired the labour in order to have an employment stimulation.



**Mr. Porter:** Knowing the minister's religious support for the concept of a free enterprise society and knowing that his government is very supportive of that philosophy in almost total exclusion to any other, is the minister, or the government, thinking about taking the kinds of jobs that are related to the construction of the necessary facilities for campgrounds and contracting out those jobs to the private industry?

**Hon. Mr. Tracey:** Yes, in fact a very detailed study was done just on that alone, to find out whether it was economical for us to put this building up, or whether we should contract it out. The savings to this government were in excess of 100 percent. That is the reason why we have done this.

**Mr. Porter:** Can the minister explain what the \$5,000 that is targeted for the White Mountain goat transplant program was spent on, exactly?

**Hon. Mr. Tracey:** I told you that it was for monitoring the White Mountain goat project. For example, they have to fly over there and monitor the radio collars to make sure it has happened. I am not sure if there was some money in this \$5,000, — although I believe there was, I cannot recall right now — but there was some money provided for staff in the renewable resources department to work together with fish and game in order to make the transplant possible.

**Mr. Porter:** The minister also stated that monies were expended on consultants in the area of assisting the government in respect to putting together positions and negotiating in respect to the International Salmon Fishing Treaty and placer mining. I would like to ask the minister, in respect to the salmon negotiations, who is it they hired and was it a local person?

**Hon. Mr. Tracey:** No, we do not have the local expertise. The person who was hired is a man by the name of Jack Hitchcock, an ex-federal government employee of the fisheries department who is very, very knowledgeable. He has been on contract with us for all of the fisheries negotiations.

**Mr. Porter:** What were the funds that were the funds that were identified for placer mining spent on? Were they spent on hiring a consultant to advise the government on over-all placer mining policy? Was it to assist the government in responding to the federal government inquiry initiative, with respect to placer mining? Or were they totally funds expended to retain a consultant to advise this particular government, with respect to the impact of placer mining on the wildlife resource?

**Hon. Mr. Tracey:** The person on contract did almost all of those. He also appeared at the hearings, on our behalf, because we did not have the manpower in our department to do all the work. That person has been on contract on various projects in the territory and he operated in that capacity for us.

**Mr. Porter:** The minister announced that portions of these funds were spent with respect to wolf inventory studies and the wolf programs that his department has been carrying out. Can the minister tell the House what the costs per wolf have been, in terms of the programs that are sponsored under his department?

**Hon. Mr. Tracey:** No, I could not give that figure right now, because I am not aware of it.

**Mr. Porter:** The *Yukon News*, earlier, published an article in which it stated, in discussions with Department of Renewable Resources' personnel, that the figure was \$1,200 per wolf taken under the predator control program. Would the minister agree or disagree with that figure?

**Hon. Mr. Tracey:** I would disagree very violently with that statement. I think that the members across the floor should recognize that it is not just removing wolves: we are doing a study, and there is a great deal more involved than removing wolves. If it was just wolves we wanted to remove, we could go out and poison the wolves and it would cost us very little.

**Mr. Porter:** Now that we have entered into discussion on the economics of the government's program, the costs for fixed-wing and helicopter could run anywhere up to \$500 to \$600 per hour. Has the minister's department looked at any alternatives to the program; for example, have they looked at an increased subsidy for the trappers who are in the business of trapping wolves? Have they looked at that as an alternative for the removal program and, say,

putting additional dollars into the sale of the fur or even looking at a complete bounty system? Or, does he totally believe in the free enterprise system that says that if there are trappers out there that they simply should trap them, based on those principles?

**Hon. Mr. Tracey:** I am very surprised to hear from the member across the floor that we should have a bounty, because I believe that the bounty system would probably be objected to more than any other system that we could possibly even comprehend. I am very surprised to hear it come from him.

We do guarantee the trappers \$200 per pelt, to make sure that they do have a guaranteed return. However, there are only maybe two or three trappers in that whole area and I am sure that they are not going to go out there and get all those wolves; they find it very hard to catch them.

