



The Yukon Legislative Assembly

Number 14

3rd Session

25th Legislature

HANSARD

Tuesday, April 19, 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

Whitehorse, Yukon

Tuesday, April 19, 1983 — 1:30 p.m.

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

Prayers

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

ROUTINE PROCEEDINGS

Mr. Speaker: Are there any returns or documents for tabling? Reports of committees? Are there any petitions?

PETITION

Mr. Clerk: Mr. Speaker and hon. members of the Assembly, I have had the honour to review a petition, being Petition No. 1, of the Third Session of the 25th Legislative Assembly, as presented by the hon. member for Campbell on April 18, 1983. This petition meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

Mr. Speaker: Are there any other petitions? Introduction of bills?

INTRODUCTION OF BILLS

Hon. Mr. Tracey: I move, seconded by the Minister of Justice, that Bill No. 8, *The Children's Act*, be now introduced and read a first time.

Mr. Speaker: It has been moved by the hon. Minister of Health and Human Resources that a bill entitled *The Children's Act* be now introduced and read a first time.

Motion agreed to

Mr. Speaker: Are there any further bills for introduction? Notices of motion for the production of papers? Notices of motion? Are there any statements by ministers?

STATEMENTS BY MINISTERS

Hon. Mrs. Firth: A ten day promotion of Canada, entitled "Canada Days", is beginning in Seattle tomorrow. This promotion has been organized through the Office of the Canadian Consulate and features regions and special events in Canada. Very appropriately, considering our historical connection to Seattle, Yukon is featured on the opening day. I will be travelling to Seattle for the opening, that will have Gillian Campbell and Pierre Berton in attendance, to assist in highlighting Yukon. Also, on Wednesday and Thursday mornings, I will be participating in TV, radio and newspaper interviews. The promotion of Yukon will reach a potential audience of about 2,000,000 people. The Pacific Northwest, as well as the whole western region of the United States, is a target area of our marketing efforts to attract people to Yukon as a destination or as a place to visit on their way to our neighbour to the west, the State of Alaska.

Gillian Campbell, as Klondike Kate, will be highlighted throughout the ten days and thereby will keep Yukon at the forefront of this promotion. I will be returning on Thursday, April 21st.

Thank you.

Mr. Byblow: On this side, we are certainly quite pleased that the minister is able to represent Yukon tourism interests on the occasion of this tourism promotion exercise in Seattle. I hope that the minister's stardom with celebrities Berton and Campbell and her media exposure will not make the minister ashamed to associate with us common-folk when she gets back.

On a more serious note, I want the minister to remember that there is a real need in Yukon to pursue, as well, the goal of developing our tourism facilities and attractions and support to the industry and extending this type of initiative to a more regional

opportunity. While marketing and promotion is very necessary and important, the tourist must be encouraged to stay here longer and spend more while he is here. In closing, I trust that the minister is committed to fully reporting to the House on her return so that we may more fully assess the achievements of her trip.

Mr. Speaker: Are there any further statements by ministers? Are there any questions?

QUESTION PERIOD**Question re: Political donations, disclosure**

Mr. Penikett: I have one for the government leader. During debate on Bill 79, near the end of the last Legislature, which was *An Act to Amend the Income Tax Act*, the government leader indicated that public disclosure of political donations, similar to that provided for in the parallel federal law, would be considered. Is it the intention of the government to amend the *Yukon Act* in this area to provide for public disclosure of contributions over \$100 to territorial political parties as is required in the federal law?

Hon. Mr. Pearson: We have tabled the *Income Tax Act*; the member is well aware that there is no such amendment proposed in that act.

Mr. Penikett: I am not in fact talking about a budget provision here; it is something quite different. Given that the federal act on which Bill 79 was modeled is founded on the twin principles of public financing and public disclosure, what is the government's reason for refusing to respect the second of these two related principles?

Hon. Mr. Pearson: We have considered the matter quite seriously and we do not deem that it is a necessary proposal at this point in time. It may be that we could be convinced that we should have such an amendment at some time in the future.

Mr. Penikett: The authors of the federal act on which the Yukon law is based and similar provincial laws married disclosure or accountability to the public subsidies for political parties in order to discourage donors from requesting political favours in exchange for secret contributions. Could the government leader explain as a matter of policy why the government believes Yukon taxpayers should subsidize secret political donations?

Hon. Mr. Pearson: We do not believe that at all.

Question re: Faro access road

Mr. Byblow: I will direct my question to the government leader as well.

Last fall this government postponed the reconstruction of the Faro access road and I have had a number of inquiries surrounding that decision. Given that the stripping program goes ahead this summer, as we can probably be assured it will, will this government reconsider its capital spending priorities to resume some work on that road this year?

Mr. Speaker: Is the hon. member making a representation or asking a question?

Mr. Byblow: My question was quite direct. It said, will this government reconsider its spending priorities to resume some work on that road this year?

Hon. Mr. Pearson: I guess the direct answer would have to be, no. The reason that we had put forward the proposal that we reconstruct that portion of the access road from the Campbell Highway into Faro was because of the tremendous danger to the truckers, in particular, in respect to the hauling of ore. It is my understanding, as I am sure it is the member's understanding, it is likely to be some considerable time before there is going to be ore hauled from Cyprus Anvil to Whitehorse. It would certainly be our intention to reactivate that particular program the moment that we have some indication that there is going to be the active production of ore at Cyprus Anvil.

Mr. Byblow: I appreciate the government leader's response. I would note that any construction on the Faro airport expansion project is contingent upon relocation of the Faro access road. What is this government's disposition towards the encouragement of that project and possibly some construction or preparatory work of that project this coming year, given some activity in the mine?

Hon. Mr. Pearson: It is true that we pointed out to the Government of Canada, and in particular to the Ministry of Transport, that if they were to marry those two projects, it was highly likely that they could get the work done in a much more efficient manner. I am sorry, I do not know exactly what MOT's plans are in respect to the airport at this point. We will check into it and I will get back to the hon. member with an answer to that question.

¹⁵ **Mr. Byblow:** As my final supplementary, I would like to ask the government leader: in light of the dire straits of the local economy of the community and the region at large, does this government have any major economic initiative for the Campbell corridor?

Hon. Mr. Pearson: The member's memory is getting very short. We have offered to participate with the federal government in a make-work project to the tune of \$1,000,000 in Faro, over the course of this coming year.

Question re: Fair practices and labour standards

Mr. Kimmerly: I have a question to the Minister of Consumer and Corporate Affairs about both fair practices and labour standards. Approximately a year ago, the government of the day clearly indicated a policy of supporting the principle of equal pay for work of equal value. Is that still the government policy now?

Hon. Mr. Ashley: When I am looking at all of these areas in this department this summer, I will be forming a policy with Cabinet. We have not formed a policy on that.

Mr. Kimmerly: On April 21, 1982, various Cabinet ministers spoke in support of the principle of equal pay for work of equal value. Is there a government policy now on that issue and what is it?

Hon. Mr. Ashley: I just informed the member opposite that I will be looking at that this summer. To date, I have not discussed it with my colleagues. I have not formed an opinion on it myself, yet.

Mr. Kimmerly: Will the minister make a commitment to make a policy statement on the issue during, or before, the fall session?

Hon. Mr. Ashley: I may very well be able to make a statement by that time.

¹⁶ **Question re: Stokes Point study**

Mr. Porter: My question is to the government leader. The Old Crow Band Council recently passed a resolution which calls for an inquiry into the social, economic and environmental consequences of construction of a deep-water port at Stokes Point, before any construction begins. Is this position supported by the Government of Yukon?

Hon. Mr. Pearson: No, it is not supported by this Government of Yukon but, as my colleague from Old Crow pointed out to the House in a speech that she made in reply to the budget speech, it is compatible with our concerns and our thinking in respect to what should happen on the north coast.

We have been very clear and very emphatic that we would not support any development that was not proven to be safe in respect to the environment, the ecology and, in particular, to the Porcupine caribou herd. The Porcupine caribou herd has been our major concern, in respect to Stokes Point, from the beginning. It is a fact that our biologists tell us very clearly and very emphatically that it is their belief that the establishment of a deep-water port of the magnitude that Gulf proposes, at this point in time, will not in any way affect the Porcupine caribou herd.

Mr. Porter: Given that the government leader, yesterday, indicated that he supported the idea of creating a park on Yukon's north coast, is it also the government's position that such a park should encompass the critical calving areas of the Porcupine caribou herd?

Hon. Mr. Pearson: We have been strong advocates of a park on the western portion of the North Slope for I am not sure how long; for years we have been advocating this. Our objection to the park concepts have been two-fold: number one, the COPE concept, which was a wilderness park that encompassed the whole of the North Slope; and, number two, the original concept of National Parks that virtually covered the whole of the North Slope — the

area extended so far east that it virtually did cover the whole North Slope.

Mr. Porter: Getting back to the heart of the question I asked, is it the position of this government that, in creating a park on the north coast of Yukon, that the park's boundaries should encompass the critical calving grounds of the Porcupine caribou herd?

