



# The Yukon Legislative Assembly

---

Number 43

4th Session

25th Legislature

---

## **HANSARD**

**Tuesday, November 27, 1984 — 1:30 p.m.**

Speaker: The Honourable Donald Taylor

# Yukon Legislative Assembly

SPEAKER -- Honourable Donald Taylor, MLA, Watson Lake

DEPUTY SPEAKER -- Bill Brewster, MLA, Kluane

## CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Chris Pearson	Whitehorse Riverdale North	Government Leader -- responsible for Executive Council Office; Public Service Commission; and, Finance.
Hon. Dan Lang	Whitehorse Porter Creek East	Minister responsible for Community and Transportation Services; Education; and, Government Services.
Hon. Howard Tracey	Tatchun	Minister responsible for Economic Development and Tourism; and, Renewable Resources.
Hon. Andy Philipson	Whitehorse Porter Creek West	Minister responsible for Justice; and, Health and Human Resources.

## GOVERNMENT MEMBERS

### (Progressive Conservative)

Clarke Ashley	Klondike
Bill Brewster	Kluane
Al Falle	Hootalinqua
Bea Firth	Whitehorse Riverdale South
Kathie Nukon	Old Crow

## OPPOSITION MEMBERS

### (New Democratic Party)

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

### (Independent)

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

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

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

**Whitehorse, Yukon**

**Tuesday, November 27, 1984 — 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. Pearson:** I have for tabling the public accounts of the territorial government for the fiscal year 1983-84 pursuant to the statutory requirements of the federal and territorial governments.

**Mr. Speaker:** Reports of committees?

**REPORTS OF COMMITTEES**

**Hon. Mr. Philipsen:** I have for tabling the report of the Standing Committee on Rules, Elections and Privileges.

**Mr. Speaker:** Petitions?  
Introduction of bills?

**INTRODUCTION OF BILLS**

**Bill No. 47: First Reading**

**Hon. Mr. Philipsen:** I move that Bill No. 47 entitled *Miscellaneous Statute Law Amendment Act, 1984 (No. 2)* be now introduced and read a first time.

**Mr. Speaker:** It has been moved by the Hon. Minister of Justice that a bill entitled *Miscellaneous Statute Law Amendment Act, 1984 (No. 2)* 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?

**NOTICES OF MOTION**

**Hon. Mr. Philipsen:** I would give notice of the following motion: that the Fourth Report of the Standing Committee on Rules, Elections and Privileges be concurred in.

**Hon. Mr. Lang:** In order to facilitate the business of the House, I would give notice pursuant to Standing Order 13 that the motion for concurrence in the Fourth Report of the Standing Committee on Rules, Elections and Privileges will be called as government business.

**Mr. Speaker:** Statements by Ministers?

**MINISTERIAL STATEMENTS**

**Hon. Mr. Lang:** Mr. Speaker, I am pleased to be able to inform this House today of the new regulations which have been put into place by this government pertaining to the delivery of electrical services to rural residents. With the continued development of rural properties to allow Yukoners recreational and life-style opportunities which they desire, There has been a growing need for electrical services to some of these residential and recreational areas.

The Yukon government has worked towards an equitable system to allow for rural electrification, a system that will help to provide electrical services in these areas at a reasonable cost to rural property owners without placing an unfair burden on the public purse.

We believe that the new rural electrification regulations equitably accomplish both of these objectives.

I would just like to take a minute or two to explain to the House the basic principles of application of the regulations.

We have devised a system which will ensure that the wishes of the majority in rural areas are met, through the development of a petition which will require that 75 percent of the property owners in a defined area approve of the extension of electrical services into that area and to the capital costs which would be incurred to provide the service.

Under the new regulations this petition process must be conducted by the residents themselves through a prescribed process which will ensure that all those who sign the petition are fully aware of the financial ramifications of providing the extension of electrical services to their particular area.

To this end, I wish to add that the Yukon government is prepared to provide the initial funding towards capital costs of extending power into rural areas up to a maximum limit of 25 percent of the total assessed value of the property and improvements located within the extension area.

These capital costs will then have to be paid by all residents in the extension area through the form of a local improvement tax. Individual costs will be established on a percentage basis relative to the total assessed value of the individual property in relation to the total capital cost of the project. In order to ensure that any personal financial costs do not create an undue economic hardship the local improvement tax, which must be sufficient to cover the capital cost outlay, can be amortized over a 10-year period.

In so far as interest rates are concerned for those who elect to amortize their portion of the electrical extension costs, interest rates will reflect the rate of interest which the Yukon Government would be required to pay for borrowing a similar amount of money relative to the capital cost of the expenditure. This interest rate would be fixed over the term and should the property owner so elect, the principal, together with any outstanding interest, could be paid out by them at any time.

I would like to note that this program provides funding towards the cost of the main electrical line only. Service connections to the main line will continue to be the direct cost of the individual property owners.

I am sure that the establishment of these regulations will come as welcome news to those Yukoners who own rural property and who have expressed an interest in the past to have electrical services extended to their rural residences.

In closing, I would like to say that I feel that this is a positive move by this government towards enhancing the lifestyle opportunities for all Yukoners who have chosen to make personal investments in rural residences.

**Mr. Penikett:** This of course, is not properly a ministerial statement, since a ministerial statement is one of policy being heard for the first time in the House. This is, by my count at least, the fourth or fifth time that this policy has been announced. Commendable as it is, the minister announced it by way of a press release, once in the Yukon Government *Info*, and on another occasion in letters to various people and I have even announced it once myself.

The first time I heard the announcement I thought it was a good policy. I even thought it was a good policy before I heard the minister's announcement. Briefly, the proposal is designed to reduce the initial cost of getting electricity into rural cottage and lot subdivisions and other rural properties. The territory will fund the installation costs of main powerlines and the costs to the government will be recovered over several years through local improvements charges.

Now, as all members know, many people have complained over the years about the large outlay demanded by power companies for the initial installation, and the policy announced today will allow consumers to spread the cost over several years. It is noted that to ensure the proper hookup has popular support, petitions must be signed by a large majority of the property owners in the proposed service area.

I was first attracted to this concept during the days when I was on city council and the City of Whitehorse made such an arrangement with a number of people at McCrae who could not afford the initial hookup. Since then, I have been a strong promoter of this policy

both with the minister and his predecessors.

We support the policy. We support the initiative and I am sure that we would be quite pleased if the minister wants to keep on announcing it and announcing it. It is not the last word on the provision of power to rural communities and I expect that there will be other occasions in this House to talk about other ways and means that the public sector could use to meet the desirable goal of getting power to all the people all over the territory.

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

### QUESTION PERIOD

#### Question re: *Elections Act*

**Mr. Kimmerly:** As the Minister of Justice will recall, an amendment to the *Elections Act* to change the order of candidates on the ballot was defeated last spring.

65 It is therefore appalling to find that a decision of this House was not carried out, either through carelessness or misunderstanding. Is the minister aware that the printed statutes of the Yukon from the spring session contain the section changing the valid order? What will the minister do to correct this situation?

**Hon. Mr. Philippen:** If I recall correctly, we withdrew that without coming to this Legislature. I will take a look at the statutes and we will rectify the situation. It was withdrawn in the House before debate in the Legislature.

**Mr. Kimmerly:** I am also aware of the mistakes of at least one other act in the official printed statutes. Could the minister explain how such mistakes are possible in the current legal and printing system used by the government?

**Hon. Mr. Philippen:** I would be the last person in the world to say that I have never made a mistake in my life. I will make mistakes for the rest of my life, there is no doubt about it. The member opposite is inferring that he has never made a mistake and never will. It is an unfortunate statement on his part.

**Mr. Kimmerly:** The minister will be aware that these orange volumes are used as official versions of the law by the courts, and the revised statutes of the Yukon are currently being prepared from these orange volumes. Will the minister ensure that the revised statutes are prepared from the original official documents?

**Mr. Speaker:** Is the hon. member now making a representation?

**Mr. Kimmerly:** No, it is a simple question.

**Mr. Speaker:** Perhaps the question could be rephrased then, so as to make it a question.

66 **Hon. Mr. Philippen:** The member should remember that they are taken from the official documents and we will make every attempt to ensure that everything written in there is as it should be.

#### Question re: *Ross River fire protection*

**Mr. Porter:** On Thursday, November 22, 1984, the minister stated in the Legislature that his department will be transferring a fire truck from the community of Carmacks to the community of Ross River. When the transfer does take place, can the minister assure the community members of Ross River that they would be able to keep the present firetruck in that community as a backup unit?

**Hon. Mr. Lang:** Unfortunately, I do not have a response for the member opposite. If he could give me notice of that, I will follow it up further and report back.

**Mr. Porter:** On November 15, 1984, the Ross River Community Association requested, by way of a letter, to install a fire conference phone in the community of Ross River. Would the minister be responding positively to the request of the Ross River Community Association for the installation of a fire phone conference system?

**Hon. Mr. Lang:** I do not confess to be an expert in this area and I am relying on my officials. I have been told that this type of installation would neither be feasible nor viable. More importantly, I think it would not improve the fire protection services for a community the size of Ross River.

I am prepared to make this commitment: we have a program for

1986-87 — granted, a year away — to look at the possibility of a new fire hall and at that time, we will be looking at additional fire alarm call boxes and sirens for the community.

**Mr. Porter:** It should be noted for the record that such phone systems do exist in current communities, and they are very much of a protective measure.

**Mr. Speaker:** Order, please. Is the hon. member making a speech? Perhaps he could conclude his speech and ask his question.

**Mr. Porter:** Continuing with my one sentence preamble, at the present time, the community of Upper Liard has only one fire alarm and would like two additional fire alarms. What is the minister's position on this matter? Will the minister respond positively to this question?

#### Speaker's Ruling

**Mr. Speaker:** Order, please. I think at this point what the members appear to be doing is making representations in the Question Period which is an abuse of Question Period. The original question had to do with fire protection in Ross River. Any supplementary questions ought to address that same initial question. I believe now that we have shifted to some other location and that would not be permitted.

**Mr. Penikett:** On a point of order, Mr. Speaker, if a person asks a question about fire protection, the subject is fire protection. If they ask a supplementary about fire protection in subsequent communities, it seems to me that that is a perfectly legitimate supplementary. It seems to be totally unnecessary, given the pressure of our time, and given the rules that we lay down for ourselves, to cut members off from the Chair and limit the subjects about which we can ask questions when there is no hesitation, no disinclination on behalf of the ministers opposite, and simply because the member uses the word "will" rather than "is" the government considering, it does not make it a representation. We can ask about processes and activities that are going on in the government without doing any violence whatsoever to the rules of our House or the precedents of any other legislature in the commonwealth.

67 **Mr. Speaker:** In response to the hon. member, I must advise the hon. member that questions raised under the orders and the rules and practices of this House are very clearly quite in order in most cases. But, they must be questions, and the question in both instances here, has been irregular in that the question is not a question but making representations to government, which ought properly be made by motion or other processes in accordance with the rules of the House.

In the matter of relevancy, the question, as been raised by the hon. member for Campbell that was initially relating to, I would suppose, the provision of a fire truck in Ross River. Now, this does not allow for a supplementary which deals with some other place in some other circumstance. The Chair cannot permit that. If the members wish to change the rules of the Question Period, which is indeed to ask questions, and perhaps, rise and make statements or make representations, the members may change the rules by which we govern ourselves. But, if not, it is the duty of the Chair to make these decisions and to attempt to make the Question Period function in the manner it is laid down to do. I will call that the end of the matter and I would ask members if they would give consideration to the difficulties that the Chair has.

**Mr. Penikett:** Mr. Speaker.

**Mr. Speaker:** The hon. leader of the Opposition, are you rising on a point of order?

**Mr. Penikett:** On a point of order, Mr. Speaker, in reference to your observation made a moment ago, and not in reference to the previous point, I would only make this representation to the Chair: that if you, sir, will examine the order paper, you will notice that sufficient time is not being made available to discuss the motions that we now have on the order paper, given the closing days of this session. It is not possible for us to raise all the urgent and pressing concerns of our constituencies by the method you propose. If there is an excessively rigorous interpretation of the rules in this House governing Question Period, which rules are designed to prevent, I would submit, abuses of time constraints which could prevent all

members getting in their questions, it is a situation that is not the case in this House at this time.