Besides that, we need the information. I am constantly hearing from members across the floor that we do not have the information. I am also constantly hearing it from organizations such as the Conservation Society. Now, when we are gathering in the information, the members across the floor are criticizing that.

**Mr. Porter:** Just for the record, we have never considered or opposed the government's initiative to go out and seek more information on the wildlife resources. That has to be made absolutely clear. As a matter of fact, I would say that if this government were to vote any more monies for further studies on this particular program, without a doubt, they would receive total unanimous support from this side of the House for those initiatives. We have advocated that that had to be a responsibility of the government in the past.

The minister talked about a guaranteed price of \$250 a pelt to the trappers. Does that mean upon the sale of that particular pelt that the trapper would have whatever he received from the sale deducted from the overall \$250?

**Hon. Mr. Tracey:** Yes, that is exactly what it means. We guarantee them \$250 a pelt. We buy the pelt, and we sell it through the Trappers' Association. I would like to re-express my statement that I made that we are trying to now gather information. Members across the floor are criticizing us for gathering the information. The wolf-predator-bear and the wolf-bear-predator study with moose that is going on right now is an information gathering source for us that the members across the floor are criticizing.

**Mr. Porter:** If he wants to continue this dance I am quite prepared to dance. I state again for the record that we support any initiatives by this minister or by this government to gain more information on the wildlife population.

In terms of the figures that he talked about a few minutes ago, he said that his department is guaranteeing \$250. Now, he stood up and said \$200. Can he make it very clear for the record exactly what figure he is talking about?

**Hon. Mr. Tracey:** Yes, I said \$250, and then I thought for a second and said no it is \$200. We guarantee \$200.

**Mr. Porter:** The minister talks about spending \$130,000 in a moose inventory survey in Watson Lake. Can he be more specific as to the area in Watson Lake? When you say Watson Lake, do you mean the community itself, do you mean the Rancheria area of Watson Lake, do you mean the Campbell Highway area of Watson Lake, do you mean southern Yukon in terms of Bear River? Exactly where is this inventory taking place in the area of Watson Lake?

**Hon. Mr. Tracey:** It is taking place in the Campbell Highway area.

**Mr. Porter:** The minister also talked about, in terms of the studies, monies being spent in respect to studying the Finlayson caribou herd. That herd, by all counts from his department and residents in the area is in trouble and I would like to ask the minister, if there are some serious problems of the magnitude that his department has stated there are, in respect to the health of that herd, then why is it that the minister is now prepared to relax guidelines in terms of the harvesting of cow caribou of that particular herd?

**Hon. Mr. Tracey:** There were serious problems with the herd that we could see developing. The calf survival in that area was very low. We met with the people from Ross River and asked them to reduce their take of the caribou in the area. We also went out

there and have reduced the wolf population significantly in that area. The calf population survival rate has been significantly increased this year, and hopefully it will be even better next year. What I am saying is that we have, by our wolf removal program in that area, helped the herd to recover and it is recovering very nicely.

**Mr. Porter:** So as to narrow the focus of the debate, is the minister stating that the caribou herd in the Finlayson area, known as the Finlayson caribou herd, is in such a healthy state that he is confident that that herd can be harvested to the extent of taking cow caribou?

**Hon. Mr. Tracey:** From the information of my department, yes, they feel that the changes in the regulations that we made were completely compatible with the size of the herd, and the health of the herd.

**Mr. Porter:** I do not want him to answer here today, but the minister's department has embarked on a series of studies. I wonder if the minister, for the benefit of the House, could table, sometime, in written form if he prefers, to delineate all of those areas that are under study by his department, and to delineate very specifically in terms of the cost column of those studies, the monies that are needed to be spent on personnel, aircraft rental, on fuel, accommodation and any other costs associated with those programs. Would he give the House the undertaking that he would do that?