Hon. Mr. Pearson: It is my understanding that our proposal does encompass the critical calving grounds of the Porcupine caribou herd.

¹⁷ **Question re: Women's Bureau**

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

The Yukon Status of Women Council has expressed concern in the delay of the new labour standards legislation. Since their recommendations to the select committee were intended to promote better working conditions for women in Yukon, could the minister tell this House when it intends to table this legislation?

Hon. Mr. Ashley: I guess the member opposite was away from the House yesterday afternoon and yesterday evening when we were in Committee of the Whole. I told the members opposite then I would certainly be trying to table legislation in the fall session. That is what I am aiming for; I am not sure if we will be able to meet that deadline or not.

Mrs. Joe: I understand the draft of the labour standards legislation has been prepared for some months now. Could the minister tell us if this draft includes the recommendations of the Status of Women Council?

Hon. Mr. Ashley: I am not aware of the draft. There was a green paper, but I am not aware of the draft legislation, and since I have been minister there certainly has not been one prepared.

Mrs. Joe: There appears to be a misunderstanding between the minister and the Status of Women Council. Since this women's group plays a very important role in the Yukon, is the minister prepared to meet with this group as requested by it?

Hon. Mr. Ashley: I wrote a letter before receiving the letter that just arrived from the Status of Women Council offering a meeting. That was March 23; I just received a letter last Friday from the Status of Women Council that was dated on March 31 asking for a meeting. I have offered.

Question re: Agriculture Development Council

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

Yesterday the minister suggested that public scrutiny of the Agriculture Development Council's decision regarding individual applications for agricultural land constituted an invasion of privacy. What checks and balances are there to ensure the distribution of public land is fair and just?

Hon. Mr. Lang: I would say it is two-fold. The areas that we are looking at are first of all reviewed by the Department of Renewable Resources and, if necessary, we would request federal departments to look at it if we feel there is a land use conflict. Secondly, the people considered for the application are on a first-come, first-serve basis and then the proposal is scrutinized by the Agriculture Development Council and decisions are subsequently made.

¹⁸ **Mr. McDonald:** A brief question of the minister: is there an appeal procedure to which unsuccessful applicants for agricultural land may apply?

Hon. Mr. Lang: No. If a person has a problem, of course they can always come to see me, but it would also be referred back to the Agriculture Development Council for its consideration. Otherwise there would not be any point in having the council.

Mr. McDonald: The minister has said that the Agriculture Development Council will "assure itself that whatever is being applied for could be done within the financial capabilities of the individual in question" while the council itself has said that it could not care less about the financial capabilities of the individual applicant. Who is stating the official government position?

Hon. Mr. Lang: I think the member opposite took me out of context. The point is that when one applies, the proposal is

scrutinized and subsequently a decision is made as to whether or not the individual in question is going to be eligible for the land that he or she has applied for. On the financial side, it is also — I would assume — the individual's responsibility to ensure that he or she has that necessary financing. I think it is safe to say that the terms and conditions that we have outlined for the purposes of land allocation are such that they are trying to meet the individual's needs as far as being able to, over time, meet the economic or financial commitments that he or she has to make in respect to the land in question.

Question re: Quartz Mining Act Amendments

Mr. Penikett: I have a question for the Minister of Municipal and Community Affairs, who seems to be on his best behaviour today. Yesterday, in answering a question about mineral claims in Hillcrest, the minister indicated that the *Quartz Mining Act* would, in his opinion, look after any problems. Since that act does not now provide any compensation rights for depreciation or other damage to properties adjacent to those in which mining operations are taking place, did the minister mean by his remarks yesterday that he intends to recommend to the federal government amendments that would provide that protection or has he already made such recommendations to Ottawa?

Hon. Mr. Lang: There perhaps were some preliminary discussions a number of years ago with the Government of Canada; to be quite honest, I am very, very wary of recommending a change in a federal piece of legislation, in view of what they could do in the rest of the bill. The member opposite might not totally agree with me on that, of course, but I do have my own suspicions.

Mr. Penikett: It indicates a singular lack of self confidence if the minister fears they might accept his recommendations, but let me ask him: in the absence of federal amendments to the act, what other steps is this government considering to protect property owners against damages that could result from adjacent mining properties in an area like the new Hillcrest subdivision?

Hon. Mr. Lang: It is my understanding, from the legal opinions that we have sought, that it is not necessary and, further, if it were to go to a court, we have made it very clear, in any land dispositions that we make, that we would go on their behalf.

Mr. Penikett: My last supplementary is to the minister on exactly the point of his last answer. I take it the minister has been advised, from his last remark, that it is within the power of his government to incorporate covenants and indemnifications into agreements of sale which would protect property holders from depreciation or damages which nearby mining might cause to their property. Could I ask the minister if that is his intention with respect to the sale agreements in the Hillcrest subdivision area?

Hon. Mr. Lang: Once again, the member opposite has made assumptions. However, it is an area that I would be prepared to consider.

Question re: Yukon Hydro

Mr. Byblow: My question is to the government leader. Last session, I raised a number of questions surrounding this government's equity participation in a company known as Yukon Hydro. Is this government still negotiating with the firm to assume 50 percent of that company's assets and, if so, when might we expect further information on the subject?

Hon. Mr. Pearson: We have concluded the negotiations and have agreed to sign an agreement with Yukon Electrical, Alberta Power and the company, Yukon Hydro, with respect to this government assuming a 49 percent equity position in the company. I anticipate that we will be doing that some time in the very near future.

Mr. Byblow: Is it the intention of the government to advise the House, in full details, surrounding the discussions and the final agreements?

Hon. Mr. Pearson: Yes, I hope that we will be able to do this while the House is in session and I will be able, at that time, to inform the House. If that is not the case, I will make an undertaking to make sure that I do inform each of the members individually as soon as we do do it.

Mr. Byblow: There was a question of a conflict of interest of government appointed utility boards regulating rates of government-owned companies motivated to maximizing profits while, at the same time, protecting the public interest and the consumer. How does the government intend to deal with this conflict and will he be tabling a response to that question?

Hon. Mr. Pearson: It is a conflict that could only exist in the hon. member's mind; no one else's. As the leader of the opposition was pointing out yesterday, most Tory governments in Canada — and they are all Tory governments in Canada except one or two — participate in an equity situation with utility companies. In every one of those provinces there is a utility board governing rates set by those utilities.

Question re: Social assistance

Mr. Kimmerly: I have a question about social assistance. I gave the minister notice of the question. I asked, on November 25, about the social assistance policy for those unfortunate individuals who are unable to eat but may own a residence. What is the policy?

Hon. Mr. Tracey: I was beginning to feel left out; I have not had a question for a couple of days.

Mr. Speaker: I would ask the minister to be brief because the question would require, I am sure, quite a lengthy reply.

Hon. Mr. Tracey: It is a lengthy reply and I think it would be better if I gave the members opposite a memo regarding it. We do supply social assistance to a person who owns his own home; we do make some provision to pay their mortgage payments or their insurance. There are certain criteria involved, depending on how much money is needed and how much space the person actually needs and what their mortgage payments are; all of these things are taken into consideration. I think it would be much better if I gave the member opposite a memo to give him the details.

Mr. Kimmerly: I thank the minister for that and I will attempt to publicize it, as well.

Is there a policy concerning the relationship between COSP and CHIP grants and social assistance, in the same context?

Hon. Mr. Tracey: Not to the best of my knowledge.

Question re: Finlayson caribou herd

Mr. Porter: Not wanting the minister to feel left out of the questions, I have drafted a question for him, as well.

The minister recently announced that an effort was being made to reverse the decline in the Finlayson caribou herd by limiting hunting to bulls only in some sections of game management zones 10 and 11. Are similar steps planned for the Little Rancheria caribou herd, which is reported to be experiencing similar hunting pressures?

Hon. Mr. Tracey: I am not aware that that is being planned. I know my department has been keeping an eye on the Little Rancheria area and on the caribou herd. It may be something that we will be forced to introduce in the future, but at this time, no, we are not planning on it.

Mr. Porter: Recent studies by the minister's department have revealed extremely high moose calf mortality rates in some parts of Yukon. Is the minister's department considering closing cow hunting season in those game zones where this crisis situation exists?

Hon. Mr. Tracey: We are not planning to close any of the areas this year. The regulation changes that have been made for the hunting season for this coming fall have already been introduced and they have been made public. That is as far as we are going this year; next year we may be forced to close some areas down to cow hunting or perhaps even reduce the season for bull hunting.

Mr. Porter: The Yukon Fish and Game Association has recently proposed a re-introduction of goats to the White Mountain/Jakes Corner area of Yukon. Has the minister's department considered this proposal and, if favourable consideration has been given to the suggestion, what role is planned for the minister's department in its implementation?

Hon. Mr. Tracey: My department has been approached by the Fish and Game Association and we are considering it. I think it is, perhaps, something that we should actually do. When we do more

detailed work on it, I am fairly confident that we will proceed with it.

Question re: Sexual harassment

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

The minister has stated in this House that sexual harassment was covered under the *Fair Practices Act*. Since it is not, will the minister now admit that he inadvertently misled this House?

