



The Yukon Legislative Assembly

Number 40

3rd Session

25th Legislature

HANSARD

Tuesday, November 15, 1983 — 1:30 p.m.

Speaker: The Honourable Donald Taylor

Yukon Legislative Assembly

SPEAKER — Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER — Bill Brewster, MLA, Kluane

CABINET MINISTERS

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

GOVERNMENT MEMBERS

(Progressive Conservative)

Al Falle	Hootalinqua
Bill Brewster	Kluane
Kathle Nukon	Old Crow

OPPOSITION MEMBERS

(New Democratic Party)

Tony Penkett	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, November 15, 1983 — 1:30 p.m.

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

Prayers

DAILY ROUTINE

Mr. Speaker: Are there any returns or documents for tabling.

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Lang: I have for tabling a report entitled "Yukon Indian Land Claims Agreement-in-Principle Summary".

Hon. Mrs. Firth: I have for tabling the report of the Green Paper Committee on Recreation.

Mr. Speaker: Reports of committees?

PRESENTING REPORTS OF COMMITTEES

Mr. Brewster: I would like to table the third report of the Standing Committee on Statutory Instruments.

Mr. Speaker: Are there any further reports of committees?
 Petitions?
 Introduction of bills?

INTRODUCTION OF BILLS

Bill No. 23: First reading

Hon. Mrs. Firth: I move that Bill No. 23, the *Recreation Act*, be now introduced and read a first time.

Mr. Speaker: It has been moved by the hon. Minister of Education that a bill, entitled the *Recreation Act*, be now introduced and read a first time.

Motion agreed to

Bill No. 24: First reading

Hon. Mrs. Firth: I move that Bill No. 24, the *Public Lotteries Act*, be now introduced and read a first time.

Mr. Speaker: It has been moved by the hon. Minister of Education that a bill, entitled *Public Lotteries Act*, be now introduced and read a first time.

Motion agreed to

Mr. Speaker: Are there any notices of motion for the production of papers?

Notices of motion?

Ministerial statements?

Are there any questions?

QUESTION PERIOD

Question re: North Slope, contractual agreements

Mr. Byblow: I have a question for the acting government leader. As the minister knows, when 210 people returned to work at Cyprus Anvil this year, very specific written agreements between government, the workers and the company were put in place to guarantee those jobs. Could I ask the acting government leader if his government considers similar contractual agreements by North Slope proponents to be in order?

Hon. Mr. Lang: No. What we are looking at, with the proponents, is a social-economic agreement that would largely key into the principles of local hire as well as utilization of northern businesses.

Mr. Byblow: Yesterday, in questioning, the minister indicated that he believed taxation to be the appropriate vehicle for his government to derive benefits from economic development. Has this government done any analysis of potential taxation revenue

anticipated from the Kiewit quarry application?

Hon. Mr. Lang: There may have been some preliminary work done within the department in that respect. I should point out that the knowledge we have has largely been put forward by the Government of Canada as well as the proponent.

It is, basically, that there would be approximately 400 jobs created on the particular rock quarry, if it is permitted to go ahead. With that in mind, then, obviously, we could translate that into income tax, company tax revenue and this type of thing through the present modes of taxation.

I would submit that it would be very substantial, especially in view of the fact that there is no requirement on behalf of this government to put any public infrastructure, as opposed to such a construction as Cyprus Anvil, where there was a major commitment of government money put forward to that.

With respect to the negotiations with the federal government for the \$100,000,000 loan that has been put forward by Peter Kiewit, I understand that they are eligible and, if the project goes ahead, there is the possibility that it will be favourably received. But that is between the Government of Canada and that particular proponent, not this government.

Hon. Mr. Byblow: Has the acting government leader actually established a dollar value on the taxation revenue?

Hon. Mr. Lang: As I indicated, there may have been preliminary work done within the department. I think the key is that the land use permit has to be offered. I do not expect to see our departments doing a great deal of work on this until we know whether or not the project is going ahead, at which time we could make the necessary expenditures.

To be quite frank, I am kind of surprised at the interest shown by the member opposite, in view of the position that has been taken in this House over the past couple of weeks.

Question re: *The Children's Act*

Mr. Kimmerly: About *The Children's Act* and the process that is followed, a simple question: is the minister now expecting a new children's act in the spring session?

Hon. Mr. Philipson: We will be reintroducing *The Children's Act* in the spring session.

Mr. Kimmerly: I would ask for a brief description of the public consultation process, which has occurred to date.

Mr. Speaker: I would ask the minister to be very brief.

Hon. Mr. Philipson: I will be very brief, Mr. Speaker.

My door has been open to any individual who wishes to come in and consult on *The Children's Act*. We have discussed *The Children's Act* with the Council for Yukon Indians and received a brief from them. We are presently waiting for the brief from the Law Society and any member of the public who has any concern has always had the ability to come in and discuss *The Children's Act* with me, at any time.

Mr. Kimmerly: What consultation process is projected between now and the spring session with specific reference to community meetings?

Hon. Mr. Philipson: When we have finalized the critique by CYI and have the input from the Law Society and a few other individuals who were going to bring forward critiques of the bill in its present state, we will then, probably in the month of January, be going to approximately eleven communities to have the involvement of all the communities with the act and we will have final meetings in the Whitehorse area before the spring sitting of the legislature.

Question re: Small Debts staff shortage

Mrs. Joe: I have a question for the Minister of Justice. On November 3rd, I asked the acting justice minister about the staff shortage problem in the small debts section of territorial court. Since the problem still exists almost two weeks later, could the minister tell this House why a temporary placement has not been made to accommodate this essential service?

Hon. Mr. Ashley: A problem like that is being addressed, or has been addressed already, by the department. I am not sure what you were advised by the member in my place when I was absent. I

will have to find out exactly what the situation is at this present time, but I know the department is aware of it and was addressing it at one point.

Mrs. Joe: Persons attempting to file a claim in small debts court have been told that no one runs that department in the absence of the small debts clerk. Could the minister tell us why his department has no provision for this problem?

Hon. Mr. Ashley: There are always people in the department to take another person's place or to fill in if the need is there.

Mrs. Joe: Reports have indicated that the court registry personnel, which include the small debts clerk, have had to work under deplorable conditions for a number of years. Could the minister tell us if his department intends to improve this situation in the near future?

Hon. Mr. Ashley: The small debts court is being looked at and has been looked at by my justice steering committee and they are making recommendations to me at this moment on the operation of it. I very well may be making a ministerial statement on that subject.

Question re: Farmers, reclassification

Mr. McDonald: I have a question for the Minister of Agriculture. I would first like to congratulate him on accepting the suggestion that there should be public meetings around the territory with the agricultural advisor to discuss agriculture.

I recently asked a question of the minister regarding reclassification of part-time farmers by Revenue Canada, denying them the right to work off the farm to earn the capital necessary to develop the land. Has the minister investigated the problem and, if so, has he assessed its impact on Yukon?

Hon. Mr. Lang: No, I have not had the opportunity to review the situation that he was speaking of. I understood that he was going to provide me with information on this, which he has not done, if he is referring to the situation that happened in British Columbia. I should point out that I would be interested in seeing that particular article, if he could provide it to me.

As far as the meetings are concerned, yes, there will be a number of meetings throughout the territory and, as the member indicated, he raised the question a number of times. I just want to inform the House that there will be some meetings going ahead.

Mr. McDonald: Within minutes of the Question Period when I last asked the question, I sent the article up to the minister's office — for the record.

Has the minister requested of the federal government that farmers be permitted to claim greater than the \$5,000 in losses annually against other income in order to better reflect the higher costs of farming in Yukon? If so, how much of an exemption is the government proposing to be established?

Hon. Mr. Lang: Not at the present time: all these types of things are under consideration. We are relying quite heavily on the individual who we have on staff and who is very knowledgeable in these areas. These are areas where I expect to see some papers coming forward to me for consideration.

Question re: House business

Mr. Penikett: I have a non-controversial question for the government House leader.

My inquiry pertains to House business for the remainder of this week and his expectations for the business next week.

Hon. Mr. Lang: It is our intention to continue to proceed with the *Municipal Act* and it would be my intention to, after that, go to the *Elections Act*. It would also be our intention to give second reading to the *Recreation Act*, as well as the *Public Lotteries Act*, on Thursday, which would, subsequently, flow, of course, to the Committee of the Whole for the purposes of clause-by-clause reading in the following week.

Mr. Penikett: Some months ago we were given a fairly clear indication that we might expect human rights legislation this fall. Is this on the government's calendar for this sitting?

Hon. Mr. Lang: The minister responsible for that has indicated he would be making a statement to the House and I would expect to have that fairly soon.

Mr. Penikett: With respect to the calendar business, which the acting government leader has indicated, it is conceivable that that work can be completed in the very near future. I wanted to ask the government House leader if he could tell us for sure that we will be getting a labour standards legislation in this spring?

Hon. Mr. Lang: The minister has indicated that it was his intention, if possible, to table such a piece of legislation. I hope to be in a position early next week to inform the members opposite exactly what the calendar will be until we adjourn the House. I am sure the member opposite is looking forward to that day, as am I, very favourably.

Question re: Carmacks school

Mr. Byblow: I enjoy this.

I have a question for the Minister of Education. It has been brought to my attention that the Department of Education is considering the extension of Grade 11 at the Carmacks School, but is receiving conflicting signals from the community. I would like to ask the minister what the current position of the department is regarding the delivery of Grade 11 in that community, in the immediate future?

Hon. Mrs. Firth: It is being considered.