**Hon. Mr. Tracey:** Yes, I have no problem with that at all. We have made most of that information public already.

**Mr. Porter:** In terms of the studies that have been done by the minister's department, there was one study that was done that he talks about as being of very high calibre. As a matter of fact, the person who has done the study, Mr. Larsen, will be invited to Sweden to speak on the whole study that was done at an international convention. There is no disagreement that the work done by Mr. Larsen was good work; however, in that particular study, "The Aerial Survey of Moose", recommended restricted hunting in 31 of the game zone surveys. I would like to ask the minister what is it that his government, who has spent a lot of the taxpayers' money doing the studies, has not implemented a majority of the recommendations made by Mr. Larsen in that particular study?

**Hon. Mr. Tracey:** The member across the floor is completely inaccurate. Last year, we introduced restrictions on moose hunting and this year we are introducing more.

**Mr. Porter:** In terms of the restrictions announced by the minister, for the record, there was a recent announcement that affected cow moose harvest throughout the Yukon and, furthermore, that there will be a reduction in the season for the harvesting of bull moose in particular areas of the study. However, as I glance at the material provided by his moose biologist, Mr. Larsen, for example, in game zone seven, subzone 17, he called for regulation by permit all the way through subzones 18, 19, 20, 21 of game zone seven, and as well in game zone seven, subzones 24, 26 — it goes on. As I stated, there were 31 recommendations in terms of which areas, particularly in game zones seven and nine, should be restricted in terms of hunting. Why has the government not dealt more clearly and acted more prudently in terms of its own biologist's recommendations in terms of the restriction of hunting in this particular game zone?

**Hon. Mr. Tracey:** I am very surprised at the member across the floor. Now, all of a sudden, the biologists in the department are experts and we should follow everything they do and, yet, yesterday and the day before and the day before that, and ever since the session started, he has been criticizing what the biologists are telling us to do in game management zones seven and nine.

We have reduced the hunting in the area to a two-week period for bull moose only, which covers 95 percent of the requests that Mr. Larsen has made with that study.

**Hon. Mr. Lang:** I would just like to make a point with respect to the hunters. If you get to the point that you are going to manage the small subzones so specifically, it is going to be so confusing for the general public as to who is eligible to hunt, that nobody would know what the rules were.

I think, from the general point of view of what has been done by

the Minister of Renewable Resources makes very good sense with respect to the restrictions that have been put forward.

**Mr. Porter:** I am glad that the member for Porter Creek raised that question. It would only be logical that I put the question to the minister responsible. Is his department moving toward subzone management?

**Hon. Mr. Tracey:** Yes. We have been moving toward subzone management for the last couple of years. In fact, we do an awful lot of it now. I think the Minister of Economic Development made a very good point. I do not think that if I said zone 722, for example, was closed to moose hunting, that you would even know where it was, if you were out in the bush.

**Mr. Porter:** I think the minister has clearly contradicted his colleague from Porter Creek in terms of the department moving on subzone management basis. I would suggest to the minister that, should they move towards a basis of management based on subzones, inherent in that process, would be the education of the general public. As the minister moves management of wildlife resources in Yukon from a general game zone management basis to a sub-zone basis, is he in any way spending money, along with that program, to institute a program to educate the public as to the change of management and what it means to them?

**Hon. Mr. Tracey:** Obviously, the member was not listening very well. I said we are spending \$25,000, for example, for a layman's version of the *Wildlife Act*. We spent an extra \$8,000 on trapper education courses. The department and the education member in that department is consistently and constantly working on educational programs in order to increase the knowledge of the general public so that we can perform the necessary regulation of the wildlife in the area.

Getting into absolute subzone game management and having hunting seasons that stop you from hunting in this subzone and that subzone, is going to be very hard to do and it will never, in my estimation, ever be a workable situation in this territory. We try to manage on the subzone basis, but we are going to have to spread the management out over more than one subzone in order to make it possible for the general public to understand where the restrictions are and where they are not.

I should also state that, we have been constantly doing subzone management with regard to grizzly bears. The outfitters have certain subzones in their areas where they are allowed to take bears, and others that they are not.