Speaker's Ruling:

Mr. Speaker: I will consider that question quite out of order. The question is argumentative and I consider that question quite out of order.

Mrs. Joe: On November 19, 1981 the then minister of Justice stated they were working very hard to develop a Green Paper on Human Rights legislation which would replace the *Fair Practices Act*. Could the minister tell us what the status is of that paper and will the government be exempted from this act as it is now exempted from the *Fair Practices Act*?

Hon. Mr. Ashley: This legislation is some legislation we are working on and have been working on and will continue to work on until we have it ready for tabling. Hopefully it will be ready for tabling in the fall, as I told the members opposite last night.

Question re: Taxation of northern benefits

Mr. McDonald: I have a question for the government leader. Ever since the federal minister of Revenue, Walter Baker, in the late 70s aggressively promoted the taxation of isolation allowances, northern benefits, there has been a concerted effort by northern residents to resist the tax. Has this government registered strong objections to the federal plan, and has it been engaged in ongoing discussions with federal ministers on this issue?

Hon. Mr. Pearson: We have made our position in respect to northern benefits very well known to the federal government. It is a topic of conversation every time I am in Ottawa and with every minister I meet. One of the pluses, I believe, that we have going for us is in fact that it is a concern. I know that it is a concern of Mr. Rompkey and I also know that he is still very much interested in seeing the issue resolved more to the benefit of northerners, notwithstanding the fact that his particular area of Canada was exempted from the latest changes.

We are, at the present time, working jointly with the Government of the Northwest Territories in the hope that we will be able to put together a joint position that we think might lend some more weight to this problem and get it resolved for the benefit of all northerners.

Mr. McDonald: Has the federal government ever tied an obligation on the part of the Yukon government to comply with a taxation plan to the receipt of federal transfer payments to Yukon?

Hon. Mr. Pearson: I am not sure that I understand the question; however, if it is that either we comply with the taxation plan or we do not get our transfer payments, I guess that is true. We are part of Canada, we are required as citizens of Canada to comply with the taxation laws as citizens of Canada. There is no suggestion that they are not going to give us money. I would respectfully suggest that the opposite is the case; we either pay taxes the way we are required to pay them or we are going to suffer the consequences the same as any other Canadian.

Mr. McDonald: By saying that, is the government leader saying that the government is no longer planning to retain the supplementary tax or pass it back to the individual workers as promised in the election last June?

Hon. Mr. Pearson: I am sorry, I think I am going to have to ask the member to give me a written question because I believe we are talking about two separate issues.

GOVERNMENT BILLS

Bill No. 6: Second Reading

Mr. Clerk: Second reading, Bill No. 6, standing in the name of the hon. Mr. Pearson.

Hon. Mr. Pearson: I move, seconded by the hon. Minister of Municipal and Community Affairs, that Bill No. 6, *An Act to Amend the Income Tax Act*, be now read a second time.

Mr. Speaker: It has been moved by the hon. government leader that Bill No. 6 be now read a second time.

Hon. Mr. Pearson: This is the first time that we have had this particular piece of legislation to the House for amendment since it was passed by the Legislature. All members will recall that there was an income tax collection agreement signed by this government that said that we would make amendments to our legislation when they were required by the federal act.

We have some two years of those kinds of amendments to make. At the same time, we are taking the opportunity to increase the individual taxation rate from 43 percent of the federal tax to 45 percent: two points. As was stated in the House yesterday, this will still leave us having the third lowest personal income tax rate in Canada.

We are also providing to reduce corporate income tax rates from ten to five percent for income that qualifies for a similar deduction under section 125 of the federal *Income Tax Act*, and there is a provision for a corporation tax rate of 2.5 percent for taxable corporation income which is derived from manufacturing and processing and which qualifies for a reduced corporation income tax rate under section 125.1 of the federal *Income Tax Act*.

The remaining sections of the act are those that we are required to make by virtue of the income tax collection agreement. They cover a number of issues with respect to the collection procedure carried out by the federal government.

Mr. Penikett: I enter the debate on this bill with some apprehension. I would prefer more time to study it, however, I understand and accept the reasons why we must proceed today. I share the observations of my colleague from Whitehorse South Centre when it comes to the *Income Tax Act*: it really is harder to read than the small print in my insurance policy. It looks like the lawyers and the accountants got together and did their worst on this one.

Anyway, because of the difficulty I have penetrating the mysteries of the measure that this amends, I want to speak with some caution about its provisions. The explanatory note to the bill concerned me a little bit because what I imagined to be the major change, the increase in the individual territorial income tax from 43 to 45 percent, is described as an "also", or an addition, to some other changes which are described as making it consistent with the federal act. Those changes I have attempted to understand but must confess that I do not fully yet.

We have checked with the Canadian Tax Foundation chart and, in respect to some of the provisions in here, it is true, I think, that many of these things are in fact not substantial changes to the original bill. However, I do notice that one of the principles contained in here, one of the changes — and I assume it originates with the federal government — is an increasing severity in terms of penalties for late payment. Under the old law, we were talking about, I think in some cases, maximums of \$100 for some penalties; for some people now, they could be as high as about \$680. My arithmetic may be wrong, but they are considerably increased according to my reasoning of the bill. Now, the penalty clauses, as I say, seem to be the harshest amount and they do seem to depend on the amount of tax owed and the time the debt is left unpaid. Perhaps when we get into committee, we might hear some further explanations about that detail.

I am curious about the effect on small business because I guess I had expected somehow that there might have been an amendment in here to deal with some small business rate, but I gather that that is in fact not necessary to enshrine in the statutes — that it is in fact being done by regulation. I will be curious, as a matter of principle, to find out in committee if any consideration was given to tying that provision to any kind of requirements; in other words, making the tax break conditional on those businesses doing certain things that might have been deemed to be in the economic interest of the territory.

The government leader has again said that the income tax provisions give us the third lowest tax rate in Canada; of course,

that in itself is not a very meaningful comparison unless you also, on the other side of the ledger, examine the comparative level of public services offered here and elsewhere. I am not sure how well we would do according to such an assessment. As we have said before, we have opposed the income tax increase in this budget measure and we oppose it not in isolation but in the context of the entire fiscal package proposed by the government. Therefore, we will be voting "no" on this measure.

Mr. Speaker: Are you prepared for the question?

Some Hon. Members: Agreed.

Some Hon. Members: Division.

Mr. Speaker: Division has been called.

¹⁴ **Mr. Clerk:** would you poll the House.

Hon. Mr. Pearson: Agreed.

Hon. Mr. Lang: Agreed.

Hon. Mrs. Firth: Agreed.

Hon. Mr. Ashley: Agreed.

Hon. Mr. Tracey: Agreed.

Mr. Falle: Agreed.

Ms Nukon: Agreed.

Mr. Philipsen: Agreed.

Mr. Brewster: Agreed.

Mr. Penikett: Disagree.

Mr. Byblow: Disagree.

Mr. Kimmerly: Disagree.

Mr. Porter: Disagree.

Mrs. Joe: Disagree.

Mr. McDonald: Disagree.

Mr. Clerk: Mr. Speaker, the results are nine yea; six nay.

Motion agreed to

Bill No. 7: Second Reading

Mr. Clerk: Second reading, Bill No. 7, standing in the name of the hon. Mr. Pearson.

Hon. Mr. Pearson: I move that Bill No. 7, *Financial Agreement Act, 1983*, be now read a second time.

Mr. Speaker: It has been moved by the hon. government leader that Bill No. 7 be now read a second time.

Hon. Mr. Pearson: This is virtually a *pro forma* bill in this legislation, one that must be passed each year as long as we maintain our colonial status with the Government of Canada.

However, I think there are a couple of paragraphs in the bill that I would like to highlight at second reading. The bill authorizes the Commissioner and Executive Council to agree to an operating grant of \$72,809,000 and a capital grant of \$26,784,000 for the fiscal year 1983-84. Something new this year is that this act provides that that the financial agreement may be signed by the Minister of Finance, on behalf of the Commissioner and Executive Council.

It also amends the 1982 *Financial Agreement Act* by changing the amount of the operating grant from \$43,088,000 to \$50,438,869.08. This, of course, was the supplementary estimate that we were fortunate enough to receive in February. It seeks ratification by the Legislative Assembly to an amendment to the agreement made under the 1981 *Financial Agreement Act*. The amendment postpones final settlement of income tax adjustments until October, 1984. The previous final adjustment date was June, 1983.

Mr. Penikett: We will support this measure. I appreciate the government leader's explanation and I hope that we can have a further accounting in committee of the state of accounts on those income tax adjustments because I am sure he will understand if I say I am confused with the numbers, at this point.

I do feel bound to say, since the government leader suggested that this measure would only exist under our present colonial status, that we may have evolved as far as we are going to. I suspect that the ministers of finance of most of the provincial governments have similar such measures to present to their Houses and to get through in respect to federal transfers and I see no reason to believe that that situation — the situation in respect to transfer payments — is going to change very much in the near future of this country.