**Mr. Speaker:** As a response to the hon. member, the Chair is bound as your servant to conduct proceedings according to the rules we have laid down for ourselves. If the member is having difficulty making representations through the Order Paper or other means available at his disposal, that is not the problem of the Chair. That is obviously the problem of the hon. member. If it would appear that our procedures as laid down in our standing orders are not sufficient to allow for these representations, then I am sure that the whole question ought to be referred immediately to the standing committee for remedy. It appears to the Chair that there are many avenues upon which members can make representations and, I must say, this is taking up a great deal of time in the Question Period. I have to rule that, perhaps, I have been a little too lax in allowing these representative questions and the Chair will not receive them any longer. I would ask members to please abide by the rules.

**Question re: Electrical power grid extensions**

**Mr. McDonald:** I have a question for the government leader pertaining to the extension of existing power delivery systems in Yukon. What is the Yukon government policy on expanding the Whitehorse-Faro power grid to other communities?

**Hon. Mr. Pearson:** It is our firm hope and desire that someday every community in the territory can be hooked up to the power grid. That would be the ultimate; that would be the very best. We recognize that we have to pay for these extensions in our electrical costs right now, and it does become difficult. It would be very nice, for instance, if we could get the Mayo dam hooked up with the Whitehorse power source, so that we could use all of our capacity to advantage. The only way we are ever going to be able to do that is to have the grid system in place. We have continued to work with the Northern Canada Power Commission in particular, because they do have the mandate to distribute power and to put in the transmission lines in the territory.

**Mr. McDonald:** Can the government leader state whether or not there is a timeframe for construction or extension of the power grid system within the territory, and have federal authorities given the Yukon government any promises to financially underwrite a power grid development?

**Hon. Mr. Pearson:** I guess the short answer to both questions is no. There is no timeframe. We do not have any commitments at all from the federal government in respect of underwriting the cost of any power grid extensions.

**Mr. McDonald:** Can the government leader indicate whether or not any feasibility studies to construct the power grid have been done, and has the government considered establishing a select committee of this House to review power grid development in the territory?

**Hon. Mr. Pearson:** I am not sure that the member for Mayo is aware that we are extending the power grid in the territory now. We have been extending the power grid in the territory. It is primarily a case of supply and demand and cost. We are extending the line now. It has been extended from Marsh Lake, where it was, to Johnson's Crossing. The Northern Canada Power Commission deals with our Electrical Public Utilities Board, and gets their concurrence for these extensions as we go along. The reason that they do that is because those costs that the Northern Canada Power Commission incurs in building those transmission lines directly goes into our light bills. We pay for those costs. Therefore, we insist that our Public Utilities Board be the last word, so to speak, in respect to when and where those extensions are going to be built.

**Question re: Annie Lake road**

**Mr. Penikett:** I have a question for the Minister of Community Affairs and Transportation. My question is stimulated by a recent letter from some Annie Lake Road residents to the Department of Highways, which complains that in order to improve the road last winter, all trees within 50 feet of both sides of the centre line of the existing road were cut down. However, in May, 1984, the same residents were informed at a public meeting that the proposed new road did not follow the old highway in several locations. So, I must

ask the minister: why was the road surface not surveyed before the 100 foot right-of-way on the existing road was cleared of trees?

**Hon. Mr. Lang:** My understanding is that was in just a number of areas where, because of the standard the road is going to be built to, it was felt it should be realigned. It is, therefore, from a safety point of view and also from a cost-saving measure point of view where that is done. It should be pointed out that a year and one-half or two years ago, there was no knowledge of the possibility of a major, producing mine in that particular area. Since that time, I, as a Yukoner, am very pleased to see the positive reports emanating from the Mount Skukum area, which I believe is in the best interests, economically, of the people of Yukon. We are going to do some realignment, but we will do as little as we possibly can to disturb the people there, but where it is necessary it will have to proceed.

**Mr. Penikett:** Can I just confirm that the minister is reporting to the House that the decision to realign the road is entirely a consequence of the new developments at Mount Skukum in the Wheaton River area, and that decision to cut the extra trees is a consequence of that development.

**Hon. Mr. Lang:** It is very difficult to be general, because you have got to be specific on a road. I do know that the government's initial plans was to strictly upgrade the road from a recreational, residential type of maintenance. It just came to our attention in the spring of last year about the possibility of Mount Skukum. We have had our people out looking at the alignment of the road with the idea that we are going to be putting forward a minimum of a million dollars for the purposes of upgrading this forthcoming year if a final production decision is made by the company. In the interim, there is significant surveying and engineering work being done in order that we can put out the necessary tenders first thing in the spring. As I say, we will do it with the minimal amount of disturbance possible, but we do have an obligation and we will fulfill that obligation.

**Mr. Penikett:** In their letter, the residents also ask if the territory did, before deciding to get a land use permit on the new site to start cutting the trees, examine the cost-comparison, if one was taken, to evaluate the alternative of constructing a new Watson River crossing. Could the minister advise the House how he responded to that enquiry?

**Mr. Lang:** I have not responded to that enquiry.

**Question re: Human rights legislation**

**Mr. Kimmerly:** To the Minister of Justice, and without making any representations about the matter whatsoever: is the minister considering including property rights in the new rights legislation?

**Hon. Mr. Philippen:** Anything that will be in that legislation will be coming before the House when it is tabled. I do not know what else to say to that.

**Mr. Kimmerly:** The minister would seem to be inviting representation.

Since the Canadian *Bill of Rights* contains protection for property rights, is the minister considering Yukon legislation of any kind to guarantee property rights?

**Hon. Mr. Philippen:** We have a motion on the order paper dealing with property rights, and we also have a bill on the order paper that will be dealing with an expropriation act. I will also make every effort to make the views of my colleagues known to everyone as to what they felt about property rights in the last motion of the House, which was presented by myself two years ago. I will make that very abundantly clear what the members opposite think, and what the national party of the NDP thinks, so that there is no confusion in anyone's mind as to where the Conservatives are coming from and where the New Democrats are coming from.

**Mr. Kimmerly:** Most Conservative provincial governments are opposed to property rights in the *Constitution*. Has the minister obtained a legal opinion concerning the territorial jurisdiction over property rights?

**Hon. Mr. Philippen:** We have opinions on property rights through the legal department of the territorial government.

**Question re: Fire protection in Yukon communities**

**Mr. Porter:** Mr. Speaker, I am sure you will be listening closely to this next question, which is directed to the Minister of Community and Transportation Services. Is it the policy of this government that adequate fire protection services be provided to Yukon communities?

**Hon. Mr. Lang:** Yes it is. It is my understanding from the department officials who are directly responsible and have the expertise in this area that they are satisfied, overall, with what we are providing. That is not to say that some of the equipment cannot be upgraded. That is why we have an ongoing program of upgrading our equipment throughout the communities. I think it is safe to say that we do the best we can within our financial limitations. I think the member opposite would give credit where credit is deserved, as far as the officials are concerned, with the volunteer firefighting programs that we have. I think we are being fairly successful.

**Mr. Porter:** Is it the policy of the minister that the community of Upper Liard must be provided with additional fire alarms in order to protect the property and lives of the residents of that community?

**Hon. Mr. Lang:** I have checked into this and I have been advised by the department that the same officials I referred to earlier believe that the alarm call box and the siren there are sufficient as warning devices for the size of the community. That is the advice I have received.

**Mr. Porter:** Maybe on a clear, cold day.

Is the minister reviewing his government's policies with regard to provision of fire protection services to Yukon's communities?

**Hon. Mr. Lang:** No. I am very pleased to report to the House that it has been reviewed over the past number of years. We are in the process of a program of replacing and upgrading our equipment in the communities throughout the territory in conjunction with the local government, if there is one; in the unorganized communities, in conjunction with the community club or some other official voice of the community. I think that the department should be given due credit for the program that we have launched at, incidentally, a great expense to the taxpayer.

**Question re: Northern Canada Power Commission**

**Mr. Byblow:** Has the Yukon government pursued its special relationship with the new federal government to implement recommendations of the Penner Report, widely supported in the North, especially the recommendation reducing NCPC's debt load?

**Hon. Mr. Pearson:** I am pleased to advise the member for Mayo that I have referred the Penner Report to the new minister of Indian Affairs and Northern Development. I have suggested respectfully to him that he applies himself of the recommendations in that report at the earliest possible time. I told him that I was putting him on notice, at that point, that this government thought the Penner report had an awful lot of recommendations in it that we thought would be beneficial to this territory.

**Mr. McDonald:** Has the Yukon government, in conjunction with NCPC, made plans for expanding the power generating capacity in areas outside Whitehorse? Has it communicated these plans to the federal government?

**Hon. Mr. Pearson:** To the best of my knowledge, NCPC does not have any plans to expand power generating capacity in any communities in the territory at this particular time. As you are aware, they just really finished with the fourth wheel here in Whitehorse. I am convinced that their major preoccupation at this time will be how they are going to be able to sell enough power to pay the costs of the construction of the Whitehorse fourth wheel.

**Mr. McDonald:** Has the government done a cost analysis associated with expanding power generating capacity in rural centres outside Whitehorse?

**Hon. Mr. Pearson:** The fact of the matter is that at the present time we have a major problem in respect to power generation in the territory notwithstanding communities outside Whitehorse. NCPC today cannot sell 50 percent of the power that it is capable of producing in the Whitehorse system. If we could accept the grid system so that we could sell some of that power to some of the

communities that are on diesel, it would be very nice. We are faced with costs in doing that. There is little doubt about it that it is not cost beneficial, I do not believe, right now to extend the grids because of the cost of producing the power.

We have to be able to get our costs down to the point where the differential between oil and hydro is greater before it will pay to extend to the farthest reaching communities. I am talking about community like Watson Lake; it will cost a fair bit of money to extend the grid to Watson Lake. Hopefully, Teslin is closer in the future.

I would think, as desirable as it might be, it is still a fair ways away before it would be cost efficient to extend the grid from Carmacks to Mayo to get that inter-tie in. Then it would be only 113 miles to get Dawson tied into the grid. All in all, we have not very far to go, but we are still talking about 100 mile jumps that are fairly expensive.

**Question re: Fire protection**

**Mr. Penikett:** Since this government is developing something like 150 new rural lots in the south end of the city at Golden Horn and Mary Lake, what steps has it taken to improve the fire protection service on the perimeter of the city as the population increases?

**Hon. Mr. Lang:** I intend to have some discussions with the city on the matter of whether or not they feel it is necessary to have further fire protection or maybe a modified or revised form of what presently exists, and what it will cost. I believe I reported to the House last spring that since the municipal election I have had meetings with the city council every three weeks, in the morning — an informal meeting — to raise issues. This has not been raised as an issue as of yet but it is one that I intend to raise sometime over the course of this winter. I am sure the city will want to discuss it as well.

**Mr. Penikett:** I would like to, in my final supplementary, correct a question about the discussions with the city. Could I ask the minister now if he is aware if he has received complaints about the high and ever-increasing rates for fire insurance in the new rural subdivisions, and what particular steps is he taking to moderate or dampen this escalating cost?

**Hon. Mr. Lang:** He knows full well there is nothing I can do. The rates are set by the insurance companies and one has to shop around to see where he or she can arrange the best financial rate with such an insurer. I should point out that the MLA for Hootalinqua has raised the question as well over the course of this summer. We have been discussing what options are available, whether there are any available, and if the city wishes to look further at it when I raise the question with them, then we would proceed simultaneously. I think the member opposite would agree with me that it would be very difficult for me to do it unilaterally. I am sure the member opposite would oppose that type of action by the government if we were to do that.

**Mr. Penikett:** I would disagree with the minister that there is nothing he can do, but since the key factor in the insurance rate seems to be the distance from a firetruck or a firehall, is the minister pursuing the suggestion made by the member for Hootalinqua and myself that the territory might locate a firetruck outside the city, on the south end of the Carcross road, for example. This might have a considerable benefit on the insurance rates in that area.

**Hon. Mr. Lang:** That is definitely a possibility. I would not discount it.

**Question re: Mental disorder patients**

**Mr. Kimmerly:** As the Minister of Health will recall, the idea of throwing people suspected of mental disorders into jail was one of the most contentious points in a debate on the amendments last spring. Has the minister taken any steps to adapt any existing community homes to a multi-use facility for persons suspected of mental disorders?