**Mr. Porter:** I would hope that when the layman's version of the *Wildlife Act* comes out of the department, the member for Tatchun will see it as a priority to give the very first copy off of the press to the member for Porter Creek East so that he could have a better understanding as to what his government is doing in terms of management.

The minister talks about the bear program, and the efforts of his government in response to that program. I would like to know, in terms of the government's decision on that program: is the minister still going ahead with removing sixty bears, as announced previously?

**Hon. Mr. Tracey:** We have not changed our position on our study, and it is going ahead, yes.

**Mr. Porter:** Are those 60 bears going to be removed primarily by big game outfitters?

**Hon. Mr. Tracey:** It may or may not. We may not even remove the 60 bears. We are only expecting to get the maximum of 20 to 25 bears out of there this year. They will be evaluated. The study will be evaluated and we will make a decision next year as to whether we need to remove anymore bears or not. It is a three-year study. Sixty bears was the number we felt would probably have to come out of the area in order to give us the information that is necessary. That might not prove to be so.

**Mr. Porter:** How did he arrive at the decision to allow what outfitters into the area? How many outfitters has he licenced to harvest those bears, and on what basis did he make that decision, and how many permits per outfitter has he allowed?

**Hon. Mr. Tracey:** The allocation in that area to the outfitters was to five outfitters. It was done in consultation with the outfitters. They had a draw and the outfitters were chosen. The information on

what their numbers are is available today. We have passed the regulations; I have made the announcement. I do not have them with me, but the member can pick them up any time.

**Mr. Porter:** The record should show that we requested those regulatory changes and we were told that we could not receive those changes.

Of the outfitters to which the bear harvest has been allocated, how much per outfitter has the government allowed?

**Hon. Mr. Tracey:** Before I answer that question, which I do not even understand, I would like to say that we only passed the regulations today, so it would be impossible for the member across the floor to have them until they were passed today in cabinet. That is the reason he did not get them.

He will have to rephrase his question; I do not understand what the question was.

**Mr. Porter:** You said five outfitters have been allowed to harvest these 60 bears. All I am asking is how many permits per outfitter?

**Hon. Mr. Tracey:** I believe we have put out 30 permits to those outfitters. In the area that did not have an outfitter, we allocated 30 permits, I believe.

**Mr. Porter:** Are those permits equally distributed? Do they each get six permits?

**Hon. Mr. Tracey:** No, not necessarily.

**Mr. Porter:** The minister has also announced, over and above the permits that have been issued to outfitters, changes that affect the ability of residents to guide non-residents in terms of bear harvest.

He has relaxed the regulations to allow Yukoners to take one bear per season. Can he tell the House as to whether or not all of these permits are going to be restricted to only the harvesting of 60 bears or are the residents and non-residents and the outfitters allowed to take more than 60 bears because of the change in regulations that he has instituted?

**Hon. Mr. Tracey:** I do not know what this has got to do with the supps in 1983-84, but the residents are now going to be allowed to take one bear per year out of that area. They are also going to be allowed to take someone out hunting with them if they want. That is not restricted to the 60 bears. It is hunting in that area that we are going to allow. We expect that at the maximum there may be three or four or five bears come out of there by resident hunters.

**Mr. Porter:** It should be noted that I only pursue the line of questioning because the minister himself has initiated discussion by mention of these particular studies and regulatory changes. Getting back very specifically to the discussion on hand, in terms of the supps, can the minister tell me — he has stated that under the GDA there is going to be a recovery of 100 percent of the \$600,000 figure and the \$300,000 figure for administration — is he talking about 100 percent from the federal government under the terms of the agreement struck under the general development agreement?

**Hon. Mr. Tracey:** I do not know what he is talking about, the \$300,000 and all the rest of it. I said \$9,000, and that is additional money that was required for evaluation of the program and administration and it is totally recoverable under the GDA.

**Mr. Porter:** The minister also says that are being monies used to look at his department to do an evaluation as to the effectiveness of his particular department and to suggest some reorganization of the department. That is being done by an outside organization, were his words, I believe. Who exactly is doing the evaluation?