¹⁵ *Motion agreed to*

Mr. Speaker: May I have your further pleasure?

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

Motion agreed to

COMMITTEE OF THE WHOLE

Mr. Chairman: I will now call Committee of the Whole to order. We will recess until 2:40 p.m.

Recess

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

Bill No. 5 continued

Hon. Mr. Ashley: I would like to clarify answers given by me to a couple of questions during last evening's debate on the 1983-84 operating budget for the Department of Consumer and Corporate Affairs:

When asked by the member for Mayo about the department's enforcement of labour standards violations, I indicated the labour standards officer could end up adjudicating a dispute between employer and employee, with the only appeal available through the courts. This is not the case, as the labour standards officer simply acts as a mediator during the initial stages and would subsequently arrange for charges to be laid should mediation prove fruitless. What I described was what their function is under the *Fair Practices Act*. The officers do both; they are named as both fair practices officers and labour standards officers.

Also, when referring to the frequency of meetings of the Labour Standards Advisory Board, I implied that this board would deal with complaints. In fact this board does not convene to deal with any labour standards complaints; rather the board meets whenever there is a request for variance from the maximum hours of work or an application to average hours of work. I trust the foregoing will clarify matters and that the members will accept my apology should my answers have caused any confusion.

Mr. Penikett: On a related matter, yesterday, I believe — and *Hansard* is not yet published for us to see the text in print — the minister told the House that the *Fair Practices Act* covered the problem of sexual harassment. Today, my colleague, Mrs. Joe, attempted in the House to give the minister an opportunity to correct the record. I believe, and I say this sincerely, that the minister was in error and may have inadvertently misled the House on the point. Since it was in the House, and not in the Committee, I wonder if the minister might give an undertaking to have a look at his remark yesterday in the House, and, if he can conclude that he was wrong, he could come back to the House, not to the Committee, and perhaps correct that if he finds it so.

Hon. Mr. Ashley: Certainly, if I have made a mistake I will certainly apologize for it if I have misled the House. I would never deny doing that. That has never been my intent.

On Department of Health and Human Resources

¹⁷ **Hon. Mr. Tracey:** I would like to briefly address the health and human resources portion of the budget. For many Yukoners, the past year has been a difficult one which has been partially evidenced by the increased number of individuals looking to my department for assistance. In spite of limited resources, every effort has been made to ensure that those resources have been allocated as effectively and as efficiently as possible, while at the same time ensuring that those individuals who are in real need are provided with the necessary level of services and/or assistance. The budget now before you is, I believe, responsive both to the needs of Yukoners and the need to place available resources where they will be most effective.

I would now like to go through my department's budget, program by program. In administration-human resources, it will be noted that the 1983-84 estimates in the document reflect a total of

\$2,210,000. This is an increase of \$87,000, or four percent, over the 1982-83 estimates, while the salary dollars reflect an overall 10 percent increase with the return to the 10-day fortnight. Considerable effort has been undertaken to maintain or, in some cases, reduce general administrative costs.

In the area of child welfare services, the increase has been kept to \$19,000, or two percent overall. While a slight increase in the number of children's cases is being anticipated for 1983-84, an anticipated reduction in the need for outside placements, together with anticipated shorter periods of time in case per individual, is expected to enable expenditures in this area to be maintained at a level close to the previous year. In the area of social assistance, I am pleased to announce that the social assistance fixed rates for food, clothing and incidentals will be increased by six percent for this fiscal year. While it is appreciated that this amount is not great, it will better enable those individuals on social assistance to meet their primary needs in those areas.

With respect to the social assistance budget overall, it will be noted that only a three percent, or \$78,000, increase is being projected. While it is certainly not anticipated that the number of individuals applying for and receiving social assistance during 1983-84 will decline, a greater attention to the specific needs of these individuals where some flexibility exists — for example, shelter, utilities, special clothing, housekeeping, et cetera — should enable expenditures to be maintained at a similar level as last year, while at the same time ensuring that basic needs are being met.

In the area of rehabilitation services, the amount budgeted shows a slight reduction from 82-83; this is attributable to the continuing pattern of limited or no growth in the number of clients requiring this service, coupled with continuing efforts to maintain clients within Yukon rather than placing them into expensive outside facilities.

In the area of grants, the budget reflects a substantial increase over the 82-83 budget in the amount of \$198,000, or 20 percent. This increase is attributable to three specific areas of the grants program, namely: alcohol and drug services, income supplement for senior citizens and the Yukon women's transition home. The alcohol and drug services grant reflects the block funding provided to the Crossroads treatment centre for alcoholism. As block funding, the amount reflects the gross funds required by Crossroads to operate for the year. It is fully anticipated, however, that Crossroads will be in receipt of revenues from various sources other than the government of Yukon during the year and these will be deducted from the total amount of monies to be provided to Crossroads.

¹⁸ The income supplement program for senior citizens is a new program which just commenced in July 1982. The amount of the increase in this area, therefore, reflects a full year's operation of the program for 1983-84, versus only nine months of operation for 1982-83.

With respect to the Yukon women's transition home, I am pleased to announce that we will be providing the transition home with block funding constituting 50 percent of their operating expenditures for the coming year. The remainder of the funding for the transition home is to be provided through the Department of Indian and Inuit Affairs.

In the area of alcohol and drug services, the budget shows a \$40,000 decrease from that forecast for 1982-83. This was not achieved through any program cut but rather as a result of such items as pool car rentals being centralized into the department of government services, training funds for the alcohol workers being consolidated within general administration training and through a slight reduction in salary dollars for contract community alcohol workers arising out of vacancies which occur from time to time.

In our residential facilities, we have increased the budget slightly in order to ensure that the needs of persons requiring the use of youth services, the two senior citizens lodges and the detoxication centre will continue to be fully met. These facilities operate 24 hours per day with the occupancy currently fluctuating from 90 percent of capacity to full capacity.

In the area of administration health services, the budget reflects a \$57,000 increase over 1982-83. This is primarily due to the return

to a 10-day fortnight and increased salary costs as a result thereof.

In general health services, the amount budgeted reflects the Yukon government's portion of anticipated expenditures for 1983-84, as provided by the medical service branch, Yukon region. As all members are aware, general health services are delivered by the medical services branch with the Yukon government contributing 70 percent of the annual cost.

With respect to the hospital insurance services, it will be noted that funding for this program has been increased substantially. As with general health services, hospital services within Yukon are delivered by medical services branch, national health and welfare, with us contributing 100 percent of the costs. During the past years, the cost of this service was unable to provide the full level of contributions required. For the 1983-84 fiscal year, however, we have been able to substantially increase the funding associated with in-territory hospital care, with the figure projected being based upon information provided by the medical services branch of national health and welfare. We have done this in order to fully reflect the government's continuing commitment and obligation to all Yukoners for a high level hospital care service throughout the territory.

The health care insurance program has also been increased slightly from \$4,270,000 to \$4,510,000 for 1983-84. While we are anticipating that utilization will drop due to somewhat decreased population, an adjustment has been made for a negotiated increase in doctors' fees, both in Yukon and outside. In the area of medical health services, virtually the same level of funding as past years is being maintained, primarily due to the continuing trend in medical practice being away from institutionalization of the mentally ill. This area is comprised of the cost of psychiatric hospital care and related medical travel and drugs.

¹⁹ The subsidized medical travel program has been increased by \$82,000. This program covers the cost of medical approved travel for Yukoners to facilities either located within Yukon or outside of Yukon. While it is not anticipated that there will be any major increases in the utilization of this program for Yukoners, the cost of travel, particularly to points outside Yukon, has risen substantially.

In the area of disease control, we are presenting a slightly increased budget over 1982-83. Again, we are not anticipating any major increases in the number of Yukoners requiring services under this program; however, increased medical costs associated with disease control have necessitated the nominal increase to this budget. While we are optimistic that the funding level prepared is sufficient and reasonable, the unforeseen occurrence of an outbreak of a particular disease could place a possible strain on this program.

In looking at the speech pathology program, it should be noted that the 1983-84 budget shows a substantial increase over 1982-83, in the amount of \$98,000. As the members will recall, we planned to double the person-years in speech pathology last year from two to four persons, including the addition of an audiologist. Unfortunately, we have had considerable difficulties in hiring for both the currently vacant positions of speech therapist and the newly created position of audiologist. Such professionals continue to be in great demand and in short supply. The 1982-83 budget reflects the vacancies in these positions and the 1983-84 budget shows the vacancies being filled. We are optimistic that we will be able to hire the staff.

With the senior pathologist now being on-stream since last August, we have also provided increased funding for the purchase of supplies and materials necessary to the program and to the needs of clients receiving diagnosis and treatment for communicative disorders.

In these difficult economic times, both dollars and resources continue to be scarce; notwithstanding that, I believe every effort has been made in this budget to reflect both the needs of Yukoners and the need to operate programs as effectively and efficiently as possible for every Yukoner who genuinely requires the services offered by my department and its programs. I assure you that they will have great access to them.