**Hon. Mr. Philipsen:** The member opposite uses very strange phraseology when he puts his questions together. He knows full well that people are not thrown into jail. He knows the reason behind placing an individual in a secure facility and designating

secure facilities that are available in areas and those areas would naturally, some of them, not have security facilities other than the jail. I believe it is an unfortunate way of phrasing questions and possibly gives the wrong implication to any discussion of this nature. It is unfortunate that the member opposite does not realize the need for people to be placed, for their own protection and the protection of others, in facilities which are secure. These facilities are not readily available in a number of communities other than the lock-up facilities in RCMP establishments.

**Mr. Kimmerly:** As the minister is avoiding the question, I will ask it again, in simple language. Has the minister taken any steps to investigate the additional cost of a conversion of an existing community home to accommodate persons suspected of mental illness?

**Hon. Mr. Philipson:** The member opposite is asking us to build a type of cell like a jail in another building other than a building manned by a person who is trained in that area such as a member of the Royal Canadian Mounted Police. Therefore, it seems like not a very wise suggestion on the member's part.

**Mr. Kimmerly:** That is not an answer to the question I asked. I ask again: has the minister taken any steps at all to provide for, or investigate, the possibility of alternatives to jail for innocent persons jailed under the *Mental Health Act*?

**Hon. Mr. Philipson:** This is getting almost ridiculous. The member opposite is well aware that there are individuals who, for their own protection, and for the protection of the general public, should be kept in an area where they cannot hurt either themselves or someone in the general public, and that does not have anything to do with innocence or non-innocence. It is just a statement of fact. The people exist, and we need a facility in which a person can be kept away from public areas, so the public will not be harmed, or in an area where they cannot harm themselves. Therefore, areas of secure facility have been designated. Areas of secure facility in most communities are the RCMP barracks. They will be kept in those areas until such time as they can be moved into the hospital where an examination would take place. Putting a statement like, people who are innocent, in that particular context, is actually abhorrent, and it is a typical reaction from the member from the other side. It is unfortunate the way that the member would bring a serious condition that affects an individual to the House.

#### Question re: Mental health facilities

**Mr. Kimmerly:** In view of the minister's answer, I will ask this slightly different question. Because of the limited mental health facilities available in Yukon, what steps has he taken to provide multi-use services and facilities, such as a residential group home?

**Mr. Speaker:** It would appear that that question has been answered, or not answered, as the case might be, but it has been asked in different forms. I am wondering if it would be proper to continue this line of questioning. I do not require that the minister need answer but if the minister wishes to, I will permit an answer.

**Hon. Mr. Philipson:** There is a report that the Government of Canada has sanctioned and had done for them on the hospital. That particular report would have room in that hospital for individuals who have this problem. Further to that, I have had representation by a group in the community to look after individuals in a group home. I have asked them to give me a comprehensive report on that. I will study it and if it is at all possible to use a facility bought by the private sector, I am sure that the government will be amenable to that.

**Mr. Kimmerly:** I have no supplementary, but I do have a new question.

**Mr. Speaker:** Order, please. The hon. member, in asking successive questions, is proceeding in a manner not normally undertaken in the Question Period. It is necessary on such occasions that I give other members who have questions the opportunity to ask them. I would just remind the hon. member that the Chair must do that because this is a very unusual practice and the practice I am not intending, as your presiding officer, to allow to continue at any great length.

#### Question re: Mental health legislation

**Mr. Kimmerly:** The minister was asked, on a previous day, regarding the timing of the new bill which was originally promised for this session. He has refused to answer the question so far. May we expect a new mental health bill in the spring sitting of the Legislature?

**Hon. Mr. Philipson:** I am not entirely sure. I would hope to be able to table a bill at that time, but if it is impossible, it will be impossible.

**Mr. Speaker:** Order, please. The 40 minutes allowed for Question Period has now expired. We will now proceed with Orders of the Day under government bills.

### ORDERS OF THE DAY

#### GOVERNMENT BILLS

##### Bill No. 44: Second Reading

**Mr. Clerk:** Second reading, Bill No. 44, standing in the name of the hon. Mr. Lang.

**Hon. Mr. Lang:** I move that Bill No. 44, *An Act to Amend the Electrical Protection Act*, be now read a second time.

**Mr. Speaker:** It has been moved by the hon. Minister of Education that a Bill No. 44 be now read a second time.

**Hon. Mr. Lang:** The principle philosophy behind this bill is to correct an anomaly with respect to the current application of the *Electrical Protection Act* as it applies to the trades of oil burner mechanics and boiler pressure vessel operators. Currently the *Electrical Protection Act* requires any and all electricity related work, except connection of electrical equipment appliances to a wall receptacle and the undertaking of electrical work by an individual in his own home, to be carried out or supervised by a journeyman electrician.

<sup>16</sup> As a result, a certified oil burner mechanic or a boiler pressure vessel operator called into effect necessary repairs to these heating units are only able to work on the mechanical components alone and not on any of the electrical circuits, relays, et cetera which are an integral part of the units. This, despite their having received training as part of their trades certification in electrical circuitry associated with such heating units. What this means for the homeowner or business operator is that it potentially requires two trades people to effect repairs to the heating unit in question; one for mechanical heating components and, if an associated relay, fuse or wire assembly needs repair, a journeyman electrician as well.

The amendment before you proposes to enable certified oil burner mechanics and qualified boiler pressure vessel operators to perform such electrical repairs without the need or requirement for a journeyman electrician to do the work.

One other proposed amendment of note is the increase in fines for contraventions of the act. In this respect, I am proposing that there be an increase from the present \$100 fine to \$500 and from \$20 per day for each day that the offence continues to \$100 per day. I believe that this reflects the value of today's dollar more realistically.

There are also several other amendments proposed that are of a housekeeping nature. These include the cleaning up of language in a number of the definitions, repealing section 25 which requires the tabling of a report on the administration of the act, repealing Section 29 which provides a two year grandfather division when the act first came into existence in 1976 and which is no longer applicable, as well as enabling the chief inspector in place of the territorial treasurer to both accept and disburse bonds as provided for within the act.

I would also like to inform the House that I, and my departmental officials, have had several meetings with the Yukon Electrical Contractors Association respecting a number of proposed amendments. They gave their concurrence that such an amendment before you would be of no problem to them. They have expressed no major concerns in regard to this matter and are in agreement to the proposed amendment.

**Mr. Kimmerly:** This bill is uncontroversial.

*Motion agreed to*

**Bill No. 48: Second Reading**

**Mr. Clerk:** Second reading, Bill No. 48, standing in the name of the hon. Mr. Philipson.

**Hon. Mr. Philipson:** I move that Bill No. 48 entitled *An Act to Amend the Court of Appeal Act* be now read a second time.

**Mr. Speaker:** It has been moved by the hon. Minister of Justice that Bill No. 48 be now read a second time.

**Hon. Mr. Philipson:** This act will remove the limitations on the number of justices of the Court of Appeal. The act will also change the language in which it is written in order to remove archaic terminology and I hope that this would be viewed as a step in the right direction for the reading of legislation.

**Mr. Kimmerly:** We support this bill.

*Motion agreed to*

17

**Bill No. 49: Second reading**

**Mr. Clerk:** Second reading, Bill No. 49, standing in the name of the hon. Mr. Philipson.

**Hon. Mr. Philipson:** I move that Bill No. 49, *An Act to Amend the Hospital Insurance Act*, be now read a second time.

**Mr. Speaker:** It has been moved the hon. Minister of Justice that Bill No. 49 be now read a second time.

**Hon. Mr. Philipson:** The amendment proposed by Bill No. 49 is a minor amendment which simply recognizes the repeal of the *Hospital Insurance and Diagnostic Services Act* and its replacement by Canada with the *Canada Health Act*.

**Mr. Kimmerly:** This bill is uncontroversial.

*Motion agreed to*

**Bill No. 39: Third Reading**

**Mr. Clerk:** Third reading, Bill No. 39, standing in the name of the hon. Mr. Pearson.

**Hon. Mr. Pearson:** I move that Bill No. 39 entitled *First Appropriation Act, 1985-1986* be now read a third time.

**Mr. Speaker:** It has been moved the the hon. government leader that Bill No. 39 be now read a third time.

*Motion agreed to*

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

**Hon. Mr. Pearson:** Yes, Mr. Speaker. I move that Bill No. 39 do now pass and the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the hon. government leader that Bill No. 39 do now pass this House and that the title be as on the Order Paper.

*Motion agreed to*

**Mr. Speaker:** I will declare that Bill No. 39 has passed this House.

**Bill No. 43: Third Reading**

**Mr. Clerk:** Third reading, Bill No. 43, standing in the name of the hon. Mr. Pearson.

**Hon. Mr. Pearson:** Mr. Speaker, I move that Bill No. 43 entitled *Fourth Appropriation Act, 1984-85* be now read a third time.

**Mr. Speaker:** It has been moved by the hon. government leader that Bill No. 43 be now read a third time.

*Motion agreed to*

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

**Hon. Mr. Pearson:** I move that Bill No. 43 do now pass and the title be as on the Order Paper.

**Mr. Speaker:** It has been moved by the hon. government leader that Bill No. 43 do now pass and the title be as on the Order Paper.

*Motion agreed to*

**Mr. Speaker:** I will declare that Bill No. 43 has passed this House.

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

**Mr. Speaker:** It has now been moved by the hon. Minister of Education 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 will call Committee of the Whole to order and declare a brief recess.

*Recess*

**Mr. Chairman:** I will now call Committee of the Whole to order. We shall now go on to Bill No. 42, *Occupational Health and Safety Act*, and go on to clause 1 for general debate.

**On Occupational Health and Safety Act**

*On Clause 1*

**Hon. Mr. Philipson:** It is with great pleasure that I am able today to bring before this House the *Occupational Health and Safety Act*. A lot of thought and hard work has gone into this piece of legislation. It is one of the areas where, with the passage of this piece of legislation, we show a great deal of responsibility for our own endeavours. I think it will reflect well upon us nationally that we are, indeed, looking after our own experiences.

The legislation will repeal two old pieces of legislation, the *Blasting Act* and the *Mining Safety Act*. I think that during second reading most of the points that I wish to make have already been made. I realize the members on the opposite side of the House are in agreement with the greatest part of this legislation, without saying that there are not places where we will have some amount of discussion. I would, therefore, like to get right into the legislation before us, and go through clause by clause, if the members opposite would be amenable to that.

**Mr. McDonald:** The minister is quite correct in that we have no general disagreement with this particular bill. There are some areas that we would like to cover, which talk more about the political will of the government to enforce the bill. It cannot be addressed within one specific article within the act.

The minister did say that a lot of thought and hard work had gone into the drafting of the bill, and that the government was looking after the territory in respect of occupational health and safety legislation for territorial businesses. We have stated before that this legislation is a long time in coming, and we are happy to see that it is here. Essentially, it is a piece of legislation which allows for a number of things: it permits the general regulation of all industries within the territory. The understanding is that there are regulation making powers, which will permit the government to react to specific industries as the case may be.

<sup>18</sup> My understanding is that there will be general safety regulations, first-aid regulations, blasting regulations, mine safety regulations, general occupational health regulations, radiation protection regulations, commercial diving regulations, power-activated tool regulations and coal mining regulations, pursuant to this act. The minister will appreciate that in many respects the regulations themselves are of more concern to employees and employers than the act itself. The act is a very general statement of the government's position regarding occupational health and safety. It states to the people of the territory that the government would like to see certain principles observed in the administration of occupational health and safety in the territory, but that much of the enforcement will be left out to employees and employers themselves, and to the vigilance of occupational health and safety officers.

This obviously is a principle that we accept, in part, as a necessity, because of the nature of the territory. In the territory, there is a wide range of industrial activity and various types of activity which require very specialized knowledge in order for inspections to be done adequately. This, therefore, means that the employees and employers themselves must have a great understanding of their own operations in order to effectively conduct work practices in a safe and reliable manner.

The other aspect, too, is that because these workplaces are so spread out it limits the opportunity for the limited number of health and safety officers anticipated on staff; it limits their freedom of



movement and for that reason there is a necessity to have employees and employers regulate themselves.

It is a debatable point as to the effectiveness of the cooperative approach between employers and employees. I have done some reading in various studies that have been conducted in other jurisdictions as to the efficacy of occupational health and safety committees, and the general sentiment is that they can be effective if the people in the communities are really interested and excited about maintaining safe practices and acquiring an understanding of the workplace so that they understand what health matters may be associated with the work environment.

<sup>20</sup> While I say that the experience is spotty, it is, generally speaking, positive. For that reason we have to be sure that government supports the safety committees as they grow up around the territory in various ways. One such way is to promote good education and good training practices to ensure that safety committees really do understand the nature of the work place, that they understand the nature of hazardous chemicals and that they understand the nature of unsafe work practices. This is a role that the government can play. They can also encourage the safety committees to meet on a regular basis because there are times that safety committees generally tend to be reactive themselves. They generally tend to react in somewhat harsh manners in some cases to accident situations after they happen. This is rather serious and it ought to be important to government to encourage safety committees to meet on a regular basis.

One other aspect is the stipulation in the act that safety committees have to be limited in size or that the employers must have 20 employees or more to effect a safety committee.

Before we get to that specific article, perhaps the minister can justify that specific regulation. I wonder if the minister has any comments about the safety committees, specifically, how he foresees them performing in the territory? What does he see their role to be?

**Hon. Mr. Philipson:** On the issue of safety committees and the statement that has been made by the member opposite, I do not think that we would be here with this piece of legislation if we did not believe what we put in legislation. It would never have come forward. We plan to use this piece of legislation to its best advantage and to its maximum. I must inform the member opposite, although I know he knows, that I have worked for the best part of my life in industry, both in construction and in heavy equipment; therefore, most things that we discuss are relevant to me and I understand the need for them.

I might also try to explain to the member regarding the 20 employee number that is designated in this piece of legislation as the minimum number for a safety committee to be formed. That in no way precludes the fact that if there was any incidence of recurring accident numbers in some areas where there were 15 people or 10 people working for an employer, that the safety officer of the government would not have formed a safety committee in that area. This is a minimum number to start with and does not mean that if a person has 18 employees and has a recurring accident rate that they will not be asked to form a safety committee. That is at the discretion of the safety officer whom, I might say at the present time, we have the extreme good fortune in having a high calibre individual working for this government.

<sup>21</sup> **Mr. McDonald:** The issue of such committees is one that I find rather interesting, especially given my experience with a particular industrial area in Yukon, and the experience that that operation has had with their safety committee. That safety committee was bargained collectively by the employees and the employer in the collective bargaining process. Its effectiveness has been somewhat foggy over the years, in that the interest does vary according to the expertise of the members who are on the committee itself. One aspect of the question that I asked the minister was the role the government feels it ought to play in respect to the training and education of committee members. Obviously, this is going to have to be a rather serious consideration, given the fact that we are introducing a bill here which does, to a certain extent, request that employees and employers self-regulate their own working places. We will be assessing, to a certain extent, the right to know about

practices. This is one of the fundamental rights expressed in the act. That right is limited to the extent of the knowledge contained by the members on the committees. There is a role, therefore, for education and training of safety committees.

It is my understanding that in Yukon at the present time no industrial first aid course of the traditional type is currently being offered. Is there any follow up to this act with regards to education and training that the government does anticipate coming forward in order to support health and safety committees in their own operations, and also to permit individual workers to really understand what the chemicals with which they are working are all about, in order to make the right to know, which is given to every employee, a more meaningful sense?

**Hon. Mr. Philipson:** To be brief, the chief safety officer will be giving the educational aspect of this his consideration. If he goes into workplaces where there are problems with materials of a biological or chemical nature, and he feels that the employees working with it should know, it will be at his discretion to educate the individuals in that area and to make it known to people working with them to make sure that the employer has people clothed properly and working in a safe working environment. We have already indicated that by the efforts of the chief safety officer, and the individual working with him, that we have reduced accidents in government by 38 percent, and saved, I believe, \$190,000 in less than six months. I think that that shows fairly well the high regard with which we are going into this piece of legislation, and our determination to see that both employees and employers enjoy better working relationships and safer working environments, and save money for everyone who is affected by this.

<sup>22</sup> **Mr. McDonald:** The minister mentioned the responsibilities that are going to be given to the chief safety officer, that his job will, in a sense, be the education of employees to make the right to know about the workplace more meaningful and also to make the workings of the proposed occupational health and safety committees more effective.

I remember that the safety and information officer who was associated with Workers' Compensation Board seemed to be, while he was in existence, spread rather thin within his job description. In fact, the only time he dealt with the area of mining, for example, were times when representatives of mining employees were actually in Whitehorse. It obviously would be unrealistic that we should expect a single chief industrial safety officer or a few safety supervisors to provide this function for all industries in the entire territory.

One area of concern that employees of United Keno Hill Mines had, employees at Faro had, and obviously that the employees of Mount Skukum will have, was that the safety inspection services for mines, operating out of Whitehorse under federal authority, were rather limited to safety inspections on a limited basis. The safety officers in those circumstances are working as far as they can to do a job within limited resources. One thing they are not expected to do is to perform an educative role in the workplace to the extent the minister anticipates, or that I anticipate ought to follow on the heels of this legislation. The same surely would apply to the certain people who we anticipate will be enforcing this act. The minister makes mention of the fact we have a very capable safety and health officer currently on staff. I am hoping that the minister does not mean to suggest that this safety officer, now that the government is looking to inspect all operations throughout the territory, will be doing more than merely providing an inspection role. He should also be providing an educative role. Education obviously takes various forms and is rather important for various industries. In the mining industry, it seems clear that because of the nature of the mining industry, the transient nature of mining personnel in the north, it is quite necessary to educate people as they enter mines and before they actually get started in the workplace. It is also necessary to educate them as they progress through various job classifications within the operation.

<sup>23</sup> Now there is a certain amount of responsibility that every employer has to educate employees as to proper safety practices within that operation. However, there is a role for government, I believe, to ensure that this educating role does take place. I am

wondering if the minister has any ideas, apart from saddling the chief safety officer, — I am sure he is doing exactly that — and apart from saddling the few people whom we have on staff for that role, to the role that education might play? Does he anticipate a role for Yukon College in the education of employees of the territory? What sort of methods does he anticipate for education? What role does he anticipate the government to play, apart from the role that he has assigned to the safety inspector?

**Hon. Mr. Philipsen:** The matter of Yukon College as an educational tool is certainly not lost on members of this government. As a matter of fact, we support Yukon College in its endeavours and, hopefully, we will be seeing courses in any industry that may be of economic benefit to Yukon or any place where the economy starts to pick up and we can get people from our territory trained to work in industry. Therefore, part of that training, I hope, would be safety-oriented. The chief safety officer and the individual who works with him are now doing an admirable job and I am sure we will be able to continue to do an admirable job in the application of this piece of legislation we have before us.

If the chief safety officer should come to this minister with a request for more individuals, I would review that request in the light of how it is given, realizing that the individual who is applying this piece of legislation is held in high regard. I would then take that application for more individuals, if necessary, to my cabinet colleagues. It would be discussed at that level and extra people would be put on, if necessary. I hope that if it ever comes to pass, it would be an indication that Yukon is itself growing in its industrial strength and we would be well on our way to recovery in Yukon.

**Mr. McDonald:** Since the legislation is essentially a self-regulating piece of legislation, it does mean that if we are going to be effective in enforcing occupational health and safety in the territory, or in encouraging good safety practices, we are going to have to have some indication from the government as to their commitment towards practices, because obviously the enforcement of regulations and the education of safety committees is going to be an extremely important factor. One possibility might be that the government ought to consider some money from personnel to assist safety committees in their workings and to encourage, on a regular basis, the regular meetings of the safety committees.

<sup>24</sup> The minister also mentioned that if the safety officer were to come to him to suggest that more personnel help were needed in occupational health and safety it would be an indication that the economy was anticipating better times, and that there would be good reasons for them to come on staff. There would be enough work for them to come on staff. One aspect of this bill is that we are taking on some responsibilities for which there is good reason to believe that we are not meeting, at the moment. There is some consideration that should the government actively start enforcing and investigating regulations pursuant to mining in the territory and inspecting mining operations in the territory, that it should require the skill to inspect the mines in the territory. There are a wide variety of operations which may require a wide variety of expertise. There have been suggestions in the past that the existence of one or two occupational health and safety officers may be spread too thin even now. Obviously, the political commitment to enforce this legislation and to encourage employees and employers to self-regulate is something that we are going to have to examine almost independently of the act. It is still an important subject of conversation if we are going to purpose an act which is essentially self-regulating

One problem in the past has been communications between various departments within this government and the communication between federal inspectors who are responsible for mines inspections and this government. My understanding is that communications are at the current time rather spotty, and that even communication between the health and safety officers and Workers' Compensation Board are not as good as they might be.

Before we get into communications themselves, I would like to ask the minister about the recommendations that have been made in the past in this House to have the safety and health inspection given to the Workers' Compensation Board. It is felt by some committees that, given the limited number of resources in the territory, and

given the fact that the Workers' Compensation Board is trying to deal with the issue in a preventative way, that perhaps to consolidate resources into one body, we should mirror the experience in British Columbia and have the health and safety inspections done by persons under the direction of the Workers' Compensation Board. Can the minister give us an indication what the government's feelings are regarding this proposal?

**Hon. Mr. Philipsen:** I think that that is a very unwise proposal. They are two separate functions. Occupational health and safety will deal with occupational health and safety. Workers' Compensation will deal with that: workers' compensation matters.

<sup>25</sup> **Mr. McDonald:** The only thing the minister added to my remarks is that he thought it was unwise. I wonder if the minister would mind telling the Legislature why he thinks it unwise?

**Hon. Mr. Philipsen:** They deal with two entirely different functions and the experience throughout Canada has been that anywhere this has been done it has been found to be an unworkable situation. They have moved away from that and separated occupational health and safety from the Workers' Compensation Board. If I had to get into a long serious debate about this subject I would take notes on the question and research my material.

**Mr. McDonald:** I always thought that in introducing this act and making a very public statement about the government's intention would have meant that they had decided the issue finally, and the minister would have settled in his own mind why this issue had been resolved in the manner in which it has been.

The minister suggested that the experience in Canada shows that the association of safety and health inspections with the Workers' Compensation Board has proven not to be workable. That is not the indication of the government's own report that it had conducted in August, 1981, to examine the situation in British Columbia. The report did mention that the situation in Yukon does not necessarily mirror the situation in British Columbia, essentially meaning that it might not be any more effective to have health and safety inspections conducted by the Workers' Compensation Board, but they did not suggest that it would be less effective or that they would be unworkable. I am a little puzzled about the minister's answer about its unworkability.

Both the Workers' Compensation Board and the department of labour services, under which occupational health and safety inspections will be conducted, are concerned with occupational health and safety. The Workers' Compensation Board is a collective insurance system which is meant to encourage employers to operate in a safe manner. It does, in fact, penalize employers and employees for operating in an unsafe manner and tries to encourage them, through the insurance system, to work in a safe manner. Besides that, it also provides protection for employees who have been hurt. It does provide them with a certain monetary remuneration. Nevertheless, its goal is responsibility in occupational health and safety and they regard good safety practices as being good financial practices when it comes to the effective use of the collective insurance system. So I am still puzzled as to why the government has come down so heavily on the one side in favour of incorporating the health and safety inspections in the labour services department. That, apart from the minister's statement that it is unworkable, does not increase my understanding of this government's position. As I said before, I believe two or three successive public reports suggested that this is the way we ought to consider using limited resources in the territory. The Workers' Compensation Board, itself, in Public Accounts Committee, has suggested that they would like to see occupational health and safety inspections done under the direction of the board. It felt it would be the best use of limited resources.

Perhaps the minister would like to comment. I would certainly like to hear a more reasonable explanation for divorcing the two completely.

<sup>26</sup> **Hon. Mr. Philipsen:** Unfortunately the member was not listening when I said I would have to refer to my briefing notes for further briefing on the subject. I will try to explain it to my best ability at this time, seeing as how I will not get that opportunity.

As the member on the other side of the House knows well, the Workers' Compensation Board is a group of individuals who are

dealing with the employers' money, and they are functioning as a compensation to the people who have been injured as a result of accidents in the workplace. That is one function. That is an independent board, and that is an independent corporation dealing with, not government money, but employers' money. The safety officer of occupational health and safety will be working under this government's legislation through Consumer and Corporate Affairs, dealing with occupational health and safety matters that are aside from compensation for injuries that have happened in the workplace. They are two separate functions, separate and apart. They are best handled in that context.

**Mr. McDonald:** I thank the minister for that answer. It increases my understanding of the government's position very slightly. Essentially, if I am correct, they regard the Workers' Compensation Board as a board which compensates, after the fact, accidents that occur in the workplace, and situations where employees suffer from poor health practices in the workplace. One thing that the board does is to try to pinpoint those employers who are not performing well, who are not conducting safe operations, and assess those employers with higher assessments. In effect, they penalize those employers in order to bring them into line, in order to encourage them to operate more safely. It is true that the Workers' Compensation Board does deal with employers' money, in the collective insurance system. That, in itself, is not, in my opinion, a reason why the two functions, the Workers' Compensation function and the safety inspection function, should be so sharply divided.

As far as the insurance system is concerned, there is no reason why the board could not operate with employers' money. However, there could be a method whereby there is a greater organic link between inspections and prevention, and the collective insurance system which, in the minister's estimation, is merely an after-the-fact compensatory regime.

In other jurisdictions they have taken compensation and the preventative tools that can be used within the compensation scheme and incorporated these within the preventive nature of safety inspections. They have incorporated those two areas organically, which makes best use of limited resources. If we are to consider it from that light — it makes a good deal of sense to me, and it has made a good deal of sense to the members of this House from the Public Accounts Committee and it made good sense even to the drafters of the *Workers' Compensation Act* some time ago who made accident prevention regulations pursuant to that and not to any other independent act — to use limited resources and combine the preventive tools that can be incorporated into the compensation procedures and the safety inspection tools, which are preventive in nature, thereby providing more meaningful safety inspection services within the territory.

I wonder if the minister has any comment or whether he can reasonably challenge my assumptions?

**Hon. Mr. Philipsen:** Obviously, my first remarks are not getting through. I have stated about three times now that the Workers' Compensation Board is a small board, by definition, at the present time. It deals with compensation for people who have been injured at the workplace. The logical progression that that three person board — one person works for this government and two people are appointed by this government — would now view going around and doing the inspections or expanding that board to start doing the work of an occupational health and safety office, when we have already incorporated the occupational health and safety office in an existing government line, which is Consumer and Corporate Affairs, does not make logical sense to me. With the people who are in Labour Standards, who are in Consumer and Corporate Affairs, we have an administration and a structure that occupational health and safety officers can work in conjunction with. It is a natural flow and I do not believe that in any way, it costs more to do it in that manner than taking all this over, taking it into the compensation board and forming a larger department. It is not logical to me.

The people who work in workers' compensation, historically, have dealt with people who have been, after the fact, injured in the workplace. Although I realize that workers' compensation and the

board will make recommendations to industry on results of a finding on one of their appeals or examinations into an accident, that does not mean that having an occupational health and safety functioning form of government, which could be out before the fact and doing the education and workplace inspections, would not function as well. I submit that it would function better.

Therefore, I believe that the occupational health and safety officers should remain within the Department of Consumer and Corporate Affairs and work closely with the director of Labour Standards. I see no reason to belabour the point unless, of course, we have some good, concrete information from the member opposite — rather than to increase debate — that would help me in solving why we are continuing to discuss this particular issue.

**Mr. McDonald:** I was trying to compare the principles associated with the Workers' Compensation Board and with the safety and health inspection services provided under the jurisdiction of Labour Services. I do not know what kind of concrete information the minister is expecting me to produce. I am comparing the principles associated with those two functions in this government and suggesting that there are parallels which can be drawn. It is interesting to note that the occupational health and safety branch, those in the section at the moment, are not being paid for with general public funds but are being paid with employer funds. The Workers' Compensation Board is paying this government for the occupational health and safety officers. Already, we do accept in principle that there is a role for employer monies to provide occupational health and safety services. I am not sure what the exact funding amount was last year. I believe it was in the nature of \$100,000. At the Public Accounts Committee, the chairman of the Workers' Compensation Board said — in as diplomatic manner as possible — that the board was not entirely happy about paying for services for which they receive no solid returns. They receive black and white inspection reports on a monthly basis but there is no more organic link between the occupational health and safety officers and the board other than that.

Nevertheless, the board does contribute significantly to the officers, which this minister suggests will be acting for the good of the general public and will be acting at public expense. Perhaps he could tell us whether or not — no matter what the situation will be as far as the jurisdiction are concern — the Workers' Compensation Board will continue to pay for the occupational health and safety officers or pay a large part of their salaries?

The minister mentioned that the Workers' Compensation Board has a role in examining an accident after the accident has taken place and that role does exist now. Is the minister suggesting that the Workers' Compensation Board examine a workplace or an accident site independently of the occupational health and safety officer and present the employer with an independent set of recommendations as to the accident situation? I do not think that that would be particularly reasonable. I think that both the Workers' Compensation Board and the Safety Inspection Services do act in a preventive role in the territory and there might be good reason for considering amalgamating the two or providing a greater connection between the two.

<sup>28</sup> I do not know what kind of information the minister wants me to provide, in the way of some form of concrete information to substantiate my claim. I think that the claim could be substantiated in comparing the roles that the two functions play in here, and the mention of the fact that there are limited resources to work with. If the minister wants me to provide sort of a listing of what is happening in every political jurisdiction in North America, I cannot provide that type of information to him at this time. If the minister is serious in his request, I can undertake to provide him with that kind of information. I do use, to a certain extent, the reports that the government has commissioned themselves on the future administration of occupational health and safety legislation in the territory. Perhaps I am working with the same type of information that the minister is working with. I am just trying to compare the roles that the board and the safety inspectors will play, and suggest that we provide a role, in some manner or other, so that we do not duplicate services.

**Hon. Mr. Philipsen:** I do not know if the member opposite is

working from prepared notes, or listening, or not listening. I have absolutely no idea. I must assume, from what I have been saying previously, that I am not getting through. I believe I have given relatively clear reasons why I believe there should be a separation of the two services. The amount that one of the occupational health and safety officers gets, as part of the salary from the Workers' Compensation Board, is minimal. It is a percentage. The reasoning behind it is that the occupational health and safety officer working for this government can, through his normal course of events and duties, help reduce the cost to the Workers' Compensation Board by going around the workplaces and discussing safety and discussing safe work practices with both the employer and the employees.

Further to that, the member opposite keeps saying, it might work. I think I have given a good reason why I believe that the structure in the way it is is a sound structure. I suppose we could probably stand here and talk about this back and forth for a month. I have given my position and I hope that it is a reasonable position. A discussion of 'might', with no substantiation, does not really do me much good.

**Mr. Penikett:** The minister is quite right about the problem of substantiation because while he has said that it is unwise and while he has said that it is a personal opinion, he has claimed that what he has said is an argument. In fact, he did not really provide us with any hard information that supported his view.

<sup>30</sup> It is possible that he is correct — that there is no merit in giving these functions greater unity. I would only point out to him that there is data available on this information. He began his remarks by citing 'in Canada where this has been tried'. I do not know whether he was citing the case of one province or all the provinces. I think he would find that the record shows that there has been movement in both directions towards unification and otherwise. I think he would also find that, in places in the world where they have what is regarded as model legislation in this field — such as Australia and New Zealand with their comprehensive health and accident insurance schemes — that the efficient delivery of service to the claimant or injured person and costs to the taxpayers are remarkable in terms of high standards. The theory behind a greater unification, if this bill does move in that direction, is that an ounce of prevention is worth a pound of cure.

The argument for those people who make the unity is that those people dealing on a daily basis with the costs involved in industrial accidents, have extremely good notions as to the most effective remedial measures that can be taken to prevent their occurrence and to, in fact, reduce the frequency of such accidents.

That is why, in some places, there has been a greater unity of the functions. I think the argument always has to be, in a small jurisdiction like this, to defend separate functions. If we can achieve, as the government leader is trying to do with his reorganizational plan, a logical and appropriate marriage of related functions, then it is in the public interest. I say that not to try to provoke long debate but only to suggest that this is a subject some of us may want to come back to. I accept the minister's suggestion that, when we come back to it, we may be able to, on both sides, introduce some facts and data that will support our positions. I think that data is available.

**Mr. McDonald:** I do not want to belabour this debate to any great extent either; however, there is a desire to be satisfied in some way. We have heard this issue being brought up on several occasions and the minister has suggested that there has been no substantiation to promote the connecting of the two functions of this government, the Workers' Compensation Board and the occupational health and safety services.

<sup>31</sup> Yet, there have been, on a number of occasions, calls by member of this House to do exactly that. There have been calls by the Workers' Compensation Board to clarify what this government's position is regarding the situation as they are supporting the safety inspections themselves. The minister suggested that the cost is a minimum percentage of the occupational health and safety officer. My understanding is that it was an extremely large percentage, if not the entire cost of at least one of the occupational health and safety officers. The minister also mentioned that the safety officer could play a role in helping to reduce the costs of the Workers' Compensation Board and to employers by providing adequate safety

inspections and analysis of accident sites. That is the principle that we are trying to promote through the connection of the two functions: the Workers' Compensation Board function and the safety inspection function. The Workers' Compensation Board has made it clear in evidence to the Public Accounts Committee, that the practice is not that there is good communications. At the very least, the government should examine better communication between the Workers' Compensation Board and the safety inspection services.

There is also a question between the federal inspectors who enforce regulations pursuant to territorial acts and the government. There also is a clause in the act which refers to the minister engaging in agreements which will permit the government to use the services of federal inspectors to continue enforcing safety legislation in the territory. Can the minister give us some indication as to whether or not there is going to be, in the near future, an agreement of that nature or can we expect to see the federal inspection safety services transfer to the territorial government in the near future?

**Hon. Mr. Philipsen:** I believe, at the present time, that the federal government is doing it at our request. I believe that it is the desire that we would take over the function on passage of this piece of legislation.

**Mr. McDonald:** I did not quite catch the minister's entire answer. I am wondering if the minister would repeat and elaborate a little bit. One concern that I have is that we may be assuming responsibilities for which we do not have the expertise. Obviously, that would not be the government's intention and I certainly hope that it would not be. Can we expect a proposal in the next year, for example, to assume mines inspection responsibilities?

**Hon. Mr. Philipsen:** I cannot give you the date of that. I can take the question under notice.

<sup>32</sup> **Mr. McDonald:** With regard to the establishing of regulations pursuant to this act for various industries, what expertise is the government going to be acquiring to provide the regulations, and what expertise does the government anticipate they will be requiring to enforce the regulations in an adequate manner.

**Hon. Mr. Philipsen:** The qualifications for any of these jobs are known. The Public Service Commission will be aware of them. When people are hired to fill any of these jobs, they will have to fill the job on the recommendations that the Public Service Commission sets forth.

**Mr. McDonald:** As I mentioned previously, there are a number of sets of regulations that are going to be going into effect almost immediately with the passage of this bill. They include regulations pursuant to mining operations. We can assume that federal authorities will be offering those regulations themselves for the consideration of the minister. However, there are specific regulations regarding radiation protection, commercial diving regulations, et cetera, which we expect to be put into force reasonably soon. Is the minister saying that we must wait for somebody to come on staff to offer these regulations in the near future before they come into effect?

**Hon. Mr. Philipsen:** It is my understanding that the gentleman who is the chief safety officer for the Yukon Territory, who taught occupational health and safety in a college situation as well as working in industry and is an individual who has been asked to go on contract to areas where his expertise could be used, would be qualified to do the things that are listed in the regulations.

**Mr. McDonald:** So can we take from that that each of these sets of regulations that I outlined are going to be written by people we currently have on staff, apart from, presumably, mine safety regulations pursuant to the act, which we can presume will be written by federal authorities?

**Hon. Mr. Philipsen:** A tremendous amount of work has been done on these regulations to this time, and the regulations would be, naturally, taken from other areas. We would look and research the best legislation in these areas, and everything would be taken into consideration in this regard.

**Mr. McDonald:** That was an answer which I believe did say a great deal. The minister said that a variety of things would be taken into consideration at the given time. My question, simply, is rather specific. Will general safety regulations, the minimum first aid

regulations, general occupational health regulations, radiation protection regulations and commercial diving regulations, be written by the people we have on staff, and will they be appended to this act upon assent?

**Hon. Mr. Philippen:** If the member opposite is alluding to the fact that he thinks that possibly we wandered out and said we will get an individual over here to look at radiation because he bought a watch which glows in the dark, that is not correct.

<sup>33</sup> We will use expert advice in writing the regulations to do with commercial diving, or power-operated tools. There are regulations in effect in areas of Canada dealing with these issues and we have researched that. A great deal of work has already been done on the regulations for this particular legislation.