**Hon. Mr. Tracey:** I would like to correct the member across the floor, it was not to monitor the effectiveness of the department, but to set up an organizational structure that the department could function with now and into the future. It has been done by the same company as the Minister of Finance told you about, Diet Marwith and Partners.

**Mr. Porter:** The minister talks about \$50,000 of the \$227,000 being spent on the creation of a public display. Exactly what is involved in that public display?

**Hon. Mr. Tracey:** These are for display cases in every one of the regional offices that will have all of the informational material that we have in the department that we can make available in the regional offices.

**Mr. Porter:** I think that the minister and myself have done a good job and I have no further questions.

*Operation and Maintenance in the amount of \$467,000 agreed to*  
*Capital in the amount of \$348,000 agreed to*  
**Department of Renewable Resources in the amount of \$815,000 agreed to**

#### **On Government Services**

**Hon. Mr. Philipson:** I thought I heard someone say "clear".

The Department of Government Services operation and maintenance had a reduced requirement of \$143,000. This is primarily the result of lowering the anticipated personnel programs. The funds required of \$750,000 are as a result of computer word processing equipment and purchases to retrofit government buildings.

Some of the items on the funds required are of a larger nature. It would be word processing equipment for the Queen's Printer, approximately \$113,000; retrofit program, \$218,000; a systems development program, \$480,000, and Macaulay Lodge renovations, for \$316,000.

**Mr. Byblow:** With regard to the funds required under the capital side, the minister mentioned an assistance development portion of money spent. Could he elaborate?

**Hon. Mr. Philipson:** Systems development is the software and the systems development in the computer services. At the present time, the systems development projects that are presently underway in Highways and Transportation, Public Service Commission, Health and Human Resources, Education and Manpower, Municipal and Community Affairs, Government Services and Workers' Compensation Board. These are systems that are developed in the computer area by people who put the service into place for you and bring the software and install it.

**Mr. Byblow:** The way the wording in the explanation of the booklet reads, it implies that all of this is software. Were any computers actually purchased?

**Hon. Mr. Philipson:** This is the development of the systems. Under the development of the systems, the software is the item they are discussing, along with the person who installs and sets the system up.

The hardware is identified in other areas.

**Mr. Byblow:** I suppose I would be curious why our office had to purchase its computer in a separate budget taken out of our research budget, and this three-quarters of a million dollars can be spent elsewhere.

**Hon. Mr. Philipson:** Perhaps that is an interesting point.

*Operation and Maintenance in the amount of a reduction of \$143,000 agreed to*

*Capital in the amount of \$750,000 agreed to*

**Government Services in the amount of \$750,000 agreed to**

#### **On Yukon Liquor Corporation**

**Hon. Mr. Ashley:** This amount for the Yukon Liquor Corporation of \$29,000 is for office renovations and the Yukon Liquor Corporation warehouse, and calcium shared removal from fencing compound, construction of road for \$19,000.

The contracts have come in at \$29,000 over what we anticipated they would. That is what this amount is for.

**Yukon Liquor Corporation \$29,000 agreed to**

#### **On Loan Amortization**

**Loan Amortization in the amount of \$1,220,000 agreed to**

#### **On Subtotal**

**Subtotal in the amount of \$7,415,000 agreed to**

**Hon. Mr. Pearson:** With all due respect I believe you have in fact missed the Yukon Housing Corporation. It is a favourable amount, but it has not been highlighted in discussion. It is possible that you should ask for that specific amount to be voted, at this point in time.

#### **On Yukon Housing Corporation**

**Mr. Byblow:** I did not want to interrupt your fine flow earlier.

but I did have a question on Yukon Housing. It is a simple question. Given that this government is returning money appropriated to programs which would include maintenance, I would be curious why we are still getting complaints about maintenance in Yukon Housing units around the territory. Is there a general response to that?