Mr. Kimmerly: First of all, I have two compliments, and they are fairly major compliments. The minister, last year, gave a similar accounting of the changes in the numbers in the budget. I

complimented him then and I do so again. I say that it is a practice which assists us and it shortens the budget debate, as well, I am quite sure.

Another compliment, and this is a more important matter, is that I wish to compliment the minister and the government on the funding of the women's transition home. I know something about the funding of these kinds of services and I am confident that I am right when I say that this particular service is the only one in Canada that now enjoys block funding — if I can use the government leader's favourite expression, I would say — "at this point in time".

It is obviously the direction in the future for these kinds of services, and the Yukon is in fact leading the way and we are proud of that. The women of the Yukon, I am sure, are appreciative.

After saying that, I do wish to notify the minister of a few lines of questioning I am going to be following. Last year I did that and the minister answered the questions in general debate so I am not going to go through the actual questions; I will ask them at the various lines.

I am interested in the statement that the minister made about the increased number of people looking for assistance. I am also cognizant of the projections of the population change, or the assumptions in this budget, and also it is relevant for this department to think about: if people actually leave the territory, what classes of people leave? I do not mean to imply anything in a connotative way about the word "classes" but various people characteristically use different kinds of government services, and as the population changes the necessary services may change in a slightly different way. I am interested in that, and I am specifically interested in the social assistance projections. I will have further questions about the social assistance policies as they change from time to time. I have identified most of them already in Question Period. I am interested and I will ask specific questions under the speech pathology line about the efforts that the government continues to make in finding the necessary qualified people. I will also ask about the continuing development of policy concerning government funded non-governmental organizations such as family services, Crossroads and Kaushee's Place.

I would like to ask in the general debate, two questions. One is about the minister's stated objective or his long term goal about geriatric care and what is the state of the development of a policy on geriatric care? There was a report on that in November and various information about population levels and projections was necessary, as also were the costs of the various kinds of care.

I will ask in a very general way: is there now a policy or direction in that area and are the decisions about the kinds of care that are going to be offered in Yukon in the next three to five years, say, coming together?

Hon. Mr. Tracey: I recognize that the member opposite has given me some general areas where he is going to be asking questions, and I will try my best to answer them when we come to them. I thank him for his compliments, especially the one about the women's transition home. I made a decision quite a while ago to fund that home; I was unable to release that information to anybody. Subsequently, we received numerous letters from everywhere in the territory. They did a great job of lobbying and they did not need to. The decision was already made; but I compliment them on their job of lobbying because they did an excellent job.

I should also comment on the member's comment about increased numbers of people looking for social assistance. We do not have an increased number of people looking for social assistance at this time and, if the economy does pick up, we do not anticipate it. What we have tried to do is anticipate an increased number, or, at least, to maintain the level or a slightly increased number, if our economy does not turn around and people who are now on unemployment insurance have to go on to social welfare. However, we are hopeful that programs such as the NEED program will not force that to happen.

I am not aware of what social assistance policies the member will be asking me about. I will leave speech pathology until we reach that portion of the budget.

There is not really a policy regarding funding of outside agencies

so much as a need. If we see a need for the agency, such as Kaushee's Place, to be funded, we take that into consideration. We do fund agencies, such as the Yukon Rehabilitation Society, but we do it for a very specific purpose; it is cheaper for them to provide the service than it is for us. It is more beneficial for us to have outside agencies looking after some services, so, whenever one of these programs or propositions comes to us, we review it at that time and try to make a decision on whether we should go with it or not.

As for our geriatric policy, I think I expressed a policy last fall in the House when I said that it is my intention, in my term of office as the minister of this department, to try to bring in geriatric care facilities. While recognizing that that is very, very expensive, we have to do a lot of negotiating with the federal government. We have to put together some kind of a program that they will accept. There has been a lot of work done on it already in my department, and we will continue to do it, but as far as developing a policy, our policy is that we want to look after our people in the territory rather than have to send them out of the territory or keep them in the hospital or, what I would consider worse, have to maintain some of these people who should be in a geriatric facility in facilities such as Macauley Lodge, which is not designed for geriatric care. So, really, our policy — at least, my policy, and I hope my government's policy, and I think it is — is to try to put together a program that will look after our people in the territory rather than sending them outside of the territory.

Mr. Kimmerly: In November, the minister identified various ongoing evaluations of various programs. I realize this is a constant process. In November, there was a specific reference to the community alcohol workers and an evaluation of that program, and I assume the relationship between the YTG program and the Native Alcohol and Drug Abuse Program was closely looked at. In the next budget year, what are the department's priorities with regard to evaluations? Are there evaluations going on in some programs as opposed to some others and, if so, could the minister identify the programs by name?

Hon. Mr. Tracey: No, I do not believe there are specific programs being looked at, at the moment. We have a person in our department, Mr. Phillips, who is involved in evaluating all of these programs. For example, one that we have evaluated and one that is presently changing is our premises officer. The premises officer looked after supplying all of the materials and supplies needed in our various buildings throughout the territory and the maintenance of these buildings, which I felt was being duplicated by the Department of Government Services. I felt it would be much better if we looked after this in a department that is charged, within the government, with the responsibility for property management. That program is now coming out of the Department of Health and Human Resources and will be transferred almost immediately to the Department of Government Services so that we can look after it there.

We do not have to increase manpower, so this frees one person in the Department of Health and Human Resource to become more involved in actual health and human resources programs. I cannot give you the full details of what this person will be doing, as of yet, because I have not received the paperwork from the department. That is an example of some of the things that we are trying to do.

We have done some evaluation of community alcohol workers and on the alcohol and drug services department in total. I sent a memo to the CYI approximately three or four months ago and asked to have a meeting with them and, subsequently, did have a meeting with them. What I am suggesting to them is that we, the CYI and NADAP pool our resources and put together a program that will look after the alcohol and drug problems in the territory on a singular basis rather than having three different departments or organizations trying to work on the same thing. I am hopeful that that will work. I understand that there have been a couple of subsequent meetings since the meeting that was held in my office. I am not sure where that stands now; I understand there is a little apprehension on the part of some of the other players in the game. I think it would be beneficial were we to do that.

Those are some of the things that we are looking at. Generally, in

the department, they will look at any program that I, the deputy minister or anyone in the department suggests that we could create efficiencies in.

Mr. Kimmerly: I am stimulated by the comments about the bringing together of the three organizations supplying direct alcohol and drug abuse services in the territory. In my opinion that is an excellent approach and I totally agree with it.

I am not asking for a revelation of a negotiating tactic or anything like that, but is it the policy of the government in that area that the three organizations would come together in essentially a fund, a coordinated program under the control of each of the three organizations by, perhaps, a board with nominees from each of the three, or is the approach that the delivery agency should be YTG?

Hon. Mr. Tracey: Without revealing any of the negotiations that are going on, it is open-ended as far as I am concerned. What I am interested in is trying to put together an alcohol and drug program that is effective in the territory and does not have three organizations running around the territory duplicating what other organizations are doing. It all depends on the negotiations that take place how we end up working this out.

We also have to take into consideration that the Government of the Yukon Territory has a responsibility for the alcohol and drug program for everyone in the territory, whereas the other organizations are dealing mostly with the native people. I think that is something that also has to be considered in this negotiation which, I guess, would lead to some apprehension on the other side of whether the Government of the Yukon Territory was attempting to take over their budget, or whatever. That is not the case; we do not want to do that. What we are trying to do is make something that is workable in the territory.

Mr. Kimmerly: The Throne Speech talked about contracting out some services. I know, in the State of Alaska, especially for native people, there are contracts for the delivery of exactly these kinds of services. Is the government looking at that approach in any way?

Hon. Mr. Tracey: No, not at this time. That would be totally counter-productive to the position that I just put forward of what we are trying to do. What we are trying to do is put this all together and operate it jointly, in some manner, rather than contract it out.

Mr. Kimmerly: Just a word of explanation: I was not attempting, in any way, to suggest or bring the debate around to an approach inconsistent with the coordinated approach spoken of by the minister. The obvious problem, of course, on the coordinated approach is that Indian organizations are suspicious of non-Indian managers on these kinds of programs. There is obviously a feeling or a suspicion of a lack of cultural understanding and the delivery of services suffers. I am sure the minister is well aware of that general issue and the concept of a contract with one agency or, perhaps, a local agency.

For example, if there is a NADAP worker in Pelly Crossing and also a YTG community alcohol worker, it is obviously an area where coordination could occur. If there could be either a coordinated management or a contract in the local area which would achieve the same coordination, it may be a useful experiment. I simply explain that; it is not a real question. I would give the floor to someone else if they are interested in general debate.

Mrs. Joe: Just a couple of brief comments to make with regard to the Women's Transition Home. I am very pleased about the block funding that has been given to them. I think that was very good and I also compliment the department on it. I knew the lady, Kaushee, quite well; she was a very good friend of mine. I took it upon myself to write out the pronunciation of Kaushee's name that I would like to give it to the Minister of Health and Human Resources. He will know how to say it when he reads that. I noticed, in the budget here, that it was called the Yukon Indian Women's Transition Home; is that the correct name of the place?