**Mr. McDonald:** Regarding the radiation protection regulations: have these regulations been written to date and are they ready to be appended to this act?

**Hon. Mr. Philippen:** Most of the regulations are just about ready to be appended to this act. I cannot tell you specifically whether the radiation protection regulations are complete but most regulations are very close to being complete.

**Mr. McDonald:** I have no more questions which could be properly submitted as general questions. I would not mind getting into the body of the act and dealing with certain clauses in the act. I give the minister notice that we did have some problems regarding the provisions dealing with the creation of the occupational health and safety board. Those provisions are essentially the same as those which were passed by the labour standards board, I understand. Our concerns remain with those provisions so I am personally prepared to get into the body of the act.

**Mr. Chairman:** There being no more general debate, we will continue with clause 2.

*On Clause 2*

**Mr. McDonald:** I should like to know if the chief industrial safety officer's position will be staffed by persons on staff at the moment?

**Hon. Mr. Philippen:** Yes.

**Mr. McDonald:** Is the director a person who is currently on staff?

**Hon. Mr. Philippen:** Yes.

<sup>34</sup> *Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Clause 4*

*Clause 4 agreed to*

*On Clause 5*

*Clause 5 agreed to*

*On Clause 6*

*Clause 6 carried*

*On Clause 7*

*Clause 7 agreed to*

*On Clause 8*

**Mr. McDonald:** On 8(1)(a), a supervisor in the definitions is a person who has charge of the workplace or authority over a worker. My concern here is that we may be placing a lot of responsibility for occupational health and safety practices on essentially a front line supervisor. There may be problems with this, given the work processes which a front line supervisor might operate. For example, in the mining industry, a supervisor may operate under a conflicting pressure. He may be required by his employers to operate and encourage fellow employees to operate in a safe manner. He may also be required by senior supervisors to increase production. My concern here is that the person who is directly responsible for an operation should be given total, or a very large part, of the responsibility for the safe operations of the workers under his authority.

<sup>35</sup> There could be some good reason to ensure that the responsibility is shared, to some extent, with the supervisor's supervisor, and that supervisor's supervisor, et cetera. I wonder if the minister has any comment to make about that?

**Hon. Mr. Philippen:** Yes, I do. I have been on jobs where I have been a supervisor, and as a supervisor you are expected to be a competent person. You should be expected to have a knowledge of

health and safety, both actual and potential areas that could be a problem in the workplace. If you are a supervisor with those qualifications, then I believe it is incumbent upon you to take responsibility for the instructions that you give workers that may not be beneficial to the person under you in regards to his health and safety. It is a fairly simple matter, and as one who has been in that position, I think I can speak with a certain amount of authority.

**Mr. McDonald:** I understand that that kind of authority is placed on front line supervisors. I also understand that I am sure that the minister, as an ex-supervisor at some time or other, will understand that, in the management chain there are conflicting pressures, in some cases, put on the supervisors. The question is, who is going to bear all the responsibility for these conflicting pressures, when these conflicting pressures may encourage the supervisor to act not in the best interests of the lives and health of the mutual workers? Who is going to bear the responsibility?

**Hon. Mr. Philippen:** If I were a supervisor, and someone were instructing me to do something that was unsafe to the people who work for me, I would not do it. I would not expect any supervisor who did have responsibility for men to accept that type of responsibility. If he did, then he would not be working in a competent manner. There is protection to refuse unsafe work. I believe that the supervisor, if he was in control of a situation where he believed the people under him were going to be subject to unsafe working conditions, could therefore use this legislation in his own defense.

**Mr. McDonald:** I understand that that is one condition of the act, that you do have the right to refuse unsafe work. It does not specifically say that you have the right to refuse to direct others to engage in unsafe work, or what may be unsafe practices. It does not specifically say that. I understand that there may be pressures put on the supervisor, for example, to increase production in a mining operation, and that the supervisor may do things such as encourage people to work alone in a particular mine, which may not be the safest way to operate, but may be the best way to encourage production. If there are those pressures, perhaps there ought to be some provision to load responsibility on the supervisor's supervisor.

<sup>36</sup> That might be reasonable. If the minister suggests that what we have here is the extent of what they are prepared to do in a situation, then I guess we are obviously going to have to live with it. It is a concern that has been expressed to me by at least one front line supervisor, who is currently a front line supervisor, and I pass it on to the minister.

*Clause 8 agreed to*

*On Clause 9*

*Clause 9 agreed to*

*On Clause 10*

*Clause 10 agreed to*

*On Clause 11*

*Clause 11 agreed to*

*On Clause 12*

*Clause 12 agreed to*

**Mr. Chairman:** We shall have a recess for ten minutes.

*Recess*

<sup>37</sup> **Mr. Chairman:** I will call Committee of the Whole to order. We are now on the *Occupational Health and Safety Act*, part two.

*On Clause 13*

**Mr. McDonald:** I wonder if the minister would give us an explanation as to why the '20 or more workers' figure has been established? Could he also explain what the 'a' and 'b' hazards are anticipated to be?

**Hon. Mr. Philippen:** The classification of the workplace as 'a, b and c' is done as the minimum first aid regulations, which sets out the requirements of the first aid facilities. An example of an 'a' hazard industry is mining and some aspects of construction; 'b' hazards include welding shops, woodworking shops and most manufacturing shops; and 'c' hazards include taxi operations, truck rentals, retail stores, offices, et cetera.

The figure of '20 or more' is an historical figure that has worked.

A person could easily say 'why not 19 or 21'. The answer is that 20 works and below 20, as I have said before, if there was an incidence of any type of work-related accident that was happening, then the chief safety officer has the ability to set up a system whereby they could have a safety committee as well. It is not limiting anyone by any stretch of the imagination. It is just a point in which we can start a safety committee.

**Mr. Penikett:** Presumably, the vast majority of the 1600 or so businesses in the territory have less than 20 employees. When the minister was preparing this act, did his officials provide him with any information about the approximate number of firms that might have 20 or more employees? Is it in the order of 100 or 200 or something like that? Does he have any information of that kind?

**Hon. Mr. Philipson:** I do not have the information of how many have less than 20 employees. Certainly, if the figures are available and it is possible to get them, I would not mind getting them for the leader of the opposition.

**Mr. Penikett:** Clearly if we had two classes of workplaces, those with more than 20, which have one kind of regime in effect, and another class of workplace with a slightly different arrangement, that would be the major determinant of the kind of work and the kind of demands that are going to be placed on the officials of the department. I am a little surprised that the minister seems to be indicating that was not the subject of some considerable discussion by, if not the drafters of the bill, the experts in his ministry who were preparing these specific proposals.

**Mr. McDonald:** It has not escaped my attention either, that many of the places with 20 or more employees in the territory are unionized operations where there is, as a result of collective bargaining, safety committees in any case. Is there any indication what effect this Act will have on the operations in the territory? Will this Act be changing the situation for any workplace in the territory that the minister is aware of?

**Hon. Mr. Philipson:** They set out the requirement of 20 or more as a minimum required, as I have explained. I have also explained that, if there is an incidence of any type in an area that have less than 20, the chief safety officer may set up a committee. This also does not preclude the opportunity for the chief safety officer to appoint a health person in any organization or any employee group. There is nothing here that is being taken to limit or reduce the effects of the *Occupational Health and Safety Act* by numbers and I do not believe that we have done that. We have said that, if there are 20 people in a workplace, if they happen to be union or non-union, we have taken the number of 20 as being, historically, a number that works. We have, as I have just explained probably three times now, given the chief safety officer the opportunity to set up a committee, or designate a person in the workplace. I do not see anything the matter with that.

**Mr. Penikett:** If I could ask a very specific question about this section. It is not clear, from my reading of the Act, whether the Government of Yukon will be one workplace or several workplaces for the purposes of this section. I wonder if, in responding to that question, the minister could indicate how the safety practices of the Government of Yukon will be changed by this Act, if at all?

**Hon. Mr. Philipson:** The safety practices of this government have already been reduced substantially, as I have already said — probably three times also. Something to the degree of about 38 percent. The cost to this government and to industry will go down substantially. The area that we are talking about here, the numbers of people, I believe is somewhere in the neighbourhood of 87 or 90 percent of the employers in the Yukon Territory employ less than 10 people.

**Mr. Penikett:** I apologize, I must have been mumbling because I do not think the minister heard my question correctly. I was asking about the impact of this legislation on the practices of the Government of Yukon: whether, for the purposes of the particular section we were looking at, the Government of Yukon will be one, or several, workplaces. Let me further explain my question. Clearly, there are many different kinds of work performed in this government. Some of it would fall into 'a' category, some of it would fall into 'b' category, some of it would fall into 'c' category. There are also many workplaces in this government where there are

20 or more people working. There are other work sites where, presumably, there are less than 20 working. I was interested in the impact of this section on the Government of Yukon as an employer, and how that will change existing practices.

**Hon. Mr. Philipson:** Largely, I would think, that the workplace would be probably defined not only by the 'a', 'b', or 'c' in the workplace, but by regional description. If you were talking about a crusher working on the highway or in Beaver Creek, it would have an opportunity to do this. This area of the building may fall under a safety committee as a total building. But, if you were working in the Marwell area, I would think that they would probably have their own safety committee. I think that that would explain how I would see that this would work. It will be regional as well as categorized.

**Mr. Penikett:** The minister did not explain the latter part of my question. I apologize for giving two at once. How will this act change the existing practices? It is not clear to me whether there are already safety committees in places like Marwell. I assume that there is not a safety committee functioning in this building, because I assume the need is different. Presumably there are some highway camps, which have more than 20 employees. Would it be the minister's intention, according to the character of the act, that there would be safety committees even in camps with maybe 17 to 19 workers? Or, is he just going to depend on the traditional safety measures to implement the act in those areas?

**Hon. Mr. Philipson:** I believe that in a camp where you have 15 to 16 people working for the government, the chief safety officer would designate one of those people as a safety person responsible for that area. If in that area we started to have incidences of injuries then the chief safety officer could go to that camp and set up a safety committee beyond the safety person designated. He can also designate a safety officer for specific areas like a welding shop. Numbers would not matter. In the areas that he may deem to be ones where higher risk occupational health and safety factors may occur he could go into one of those areas and designate — even if there are only five people — that one person will be the health and safety officer. It hinges very much on the chief safety officer's recommendations.

**Mr. Penikett:** Just to clarify one point, I would like to know something about the minister's plans in regards to safety committees in areas which are not traditionally assumed to be high-risk occupations. He indicated there might be a safety committee operating this building. It has been assumed until recently that work performed by people of this building — saving and except this Chamber — was fairly safe; that the mortality rate of clerks was not high — but the mortality rate of legislators might be higher — but the minister has indicated that there will be a safety committee here. Since we are now in an age where people are beginning to express concern about health hazards, whether from stress or radiation emanating from, for example, the video display terminals, or an interesting case suggested by the government leader, the possibility in peculiar circumstances of carbon monoxide sucked into this building through the air system due to a misplaced parked car, left running with wind blowing in a certain direction; that could be health-hazardous. Those are the kinds of things I assume health committees in some working situations would look at. Does the minister see committees such as one established in this building, being established very quickly or would his priority be to see committees established in the areas traditionally regarded as high-risk? That encompasses the construction trades, building sites, et cetera. I do not know what the record is in highway camps with respect to safety. It may not be any higher than the trades I have mentioned. Could he please indicate something of his plans in terms of implementing legislation in this area?

**Hon. Mr. Philipson:** Before this legislation, this government introduced an accident reduction program and to that end, safety committees have been put in every workplace in government. It is my understanding that at the present time in this building we also have a safety committee and we would continue with that plan under this legislation.

**Mr. Penikett:** Could the minister indicate the kind of issues that the existing committee in this building is dealing with? I

understand very well the kind of issues they would deal with at an industrial site. I am just curious as to the kind of issues the committee that has been established in this building is dealing with.

**Hon. Mr. Philipsen:** The committee meets on a regular basis. They would sit around. People could come in with any kind of complaint or something that came up about a bad stairway, a slippery condition outside the building, and these conditions would be brought to that meeting at that time. I would imagine that if the meeting was held and there were no concerns for the group, they would meet and tell each other they have no concerns and go back to the workplace and continue to work.

**Mr. Penikett:** The minister talked theoretically. Are those particular examples he gave the kinds of things that come up in respect to the committee in this building or does he not know?

**Hon. Mr. Philipsen:** I have absolutely no knowledge of what has been discussed at any of the meetings of the committee.