Mr. Byblow: Given that the Cabinet, on its tour in the community, was advised that the community did not wish to have grade 11 extended at this time — which appears to be in some conflict with the public opinion of the community — what meetings and what communications is the minister or her department having on the subject?

Hon. Mrs. Firth: The Cabinet was not advised by the community of other alternatives. One particular individual stood up and in a way of thinking out loud he proposed some alternative to having grades 11 and 12 and that alternative was that perhaps the students could have some extra counselling in the lower grades, the junior high grades, to better prepare them for the move to Whitehorse. Since the Cabinet meeting, I have met with the chairman of the school committee.

Mr. Byblow: I am sure the minister is aware that it does not have a chairman at this time.

Does the department have a policy governing the factors which determine the decision to extend grade levels in the rural communities?

Hon. Mrs. Firth: We are in the process of looking at a policy and I am unable at this time to say any more because there are papers, submissions, in the normal works within the government right now. The school committee in Carmacks, by the way, does have a chairman. I believe we are looking at formulating a policy and then we are looking at submitting a submission to make the decision as to whether we will have grade 11 and 12 in Carmacks.

Question re: *The Children's Act*

Mr. Kimmerly: About *The Children's Act* again and the process, specifically, of the controversial issue of Indian control of Indian child welfare: what is the process of negotiation on that issue?

Hon. Mr. Philipsen: I left the door open to my office, telling people anybody who had any problem with the bill, in its present form, to come in. The Council for Yukon Indians came in with a thick critique, as they saw it. One of the criticisms I had on *The Children's Act*, previously, was that it was in language that was hard to understand. I think it might be interesting to note that the first half of the critique was just about written in Latin. We have been analyzing that critique and, when it is finished, we will sit down once again with the CYI — with whom we have had meetings already — and we will discuss their critique and the act, in its present form, and we will continue with our discussions with what they see as problems and what we see as solutions at that point.

Mr. Kimmerly: A complete answer, and I thank the minister for that. Recently, the federal Commons Committee made a specific recommendation on the controversial question of Indian control of Indian child welfare in simple, plain English. Is that recommendation being considered or studied in the negotiation process?

Hon. Mr. Philipsen: We will be looking at it. What we are

assessing at the present time is the critique that was brought into us, in its entirety, by the CYI.

Mr. Kimmerly: There is, of course, also a land claims agreement-in-principle on this issue. Is that agreement also a part of the negotiations on this bill?

Hon. Mr. Philipsen: I think I should clear up one thing in the member opposite's mind; we are not negotiating anything. We are looking at a critique, at which time we will discuss the differences in opinion between what the CYI feel are shortcomings in the act as we have brought it forward and what we feel is good legislation.

Question re: Family court matters in Watson Lake

Mrs. Joe: I have a question for the Minister of Justice. Since family court matters are heard by a JP-3 in Watson Lake, in between court circuits, could I ask the minister if legal counsel is available to those families of children appearing in court on a temporary custody application?

Hon. Mr. Ashley: Legal aid is available to people in Watson Lake, as it is all across the territory.

Mrs. Joe: Could the minister tell us if his department has any plans to make those services available to communities where none exist now, so that they are available in between court circuits?

Hon. Mr. Ashley: The whole JP-3 system, the upgrading of training of JPs in the communities, will be looked at as part of that system when it has been implemented.

Mrs. Joe: Can I ask the minister if he has considered expanding the native courtworker program to include communities?

Hon. Mr. Ashley: Certainly we considered that. But there is always the question of dollars involved. That is one of the main drawbacks to anything when we are looking at it. But we are certainly looking at that, and looking at possibly expanding it through the private sector, like volunteerism; working that into the program.

Question re: Keno town survey

Mr. McDonald: I have a question for the Minister of Municipal and Community Affairs. I recently asked the minister whether the department of Municipal and Community Affairs would be prepared to check a privately sponsored town survey of Keno for authenticity. I assume the minister took the question under advisement — at least, he said he did. Can he tell us now if his department is prepared to authenticate this survey, which was performed this past summer?

Hon. Mr. Lang: To be quite frank, I do not recall the question. I will have to give him notice once again. I apologise to the member opposite. I will try to get an answer as expeditiously as I possibly can.

Mr. McDonald: I will accept that, once again. As the minister has heard from me in the past, there are persons in Keno who wish to purchase and develop land within community boundaries. Is the government prepared to sell any territorial land within the community if private surveys are completed to locate the plot boundaries first?

Hon. Mr. Lang: I am sorry, I took the point of view about a survey as a survey of the population. Now I know what the member is referring to; the survey of land. That is in the department at the present time and I expect to have an answer fairly soon to the member opposite.

Mr. McDonald: Perhaps the department could also answer this question for me: can they say what guidelines the property assessors use in the absence of a recent official town survey to determine what buildings are on what property for the purposes of taxation?

Question re: Upgrading of South Access Road

Mr. Penikett: I have a rare pleasure of asking a question of the Minister of Highways. My question concerns the South Access Road — a matter which I previously raised with the Minister of Municipal Affairs. Has the minister's department considered the upgrading of the South Access Road, parts of which are severely pot-holed and poorly patched, and, if so, when might the users of the road expect some improvements?

Hon. Mr. Tracey: I am not sure whether they have or not. I am

sure that if the question has been raised with the department they have looked at it. I would have to check with my department to get the answer. I do not have it with me.

Mr. Penikett: On a related constituency matter, I wonder if the minister has received any complaints to the effect that the flashing amber signal light at the top of the South Access Road has been out for some time. Has he had that brought to his attention?

Hon. Mr. Tracey: Yes, it was brought to my attention at one time. I personally went up there and had a look at the situation, and I can see no benefit of having the flashing light there. There are enough street lights there to let anyone know that there is an access there. I am sure the flashing light would only burn up power and would not be very useful. But I will check that out with the department as well.

Mr. Penikett: I thank the minister for his answer. There are, of course, other flashing lights on the Alaska Highway, including one at the entrance to Hillcrest.

I would be interested in knowing if the minister is saying that, given the high volumes of traffic on that South Access Road from McCrae and Wolf Creek, et cetera, that he now believes that the signal light at that intersection is not a necessary safety feature?

Speaker's ruling

Mr. Speaker: I think the question is asking an opinion of the minister, in this case, and would be out of order.

Are there any further questions?

There being no further questions, we will proceed to the Order Paper, under government bills.

GOVERNMENT BILLS

Bill Number 15: Third reading

Mr. Clerk: Third reading, Bill Number 15, standing in the name of the hon. Mr. Lang.

Hon. Mr. Lang: I move that Bill Number 15, *Economic and Regional Development Agreement Act, 1983*, be now read a third time.

Mr. Speaker: It has been moved by the hon. Minister of Municipal and Community Affairs that Bill Number 15 be now read a third time.

Motion agreed to

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

Hon. Mr. Lang: Yes, Mr. Speaker. I move that Bill Number 15 do now pass and that title be as on the Order Paper.

Mr. Speaker: It has been moved by the hon. Minister of Municipal and Community Affairs that Bill Number 15 do now pass and that the title be as on the Order Paper.

Motion agreed to

Mr. Speaker: I will declare that the motion has carried and that Bill Number 15 has passed this House.

Bill Number 25: Third reading

Mr. Clerk: Third reading, Bill Number 25, standing in the name of the hon. Mr. Ashley.

Hon. Mr. Ashley: I move that Bill Number 25, *An Act to Amend the Compensation for Victims of Crime Act* be now read a third time.

Mr. Speaker: It has been moved by the hon. Minister of Justice that Bill Number 25 be now read a third time.

Motion agreed to

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

Hon. Mr. Ashley: Yes, Mr. Speaker. I move that Bill Number 25 do now pass and that the title be as on the Order Paper.

Mr. Speaker: It has been moved by the hon. Minister of Justice that Bill Number 25 do now pass and that the title be as on the Order Paper.

Motion agreed to

Mr. Speaker: I will declare the motion as carried and that Bill Number 25 has passed this House.

Hon. Mr. Lang: I would move that Mr. Speaker do now leave

the Chair and the House resolve into Committee of the Whole.

Mr. Speaker: It has been moved by the hon. Minister of Municipal and Community Affairs that Mr. Speaker do now leave the Chair and that the House resolve into Committee of the Whole.
Motion agreed to

Mr. Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Mr. Chairman: I would like to call Committee of the Whole to order. We take a short recess then, when we return, we will do Bill No. 31, *An Act to Amend the Motor Vehicles Act*, and the second bill will be Bill No. 26, *The Constitutional Questions Act*, and then we will go back to *An Act to Amend the Municipal Act*.

We will also be taking an extra five minute break; 20 minutes instead of 15.

Recess

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

Bill No. 31: *An Act to Amend the Motor Vehicles Act* Amendment proposed

Hon. Mr. Tracey: I would like to propose an amendment to Bill No. 31, entitled *An Act to Amend the Motor Vehicles Act*, to be amended at Clause 15, at page six, by substituting "sections 8, 11, 12, 13 and 14" for "sections 11, 12, 13 and 14" and by substituting "on a day or days" for "on a day".

Mr. Chairman: You have heard the amendment. Shall it carry?
Amendment agreed to

Clause 15 agreed to as amended

On Title

Title Agreed to

Hon. Mr. Tracey: I move that you report Bill No. 31 out of committee with amendment.

Motion agreed to

Mr. Chairman: The bill, *An Act to Amend the Motor Vehicle Act*, is now cleared out of Committee of the Whole. We shall now go to Bill No. 26, *Constitutional Questions Act*.

Bill No. 26: *Constitutional Questions Act*

On Clause 3

Hon. Mr. Ashley: There was a question proposed yesterday by the member for Whitehorse South Centre and it was on Section 3(3). I will just basically explain what the legal counsel has advised me and that is not to change it but that it should remain as is. On a procedural matter parties or persons who are requiring notice can always, as a matter of practice, except short notice and unless more time is entitled — all time entitled to was needed — then, obviously, it would not be accepted.

I will suggest that we leave that as is and clear it as is.

Clause 3 agreed to

On Clause 1

Clause 1 agreed to

On Title

Title agreed to

Hon. Mr. Ashley: I move that you report *Constitutional Questions Act* without amendment out of Committee.

Mr. Chairman: You have heard the motion. Are you agreed?
Motion agreed to

Mr. Chairman: I declare that the *Constitutional Questions Act* has cleared through the Committee of the Whole.

Chairman's ruling

Mr. Chairman: We shall now proceed with Bill 30; however, before doing that, I shall give you my ruling on the clauses not opened in an amending bill.

Last evening, Mr. Penikett asked me to consider whether it is appropriate in Committee, when discussing a bill, to raise matters that are not specifically referred to in the amending clauses of the

bill.

I have considered this carefully and have to say that, in a strictly procedural sense, it is not appropriate to raise questions about or, more specifically, to refer to sections in the act being amended that are not opened in the amending bill. As all members know, our Standing Order 42(2) states: "Speeches in Committee of the Whole must be strictly relevant to the item or clause under consideration". There obviously must always be a question on the floor in order for debate to occur. In the case of a bill, the question is basically whether or not a particular clause should carry as is or be amended or deleted. Members also know, I am sure, that, pursuant to Section 773(8)(b) in *Beauchesne*, an amendment may not amend sections from the original act unless they are specifically being amended in a clause of the bill before the Committee.

Therefore, I would submit that, technically, a member cannot raise a question such as Mr. Penikett proposes. However, in a more general sense, I would submit that either during second reading debate or in general debate on Clause 1 a member could, in a general way, make reference to the fact that, in his or her opinion, government might have considered amending such and such a section of the act, particularly if that section can be shown to have a direct tie to a section that is in fact being amended.

I must remind members, though, that, as a rule, debate on Clause 1 cannot extend outside the contents of the bill.

In conclusion, the Chair cannot entertain debate on a section that has not been opened in a clause before Committee unless an amendment is made to the amending bill that would render an existing section senseless, and even then it could only be raised as a matter for future consideration, as an amendment could not be proposed at the time but, rather, a bill would have to be introduced to correct the problem.

Mr. Chairman: Mr. Lang, do you want to do the stood over clause?

Bill No. 30: *An Act to Amend the Municipal Act*

On Clause 9

Hon. Mr. Lang: I would not mind opening the debate for the section that we stood over to see whether the members opposite had come up with some other ideas.

I am not looking for an amendment from the floor. I am looking, basically, for some direction from the side opposite, if, maybe, they had some other ideas that could be incorporated in there, as opposed to the loose wording that the member opposite referred to and, perhaps, we could tighten it up if I could get a direction from the members opposite, or, perhaps, we may leave it the way it is.

Mr. Penikett: I think we probably should leave it the way it is. I have discussed it with some of my colleagues. It is, frankly, a difficult problem because, worded as it is and as vaguely as it is, it does give considerable leeway and considerable powers to the board. The lawyer in our caucus suggests that the courts could well decide in a case that "large" could be defined, with respect to a section, that this is anything from two to however many people there may be in a community, and that that definition of "large" would be adequate.

My guess of what will happen is that the board will begin to make some decisions or some interpretations of such a section, over time, and there will be some precedent built up, which will either meet with the approval of the public or the legislature or not. We will just have to see how that goes.

I do not want to quibble endlessly about it but in trying to think of a better specific word or more specific language that would not totally hobble the board is in fact not that easy, and having raised the question and having heard the minister on the subject, I appreciate his openness. I am afraid we have not any better suggestion than to leave it as it is and see how it works.

Hon. Mr. Lang: If that is the view from the side opposite, I submit that we pass that particular section then, if it is okay with you, Mr. Chairman.

Clause 9 agreed to

On Clause 10

Amendment proposed

Hon. Mr. Lang: I have an amendment to put forward that Bill

No. 30 entitled *An Act to Amend the Municipal Act* be amended in clause 10 on page 7 by adding the following clause 'subclause (1)(1)' in paragraph '16(1)(a)': "the mayor continues to reside in the municipality" is substituted for "the mayor of the old municipality".

Just to inform the House the purpose of the amendment, this is to ensure that, upon boundary reduction all council members would have to be residents within that area. I think it is a very logical amendment.

Mr. Penikett: I do not want to quibble about it. I guess the question you want to have is some kind of notice. A municipal council could always move and I guess they would know these things were happening if they were about to be disenfranchised. As I understand the clause that we are amending in the amending bill; really, all we have added is this clause, "an additional area not part of another municipality". That is really substantially the only change in the main clause that we are amending. Is that right?

Hon. Mr. Lang: I think the amendments that we have before us make the provisions of section '16' applicable when municipal boundaries are reduced as well as expanded, so we are consistent.

Amendment agreed to

Mr. Penikett: On subclause (2), the only change I could find there was the word "the". Is that correct?

Hon. Mr. Lang: If the member opposite is referring to 10(2), this provides that only council members who are residents of a reduced municipality continue in office and that a byelection would be held to fill a seat held by a council member who is no longer a resident. It flows from the previous amendment that we put forward.

Mr. Penikett: On subclause (4), I think some explanation from the minister on this section is warranted and perhaps he might, when he is explaining it, give an example or a situation in which it might be used.

Hon. Mr. Lang: This applies to a major expansion of an area and gives the discretion to the executive council member to designate a ward area for that area that has been incorporated into a municipality and, as opposed to having a general election, this ensures that there would be representation from that area because, as the member stated I think on a number of occasions, it has been a concern and a legitimate concern that if you incorporate an area they have not had the right to exercise their franchise.

This particular section would, in all likelihood, apply to such a committee as Watson Lake if it were to expand its boundaries, and, just for a period of time. They would have one other member on their LID board and, of course, for that period of time, of the municipality. Once you went into a general election, then it would mean that you would go back to the numbers that were previously set for the municipality for councillors and mayor.

Mr. Penikett: On 10(4), clause '(3)', I would just like to have the minister say a word or two about this. This clause talks about the ward created under subsection '(2)', "shall continue only until the next regular municipal election under this act". There is, of course, provision for other ward arrangements in the act, but it is conceivable to me that, if you were to have a community that had gone through a major expansion — and let us talk about a hypothetical community in which you had the formal LID on one side of the river and then an Indian community on the other side which is now becoming part of the larger community — I could see arguments from both sides of the river for wanting to have some kind of ward system, perhaps as a permanent feature. In fact, they might even argue that the special ward that was created at the time of the expansion, might even be the logical boundary. But '(3)' seems to suggest that these things should only be temporary arrangements and, in fact, should not continue. Perhaps the minister might like to comment on that.

Hon. Mr. Lang: This is one particular case where a ward or wards could be put into effect because of major land acquisition as far as an area was concerned for the purposes of municipal authority. In the situation that he stated, as far as a municipal ward is concerned, that is really in another section and that would be applicable for an ongoing period of time. But, this is a finite period and it is a particular section to meet what we see as a possible

problem where people have not had the opportunity of exercising a franchise and, therefore, coming up with a very good argument that they do not really have any representation. This way, it ensures representation.

In the other section of the unproclaimed bill, there is the provisions for ward systems.

Mr. Penikett: The rest of it is in 'Section 38'. I just wanted to be clear that my understanding was the same as the minister's on the other clause.

Clause 10 agreed to

On Clause 11

Mr. Penikett: On Clause 11(1), on '(1)' I would appreciate a brief explanation because this one clause here seems to replace six subclauses in the old bill.

Hon. Mr. Lang: The rewording of the present 'section 17(1)' is to provide for the dissolution by Order-in-Council, following a proposal on appeal procedure set out in the new 'Section 15'. There is a correlation between the two sections.

Clause 11 agreed to

On Clause 12

Clause 12 agreed to

On Clause 13

Hon. Mr. Lang: This particular section simply eliminates reference to "company", which is not defined and not required in this particular section.

Mr. Penikett: I am mindful of your ruling earlier. I would just point out there is another example here of the kind of problem with piecemeal amendments. I guess, had I been aware of the ruling in general debate, I would have raised a question about '33(2)(c)' but, now that I cannot, I will not.

Clause 13 agreed to

On Clause 14

Hon. Mr. Lang: The purpose of Clause 14(1), '34(1)(a)', is to amend it so that an officer or a member of society having dealings with the municipality may be a member of the council and vote on matters in relation to society. What we found in small communities is that those people who are civic-minded are, generally, involved in three or four of the organizations within a community. I can think of Haines Junction. I can think of Ross River, or whatever the case may be. This provides them the right to vote, because you can find, in some situations, where no one would be allowed to vote because of their affiliation with other non-profit organizations within the community. An example is Dawson City, as well; when you think of the KVA and the city council and the number of people you have who are prepared to take on those responsibilities. This is to clarify this, that, yes, they can vote as long as they are not getting a direct benefit from whatever the issue is at hand.

Mr. Penikett: In a way, this change reflects the change that happened in this House, more in the direction of disclosure, rather than divestment. I gather there was another concern raised with respect to the use of the word "society", previously, in that that could mean an Indian band and, if that had not been changed — but I gather that this is an area where the changes were agreed to by all three parties, even if there was not perfect accord on the wording.

Hon. Mr. Lang: I think there was general consensus, but Clause 14(2) further clarifies it. It provides for the disqualification of a member of council, of course, who does not declare his relationship with that society before voting or discussing a matter in relation to the society. So, there are those checks and balances, at least in the public forum, of saying, "Look, I have been involved in this and this is my involvement prior to discussing the issue and voting".

Clause 14 agreed to

On Clause 15

Hon. Mr. Lang: The purpose of Clause 15(1), '34.1(1)', is that it is a new provision and it provides for exemption by Order-in-Council of any corporation or society in relation to council members debating or voting on matters affecting the corporation or society.

The concern that we had was in the smaller communities, especially — and I will use the example of Pelly Crossing or Old Crow — where you may have a corporation or a company which is

delivering water and all the shareholders of that particular company are actually the members within the community. If we had not put a section of this kind in, they would not have been allowed to vote and say that that particular company should be awarded the project.

I hope we do not have to use it very often, but it gives us that flexibility, in view of the land claims settlement and the possibilities of small businesses within the community being owned by a band corporation.

¹⁵ **f33Mr. Penikett:** I appreciate the minister's explanation. I believe I should not let such a clause go without some comment. I believe the act we are amending makes reference to direct or indirect benefits, and the voting in conflict, in such cases. I would want to share the minister's expressed hope that we do not have too many such Orders-In-Council, even though they are gazetted, because inevitably there will be the sort of kind of problems and questions that arise. I know that we get them endlessly in small communities, and in small communities it is especially difficult. Whether we like it or not these things sometimes end up being at issue in the local elections. I am sure anybody who has ever participated or observed the elections, especially in small municipalities, where you may have very few entrepreneurs, especially if they are supplying services to the municipality, they may, in fact, have acquired their expertise about the municipality on that basis. It can be a particularly sensitive matter.

Clause 15 agreed to

On Clause 16

Mr. Penikett: I was just going to ask about 15.

Of course, I cannot raise this as a question now, but 15 probably should have had an amendment to '35(2)' as well to have met an important request of the OAC, but it does not and I cannot debate it now.

Just before 16 carries, in '38(1)' I would think that it probably should have been better and more consistent with the bill if the power had lain with the board and not with the Commissioner in this section.

Hon. Mr. Lang: I think if we check the overall clause, as far as the Commissioner and the authority of the Commissioner, perhaps that is going to be taken care of.

Clause 16 agreed to

On Clause 17

Clause 17 agreed to

On Clause 18

Clause 18 agreed to

On Clause 19

Mr. Penikett: This is, I believe, the section that deals with vacancies that exists where there are insufficient nominees to the council. Is that not correct?

Hon. Mr. Lang: That is correct, but the change here is that the minister will be notified, as opposed to the Commissioner. If enough candidates are not nominated to fill the vacant positions it provides for the appointments by Order-In-Council to fill those vacancies. The present wording uses the terminology "Commissioner" and, of course, I think we are past that stage now in our evolution.

Clause 19 agreed to

On Clause 20

¹⁶ **Mr. Penikett:** This is the section about hours of polling, I believe. I am not sure I understand the effect of the change in clause (2) and therefore the change in clause 20.

Hon. Mr. Lang: This clarifies that advanced and institutional polls do not have to be open a minimum of 10 hours, between 7 a.m. and 11 p.m. This applies only to regular polls; in other words, institutional polls are commonly open for four hours or less on polling day. This clarifies it.

Clause 20 agreed to

On Clause 21

Clause 21 agreed to

On Clause 22

Hon. Mr. Lang: The rewording here only eliminates reference to certified list of electors, the printed lists, which are confusing.

Clause 22 agreed to

On Clause 23

Clause 23 agreed to

On Clause 24

Clause 24 agreed to

On Clause 25

Clause 25 agreed to

On Clause 26

Clause 26 agreed to

On Clause 27

Clause 27 agreed to

On Clause 28

Clause 28 agreed to

On Clause 29

Mr. Penikett: I believe in subclause (3) there is a typo. It should read, "In subsection 104(4)", not "104(3)".

Amendment proposed

Hon. Mr. Lang: Yes, I have an amendment for that particular section, that Bill No. 30, entitled *An Act to Amend the Municipal Act*, be amended in clause 29 on page 10 by substituting "104(4)" for "104(3)" in subclause (3). Now, the member opposite is questioning the subsection (2) of section 29, I believe, in respect of "104(3)". Is that correct?

Mr. Penikett: No. I just identified the matter in my own notes as a typo when I was reading the bill, and I just suggest that, rather than by dealing with it by amendment, we accept it as a typo.

Mr. Chairman: The ruling would be that we do not accept numbers as typos.

Mr. Penikett: That is too bad.

Hon. Mr. Lang: I would move that we set subsection (2) aside to ensure that that is correct. I just want to doublecheck it, and if necessary I will bring an amendment to subsection (2), if that is alright with the member opposite?

Mr. Penikett: I am not talking about subsection (2), I am talking about subsection (3), and in fact the typo I am suggesting is exactly the one proposed in the amendment. I was just trying to save time, and obviously I am failing miserably.

¹⁷ **Hon. Mr. Lang:** I appreciate the cooperation by the member opposite. I move that Bill No. 30, entitled *An Act to Amend the Municipal Act*, be amended in clause 29 on page 10 by substituting '104(4)' for '104(3)' in subclause (3).

Mr. Penikett: I have a few words to say about this, and I have said them.

Amendment agreed to

Clause 29 agreed to as amended

On Clause 30

Clause 30 agreed to

On Clause 31

Clause 31 agreed to

On Clause 32

Clause 32 agreed to

On Clause 33

Clause 33 agreed to

On Clause 34

Clause 34 agreed to

On Clause 35

Clause 35 agreed to

On Clause 36

Hon. Mr. Lang: I just want to point out to the members, section '134(2)' provides for council to advance the date of a byelection by two-thirds votes. This is the one remaining section in the act requiring more than a simple majority vote, and a two-thirds vote is clearly defined. This is really a recommendation of the AYC in consultation with our department.

Mr. Penikett: I appreciate that and understand it. In a general way, I guess the only thing I might have been inclined to add here in this section would be some language to make it perhaps more explicit, or make more explicit the right of council to submit questions to voters on general issues. I think that is in the bill as it will now be amended, but there might have been an argument for making it more explicit in this particular area. I am not, of course, proposing an amendment.

¹⁸ *Clause 36 agreed to*

On Clause 37

Mr. Penikett: It might be a good time to get the minister to be more clear as to what the inspector is going to have left to do and who he envisions will be the inspector under this arrangement.

Hon. Mr. Lang: It is like any act. You delegate the political responsibility and administrative responsibility. I would assume, for the purposes of the administration, the deputy minister, for the most part, would be the final administrative decision maker. Along with that we have one other level, as well, within the communities.

However, the request here, I think, is unanimous on both sides of the House and both parties. The minister is the one who is directly responsible, politically, and, subsequently, he or she should be seen to be in the legislation carrying out their responsibilities.

Clause 37 agreed to

On Clause 38

Amendment proposed

Hon. Mr. Lang: I have an amendment for Clause 38(1), '143(1)(a)': that Bill Number 30, entitled *An Act to Amend the Municipal Act*, be amended in Clause 38(1), at page 13, by substituting "in at least" in the proposed paragraph '143(1)(a)'.

Mr. Penikett: Obviously, all it does is add a two letter word at the beginning of the phrase and I do not think it does any harm.

Amendment agreed to

Mr. Penikett: With respect to Clause 38(3)(a), '143(3)', I may as well put this question here, because I think this section, which includes this whole section here on the governing of elections, still includes, in the old bill, the prohibition against campaigning on election day. There was a question brought to the departmental officials' attention of what the consequences of this were of someone, perhaps, having a bumper sticker which had the candidates name on it or whether people taking citizens to the polls, giving them rides to the polls, might be constituted as campaigning.

The problem there is that it is language that is different from that which we are customarily used to in the territorial *Elections Act* or the federal *Elections Act*, which talk about campaigning within a certain distance from the poll. This is a different kind of language and it may not be possible to clarify it by regulation; sometimes, in these things, it is occasionally best to do it that way to clarify what is meant.

I would want to say to the minister, and I submit I did not say this in my second reading speech, but I hope we do not have a problem but there may be a problem still in this section, which is not covered by these amendments.

Hon. Mr. Lang: We are just going to have to see if there is, I guess. The point is that all we are doing in Clause 38(2) and (3) is just rewording it to try and make it clearer than the unproclaimed act is presently written.

19 I would like to clarify that particular area, as far as terminology is concerned.

Mr. Penikett: Well, we have not completely cleared the bill yet. I would be very interested in having the minister, if he is willing, since it is pertinent in this same general area, if he would have a look at '145(1)(j)' particularly to see if there might still be another amendment in order.

Hon. Mr. Lang: I would be more than happy to look at that. Of course, it would be a new amendment entered into the bill, with respect to it. I think we can clear this particular section, though, but I will take his comments under notice and I will try to get back to the member.

Clause 38 agreed to as amended

On Clause 39

Clause 39 agreed to

On Clause 40

Clause 40 agreed to

On Clause 41

Mr. Penikett: Under your rulings, really the only place I can right this again gets us into debate that we were having in general debate, the second reading, about the difference between a mayor as a presiding officer and a mayor and the chief executive officer. I want to raise another question here, which is a question of detail which pertains to 'Clause 175(1)' in the original bill. In my experience, the question there about the chair being sustained, which is the issue of the mayor being sustained by council — the

word "mayor" may be challenged on some ruling — is, I believe, at odds with the language used in "Roberts", which I understand is by council bylaw in most places the parliamentary guide used by those bodies. I want to emphasize, and I know you are fascinated by this question and it is not one that probably should delay passage of the bill in any way, but as someone who shares your interest in the subject, it seems to me, I could be wrong, that '175(1)', which is the major section here which we are amending on the powers and duties of the mayor in the original bill, provides direction in law to council in a matter which is purely procedurally wrong, which is governed by "Roberts". It provides direction, which I think is at odds with "Roberts" and, I think, which in terms of its parliamentary advice, is inferior to "Roberts". I just want to call the minister's attention to that.

Hon. Mr. Lang: I appreciate that and I am not going to get into debate on the rules of "Roberts", as much as the Chairman would like to probably enter such a debate. I want to point out, for the record, the question of the town manager and the mayor and the municipal council relationship, which we had at question in general debate and has caused the member opposite concern — he has been consistent that a major concern of his at any time we discussed the *Municipal Act* — I just want, for the record, to clarify something, if I may. I want to point out that the current municipal acts of British Columbia, Alberta, Saskatchewan and Manitoba, specify that the mayor of the municipality shall be the chief executive officer of the municipality, be active in causing the laws governing the municipality, to be duly executed, provide direction to the manager in the interpretation of the policies adopted by the council.

20 I should point out that where the problem arose with the present piece of legislation actually in force dates back to 1972. There was a separation of responsibilities by a clause which stated that the manager shall be the chief administrative officer of the municipality and shall, under the direction of the council, perform certain specified functions. It would appear to us, and I think the AYC agreed with us, that the sections are contradictory and in conflict with each other as to whether the manager takes direction from the mayor or the council, and was causing considerable misunderstanding in the past between the administration and the political arm of government — council versus mayor versus manager. We are attempting to clarify this and I think we are being consistent with what has taken place in other jurisdictions across Canada, at least in the western provinces.

I should point out, further to that, in reviewing the 1980 *Municipal Act*, it was recognized that the chief administrative officer of the municipality has certain statutory responsibilities and duties which he has to fulfill, regardless of the direction that the mayor gives him. To accommodate those administrative, independent functions, Bill No. 30 proposes an amendment in a section which states that the chief administrative officer "shall, under the direction of the mayor" is revised to state that the chief administrative officer "shall, under such direction as the mayor may give", so perhaps that terminology will help the members to some degree. I know it is not going to solve his concern and the problems that he has stated on a number of occasions in the House, but hopefully that clarifies at least our side of the argument.

Mr. Penikett: I appreciate the minister's diplomatic and polite description of the situation that may have caused the original amendment, and I want to say to him that I am fully cognizant of the kind of situation he describes, where there was a dispute between the mayor and the manager as to what the manager's duties were. It may be that I was actually a member of the council where this was the case.

Let me say though that it is at least possible in that dispute that the manager was right, not the mayor. What we have done now is made the mayor right even if he is wrong. That is democracy. It happens a lot in this House.

The one specific that I wanted to refer to in this overall section — and I just want to point out to the minister as an example — is, in the old bill we had '176(2)'. If you refer to '176(2)' in the old bill, it is quite clear that the mayor is not required to get council's approval before or after the fact for their actions in respect of the CEO, but I will leave the debate at that, and the minister and I can

pursue it perhaps in the next legislature when we debate this thing again, or some other time.

Clause 41 agreed to

On Clause 42

Mr. Penikett: I think some explanation is probably warranted here. Clauses 42, 43 and 44 here are all related: the language in this clause is changing "special committees" for "standing committees". I would point out that it may confuse some people, but clause 42 is the section which talks about committees which the mayor will appoint and 44 talks about committees that council will appoint. So the changes that are contemplated in these sections, 42, 43 and 44, might warrant some explanation from the minister since there was some concern expressed. I think, by one of the people who examined this legislation on how we will appoint committees since it was split between the mayor and council and could result in some confusion.

Hon. Mr. Lang: I guess that is some area for debate, whether or not one would become confused. Basically, the amendment in 42(1) provides for the mayor to appoint special committees and not that of standing committees; there is a difference. And, 43(1) 'Section 179' provided for reconsideration of bylaws and resolutions after their adoption at the request of the mayor or any two aldermen. In our consultation with the AYC, as well as the CYI, we considered the provision inappropriate and unnecessary and, subsequently, we agreed with them that there was no cause for that particular section.

I should point out that no such provision is in the 1972 act either. On 44(1), it deletes the specific reference to standing or special committees and makes specific references to appointment of committee members by council.

Clause 42 agreed to

On Clause 43

Clause 43 agreed to

On Clause 44

Clause 44 agreed to

On Clause 45

Hon. Mr. Lang: In view of the debate that we have going on in the various sections, 45(1), '(a)' makes it clear that the chief administrative officer has specific statutory duties which he must fulfill irrespective of how much or how little direction he receives from the mayor. It also avoids the potential conflict with '176(3)(a)', which requires the mayor to provide direction to the chief administrative officer on policy development by council. You can see that we are trying to rectify the situation as far as the policy political direction as opposed to the administration, within the best language that we can.

Mr. Penikett: And, I would say to Mr. Horton, it is a nice try.

Hon. Mr. Lang: I will pass that on to him.

Clause 45 agreed to

On Clause 46

Mr. Penikett: I would be curious as to what effect in 46(1) that '(5)' would have on collective agreements, in the opinion of the minister?

Hon. Mr. Lang: To my knowledge, none. It is basically reworded only to tie into reference to officers with the definition of subsection '188(7)'. It is strictly to try to be consistent with our wording throughout the legislation.

Clause 46 agreed to

On Clause 47

Hon. Mr. Lang: In 47(1), on '(d)', this rewording is done only to delete reference to section 193, which deals with the Municipal Employee Benefits Plan, which is being proposed in the bill to be repealed.

Mr. Penikett: In 47(2), on '(a)', I must share the concern expressed by that expert — I am trying to recall his name, I believe it was Dr. Peter Landlord — with respect to this section.

If you look at 'a', it is quite clear that, if you are talking about a dismissal for lawful cause here, it requires a two-thirds vote. However, for the lesser reason or subsection 'b', it requires only a majority vote. I just wonder if the minister does not find subsections 'a' and 'b' here inconsistent?

Hon. Mr. Lang: No, because it is my understanding that we

are getting away from the two-third majority and it will just strictly be a majority of council, with respect to dismissal, as opposed to two-thirds. It is consistent with the principle we discussed earlier, in that I had indicated in one section, and one section alone, that a two-third majority was required and those were in the sections with respect to the membership of the council.

If we refer to Clause 47(2), 'Clause 188(6)(a) and (b)', it is pretty clear that we are saying that "if a lawful notice is not shown, may be terminated only upon reasonable notice or adequate compensation in place of reasonable notice".

Mr. Penikett: So, if I understand the minister correctly, what he is saying is that he is, in fact, proposing to clear up that previous anomaly where you, in one case, dismiss by a two-thirds vote and, in another case, dismiss by a majority vote.

I think it is worth noting, because we have not yet included in the bill that the officers referred to clearly include the clerk, the treasurer, and the chief administrative officer of the municipality.

Mr. Penikett: In Clause 47(4), '188(8) and (9)', here, essentially, the appeal procedure is abolished. I wonder if the minister could explain that?

Hon. Mr. Lang: It was our opinion, and the AYC and CYI agreed with us, that this subsection should be deleted, which provided for an appeal to council by any employees suspended or dismissed and prescribed the action which the council may take on the appeal. We believe it is strictly a local decision: if the council wants to hear them, they will hear them, they do not have to have it in law. I think that is fair.

Clause 47 agreed to

On Clause 48

Hon. Mr. Lang: I just want to speak to Clause 48(1) for a minute. 'Sections 193, 194, 195, 196, 197, 198, and 199' dealing with the medical plan are recommended to be cancelled, as there are no Yukon employees in the municipalities on that particular plan.

I should point out, for the record, the government worked very hard to see whether or not we could get a plan that would cover the municipal employees, not only here, but in the Northwest Territories. The numbers of people who became involved were very, very few and, subsequently, we made the decision that we were not going to provide that particular benefit or service anymore through the territorial government.

Mr. Penikett: I accept the minister's explanation. Is it possible, though, that at some future date the territory or a collection of municipalities or group of communities could, under the provisions of the new 'Clause 188(4)(d)', still do exactly that, if they chose to do it not as an individual municipality but as an association of municipalities or in cooperation with this territory or both territories?

Hon. Mr. Lang: I think I am correct in saying that there is nothing stopping them, if that is what you are asking me. If you are asking me if we are going to initiate, the answer is no.

Clause 48 agreed to

On Clause 49

Clause 49 agreed to

On Clause 50

Mr. Penikett: Could I get an explanation of this?

Hon. Mr. Lang: 'Section 204' states that every bylaw shall be effective and in force and binding from the date of adoption, or from any subsequent date fixed by the bylaw. We have encountered problems at the municipal level, as far as bylaws authorizing retroactive pay increases, it may be a union settlement type of thing. So we have not had any provision in the 1972 act and therefore we do not feel there is any provision necessary in this act, with respect to that. Therefore we are recommending that it be repealed.

Clause 50 agreed to

On Clause 51

Clause 51 agreed to

On Clause 52

Hon. Mr. Lang: This amendment provides for a prescribed format for municipal operating budgets. We believe it is essential for consistent interpretation of budgets and calculations of grants, et cetera, and it is common in other jurisdictions as well. Therefore, it

gives the department one consistent type of format that would be followed by all municipalities with respect to their financing and then there is no question of interpretation of what is being asked for.

Mr. Penikett: I think that is probably a good idea, and I say that as someone who has expressed in the format of the estimates of this place. I guess there may even be some people who think that both 53(1) and 52(1) would be a good idea for the territory, too.

Clause 52 agreed to

On Clause 53

Clause 53 agreed to

On Clause 54

Amendment proposed

Hon. Mr. Lang: I would move that Bill Number 30, entitled *An Act to Amend the Municipal Act*, be amended in Clause 54 at page 16 by substituting paragraph 222.2 (a) and (b) for paragraph 222.2 (b) in subclause (1).

This section '222' provides for investment of operating surplus and securities guaranteed by the Government of Canada or any province of Canada. Since Yukon is not included in this definition of province in the *Interpretation Act*, the words "or territory" are necessary.

Mr. Penikett: I am interested in that explanation, because when I asked a similar question with respect to the *Financial Administration Act*, I believe I was told by the government leader that territory was regarded as a province under the *Interpretation Act* for exactly such a purpose. I would appreciate if the minister would check into that and see if, in fact, I am just confused or my mind is wandering or my memory is completely beginning to fall apart, or in fact there may be a contradiction there?

Hon. Mr. Lang: I would be the last to accuse the member opposite of having his mind wandering. I would be prepared to set the section aside and I will check on that from a legal point of view.

Mr. Penikett: He can still set the section aside because I have no objection to it here. It is the minister's explanation I was curious about, because when I asked a similar question with respect to the *Financial Administration Act*, I believe — I may be wrong, but I believe — the government leader told me that the word "province", with respect to a similar provision in that act, included "territory".

Hon. Mr. Lang: I can check on it and clear the section. If we have to open it up, I am sure we will have unanimous consent.

Amendment agreed to

Clause 54 agreed to as amended

On Clause 55

Mr. Penikett: in 55(1) on '222.1(1)', I think some explanation about these reserve funds is in order. I would appreciate hearing from the minister as to the extent and limitations, if any, on their use. He will want to impose, especially, because as he will know there has been a lot of discussion in this House and, again, in the *Financial Administration Act*, about the use of reserve funds and we have had debates for at least the last six or seven years, in this House, about the problem of accountability with respect to reserve funds.

Hon. Mr. Lang: It is a legitimate concern. Actually this section came from the AYC, because they expressed concerns about the proper management of reserve funds. The actual amendment itself was proposed by the AYC, I believe, and it basically outlines that there has to be a purpose for the reserve funds and it has to be drawn up by bylaw outlining the terms and conditions. So, it is discussed in the public forum and, if it is going to be altered, it has to be altered back in the public forum by the council. I think that is fairly clear with respect to trying to have some governing section in the law which says this is how these particular funds will be allocated and authorized.

Mr. Penikett: I do not know of any other municipality, other than this city, that had a very extensive use of such reserve funds. I think this city used — at least, when I was involved — a reserve fund accounting system that was not unique but, in fact, gave the treasurer considerable clout. It is possible, at the expense of the taxpayer, that a treasurer with the use of such funds can be overly cautious. In other words, they can build up and protect funds which

may not be called on for quite some time. If the council is not extremely — let me choose my words carefully — watchful, they may find that these funds are inflated unnecessarily and, therefore, the taxpayers of the municipality would be assuming too great a cost.

Since he has, earlier in this bill, provided for a standardization of format for the budgets of councils, perhaps he would, at some point, have his officials look at standardizing the reporting of the reserve funds. I am not suggesting that it is something that needs to go into the act, but it may be something that he would deem it wise to have done.

Hon. Mr. Lang: There is no problem. In fact, I believe the department is looking at that because they would like a standardization as far as the general format is concerned in financial matters so that it is a two-way street and there is not any confusion between the various administrations.

I would also point out, as for reserve funds, the member is incorrect in saying that Whitehorse is the only one that utilizes them extensively. All the communities have had reserve funds at one time or another. There really has not been a clear guideline on how that reserve fund is set up and the criteria and qualifications and authorizations for those particular reserve funds.

²⁵ I think this clarifies it at least somewhat. We may find some problems in the future. If we do, then I am sure the member opposite would be prepared to second the necessary amendment if it was deemed necessary.

Mr. Penikett: The minister may be right in correcting me but I am almost certain that I would not be wrong in suggesting that no other municipality in this territory had made such extensive use of reserve funds as this city. If you take a look at some of them, at least when I was involved, there was some doubt as to whether some of them might be ever drawn down because they were so large.

Clause 55 agreed to

Mr. Chairman: The Chairman needs to have a short break here — he is getting tongue-tied.

Recess

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

We shall now proceed to clause 56(1).

On Clause 56

Hon. Mr. Lang: If I could just make my comments on this, it is a very major departure from the previous bill. This subsection replaces subsection '224(2)' which set some arbitrary and, we came to the conclusion, unrealistic limits on expenditures that may be made without the taxpayers' approval. For a city, it was proposed \$500,000; for a town \$250,000, for a village \$25,000; and it should be noted now that we are going to one-quarter of one percent of revenue assessment for the purposes of the borrowing without the taxpayers' approval. Just to give the indication to the House of the amount of dollars we are speaking of: the City of Whitehorse can borrow up to \$1,318,003, the City of Dawson \$50,181, the town of Faro \$112,993, Carmacks LID \$16,588, Haines Junction LID \$36,486, Mayo LID \$21,075, Teslin LID \$15,285 and Watson Lake LID \$62,592. As you can see, we are trying to tie it in with an assessment base so that the ability to pay is there, as opposed to arbitrary limits set because of the category that the community may be established in, as far as municipal status is concerned.

Clause 56 agreed to

On Clause 57

Mr. Penikett: This whole subsection, (5), has been essentially reorganized and, I guess, really shortened. It still might cause someone to wonder why we have the things that are specified in '(3)', the airports and seaplane harbours, lumped in with all the other things that are here.

²⁶ I guess there is a very good reason for being specific on this point.

Hon. Mr. Lang: There is. Because of our transfer, I believe it is our airports, Arctic B classifications, I believe, as far as airports are concerned. For example, the community of Teslin has gone into

an agreement with the Department of Highways with the government. Also, in seaplane harbours, for an example, you have a situation here in Whitehorse and this clearly delineates that that responsibility, if necessary, can be delegated.

Mr. Byblow: Just before you clear (4), (4) is a change too. The minister may want to give some explanation about the provision of works beyond the boundaries of a municipality.

Hon. Mr. Lang: For an example, in Watson Lake, if they are going to provide fire service outside the community for so many miles, then it allows them to do that with approval of an Executive Council member. It is a catch-all phrase that permits us to go in to work with the community and if there is something outside the community that should be done, then the legal authority is there, if there is common agreement.

Clause 57 agreed to

On Clause 58

Mr. Penikett: This section involves a major change and the minister may like to explain it to the committee.

Hon. Mr. Lang: At present, '226' is less restrictive but it provides for grants for "such other matters as the Commissioner may prescribe". The association asked us that the act fully spell out the grant authority and the wording that you have here is very similar to the 1972 act, but requires the minister's authorization to proceed for utility grants, or that type of thing. The idea is to ensure we do not get a duplication with respect to what the territorial government is doing *vis a vis* the municipality. So it is very clear in the legislation now.

Clause 58 agreed to

On Clause 59

Mr. Penikett: I think I understand the change in language proposed here. The minister may be able to improve my understanding by an explanation.

Hon. Mr. Lang: It clarifies the services charge imposed in respect of local improvements substitute for local improvement taxes, for services you are paying for. I guess it is a semantic differentiation; what is taxation as opposed to a direct service that you are purchasing. That is the purpose of it. It is really just rewording.

Clause 59 agreed to

On Clause 60

Clause 60 agreed to

²⁶ On Clause 61

Mr. Penikett: I think we should probably get a brief explanation of Clause 61(2), '230(4)', before we let this slip through.

Hon. Mr. Lang: 'Clause 230(4)' required the approval of the inspector and taxpayers, releases and agreements, for sale of real property under a variety of conditions. We discussed it with both the AYC and the CYI and we felt that these restrictions were not necessary, in this day and age, nor were they appropriate. We felt that that was the responsibility of the council.

Clause 61 agreed to

On Clause 62

Clause 62 agreed to

On Clause 63

Clause 63 agreed to

On Clause 64

Clause 64 agreed to

On Clause 65

Clause 65 agreed to

On Clause 66

Clause 66 agreed to

On Clause 67

Clause 67 agreed to

On Clause 68

Clause 68 agreed to

On Clause 69

Clause 69 agreed to

On Clause 70

Clause 70 agreed to

On Clause 71

Mr. Penikett: The only question I have with Clause 71, '243(1)(d)(ii)', is the language change. It occurs to me, as a result

of changes that are happening in this act and the formats and budgets, that we could have some change in the accounting principles from one year to the next and that may happen very soon. I wonder how such an auditor's statement might be affected, in such a case, since we are not requiring that it be — actually, we are taking out the "applied on the basis consistent with the previous year". Okay, so I understand that.

²⁸ Clause 71 agreed to

On Clause 72

Mr. Penikett: This is taking out the provision for a citizen lodging objection to an auditor's report. I do not know how often that would happen. Very rarely, I imagine. But I am interested in knowing why it is being repealed.

Hon. Mr. Lang: In a review of the act, it was felt it was not necessary. We had no provision in 1972 and we came to the conclusion it really was not necessary. You have an elected council, you have methods of being heard before the council; we do not believe that this is necessary in the act.

Clause 72 agreed to

On Clause 73

Mr. Penikett: Just a point of order. I am certainly not questioning at all the way you are chairing the Committee but I wonder if it might be easier for us members, in a clause such as this one, that we do not clear (1) until we had in fact dealt with the particular parts, such '(2)(a), (b), (c)' and so on?

Mr. Chairman: Alright, I will try to do that.

Mr. Penikett: As to subclause (4) on '(7)', this is new. It seems to make sense to me, but I wonder if the minister can give us some indication as to why they felt it was appropriate. Is it perhaps in compensation for removal of the other clause, or is it?

Hon. Mr. Lang: You could call it substitution, because what we are deleting is "pamphlet form", and the necessity of printing all these statements that perhaps there is no request for, and we are saying you have to do it in a newspaper in the previous section and this provision ensures that copies of the financial statement and other reports are readily available without charge to those who want them. As opposed to saying you have to do it in pamphlet form, they can provide you with xeroxed copies of what they have; you as a citizen within the community can get that information.

Clause 73 agreed to

On Clause 74

Mr. Penikett: A general question about this whole subsection: in general debate, the minister and I made mention of the fact that with the settlement of land claims, and even without the settlement of land claims, there may be large land owners now within municipalities and we could have as a result of land claims within municipalities one large land owner, that might be the band, who might reasonably express some concern about the impact of local improvement charges on a single large landholder. I would be interested if the minister has any comment to make on that before we just adopt this clause.

²⁹ **Hon. Mr. Lang:** I think it is fairly clear that this is kind of trying to clarify that initial section of '251', and if you look at (b) is says "describe the procedure and conditions according to which petitions for local improvements shall be prepared, presented to and considered by council". In other words, the council must have a general bylaw passed by the council that this is the procedure that will be followed. I think it is fairly clear, the format that it has to be done in, and whatever. I am sure that there is going to be the ability for representation to be made by the individual you are talking about or collectively, a group of individuals.

Clause 74 agreed to

On Clause 75

Clause 75 agreed to

On Clause 76

Clause 76 agreed to

On Clause 77

Mr. Penikett: Why?

Hon. Mr. Lang: Excuse me. Not that I am bored, it is just that I am tired. I assure the member opposite and the Chairman that I am very much into this debate.

The repealed 'Section 253' spells out rules for calculating local

improvement charges and conflicts with the authority in '250(1)' for council to prescribe such rules by bylaw. Therefore, there is no necessity for it.

Clause 77 agreed to

On Clause 78

Clause 78 agreed to

On Clause 79

Clause 79 agreed to

On Clause 80

Mr. Penikett: Could we have an explanation of this?

Hon. Mr. Lang: It is the same answer as I gave in the previous question. It is the repeal of the section prescribing rules for applying local improvement charges for roads and it conflicts with the authority given council in section '250(1)'.

Mr. Penikett: I thought it would, and I am glad it is. I would have been very concerned if it was not.

Clause 80 agreed to

On Clause 81

Mr. Penikett: This is a fascinating little clause, since it has had quite an interesting life. It was not in the original bill and then the previous minister put it in the bill and now this minister is taking it out again. I guess it really does deserve, since it is having a short and happy life, to have to ask why it is being repealed.

Hon. Mr. Lang: The amendment adds the requirement for a bylaw to authorize the acquisition of real property for municipal purposes and deletes reference to personal property in this sub-section. You are referring to 81(1), are you not?

Mr. Chairman: 81(2).

Hon. Mr. Lang: Oh, (2). That particular section deletes the requirement for Commissioner approval to move a reservation of municipal land made by bylaw. It is a result of the AYC and the Council for Yukon Indians asking if it was really necessary. Really, when you think about it, if it is within their gamut of responsibility, go to it, we have got enough problems without those.

Mr. Penikett: With regard to Clause 81(3) on '257(4)', I have not asked about leases, but this seems to refer to leases and, in fact, there was a lot of stuff about leases in the original bill. So, maybe I could just get the minister to give a brief explanation?

Hon. Mr. Lang: This repeals the subsection required for inspections approval to lease real or personal property for more than five years. We did not believe it was necessary and, subsequently, we are deleting the section.

Clause 81 agreed to

On Clause 82

Mr. Penikett: With respect to '259(2) and (3)', I would like to express my own regret that I did not ask a question in general debate about '258(1) and (2)', which I should have done if I had properly anticipated your ruling, earlier.

Hon. Mr. Lang: 'Clause 259(2)' provides authority for the municipal council to acquire real property for certain specific community uses: recreation facilities, parking. 'Clause 259(3)' requires the taxpayers' assent to dispose of such land unless exempted by the inspector. It was felt that those provisions are not necessary, in view of the response I gave earlier.

'Clause 257(3)' has been amended to require a bylaw for the disposal of land. In other words, it has to go through the council for authorization for disposal.

Clause 82 agreed to

On Clause 83

Clause 83 agreed to

On Clause 84

Mr. Penikett: Regarding Clause 84(2) on '269(1.1)', could the minister just give me a brief explanation of that? I guess the only reason I would ask is because of my curiosity about the language in here, which talks about "no bylaw under subsection (1) shall be valid without the approval of the Executive Council member unless, when it is made the foreseen and foreseeable capital and operating costs of the works will be paid for by the municipality from its own revenues or borrowings". It raises questions in my mind about the unforeseen and the unforeseeable, which the minister may wish to comment on.

Hon. Mr. Lang: The amendment there requires the executive

council member's approval when a sanitary sewer or storm sewer system requires capital or operation and maintenance funding from the Government of Yukon. This is normally the case, and we felt that we should have it in. Where certain obligations are going to be taken off the general taxpayers of the territory, then there should be some understanding between the municipality and ourselves. From my understanding, I do not think the AYC or the CYI argued that. If you are going to pay part of the cost, you had better have some sort of an agreement when you are both going in the same direction in respect of a particular project.

Clause 84 agreed to

On Clause 85

Mr. Penikett: A brief explanation please, on subclause (1).

Hon. Mr. Lang: This is one section that has been in the act I think since the early '70s, and we do not believe there is any reason to refer to the *Public Health Ordinance*. All parties agreed it was totally and absolutely redundant. There was no reason for it.

Clause 85 agreed to

On Clause 86

Clause 86 agreed to

On Clause 87

Clause 87 agreed to

On Clause 88

Hon. Mr. Lang: This particular section is a repealed section providing for granting franchises for a water distribution system. It was considered biased for primary legal reasons to just remove the reference to municipal franchising, because you do have your water distribution system; it is a system there and the authorization is definitely there for the city to deal with matters of that kind.

Clause 88 agreed to

On Clause 89

Clause 89 agreed to

On Clause 90

Mr. Penikett: Could the minister explain this clause?

Hon. Mr. Lang: So that there is no misunderstanding that an ambulance service operated by a municipality must have some sort of an agreement.

Clause 90 agreed to

On Clause 91

Clause 91 agreed to

On Clause 92

Clause 92 agreed to

On Clause 93

Clause 93 agreed to

On Clause 94

Clause 94 agreed to

On Clause 95

Clause 95 agreed to

On Clause 96

Clause 96 agreed to

On Clause 97

Clause 97 agreed to

On Clause 98

Clause 98 agreed to

On Clause 99

Clause 99 agreed to

On Clause 100

Mr. Penikett: Before we get too far into this section, it deals with the official community plan. I must want to record my fascination with the fact that the municipalities will be required to adopt these official community plans, plans which in fact YTG does not have for itself, and which it does not have for the territory. While I think the idea of having such plans is commendable, I still find it fascinating that the territory will require the municipalities to do something which it does not, itself, do.

Hon. Mr. Lang: The point is that in my understanding the City of Dawson, the City of Whitehorse and the Town of Faro, to all intents and purpose have plans. There is flexibility with respect to the other communities, as far as adopting these community plans. I think it comes down to the interpretation of what these plans are. I want to make it very clear to the House and the member opposite that it is not our intention to force these communities to spend

thousands and thousands of dollars on plans. I think that if they get a basic framework of what they are looking at for a community plan, that should be sufficient. I guess it questions a subjective definition of what is a community plan. I share the concern of the member opposite with respect to the community plan but we all recognize that the zoning responsibilities of the municipality and all those authorities are there. All you are trying to do is get a game plan so that if somebody invests, you are essentially ensuring that that investment is not going to be competed with unless there is a fair opportunity for appeal in that particular area.

Amendment proposed

Hon. Mr. Lang: I move that Bill Number 30, entitled *An Act to Amend the Municipal Act*, be amended in Clause 100 at page 26 by substituting subsection 309(4) for subsection (4) and subclause (3).

Amendment agreed to

Clause 100 agreed to as amended

On Clause 101

Clause 101 agreed to

On Clause 102

Clause 102 agreed to

On Clause 103

Mr. Penikett: In Clause 103(1), I understand that 'Section 312' was unacceptable to the AYC and that is the reason that it is being repealed?

Hon. Mr. Lang: That is correct.

Clause 103 agreed to

On Clause 104

Clause 104 agreed to

On Clause 105

Mr. McDonald: I believe this may be a good place to ask a few general questions about the creation of a municipal board. I will not attempt to hide my ignorance on the subject. If answers to the questions of the general nature, which I am about to pose, have already been provided, I would ask the Chairman to bear with me. I find the concept of a municipal board rather interesting and I understand that it is meant to be an independent body from both government and municipalities. It is also meant to safeguard local autonomy and, at the same time, do so within the guidelines provided by the legislature.

Could the minister explain the responsibilities and duties of the board and, ultimately, what the remaining responsibilities of the department would be? And, can he anticipate any overlap between the responsibilities of the newly-created board and the department. I would invite him to be as expansive as he likes, perhaps we could start with that.

Hon. Mr. Lang: The Yukon Municipal Board is empowered to hear appeals and objections to proposed municipal incorporations, changes of status, dissolution or boundary changes. The present act provides for an *ad hoc* board of inquiry in the case of municipal incorporation and optional hearings by the Yukon Municipal Board in the case of boundary changes and no appeal process in the case of change of municipal status or dissolution.

It also, as you can see in the section we are dealing with, has the authority to go through a community plan and just see whether or not it is conforming with respect to the general intent of the legislation that you have before you. I should point out, I do not see this having any administrative functions. It is just strictly a board to review what has been done. I do not see any necessity for administrative changes within the department because we still have people meeting on a day-to-day basis. In fact, they will be helping them prepare, for an example, in most part — depending on the community — with their community plans; to bring them forward and to get them in the proper format and give ideas of what, perhaps, could be incorporated in the community working with the administration.

So, to answer your question whether or not there would be administrative changes within the government, no.

Mr. McDonald: The next question, I guess, is a question regarding the relationship between the board and the communities. Obviously, the communities may not be in a financial position to provide for themselves the kind of expertise that the department has, currently. I am wondering if the minister plans that such a

board would act as a conduit between the government department and the municipalities in the provision of expertise when needed?

Obviously, there will be some sensitive areas, such as planning, et cetera, for which the board would have some involvement, in that it would seem to be independent of the government. However, there would be some desire from municipalities to have expertise to help them, to assist them in developing, say, plans. Would the board, in the minister's opinion and the government's opinion, act as a conduit to borrow, in a sense, expertise from the government and provide it, in turn, to municipalities?

Hon. Mr. Lang: No, I cannot see that. I, basically, see the municipality working with the department. We have a method of allocating dollars to the communities on additional grants and this type of thing. It would be up to them to set their priorities, with respect to getting certain objectives done over a two-year term. I see the municipal board as an objective board that is reviewing the final product that has been developed, as opposed to being involved in the development of a community plan, in a particular community. It is a buffer, if you like, between the government and the municipality in question and it is going to serve to give advice, both to the municipality and to the political arm of government.

So, if you are asking me if I am creating another water board regulatory situation, no, it is not my intention. We only have a finite amount of dollars and I think we have to be careful with those dollars and how they are spent.

Mr. McDonald: Perhaps the minister could say, then, whether or not I am putting this too simplistically; that the municipal board, in deciding certain issues such as the creation of new municipalities, et cetera, adjusting of boundaries, would be merely a judicial body and would not, in the sense that they would merely decide these decisions but would not act further than, say, the provision of assistance to communities in any other form — providing information or advice, for example, to communities — that they would merely act, in the minister's opinion, as sort of a judicial body.

Hon. Mr. Lang: I guess you could look at it as a quasi-judicial body, if you like. The actual administration is...

Mr. Chairman: Mr. McDonald is still talking. Please sit down. Mr. McDonald, finish. I will allow the minister to stand up.

Mr. McDonald: I will allow the minister to jump in. I will allow the minister to interrupt me.

Mr. Chairman: Mr. Lang, would you stand up now.

Hon. Mr. Lang: I recognize the time is getting late. Now, I am not arguing that at all, but my point is, yes, he is correct. It is a quasi-judicial board, if you want to use that terminology, to look in certain areas. We wanted to make very clear and specific the areas that they were empowered to look at and where it was necessary for the board to act on behalf of the Executive Council member.

At the same time, we wanted to be very clear that it was not to intercede, with respect to the direct municipal responsibility, because that, I think, would be counterproductive to what we are trying to do here, as far as the principle of the bill is concerned.

Mr. Penikett: You are talking too fast for this country boy.

I want to ask the minister, in the light of his remarks before, about the flexibility that this planning section will be interpreted and the looseness — that is not his word but I do not remember his word — with which the requirements for plans will be read. Exactly what kind of plan would the minister envision not conforming to the requirements of this act? The requirements, in the light of the minister's discussion, would seem to be quite general and leave a lot of room for interpretation. I would like the minister to give us an example or some idea of a plan that would not conform to this act, or what specific deficiencies would cause the executive council member to not approve a plan?

Hon. Mr. Lang: One thought comes to mind, such as if you are dealing with crown property — for example, federal crown property — which had been planned for an airport and all of a sudden the new municipal plan in the neighbourhood, the community plan, came forward and they were going to zone it commercial property, which would be contrary perhaps to other provisions of this act and also contrary to the long-term good of the community, but also to the territory as a whole, and things of that nature. I really cannot see using this section very often. We are trying to make it as

general as we can. I refer you back to section 102(1), subsection '(1)', and what the official community plan would consist of — perhaps topographical plans, reports or statements in respect of a general area and what those areas could be zoned for and whatever.

That is just one thought that has come to my mind. We are going to have to see how the act actually works once it has been implemented. I hope we never have to exercise that authority, but if we do, it is there; because we do have the responsibility of the public interest as far as the territory is concerned.

Mr. Penikett: As to the example given by the minister: because, I would guess, if the federal government came along and bought a bunch of land in a municipality that was zoned commercial, for example just to turn the example given by the minister around, and decided to build an airport there, there is not, as I understand it, anything that we could do to prevent them anyway?

Hon. Mr. Lang: No, that question is, of course, getting into the question of legalities. But I think, yes, there are certain actions the city council could take. As far as the zoning requirements are concerned, if it had been initially zoned commercial and somebody purchased it and was going to arbitrarily change how that land was to be utilized, that would be different.

Hon. Mr. Lang: I would suspect that the council could really raise a political ruckus if the zoning procedures were not followed through. I recognize that it is a senior level of government and I recognize the authorities are vested there, just like our relationship with the federal government, but I would suspect that there are certain actions a city council could take. They may not be successful in the end, but they could really cause major problems unless procedures were not followed as set out in the acts, as far as zoning changes and zoning appeals are concerned.

Mr. Penikett: They may be able to raise a political ruckus, but I think the minister is agreeing with me that if the territory decided that in a municipality they were going to build a building somewhere in violation of a zoning bylaw, I suspect, under this act, there is not much a municipality could do about it. In fact, I think the minister would admit that if the federal government decided to do it, there is not much a municipality could do about it, nor could the territory.

I submit that there have been cases, even in this city, where the territory has done things in violation of the municipal zoning law, quite major violations, and there is not a — pardon my language, Mr. Chairman — damn thing the municipality can do about it.

Clause 105 agreed to

Mr. Penikett: Could I ask your indulgence in taking a short break?

Mr. Chairman: Yes, we could take a short break.

Recess

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

Hon. Mr. Lang: I would move that you report progress on Bill Number 30.

Mr. Chairman: Before we do that, could we carry Clause 105?

Clause 105 agreed to

Hon. Mr. Lang: I would move that you report progress on Bill Number 30.

Motion agreed to

Mr. Penikett: I would move that Mr. Speaker now resume the Chair.

Motion agreed to

Mr. Speaker resumes the Chair

Mr. Speaker: I will now call the House to order. May we have a report from the Chairman of Committees?

Mr. Brewster: Mr. Speaker, the Committee of the Whole has considered Bill Number 31, *An Act to Amend the Motor Vehicles Act*, and directed me to report the same with amendment.

Further, the Committee has considered Bill Number 26, *Constitu-*

tional Questions Act, and directed me to report the same without amendment.

Further, the Committee has considered Bill Number 30, *An Act to Amend the Municipal Act*, and directed me to report progress on same.

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

Some hon. Members: Agreed.

Mr. Speaker: May I have your further pleasure?

Hon. Mr. Lang: I would move that we do now adjourn.

Mr. Speaker: It has been moved by the hon. Minister of Municipal and Community Affairs that we do now adjourn.

Motion agreed to

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

The House adjourned at 5:02 p.m.

The following Sessional Papers were tabled November 15, 1983:

83-3-29

Yukon Indian Land Claims, Agreement-in-Principle — Summary (Lang)

83-3-10

Report of the Green paper Committee on Recreation (Firth)

83-3-31

Third Report of the Standing Committee on Statutory Instruments (Brewster)

The first part of the document discusses the importance of maintaining accurate records. It highlights the need for regular updates and the role of technology in streamlining the process. The text emphasizes that proper record-keeping is essential for compliance and operational efficiency.

In addition, the document outlines the various methods used to collect and analyze data. It mentions the use of surveys, interviews, and focus groups to gather insights from stakeholders. The analysis phase involves identifying trends and patterns that can inform decision-making.

The second section focuses on the implementation of the findings. It provides a detailed roadmap for rolling out new initiatives, including timelines and resource allocation. The text stresses the importance of communication and stakeholder buy-in throughout the process.

Furthermore, the document addresses the challenges that may arise during implementation. It offers strategies to overcome common obstacles such as resistance to change and limited resources. The goal is to ensure a smooth transition to the new state of operations.

The final part of the document discusses the long-term impact of the project. It includes a section on monitoring and evaluation to track progress and measure success. The text concludes by highlighting the benefits of the project and the commitment to continuous improvement.

Overall, the document provides a comprehensive overview of the project from start to finish. It serves as a valuable resource for anyone involved in the process, offering clear guidance and practical advice. The project is expected to yield significant positive results for the organization.