Hon. Mr. Tracey: No, it is not the correct name of the place. The correct name of it is the Yukon Women's Transition Home.

Mrs. Joe: I just wanted clarification on that. The NADAP program that has been in existence for quite a while has been very beneficial to the people who have been able to take advantage of it. I am not quite sure how much involvement there was from anybody

else except the Indian people but, right now, there is a group travelling around the Yukon that is sponsored by NADAP. What they are doing is having workshops and shows and other things. I think what they are doing is showing the people who are attending the workshops that there is an alternative to alcohol. Those workshops are open to all residents of the communities that they are at. As a matter of fact, last week in Whitehorse there were a number of school children who were able to attend it so it was open to many other people as well.

With regard to the high rate of young children who were involved with drugs and alcohol, I think that the hospital does have statistics for the number of young people who have been taken to emergency from overdoses of alcohol and/or drugs. The rate is quite high and I think it is something that this government is probably already aware of. I believe it is a very deep problem and I think that we have to consider the fact that it is a very deep problem and that something should possibly be done about it in terms of setting up some kind of counselling or educational programs in schools. There are a number of things there.

²³ The only other thing that I wanted to mention at this time is some information that was given to me when I was paying my health insurance — and whether or not this information is true, I do not know — was that the ministers had their insurance payments cost-shared by YTG and other MLAs did not. I just wondered if that was in fact the right information?

Hon. Mr. Tracey: I can tell you that I did not have my medicare cost-shared by the government. I was paying \$25 a month up until about a month or so ago, and I found out that actually my payments should have been cost-shared. But I have been paying out of my pocket every month the full amount of \$25.

In regards to young kids and alcohol and drugs, I recognize it is a big problem. I think everybody does. But it is something that is a fault of our society, the way we live, and we do have alcohol and drug programs in the school. Perhaps we could have more and better programs. I would not disagree that perhaps we could. We have to recognize it is a fault of our society. It is not a fault of yours or mine, perhaps, but of society as a whole. I do not know how we are going to stop it. We have alcohol and drug programs; we cannot stop it for adults, so how are we going to stop it for children who are, in a great many cases, even more independent than adults. They are going to try anything once. So, while I recognize that it is a problem, I am not sure that anyone in our society knows how to handle the problem. We have been trying a great many different things over the course of years, as has every other province in Canada or territory, and I do not know whether it will ever change until our society changes somewhat.

Mrs. Joe: I just thought I heard the minister say that there were alcohol and drug programs in the school, and I was not aware of any of those programs. I just wondered if he might tell me how extensive they are. Are they in each school or are they available somewhere else for students?

Hon. Mr. Tracey: I could not tell you exactly what they are, but from speaking with my own children I know that they have been involved somewhat in some alcohol and drug programs. I do not know whether it is a specific course, or whatever, but I do know that they have been counselled at the school.

On Administration — Human Resources

Hon. Mr. Tracey: I believe I gave a lot of it in my opening remarks but I will just go through it as we go down. The increase in this department is due to the return to the 10-day fortnight and increased salary costs as a result, and other general administrative costs have been either maintain or in some cases reduced, so there is very little increase in the administration part.

²⁴ *On General*

General in the amount of \$542,000 agreed to On Field Region

Mr. Kimmerly: I have a continuing question and I realize the situation in the different communities differs substantially. The minister will probably agree with me if I say that, as Canada is a large country and various regions occasionally object to Ottawa-based policies, the communities of Yukon occasionally object to

Whitehorse-based policies. Is there an evaluative effort going on to increase the level of local consultation and local satisfaction with these services? I realize that local hire and those kinds of things, in the sense of community-hire as opposed to Yukon-hire, is an important issue. I am aware of a relatively high staff turnover in recent years and a general level of dissatisfaction with worker consultation in recent years. Is the minister proposing anything in the next year to further decentralize and to increase the local consultation?

Hon. Mr. Tracey: I agree that we should try to get the control out in the communities as much as possible. We have been trying to do that. We have social workers, and social service workers as well, in various areas such as Faro and Dawson. We bring them in here as often as we feel is necessary in order to have joint consultation with them and to get their views. While I agree that we should try to diversify as much as possible in the communities and keep the people out there, we still have to run a department. In order to run that department efficiently, there has to be coordination done at the central agency, which is in Whitehorse. I do not think we are ever going to get away from people feeling that they are controlled from Whitehorse.

It is obvious that as long as the seat of government is here they are going to feel controlled from here. It does not matter where you go; that is always a complaint. We are trying, as much as possible, to have the people in the areas look after services. You should also recognize that we have been short-staffed in the area of top management and we are now starting to fill those positions and get the people on staff so that we can operate even more efficiently.

Mr. Kimmerly: I would like to make a gratuitous recommendation or suggestion or two. I know the minister did not invite it, but I feel compelled to speak my mind in any event. I will be fairly short. It is my opinion that the position of supervisor of the field services is a very sensitive one and it is very important that the person who is in the position is a knowledgeable Yukoner and I would recommend that, especially in that position, an internal promotion should be looked at more seriously than for other administrative positions. I do not wish to talk about individuals in any sense.
²⁷ The practice, as I am aware, is for the field people to come in for conferences, for on-going consultation and training, from time to time. I would suggest that some of those conferences — not all — occur not in Whitehorse, but in the communities; necessitating the instructors to go to the smaller centres. The transportation costs ought to be about equal and it may assist in the rural quality of the deliberations, from time to time.

I have also spoken about a training period or a course for, especially, non-Yukoners who are appointed to social worker positions, especially in the communities; we have previously spoken of that. The RCMP course is fairly good and I would recommend it. I know some initiatives have already been taken in this area, but I would recommend that for relatively new Yukoners who are posted outside of Whitehorse, especially, that a training period be established and that it not necessarily be a Whitehorse-based training period. It could, for example, be a week or two in a community, with a longer serving social worker as an indoctrinator, I suppose.

Hon. Mr. Tracey: I will take that last suggestion under advisement. I believe it is a good one and we will look at it.

In regard to the area supervisors, you will notice in the budget that there is about a \$100,000 increase, and a major part of that is actually for travel and relocation. A great amount of it is in order to allow the area supervisors to get around their area on a more frequent basis, so that they are in tune with what is going on in their area so they will be able to report to Whitehorse exactly what should be done in the area.

*Field region in the amount of \$828,000 agreed to
On Whitehorse Region*

*Whitehorse Region in the amount of \$440,000 agreed to
On Child Welfare*

²⁸ **Mr. Kimmerly:** I have several questions and they may be addressed in *The Children's Act*; I do not know because I have not read it, of course. I am interested in the projections for expenditure concerning the *Young Offenders Act* and the change in the age limit

expected to come into play in this budget year. I am also interested in any initiatives concerning the services to very, very young children including unborn children. I am speaking, of course, about the implications of abortion, fetal alcohol syndrome babies and teenage pregnancies; those kinds of things. Are there any initiatives planned in this area at all?

Hon. Mr. Tracey: I think the member, when he reads his new *Children's Act* will see that some of the things he spoke about are addressed. As far as the cost of child welfare and the new *Young Offenders Act*, we are looking at an increase to us of approximately \$7 million to \$7.5 million. The major part of that we calculate would be a facility that we have to build but there is still a tremendous increase to us with regard to the implementation of the *Young Offenders Act*.

However, that is something that we will be negotiating with the federal government because we feel that we have an adequate budget to handle our *Child Welfare Act* as it is now. If they force us to introduce the *Young Offenders Act*, we feel that the federal government has a responsibility to meet the additional cost that it is going to be involved. That is something that we have to negotiate, and will be negotiating it very shortly. We are not too sure how successful it will be but it is not included in here. It is something that has to come at a later date.

Mr. Kimmerly: Are there any initiatives in this line concerning the services to potentially battered children? The minister will obviously be aware that, to get the reporting of a battered child or potentially battered child, is a problem. I asked a written question in the last session, in this program, about statistics in the area and there were not any or any meaningful ones as I recall. Is this problem being continually evaluated and studied by the department? There may be an implication of the new *Children's Act* and, if so, what are the budgetary implications of that?

²⁹ **Hon. Mr. Tracey:** I do not think even in the *Children's Act* there will be any great deal of change from what we have today. Right now, a person is obligated by law to report battered children, if they know of any. If they do not do it, there is very little we can do about it unless we can find a specific instance where we can press charges against someone for not doing it. Under our existing policies and programs and legislation, we do take those children into care, if it is necessary, we do look after them and they are covered under our budget. However, we do not get that many.

They are either covered under health care or under our budget. There is very little even new legislation could do to make someone report a battered child. It is an obligation now, and I do not know what we could do to enforce it, or reinforce it.

Mr. Kimmerly: I will ask a question that the minister may wish to take notice of. Are there statistics about the case-by-case cost for juvenile court matters and juvenile probation? I have gone through the statistics in the supplementary information in the book and it strikes me that the juvenile court area is an extremely important area. I am wondering if there are any figures about the case-by-case costs in that area. If there are, I would appreciate a memo in the future revealing that information.

Hon. Mr. Tracey: I am not sure whether there are. Most likely there are because we had to do a fair amount of work in order to calculate what it was going to cost us under the new *Young Offenders Act*, for example, for legal aid for children. If we do have them, I have no problem making the member aware of what they are in a future memo.

*Child Welfare in the amount of \$349,000 agreed to
On Yukon Family Planning*

Mr. Kimmerly: Could I have an explanation of what the \$50,000 is for?

Hon. Mr. Tracey: As you know, we do have the family planning. We work in conjunction with the PSC, for example, in the area of people having problems at their job, and also people having family problems come in to us. It is a very small budget and has been reduced slightly. It is a contract that we have with Yukon Family Services to look after the program. Basically, it is a program that is done outside of the government, done by Yukon Family Services, and contracted by us in order to counsel people with problems and families with problems.

Mr. Kimmerly: Does the reduction reflect a decline in the use of the service or a budgetary restraint?

Hon. Mr. Tracey: No, it is not a budgetary restraint; it is a slight drop in services.

Yukon Family Planning in the amount of \$51,000 agreed to Administration — Human Resources in the amount of \$2,210,000 agreed to

On Child Welfare Services

Hon. Mr. Tracey: There are marginal increases to allow for the anticipated slight increase in numbers of children in care. Other costs are expected to be maintained at the 1982-83 levels through greater use of Yukon resources versus expensive outside facilities. We are trying to keep as many people in Yukon as possible because of the greatly increased costs of sending children outside. We are also trying to keep children in care for shorter periods, if possible.

Mr. Kimmerly: In looking at the program objectives, I am interested in the standards of care for children's residential services. I am specifically interested in day care facilities.

The minister is aware, I know, of discussions involving existing suppliers of day care services. I would ask the minister if any consideration or reconsideration is being given to the building standards for the compliances in licensing for facilities in operation prior to the last change in the law in this area, which I believe is approximately two years ago?

Hon. Mr. Tracey: Yes, we had given a great deal of consideration to this. We have sat down with these people and tried to get them to upgrade. I am pleased to say that the existing facilities have been upgraded and they are trying to meet all the specifications; however, we must also realize that every time we change a regulation, we should not be in a position where we have to go back and tell them that they have to upgrade to that new standard. They have been trying to meet the standards as they exist today. Some of them have put an awful lot of money into it and I am happy to say that most of them almost comply with the standards that are required now.

Mr. Kimmerly: I have a general question about the projections of the use of this service. In looking at the figures on page 79, I think it is fair to say that in the last two years and projected in the next year, the level of service is remarkably similar from year to year. I would ask if that projection is based on any other assumptions than the past several years? To be more specific, is the assumption of population decline taken into account and is it reflected in the 1983-84 estimates for the use of these services?

Hon. Mr. Tracey: I hope the member is not confused between children in care and children in day care, because children in care are the children who are actually in the care of the department, as wards of the department, or whatever. Yes, the population decline has been taken into account, but you should also recognize that we have a unique phenomena going on today — I guess it is from the "me" generation of the 1960s where people brought their children up to believe that they should be able to do whatever they wanted to do without answering to anybody. What we have today is that a great many of these people are parents of teenagers and they have reached a point where they cannot handle these teenagers any more. It is kind of a strange phenomena, but actually some of these parents come in and want the department to take their children because they cannot handle them any more. So, while we do have a decrease in population, we do have some increase as a result of this phenomenon.

Mr. Kimmerly: I recognize that information and I also recognize that it is possibly increasing. I am not sure, but it is certainly a fact that, especially in Whitehorse, there are groups of teenagers who seem to gather together and lead a fairly nomadic life, not as a gang, as such, but who live away from their parents with other teenage friends. These people frequently are in trouble with the law. Is this a phenomenon that is increasing or decreasing, and is it reflected in the policies of the department, especially concerning group homes and foster homes?

Hon. Mr. Tracey: Yes, it is slightly on the increase, as I said previously. We have somewhat of a problem dealing with it because we feel that the parents have a responsibility to look after their children. We do try to help them. We counsel them and, in some

cases, we do have to take the children in care. It is something that I hope will not continue to increase in the future; however, I guess all I can take is an educated guess like anyone across the floor could, but it is a problem, and it is a serious problem, because what is really happening is that parents are abrogating their responsibility to look after their children and they are putting the responsibility onto the taxpayer, which is not fair ball. It puts an awful lot of onus on the department and on the foster homes where we would put these children to have them looked after.

We try as much as possible to counsel the parents to try to keep the children in the home and in a great many cases we are successful; in others, we are not. As for children running around on the streets in gangs, or whatever, and getting into trouble, as I stated earlier, I guess this is a part of our society or a phenomenon that is caused by this society we live in today. Until society changes I do not think that will change either.

Mr. Kimmerly: I would ask a general question about exactly the same topic. When I was more directly involved with the child welfare court and the juvenile court, it occasionally struck my occasionally conservative political attitude that sometimes children of middle-class or well-to-do families were looked after by the government. I hope that the department is diligent in being reimbursed by the parents of these children for the services that the children get, albeit not asked for by the parents, in most cases. If the taxpayer is paying and the parents can pay, it is my opinion that the parents ought to pay. I simply make that as a comment.

Mr. Chairman: If there is no further general debate under Child Welfare services we will have a short recess.

Recess

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

On General

General in the amount of \$224,000 agreed to

On Group Homes

Mr. Kimmerly: I am interested in the qualifications of group home parents and I realize that there is a very significant individual consideration in this area. Is the minister able to state at all in the general sense if there are general guidelines for qualifications? If there are, I would appreciate seeing a copy of them at some future time.

Hon. Mr. Tracey: I believe that there are general guidelines. Naturally we have to have certain types of people operate group homes. I think a lot of it is rather subjective. Decisions are made by the director of child welfare, but I would suggest that there are some basic guidelines and if there are I will certainly make them available.

Mr. Kimmerly: I am specifically interested in the areas of cultural influence and religious influence. It is a very sensitive topic to a lot of people but a very important one. It used to be that it was assumed that all children were Christian and were either Protestant or Roman Catholic, and efforts were made to put Protestant children in a Protestant home and Catholic children with Catholic group parents. It also appears to be that group home parents very frequently have strong religious views. This, I think, is a fact of life, and I am not interested in any way in selecting among them, or even commenting on the advisability of strong religious views or weaker ones. I am specifically interested in knowing, because of past considerations in this area, if there are any guidelines in the area of religious instruction for children in group homes.

Hon. Mr. Tracey: I can assure the member across the floor that we do. It is the policy of this government and of my department to try to put people in homes that are compatible with their religious backgrounds and with their ethnic backgrounds. We are not always successful in doing that because, everyone must recognize that good group home parents are not the easiest thing to come by in our community. So, we try as much as possible to meet the criterion of which the member across the floor speaks; however, we are not always able to do so.

As far as religious upbringing in the group home, I would have to

come back to the member on that. I do not know just exactly what we do in that regard.

Mr. Kimmerly: I fully recognize that the Mayo Group Home is federally funded and I am aware it was recently evaluated. Is there any consideration or on-going evaluation of this particular type of group home within the YTG programs?

Hon. Mr. Tracey: We do not have anything to do with the Mayo Group Home. As he says, it is federally funded, but I can assure you that the director of child welfare keeps a close eye on the group homes that we do have. Yes, they are reviewed; we have an on-going review on them by the director of child welfare and by the social workers who are involved, so that we know that they are operating within the guidelines that we set for them.

Mr. Kimmerly: Another general comment I will make: the minister made very responsible comments, I think, about the coordination of alcohol and drug services. I expect the minister will agree that the coordination of federally funded institutions and private institutions and YTG institutions is a laudable goal.

I would ask another sensitive question. The issue of corporal punishment has raised itself in other places, especially in Alberta. Now, corporal punishment is an inescapable issue in Yukon schools and I would ask: is there a present policy about the use of corporal punishment in group homes or is it left up to the parents entirely?

Hon. Mr. Tracey: I could not answer that one; that would have to be part of the answer that comes back to the member across the floor. However, if he wants my own personal philosophy on it, I believe in the Bible philosophy of "spare the rod and spoil the child". I believe that they do need corporal punishment, once in awhile. My children get it and I hope, if they go to school or are ever in a group home, that they get the same kind of treatment there, because I believe that is the only way that the child grows up to be a responsible adult. I believe that is one of the problems we are facing in our society today; the problems from 20 and 25 years ago are what have put us in a situation today where parents cannot handle their own children. They were raised in a different type of society and it is obvious today that it was not a right one and it did not work.

Mr. Kimmerly: I am not going to enter into a debate at all. I will simply say I look forward to receiving the written policies, if any, in this area.

*Group Homes in the amount of \$445,000 agreed to
On Foster Homes*

Mr. Kimmerly: I would ask the minister to take notice of this question as well. If a policy exists concerning corporal punishment or religious instruction, I would appreciate receiving that, as well, in relation to foster homes. While I am on my feet, I wish to say that this is a most worthwhile program and we support any supportive services to foster parents as are reasonably possible. I know the foster parents are well screened and only barely adequately compensated for costs and I say it is a most worthwhile program.

