



The Yukon Legislative Assembly

Number 2

3rd Session

26th Legislature

HANSARD

Monday, March 17, 1986 — 1:30 p.m.

Speaker: The Honourable Sam Johnston

Yukon Legislative Assembly

SPEAKER — