



# The Yukon Legislative Assembly

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Number 7

3rd Session

25th Legislature

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## **HANSARD**

**Thursday, March 31, 1983 — 1:30 p.m.**

Speaker: The Honourable Donald Taylor

# Yukon Legislative Assembly

SPEAKER — Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER — Andy Philipsen, MLA, Whitehorse Porter Creek West

## CABINET MINISTERS

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

## GOVERNMENT MEMBERS

### (Progressive Conservative)

Bill Brewster	Kluane
Al Falle	Hootalinqua
Kathie Nukon	Old Crow
Andy Philipsen	Whitehorse Porter Creek West

## 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
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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

<sup>01</sup> **Whitehorse, Yukon**  
**Thursday, March 31, 1983 — 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

### INTRODUCTION OF VISITORS

**Hon. Mr. Lang:** I rise with a great deal of pleasure to introduce a number of distinguished Canadians who have taken time out of their very busy schedule to come to Yukon and listen to the point of view that we, as Yukoners, wish to express.

Representing the Macdonald Commission, we very much appreciate the fact that the hon. Don Macdonald, who served as the member of Parliament in the House of Commons for Toronto-Rosedale, from 1962 to 1978 and served in a number of portfolios on behalf of the Government of Canada, has come to Yukon to listen to our views. Accompanying him is the hon. John Messer, who is also a commissioner of the Macdonald Commission, who served in a number of portfolios in the Province of Saskatchewan and is now involved as the chairman of an electrical and mechanical construction company and also serves as director of a number of Canadian resource companies. I am also very pleased to introduce to the House, Ms Jean Wadds, who also was a member of Parliament in the House of Commons, serving from 1958 to 1968; and also served as the High Commissioner of Canada to the United Kingdom during a very troubled time.

Also accompanying them is Mr. Robert Pattillo, who is the director of communications for the royal commission, and Mr. Robert Hawkins, who is the executive assistant to the hon. Donald Macdonald.

<sup>02</sup> *Applause*

**Mr. Speaker:** We will proceed at this time to the order paper, under daily routine.

## DAILY ROUTINE

**Mr. Speaker:** Are there any returns or documents for tabling?  
 Reports of committees?  
 Petitions?  
 Reading or receiving of petitions?  
 Introduction of bills?  
 Are there any notices of motion for the production of papers?  
 Notices of motion?  
 Statements by ministers?  
 This then brings us to the question period.

## QUESTION PERIOD

### Question re: Land claims

**Mr. Porter:** My question is for the acting government leader and it is a question that he should be expecting.

News reports yesterday indicated that there have been developments regarding the territorial government's land claims boycott. Can the acting government leader confirm that there is reason to be optimistic that the YTG boycott of land claims will end shortly?

**Hon. Mr. Lang:** I perhaps should take a few minutes to explain what just did take place. There were discussions between the government leader, Mr. Pearson, and Mr. Munro. They agreed that their two negotiators, Mr. O'Connor and Mr. Phelps, should meet to discuss the six outstanding issues that have to be resolved between the two levels of government prior to the Government of Yukon going back to the negotiating table.

I think it would be premature to predict the outcome of those discussions; I do not wish to raise expectations. As a government, we have indicated that we are more than prepared to sit down with the Government of Canada to see if we could resolve our

differences. If we can find common agreement over the course of the discussions, then we will go back to the negotiating table.

**Mr. Porter:** The agreement to sit down and discuss areas of concerns; are those discussions going to be focused on the six issues that have been raised by the Yukon government?

<sup>03</sup> **Hon. Mr. Lang:** I expect so.

### Question re: Art gallery curator

**Mrs. Joe:** I have a question for the Minister of Tourism, Heritage and Cultural Resources. Earlier this week, the minister announced, with some pride, the establishment of an exhibition area for Yukon's permanent art collection in the foyer of this building. As the minister knows, heritage branch funding of the part-time position of art gallery curator had a fair bit to do with making this and other developments in the artistic field possible. Does the minister intend to fund a position of art gallery curator in the upcoming year and will it be made a full-time position?

**Hon. Mrs. Firth:** That is a question that will be addressed in the budget.

### Question re: Agriculture

**Mr. McDonald:** I believe I have a timely question for the minister responsible for agriculture. As the Alaskan delegation visiting for the last week has explained some of the pitfalls and successes in their own experience with agriculture, what arrangements has the minister made with Alaska to develop a community of information and has he, for example, arranged for an exchange of officials?

**Hon. Mr. Lang:** Nothing has been put into place as of yet. It would be my intention to discuss, with the State of Alaska, the possibility of some exchange and, if I am successful in that area, I would suspect that we would have, perhaps, the Agriculture Development Council go to some areas of Alaska to observe exactly what has taken place there.

Further to that, it would be our intention, as time goes on, to learn from our fellow Alaskans, with respect to the mistakes they have made. If we are going to make mistakes, I agree with the member opposite, we should make new ones not old ones.

**Mr. McDonald:** I believe that the Alaskans this week have expressed their belief that the technical skills at the university have been valuable in providing ongoing expertise and have provided a nice problem-solving vehicle for their agricultural program. Can the minister state if he is prepared to make further arrangements to establish an exchange of technical information with the Alaskan university?

<sup>04</sup> **Hon. Mr. Lang:** There is no question about it. As I indicated in answer to the first part of his question, we would be looking to Alaska for technical advice, if possible.

I should also point out to the House that I have had discussions with my colleague, the Minister of Education, who is looking at the prospects of what programs could perhaps be brought forward to Yukon, and in particular Whitehorse, for the purposes of putting on some educational programs for those people who are interested in this type of activity.

### Question re: Royal Commission on the Economy

**Mr. Byblow:** My question is to the acting government leader.

As he announced before question period, we are pleased, indeed, to have the chairman of the federal Royal Commission on the economy with us in Whitehorse. I understand that Mr. MacDonald met with members of the Cabinet this morning.

Could I ask the acting government leader if it is the position of his government that the Royal Commission hold hearings in Yukon and, if so, has that representation been made to Mr. Macdonald?

**Hon. Mr. Lang:** The Commission came up here primarily on an exploratory trip. The first request was whether or not we would be prepared to designate someone to liaise with the Commission directly. I undertook to get back to Mr. Macdonald within the next two weeks with the name of the individual who will be liaising with the Commission.

It is my understanding, further, that they are prepared to have hearings here, as long as there is enough interest expressed. I am

sure there will be.

**Mr. Byblow:** I am certain that anyone would confirm that there is the interest and the urgency to have those types of discussions.

This government's *Strategy for Recovery*, a report tabled in the House last September, indicated the need to make fundamental changes to the Yukon economy, particularly in the area of diversification, which the minister confirmed yesterday. Will this government be presenting such a strategy in detail to the Commission, whether or not it does hold hearings in Yukon?

**Hon. Mr. Lang:** I want to assure the member opposite that I have no doubt in my mind that they will have hearings in Yukon. At the same time, we will be putting forward a position with respect to the general economy as well as the future of the economy in the territory to the best of their ability. It should be pointed out that the mandate of that commission is not only to look five years down the road, but try to look 20 or 30 years down the road, if possible. With that in mind, anyone who would be appearing before the commission should take that into account.

**Mr. Byblow:** Extending from what the acting government leader is saying, this government has, in the past, stated its preference to see the type of diversification that would include development of secondary processing and manufacturing industry. Is this government encouraging and assisting this particular level of economic diversification in their current budgetary planning?

**Hon. Mr. Lang:** As the member knows, the direct responsibility for that area, at the present time, lies with the Government of Canada. We are attempting, through our negotiations of the economic development agreement, to see whether or not we can become partners with respect to these types of endeavours as far as the future of the territory is concerned. Whether or not we are going to be successful, remains to be seen.

#### Question re: Committee of the Whole, appearance before

**Mr. Porter:** My question is also directed to the acting government leader. It has been 28 days since the Council for Yukon Indians requested permission to appear before the Committee of the Whole of this Legislature. Can the minister indicate to this House as to when CYI will be allowed to appear before this committee of the Legislature?

#### Speaker's Ruling

**Mr. Speaker:** Order, please. I am going to have to rule that question out of order. I think that is a question more properly directed to the Committee of the Whole, which is a committee of this House. I do not think that the House would be able to deal with such a question at this time. I would recommend to the hon. member that he raise the matter with the chairman of the Committee of the Whole.

**Mr. Byblow:** Just on the point of order, I believe it would be in order for the chairman of committees to, perhaps, answer that question.

**Mr. Speaker:** At this time I will not permit that type of question. If the chairman of the committee wishes to make an announcement, he can do so on a point of order.

#### Question re: Justice of the Peace appointments

**Mrs. Joe:** I have a question to the Minister of Justice regarding JP appointments. On Wednesday, March 30, the minister stated that the JP Council made the recommendations for JP appointments. Will the minister now give an undertaking that he will obtain from the JP Council the criteria that is used in deciding on how to recommend appointments and to table that information in this House?

**Hon. Mr. Ashley:** If our new legislation goes through, there will not be a JP Council anymore. I can certainly get some information for you on it. There is an RCMP check, and the council discusses the merits of the person. There are no real criteria for it.

**Mrs. Joe:** The minister also stated that it is cabinet prerogative to appoint or not to appoint persons recommended by the JP Council. Is the minister prepared to state the criteria that the cabinet uses in making such a decision?

**Hon. Mr. Ashley:** As I told the member opposite before, it is a cabinet prerogative and that is how it will remain.

#### Question re: Agriculture

**Mr. McDonald:** I have a question for the minister responsible for agriculture.

On Tuesday, when asked to whom the Agricultural Development Council was responsible, the minister suggested, somewhat facetiously, that I should read the *Yukon Act*. I discovered that the council is accountable to the members of this House. As the minister said only yesterday that he is not prepared to table a comprehensive set of factors used to determine viable agricultural ventures, will he table in this Session a comprehensive report of the Council's activities to date?

**Hon. Mr. Lang:** I would not be prepared to make that commitment over the course of this Session. I would be prepared, perhaps, in the fall or next spring to go to such a work, if I deem it necessary.

**Mr. McDonald:** I think the people of Yukon will deem it necessary sooner than that.

Can the minister state what procedures the council uses to resolve land acquisition conflicts where, for example, two or more applicants apply for the use of the same land?

**Hon. Mr. Lang:** What takes place when that happens is that the two applicants are brought forward; the individual who has put his or her application in first will get first preference. At the same time, in order to try to keep peace in the family, so to speak, both applicants would be brought forward to try and work out an amicable agreement in the general area where the land is being applied for.

**Mr. McDonald:** One final short supplementary: in what manner does the Agricultural Development Council resolve land use conflicts with such activities as mining and, perhaps, trapping?

**Hon. Mr. Lang:** The magnitude of the request for land for this particular type of activity has not gotten to the point that there are major conflicts in these particular areas. I believe, in total, we have approximately 150 applications, somewhere in that neighbourhood, including federal land, and I do not expect to have major land use conflicts, in view of the fact that our policy dictates that the first disposition of land would only amount to 160 acres.

#### Question re: Teachers' agreement

**Mr. Byblow:** My question is to the Minister of Education.

Yesterday, I observed an ad placed in a local newspaper by the president of the Yukon Teachers Association making it clear that only a sense of duty towards students and not a desire to cooperate with this government motivated teachers to uphold their end of an agreement on concessions. Will the minister indicate to me what action she plans to take in an attempt to improve relations between this government and the territory's teachers?

**Hon. Mrs. Firth:** I am of the opinion that the relationship between the territory's teachers and the Government of Yukon is very healthy. However, the person who submitted the ad to the newspaper, perhaps, does not feel that way.

**Mr. Byblow:** The minister appears to indicate that relations between only her and the president of the Teachers' Association are in conflict. As I understand, teachers in the territory are prohibited from taking strike actions; however, at the same time, they perform valuable duties...

**Mr. Speaker:** Order, please. Is the hon. member now making a speech?

**Mr. Byblow:** In that teachers do perform many valuable...

**Mr. Speaker:** Order, please. I wonder if the hon. member would get to his question.

**Mr. Byblow:** It is the preamble to the question; it is the introductory clause. Is the minister prepared, in light of the fact that teachers have considered withdrawing these voluntary services, to attempt to discuss, at least, and negotiate, an improvement in those relations that I believe are not as healthy as the minister would lead us to believe?

**Hon. Mrs. Firth:** I have had no indication, nor has the Department of Education, that the teachers are preparing to withdraw any voluntary services.

**Mr. Byblow:** Then the minister is definitely aware that the

Yukon government has been "pink-listed" by the Canadian Teachers' Association as a caution to members who are considering...

**Mr. Speaker:** Order, please. Does the hon. member have a question? He is now making a speech again.

**Mr. Byblow:** I do have a question.

**Mr. Speaker:** Would the hon. member please state his final supplementary.

**Mr. Byblow:** I will do so concisely. What action does the minister plan to take to remove the stigma of "pink-listing" in the interest of quality education in the territory, as well as the territory's image at large?

**Hon. Mrs. Firth:** The Member for Faro keeps indicating that the teachers are in some way creating a stigma and making the territory very unpopular. I do not believe that the teachers of Yukon are doing that. The teachers have been very cooperative with the government and I have indicated that publicly several times.

#### Question re: Economic development agreement

**Mr. Porter:** The question is to the acting government leader. In December 1982, the Government of the Northwest Territories signed a \$21,000,000 economic development agreement with the Government of Canada. Can the minister explain why the Yukon government has yet to achieve a similar agreement for Yukon? What are the reasons for the slowness of negotiations?

**Hon. Mr. Lang:** In view of the discussions that took place in Ottawa, it would appear to me that things might be expedited much more quickly than they have been in the past. I would expect that when Mr. Pearson does arrive, we will be dealing with this particular matter very shortly and I would suspect, if we can get common agreement from the Government of Canada, that we should have an agreement before too long.

**Mr. Porter:** Can we expect a ministerial statement on the issue of an economic development agreement negotiation from the government leader when he does return?

**Hon. Mr. Lang:** I would suggest that that question would be better put to him.

#### Question re: Recreation Green Paper

**Mrs. Joe:** A question for the Minister responsible for Recreation: in recent months, I have had several enquiries concerning the green paper on recreation. Is it the intention of the government to table this paper during this Session?

**Mrs. Firth:** No, is is not, and I believe I indicated in my response to the Throne Speech that we would be looking at that legislation in the future.

#### Question re: Energy

**Mr. Byblow:** I have a question I will direct to the acting government leader. A recent report on Yukon energy by the Yukon Conservation Society points out that Yukoners spend \$70 million a year to southern Canada for petroleum, half of which is used for transportation, suggesting as well that the consumption could be reduced by the use of more buses between communities. Having given that preliminary short sentence to my question, I would like to ask the acting government leader: is the minister prepared to undertake an examination of that suggestion and to determine whether this government should be doing more to develop a bus system in the territory, particularly in light of recent moves towards the cancellation of existing routes?

**Hon. Mr. Lang:** If the question the member wants to put to me is whether or not we are going to expand the transit commission that presently serves Whitehorse, the answer is no.

**Mr. Byblow:** That was not the question. The question related to an undertaking to examine the extension or creation of a bus service in the territory. However, since the minister is not prepared to answer, I would like to ask him whether he would undertake the consideration of making property tax changes to encourage home owners to conserve energy and improve their consumption through some incentive under the tax system?

**Mr. Speaker:** If the honourable member is making representations, that question would also be out of order. However, I will

permit the minister to answer.

**Hon. Mr. Lang:** I think there are a number of incentives already in place to encourage Yukoners to switch to different types of energy from petroleum products. That is primarily through the Government of Canada. To my knowledge it is working; in fact I believe we had something like 800 homes convert to wood heat over the past year. I do not think it would be our intention to play with the property tax system to achieve the purpose that the member is speaking of because I think, in part if not in total, we are going to be successful in converting to other means of energy.

**Mr. Byblow:** Will the acting government leader confirm whether or not it is a position of his government to explore the development of a bus system in Yukon?

**Hon. Mr. Lang:** It is my information, at the present time, that private enterprise is still providing that service and, overall, I understand they intend to continue that, with some question about the north highway still to be decided.

It would seem to me that if the member opposite is asking me whether I, on behalf of the taxpayers of the territory, am going to go into the busing business, the answer is no.

#### Question re: Land policy

**Mr. MacDonald:** I have a 15 word question which does not make any representations.

What is the government's policy with respect to dispersing land for game and fur farming?

**Hon. Mr. Lang:** Each case would have to be considered on its own merits.

**Mr. Speaker:** There being no further questions, we will proceed to orders of the day.

#### ORDERS OF THE DAY

**Mr. Speaker:** I would like to advise the House at this time that we are prepared to receive Mr. Commissioner, in his role as Lieutenant-Governor, to give assent to certain bills which have passed this House.

*Mr. Commissioner enters the Chamber escorted by the Sergeant-at-Arms*

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

**Mr. Speaker:** May it please Your Honour, the Assembly has, at its present Session, passed certain bills to which we respectfully request your assent.

**Mr. Clerk:** *Interim Supply Appropriation Act, 1983-84; Fourth Appropriation Act, 1982-83.*

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

*Mr. Commissioner leaves the Chambers escorted by the sergeant-at-arms*

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

May I have your further pleasure?

**Hon. Mr. Lang:** I want to rise and inform the House that I have had discussions with the house leader from the side opposite. In view of the controversy brought forward by the present bill in committee and the fact that some members would like more time to consider the bill prior to going into clause-by-clause reading, and also from the fact that there is nothing else on the order paper, we have agreed mutually that it would be to the interest of the House to adjourn until Thursday, at which time the budget will be brought forward by the Minister of Finance. At that time, we will continue deliberations on the *Territorial Court Act*.

Therefore, I would move, seconded by the Member for Faro, that this House do stand adjourned until 1:30 p.m. on April 7th, 1983.

**Mr. Speaker:** It has been moved by the hon. Minister of Municipal and Community Affairs, seconded by the hon. Member for Faro, that the House do adjourn until Thursday next.

*Motion agreed to*

*The House adjourned at 2:00 p.m.*