Hon. Mr. Tracey: I will give him the department's position, as well, on religious training and corporal punishment.

*Foster Homes in the amount of \$191,000 agreed to
On Special Rate Foster Homes*

*Special Rate Foster Homes in the amount of \$15,000 agreed to
On Receiving and Assessment Home*

*Receiving and Assessment Home in the amount of \$221,000
agreed to*

On Other Resources

Mr. Kimmerly: Because of the general description of the line, could the minister identify where the money actually is expected to go in the next year?

Hon. Mr. Tracey: These are payments for specialized residential facilities provided to wards with special, exceptional behavioural or emotional problems, so we are currently paying a per diem of about \$245 a day for seven children placed in these facilities. It is outside agencies that look after them and this cost to us this year will be \$115,000.

*Other Resources in the amount of \$115,000 agreed to
Child Welfare Services in the amount of \$1,211,000 agreed to*

On Social Assistance

Hon. Mr. Tracey: The increase in this department is because of the six percent increase in social assistance that we have allowed, and I think all the members are aware of what it costs.

Mr. Kimmerly: I am interested in the rather surprising statement made during Question Period about the lack of written policy about the residency requirement. Residency, as the minister well knows, is a controversial matter, especially relating to federal-territorial agreements. Federal-provincial agreements are, perhaps, even more of an issue in some provinces than even in the Yukon.

I am very interested in getting an answer as to what the residency policy really is. I understand the minister has already said that, as a general guideline, a residency requirement is established which states that there are two categories of people. One category is people who have not worked at least three months of the last 12. Those people are given assistance to go back home. Other people are given a different form of assistance or maintenance. I am interested in the actual practise of that policy and if, in fact, that statement is the sum total of the policy or is there more to it. Of course, the issues I raised in Question Period are relevant.

For example, a married woman who has children and who was not in the work force for a substantial time and finds herself destitute, by whatever cause, may be a long-standing Yukon resident and not fall within the guideline. An unemployment insurance exhaustee would probably, almost by definition, not fall within that guideline. A graduating student, who is unable to find employment and was not supported by parents, or whatever, would also be caught in the policy. I am interested in the statement of the policy. Are there any memos or policy statements in writing and, if not, are there any other guidelines aside from that of working within the last 12 months criteria, and what is the discretion of the social workers or supervisors in applying these policies to individual cases?

Hon. Mr. Tracey: I have addressed this question a number of times in Question Period. I have told him that it is possible for him to talk to my department; they will give him the guidelines. The guidelines are exactly as I said: you must live in the territory and work for three months of the past 12, and you must have a fixed address in the territory, which means that you are a resident. Otherwise you are a transient. I should also caution the member across the floor about raising specific items because, as he is aware, I am aware of specific instances that he may be referring to, and I would not like them to come out on the floor of the House here, as I am sure he would not. The guidelines are basically that you must have a fixed address in the territory, which means you are a resident, and you must have worked for three months in the last 12. I think that is reasonable. Why should the taxpayer pay social assistance to someone who does not want to work or does not live in the territory?

Mr. Kimmerly: I will rephrase the last question I asked and I will use a very blatant example. I have no individual example in my mind. In any event, for example, if there is a long-standing Yukon resident who is married, with children, and not working, and the marriage partner deserts her and cannot be found — is probably out of the Yukon — she would not comply with the working provision but would in fact be destitute. In a case like that, what is the authority of the social worker who takes the application? Would they, because of the obvious residency in the Yukon, accept it or, because of the stated policy, must they go to a supervisor or a director, or the minister himself?

Hon. Mr. Tracey: I have stated what the policy is. I have also said that the social workers have to have some discretionary power. They know the situation and they are certainly capable of making a decision on that situation. If the person does not agree with it, he has two appeal processes. He can go to the appeal committee and, after that, he can go to the appeal board. I am also aware that that there is one of these cases being handled by one of the member's law partners. I am not sure whether he is trying to get information out on the floor here regarding that case or not, but I would suspect that he is because I have given the member across the floor the opportunity to go to the department and find out exactly what the

situation is. If he does not want to do that then all I can say is that I am sorry.

Mr. Kimmerly: I resent the implication that was made about my law partner's involvement in one case. I do not even know the name or the case but I resent it nonetheless. The minister, in a general sense, answered the question by saying that the intake social workers do have discretion and he also mentioned an appeal period. By that comment I take it that a social worker could approve for social assistance a person who otherwise qualified and did not work for three months of the last 12 and it is in the discretion of the social worker to decide those things, possibly under the general supervision of the social worker's supervisor.

³⁷ I would ask the minister to correct me if that statement is wrong.

Another question I asked in Question Period was about the number of people who were assisted in moving out of the territory and I would ask the minister if he is able to give those figures now?

Hon. Mr. Tracey: Yes, the member is right. If the social worker wants to exercise discretion, he must go to the supervisor and his immediate supervisor will take it into consideration; if they think it is a little dicey as to whether they should make the decision or not, they will take it to the director or to the deputy minister or to myself, which I would hope would never happen. If they were turned down, they would have the option of going to the two appeal processes that they have, and that would be the end of it.

As far as the money to go out of the territory, they supply the bus ticket to get them back out and they give them some money for their incidentals, meals and expenses. I could not give the member any exact figures on money; it would depend on where they were going.

Mr. Kimmerly: What the minister said was not the same as what I said. I understand the policy to be, then, that if an intake worker recognizes an obvious need and the applicant does not qualify on the working restriction or policy, the worker must go to the supervisor. I would ask the minister to specifically answer: is the supervisor empowered to waive the three-months' working restriction or is that power only with the director? The minister's answer was unclear on that point.

Hon. Mr. Tracey: It would depend upon the circumstances whether the supervisors could allocate social assistance or not. If it was questionable, they would have to talk to their director.

Mr. Kimmerly: I do not mean to unnecessarily belabour the point. I realize that by a sort-of emotional attitude it is a contentious debate, but I do insist on an answer to the question. The minister used very vague and general language and talked about "if it is a contentious application" or "if it is a contentious matter", and I am interested in a simple statement of the policy of the government about the residency requirement. I would ask again: in the example that I gave, and if the intake worker went to the supervisor and the supervisor agreed that it was a meritorious case except for the three months' working provision, must the supervisor go to the director or is the supervisor empowered in a case like that to grant social assistance? I ask this because the answer previously given was not clear and I am asking for a clearer definition of what is a "contentious case".

³⁸ **Hon. Mr. Tracey:** He asked me the same question and I will give him the same answer. If the supervisor feels that it is almost an open and shut case, there is no problem; the person is a resident and maybe there are some other little reasons why the person has not worked for three months of the year, yes, they could give them social assistance. If there was some problem and the social workers did not really know, or the supervisors did not really know, in their own minds, whether they should or whether they should not, then they are obliged to go to the director.

Mr. Kimmerly: I am satisfied I got the answer. It is the supervisor's responsibility and discretion.

I asked another question about the number of people given a bus ticket and I would again ask that question. I understand statistics are available and I would ask for an accounting of the people actually given a bus ticket.

Hon. Mr. Tracey: I do not know whether the department has those statistics but, if they do, I do not mind at all. He can go to the department and ask for them. He does not have to ask me for them.

Mr. Kimmerly: I will understand by that that if I ask the

department for the number of people in the last fiscal year "assisted" by being given a bus ticket out, the department will answer promptly and will also give a further breakdown, if it is readily available. I thank the minister for that statement.

Hon. Mr. Tracey: I would like to clarify that. That is not what I said. I said...

Mr. Chairman: Is this a point of order?

Hon. Mr. Tracey: This is a point of order, yes, because that is not what I said. I did not say that I would give him any additional information. I said "if those figures are readily available in the department". I should also clarify that by saying that if it is not protected by our legislation, it is quite available; I would be quite prepared to give it to him. I did not say "any additional information", however.

Mr. Chairman: Does that clarify that, Mr. Kimmerly?

Mr. Kimmerly: I am afraid it further unclarifies it; however, I am not going to argue with the minister. I will collect the information that is made available to me and, if I am unsatisfied, I will raise it in Question Period again. I am sorry that a more cooperative attitude was not expressed.

With regard to the six percent increase announced, are those increases being applied now or as of the April 1, 1983, or are we waiting for a further development?

Hon. Mr. Tracey: Yes, they are in effect now. We passed one-twelfth of the budget — or whatever portion of the budget — and it is in effect now.

³⁹ *On Social Assistance*

Social Assistance in the amount of \$2,616,000 agreed to

Hon. Mr. Lang: I move that you report progress on Bill No. 5.
Motion agreed to

Hon. Mr. Lang: I 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. Philipsen: The Committee of the Whole has considered Bill No. 5, *Second Appropriation Act, 1983-84*, and directed me to report progress on same.

Mr. Speaker: You have heard the report of the chairman of committees. Are you agreed?

Some Members: Agreed.

Mr. Speaker: May I have your further pleasure?

Hon. Mr. Ashley: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 4:54 p.m.