**Mr. McDonald:** Does the minister anticipate that where a safety committee has been formed in an industrial situation where there are 20 or more workers, but where the safety committee has become dysfunctional or more reactive than preventative in its approach to health and safety, or where in some manner it is not performing properly, or where they are not meeting as often as they should, or where there are not representative of all the operation, or where the health and safety representatives are drawn entirely from the surface workers and not from the underground or pit workers, the role for the chief safety officer will guide the safety committee in some way or other?

We know that — we may be getting ahead of ourselves — later on in this particular section, the chief safety officer has the right to determine certain things about the safety committee that he thinks should be set up: that he will provide for the composition, the practices and the procedures of the committees to be established. Does the minister see the chief safety inspector as having any sort role to ensure that the established safety committees be operational in a satisfactory manner?

**Hon. Mr. Philipsen:** I would believe that is included in this piece of legislation. If we are looking for occupational health and safety, and we are committed to this, then we would have to give the chief occupational health and safety officer the tools with which to work. If one of those committees was not functioning properly, he would certainly be in a position to help another committee address the area that they are not addressing and possibly, if they are reluctant to address it at all, ask for changes in the committee.

**Mr. McDonald:** When we get to the clauses allowing the chief of occupational health and safety the right to do that, perhaps the minister could comment then.

*On Clause 13*

**Mr. McDonald:** On 13(3), I have a question regarding the occupational health and safety programs. We know, in general terms from the definitions, what the government anticipated in the program. Can he explain or elaborate a little more on what this particular subsection is meant to do?

**Hon. Mr. Philipsen:** The intended legislation is to establish the principle of joint responsibility of worker and employers to maintain a hazard-free work environment.

**Mr. McDonald:** Perhaps, the minister could be more specific. What sort of safety programs does the minister anticipate? What sort of examples would the minister anticipate happening where a safety program could be instituted in a particular workplace?

**Hon. Mr. Philipsen:** It could be as far-ranging as evacuation plans for the building. It could go through any type of imaginable safety condition. I suppose I could list for a long time examples that I have had previous experience with in industry and heavy construction. If you are discussing the things that the committee will go beyond that on, if you were perhaps more specific in this regard, I may be able to give you a more comprehensive answer.

**Mr. McDonald:** With regards to the program, is it conceivable that the health and safety inspector, the chief industrial safety officer, or the chief mine safety officer may require that the employer conduct a safety program which, in essence, is a program which directs good mining practice, is that the kind of program which could conceivably be included in this clause, and to what

extent does the minister anticipate that this program will be enforced in particular mines? I am not disagreeing with this clause in any manner, but I would think that an occupational health and safety program by itself, equatable with good mining practices, may, to a certain extent, inhibit the right of that particular operation whether it is owner operated or whether it is a situation such as United Keno Mines. Is it the right of operation to operate in a manner which it feels is safe and which it feels is most efficient? Perhaps, the chief mining safety officer is not as well tuned into the efficiency aspect of the operation as is the management of a particular mine might be.

<sup>42</sup> If the minister is trying to equate the occupational health and safety program with good mining practices, that may be something that we should review a little bit. I am not suggesting for a moment, however, that good occupational health and safety practices cannot be directed upon liquid boilers. I was just wondering what the minister has in mind with regard to this clause?

**Hon. Mr. Philipsen:** Perhaps I could clear this up right away. The safety committees will deal with all problems in the work area. The safety committees are free to deal with situations as they arise. There is no one who can dictate to them. They will receive guidance and they will receive training. At this very moment, the City of Whitehorse committee is receiving safety committee training. I think that is a general broad statement that will deal with anything that you have raised in respect to this section. I cannot see how we can have any further questions on this, as they will deal with all problems that arise. They are free to deal with them.

**Mr. McDonald:** I am not asking specifically about the authority of occupational health and safety committees themselves. I am asking about the ability of the mine inspector to institute an occupational health and safety program, which may essentially equate to good mining practices. Does the minister have any comment that he would like to make about that?

**Hon. Mr. Philipsen:** I would be very happy if the chief mining officer did anything that would directly improve the safety in the workplace.

**Mr. McDonald:** There might be a difference of opinion between the mine safety officer and manager, whether it is the owner-operator or whether it is under worker control or anything else. There may be a difference between the opinion of what is good safety practices in one operation, where it has got a certain level of efficiency, and good safety practices in the same operation, or in another operation, where there is lesser efficiency. I am trying to determine to what extent a safety inspector can dictate to a mine operator the mining practices that the mine operator may be engaged in. The mine operator may say that his practices are safe, but they are more efficient than the practices that are dictated to him by the mines inspector. Is there any way that the minister might want to reflect on that claim, to equate an occupational health and safety program as being a program which may dictate how many men are going to be working in a workplace, how many men will be supporting a workplace, how often trains will traverse a particular track at a particular time, and that sort of thing? Perhaps that may be the safest route, as far as the chief industrial safety officer is concerned, but it may not be as efficient as the mining operation considers necessary to survive. However, there may be some method by which the mine operator may still operate safely, but operate more efficiently.

<sup>43</sup> **Hon. Mr. Philipsen:** I think it would go without saying that if the mining safety officer, who we would hope would be qualified in this area, would come across a situation in a mine where he thought there was a problem, he could discuss it with the people operating the mine. If the person, who was in this position, saw a situation that he realized immediately was going to cause injury to an individual, I would imagine that he would have the ability to have that operation stopped until the situation has been cleared up.

If a person feels that they have been either done wrong, or if they are not being treated well by an individual who has responsibility, there is always the rule of appeal.

**Mr. McDonald:** On 13(3) I wonder if the minister would mind explaining why the clause states "for a period exceeding one month".

**Hon. Mr. Philipsen:** The 20 or more workers employed at a workplace for a period exceeding one month is because you would not want them to set up a safety committee for a week. A month seems a reasonable amount of time and beyond that you would think that they would have regular monthly meetings. They have been set up to have the meetings on a monthly basis so you would start after the first month. It seems an obvious requirement.

**Mr. McDonald:** It is not quite so obvious to me. There may be situations where a job site may last for one month and there may be every indication that the employees may desire some sort of accounting of safety practices for that period of one month. It does not have to be anything elaborate but it may be necessary nevertheless. It seems also that dangerous situations really arise when employees are not familiar with the workplace and that would especially be the case in the construction trades where they come into a new workplace on a regular basis. The workplaces may never last for more than a month. The idiosyncrasies of that workplace may be such that it may require some sort of accounting between the employer and the employees about safety practices. It seems that an ad hoc safety committee of some sort is necessary in any workplace at any time.

**Hon. Mr. Philipsen:** The chief safety officer has the ability to designate someone if he feels it is necessary. If there is an instance of any type of problem at a work site within the first month, the chief safety officer could immediately have something set up. If there are any instances of this happening, I do not think that going a month before your first meeting is untowards. I have been on job sites that have been set up in that way. Meetings have been set for the month and are held monthly after that and it works quite well.

**Mr. McDonald:** The minister keeps referring to the chief safety inspector or chief industrial safety officer or chief mines and safety officer as having the power to institute a committee should problems arise. This is a reactive approach to occupational health and safety problems. I was under the impression that we were approaching occupational health and safety in a preventive way; that we would encourage cooperation, especially between employers and employees, so that we could prevent accidents from happening.

We cannot, in my opinion, wait for the chief safety officer to assess a workplace, which has an undue number of problems, before we start discussing occupational health and safety committees or the introduction of them. It would be wise to consider having occupational health and safety committees prior to problems existing. That is the whole idea of good practices of a health and safety committee. A health and safety committee that works is a committee which oversees an operation which has no accidents at all. That is a successful committee. I really do, despite the minister's stated experience with job sites, et cetera, see that there may be a problem here in terms of general principle. I would prefer to have the minister take a more preventive approach to health and safety and less of a reactive one.

It is true that the chief industrial safety officer does have the power to institute committees but, as the minister is suggesting, they institute committees in operations of less than 20, or less than one month, when there are problems. Obviously, it is too late in a certain sense.

**Mr. Kimmery:** I waited for this point, because this is a fairly specific section on the chief officer exercising any power conferred by 13(2), (3) or (4). It appears to me that the points were drafted with a reference especially to a workplace at a mine or a construction site, and could be adapted to an office building. It appears to me that little attention was put on the situation that various workers are in, for example the police engaging in potentially dangerous activity in their lawful duties that are dangerous to the individual policeman.

<sup>45</sup> Of course, the wildlife officers, bylaw officers, and other enforcement officers are in the same category. Also, it is increasingly an issue among nurses that they are sometimes exposed to a potential danger, which various patients may cause for all sorts of reasons. I mention this because the references do not appear to me to consider those very proper situations where those workers may be exposed to some occupational danger. Has any considera-

tion been given to those occupational categories?

**Hon. Mr. Philipsen:** It is my understanding that this piece of legislation deals with all areas of occupational health and safety. I think it reflects it in the writing of this piece of legislation.

**Mr. Kimmery:** The situation, for example, might be that nurses at the hospital are disturbed by certain practices. These considerations do not appear to me to address those issues. Could the minister explain where the considerations might be adapted to consider those issues?

**Hon. Mr. Philipsen:** At a hospital you would have more than 20 workers regularly employed. Those 20 workers would have a health and safety committee and, if the nurses were having a problem of a specific nature, they could take it to that safety committee, and that safety committee could act on the problem as delineated to them by the nurse.

**Mr. Kimmery:** Has the minister considered particular cases, for example, bylaw enforcement officers. I understand that there are fewer than 20. Also, workers at the Detox Centre. There are fewer than 20, I know. Are those particular situations considered and is the minister anticipating a safety committee dealing specifically with those issues?

<sup>46</sup> **Hon. Mr. Philipsen:** As I stated before, the territorial government has safety committees set up at the present time. There are committees set up at the present time that will continue to function. I also mentioned before that, as of this moment, the City of Whitehorse is receiving safety committee training. Bylaw enforcement officers work at the City of Whitehorse. That bylaw enforcement officer would be able to approach that safety committee, which is established at the City of Whitehorse. So, obviously, we have given it thought and, obviously, it is being looked into. I thank the member opposite for his obvious regard for people who are functioning in areas other than what is specifically spelled out. They are being addressed.

**Mr. Kimmery:** I rise at 13(9)(e) to point out another situation. Generally, after an industrial accident causing death — probably universally after such an accident — and in the case of sudden death, generally, there is a coroner's inquest involving a coroner's jury. I have participated in those exercises in my past, and I find them to be extremely useful. A coroner's jury, universally, takes a very responsible and serious view of a sudden death and frequently makes very sensible — and I may say, commonsense sensible — recommendations. Has consideration been given to specifically mentioning the recommendations of coroner's juries in this context?

**Hon. Mr. Philipsen:** Clause 13(9)(e) says to review all accident investigations, which would be a coroner's report, and participate in the investigation of accidents that result in or have high potential for serious or fatal injuries. I believe that that is reflected in this statement.

**Mr. Kimmery:** I agree that the statement is general and could include coroner's reports and the recommendations of the coroner's juries, which are different things.

<sup>47</sup> The section also says, "and participate in investigations". I would ask the minister to interpret government policy where there may be a coroner's inquiry and investigation by the committee to the same accident or cause of accidents. That will obviously occur in the future, unfortunately, and when it does occur, what is the responsible minister's policy as to the nature of the participation of the committee in the coroner's process, and possibly vice versa?

**Hon. Mr. Philipsen:** On the first statement about including coroner's juries and coroner's reports, I do not think, when you read a statement that says "review all accident investigation reports", that it needs to be put down what every one of those reports will be. It already says all accident reports and that means all accident reports. You do not have to specify it beyond that plan. I believe that the member opposite will agree with me to that end. If you are asking whether this government is going to get involved with the investigation of a death, the coroner and the people investigating the death are the people who would be the first line on that, and we would be involved if they would ask for the chief safety officer's assistance. The people who would be investigating the death, the coroner, would be the first informed.

**Mr. Kimmery:** I understand the answer and it raises other



questions. Before I came to Yukon, I was a crown attorney in the Northwest Territories. As a crown attorney, I actually presented the cases to the coroner's jury and one case was an industrial accident in Pine Point. In the preparation of the case to go to the jury, I spoke to the union safety committee and they were, first of all, surprised that a crown attorney would do that and, secondly, extremely pleased. The experience was very satisfying, in that all parties took a responsible view to pointing out all of the facts and making useful recommendations, and I would call that participation in the investigation and participation in the coroner's process.

48 The problem I have with the minister's answer is that he appears to state that the coroner's enquiry is the first line enquiry and the safety committee's comes after that. A safety committee would probably have the greater expertise and greater personal knowledge of the workplace, and it makes good sense to me that the safety committee should participate in the preparation of the case going to the coroner's jury. I ask the minister if that is not the government's policy, in fact, and if not, why not?

**Hon. Mr. Philippen:** It would be my understanding that if a serious accident or death had occurred and the coroner was going to conduct an enquiry into it, then that coroner would in fact be the person conducting that and he could pass on any report. We, as a government, with our chief safety inspection officers, would be prepared to go and give any information to the coroner. The coroner would be the person conducting the investigation. I do not doubt that the chief safety officer may have more information at hand than the coroner — that is a good possibility — but that does not preclude the fact that the coroner would be in charge of the investigation and asking the chief safety officer for information. We would, by this, participate, and be glad to do so.

**Mr. Kimmerly:** I understand that answer and I am not intending to be critical here, only constructive. It appears to me that there is a conflict of jurisdictions here, in that the law will say that the committee shall participate in investigations into accidents under this section. The coroner's duties are fairly similar and it is that mandatory direction that the committee participate in the investigation that raises a potential conflict. My only point is that the safety committee and the coroner's jury, or the coroner's proceedings, will work in concert, hand-in-hand, so to speak. Both must occur and if there is communication between them it is important to establish the various jurisdictions and the various potential conflicts. I raise the issue. It is my belief that the responsible coroners and responsible committees that will exist will be able to sort out individual situations.

49 It would be a very unfortunate view if it were interpreted that one or the other of them did not act until the conclusion of the investigation of the other one. It would also be very unfortunate that they acted entirely independently of each other and did not pass the same information back and forth. The act could be improved by identifying that potential conflict and making a statement of the desirable policy about that.

**Mr. McDonald:** The minister knows what I am about to say on 13(10). There have been polls made to the minister to ensure that the records of the workings of the committee be given to all members of the committee, that they should be considered as the property of all members and that they should be available to all members at any time. This would obviously ensure that minority members of the committee, or maybe one member of a committee, could not be frozen out of information. This full disclosure of information is quite important under the circumstances. There may be some necessity to ensure that all committee members have access at all times to all information possessed by the committee. How can the minister respond to that request?

**Hon. Mr. Philippen:** I do not know who the minority members of the committee would be. When you have minutes of a meeting, the people who are on the committee receive the minutes of the meeting. I have nothing else to say to that.

**Mr. McDonald:** The minority members of the committee may be a single member of good conscience who feels that he has a case to make for a safety officer, a case to make for his own members, for his fellow employees, for fellow employers, and he feels that, in order to substantiate his case, he may require all the minutes as to

the conduct of the committee and all the records that are available to the committee. God forbid, this may be the only member of good conscience on a committee.

50 Or, he may think he is the only member with a conscience on the committee, and he would like to have access to all committee documents. If he is on the committee, perhaps we should ensure that, at any given time, he will have access to all the documents at any given time. The majority of the committee cannot prevent him from having that access.

**Hon. Mr. Philippen:** I am sorry to react to this particular issue because the way I see it written, it does not say that a member who is acting in good conscience will be denied the minutes of the previous meeting. It says that the committee will keep the minutes of the meeting and records of the disposition of all matters that come before it. It is a pretty simple statement. It is an easy matter to deal with. There is nothing to suggest that the minutes and records of the committee would not be available to the members. There is nothing that suggests that at all. What are you reading into this piece of legislation?

The adoption and acceptance of minutes is a standard procedure of any group. If the minutes are properly kept, they will be recorded in the disposition of the matters. If there is a problem with the way the minutes are written, all you have to do is raise a question and get it in the minutes again. Any time you go to a meeting, you get the minutes of the previous meeting, and if they do not reflect what you said at the meeting, you mention that. The adoption of the minutes is the first thing on the agenda. I do not see anything that is written into this piece of legislation that says that there is any way that the minutes are going to be held from the members of the committee. I really cannot understand why this particular issue is being raised. It baffles the mind.

**Mr. McDonald:** The minister's mind is easily baffled. Presumably the committee would operate on a basis of consensus. Consensus may not always include a single member of the committee. There is nothing, on the other side of the coin, to say that the committee should make sure that all documents appended to the minutes and the records of past meetings, which may be valuable in and of themselves, will be open to all members at all times. The minister, obviously, thinks that even to open the matter is to regress. I have to disagree with him strongly, having been a participant on committees in the past.

We can challenge each other on the basis of experience. My experience has been quite considerable on these matters. I think I do know something about this. In any case, the minister is the person of power. He is going to use his majority to make sure that there will be no change in the legislation. Whether he thinks it is ludicrous or not, a large number of people whom I respect do not think that this particular suggestion is ludicrous at all. They think that the suggestion is quite reasonable under the circumstances. There is obviously nothing more that can be said about this.

51 *On Clause 10*

*Clause 10 agreed to*

*On Clause 11*

*Clause 11 agreed to*

*On Clause 12*

*Clause 12 agreed to*

*On Clause 13*

*Clause 13 agreed to*

*On Clause 14*

**Mr. McDonald:** On clause 14(8), a recommendation was put forward, I believe, by the Federation of Labour to incorporate the health and safety representative to accompany a safety officer in the investigation of near-miss accidents. Can the minister give us any indication as to whether or not he thinks that is ludicrous or acceptable?

**Hon. Mr. Philippen:** Due to the fact that the occupational health and safety people will be the people that will be operating in the field, I think this section as written will do very well for the situation that the member opposite has described.

**Mr. McDonald:** Let me repeat the question. I will try not to be patronizing in my tone. I am referring to a situation where there has not been a fatality or where a person has not been critically injured.

but to a situation where there was a near miss, a situation where a person was almost killed or almost critically injured and it could be proven that a near miss did exist. Is it not reasonable that, in the case of near misses which are significant in and of themselves that a safety officer should help investigate or that there should be an investigation in the first place of such a situation?

**Hon. Mr. Philipsen:** Please go back to page nine in the section that we have cleared: "Each committee shall review all accident investigation reports and participate in investigations into accidents that result in or have high potential for serious or fatal injuries". We have already covered that and the committee is given through this piece of legislation the authority to investigate into things that have high potential for serious or fatal injuries. I think that that addresses the issue that we are now discussing in other sections in pages further along.

**Mr. McDonald:** I am discussing the situation where a health and safety officer representative has the right to accompany a safety officer in the investigation of an accident or a near miss.

**Hon. Mr. Philipsen:** I am sorry. I misunderstood the member opposite and I am sorry that I misunderstood the question. The chief health and safety officer would naturally, through this legislation, have the right to go with the member of the committee on a safety inspection anywhere he wishes. This is implicit in this legislation. That is his job.

**Mr. McDonald:** I understand that the chief health and safety officer has a right to attend safety inspections with a safety representative. Does a safety representative have the right to attend with the chief health and safety officer in situations where there may be a near-miss, beyond the situations where there is a fatality.

**Hon. Mr. Philipsen:** I do not think there would be any question of that. If the chief safety officer wants to go on rounds and wants the committee member to go with him, there would be no problem whatsoever.

**Mr. McDonald:** We will take that as an article of faith then. It does not say that in the legislation but we will take it as an article of faith that that will continue.

**Mr. Chairman:** That concludes Part 2.

**Mr. McDonald:** We are at the end of Part 2 with regards to safety committees. I asked the minister some time ago if he would be prepared to identify the clause that says that the chief safety officer can interfere in the practices of established committees where he feels that the committee is not operating properly. We know that the chief safety officer may get involved in situations where there is no safety committee but I wonder if the minister could quickly identify the sections which stipulate that the chief safety officer may interfere and spruce up the workings of a delinquent safety committee.

**Hon. Mr. Philipsen:** It is not written specifically in here that that would be a particular issue that would need to be set in legislation. The mere fact that the chief safety officer is the person who is in control of this piece of legislation would give him that ability and we would not need to set it in legislation as far as I am concerned. It is just not necessary.

**Hon. Mr. Philipsen:** That is another thing obviously that I will have to take as an article of faith.

*Clause 14 agreed to*

*On Clause 15*

**Mr. McDonald:** On 2(2)(b), on a health and safety representative, there has been some representation made to request that in this clause that a member of a trade union, or a trade union, should be included in those situations where the employer-supervisor must report a matter of a worker refusing to do work. Has the minister got any comment on that.

**Hon. Mr. Philipsen:** If we refer to section 13(6), that authorizes the trade union to select members of the safety committee. The health and safety representative is selected from the workers on the committee. Therefore, in a situation described in 15(2), where there is a trade union in the workplace, the investigation will be conducted in the presence of the worker selected by the trade union.

**Mr. McDonald:** In 15(4), we now have a situation where a worker has refused to perform work which he believes to be unsafe.

He has reported the situation to his supervisor. The supervisor has investigated and the worker then reports his refusal to the safety officer. In a situation such as a mine 280 miles from Whitehorse, and from a safety officer, how does the minister anticipate the safety officer to react to the situation?

**Hon. Mr. Philipsen:** The safety officer would be on site. This is not the chief safety officer.

**Mr. Kimmerly:** I am particularly interested in 15(5). In my view, it is the section most deserving of opposition attention although I am not as knowledgeable as my friend from Mayo. I am particularly concerned with the wording that excludes the worker's right to refuse where the worker is refusing work that is within the ordinary conditions of that kind of work. I want to say that I have no problem with the first part of the section, involving the possibility of immediate danger to any worker. That is obviously practical and sensible and I have no argument with it and I support it.

The problem that I have is with the phraseology "ordinary conditions" in that it is extremely difficult to interpret and it obviously will be the subject of disagreement in the future. About some industries, the ordinary conditions worldwide in the industrial world are very generally recognized. If this went to court, there could be expert evidence received that certain conditions were ordinarily accepted in the industry. That is entirely practical and we accept that.

There are some industries or some workplaces that are unique. The conditions in the Beaufort, for example, or in the North Slope, would be a case in point, where the ordinary conditions are very difficult to interpret. It is my view that it is clear here that the intention of the legislation, or the policy is, that the question of ordinary conditions is a question of fact to be determined in each case. Obviously, it is an intentionally general condition and general wording. I would ask the minister to consider alternate wordings here. These alternatives are suggested entirely in a constructive spirit.

What is wrong with something like, "up to the standard generally considered safe in the industry". I would like to explain that there may be cases where what is generally considered safe in the industry, is not, in fact, an ordinary condition. Those phrases would be different. For example, in a coal mine, such as the mine at Elsa, there may be some parts of the mine, or some work which 20 years ago was up to the ordinary conditions of safety, that now would be considered unsafe. In new mines, the workplace would be constructed or protected differently. In that case, what is an ordinary condition, what is the standard of the industry? It becomes extremely important if you are talking about something new, like construction in the Beaufort, for example. What are generally considered safe conditions and what are ordinary conditions? If there are two operations in the world involving that kind of operation, and they have the same conditions, that is probably an ordinary condition.

However, it may not be considered safe. I would ask the minister if he would consider and to respond to a wording such as the standard in the industry or, even better, the standard generally accepted as safe in the industry or, perhaps, a safe industrial standard or wordings of that kind. I would ask the minister to explain why it is obviously his opinion that that wording would not be a better protection and more consistent with a lot of the important principles within this particular bill.

**Hon. Mr. Philipsen:** I would ask that you report progress on Bill No. 42.

*Motion agreed to*

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

*Motion agreed to*

*Mr. Speaker resumes the Chair*

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

**Mr. Brewster:** The Committee of the Whole has considered Bill No. 42, *Occupational Health and Safety Act*, and directed me

to report progress on same.

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

**Some hon. members:** Agreed.

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

**Mrs. Firth:** I move that the House do now adjourn.

**Mr. Speaker:** It has been moved by the hon. member for Whitehorse Riverdale South that the House do now adjourn.

*Motion agreed to*

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

*The House adjourned at 5:29 p.m.*

**The following Sessional Papers were tabled November 27, 1984:**

84-2-42

Territorial Accounts 1983/84 (including Report of the Auditor General) (Pearson)

84-4-43

Fourth Report of the Standing Committee on Rules, Elections and Privileges (Philipsen)