**Hon. Mr. Ashley:** I have not heard of any complaints that are coming in, myself. The corporation has only been able to spend that much money on their maintenance program for this year. It was enhanced as well during the year. There was a lot of extra dollars put into it. I have no answer except that there was more money spent but, then, due to the thermal upgrading and the modernization of improvements that they put in because of these other programs, that is where the savings came from.

**Mr. Byblow:** I think probably what the minister is saying is that maintenance was stepped up this past year, in terms of actual allocation through the supps and through the original mains. So, the \$20,000 that we are returning to the Consolidated Revenue Fund is money from a retrofit program. Is that what the minister is saying?

**Hon. Mr. Ashley:** It is as a result of a retrofit program; they have saved more than what they thought they would.

**Mr. Byblow:** Just to conclude the discussion with respect to maintenance, I will advise the minister, with documentation and, perhaps, correspondence, with respect to several maintenance complaints.

**Hon. Mr. Ashley:** I will accept those and move on them when I receive them.

***Yukon Housing Corporation in the amount of a reduction of \$28,000 agreed to***

*On Schedule A  
Schedule A agreed to  
On Clause 2  
Clause 2 agreed to  
On Clause 3  
Clause 3 agreed to  
Clause 1 agreed to  
On Title  
Title agreed to*

**Hon. Mr. Pearson:** I would move that Bill Number 13, *Fifth Appropriation Act, 1983-84*, be reported out of committee without amendment.

*Motion agreed to*

**Mr. Chairman:** I declare the *Fifth Appropriation Act, 1983-84* cleared out of Committee of the Whole.

We shall recess for a few moments.

*Recess*

**Mr. Chairman:** Committee will come to order.

**Hon. Mr. Lang:** I would move that Mr. Speaker do now resume the Chair.

*Motion agreed to*

*Mr. Speaker resumes the Chair*

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

May we have a report from the Chairman of Committees?

**Mr. Brewster:** The Committee of the Whole has passed the following motion: THAT the Committee of the Whole and Assembly be empowered to continue to sit beyond 5:30 today, for the purpose of continuing committee consideration of Bill 13, *Fifth Appropriation Act, 1983-84*, and to permit the Assembly to consider a motion for third reading of the same bill.

Further, the committee has considered Bill Number 13, *Fifth Appropriation Act, 1983-84*, and directed me to report the same without the amendment.

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

**Some Hon. Members:** Agreed.

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

**Bill No. 13: Third Reading**

**Hon. Mr. Pearson:** I move that Bill Number 13, *Fifth Appropriation Act, 1983-84*, be now read for a third time.

**Mr. Speaker:** It has been moved by the hon. government leader that Bill Number 13 be now read a third time.

*Motion agreed to*

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

**Hon. Mr. Pearson:** Yes. I move that Bill Number 13 do now pass and that the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the hon. government leader that Bill Number 13 do now pass and that the title be as on the Order Paper.

*Motion agreed to*

**Mr. Speaker:** I declare the motion has carried and that Bill Number 13 has passed this House.

I would like to advise the House that we are now prepared to receive Mr. Commissioner, in his capacity as Lieutenant-Governor, to give assent to certain bills that have passed this House.

*Mr. Commissioner enters the Chamber*

**Mr. Commissioner:** Please be seated.

**Mr. Speaker:** May it please your Honour, the Assembly has, in its present Session, passed two bills to which, in the name of and on behalf of the Assembly, I respectfully request your assent.

**Mr. Clerk:** *Interim Supply Appropriation Act, 1984-85, Fifth Appropriation Act, 1983-84.*

**Mr. Commissioner:** I hereby assent to the bills as enumerated by the Clerk.

*Mr. Commissioner leaves the Chamber*

*Mr. Speaker resumes the Chair*

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

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

**Hon. Mrs. Firth:** Mr. Speaker, I move that the House do now adjourn.

**Mr. Speaker:** It has been moved by the hon. Minister of Education that the House do now adjourn.

*Motion agreed to*

**Mr. Speaker:** This House now stands adjourned until 1:30 p.m. Monday next.

*The House adjourned at 6:13 p.m.*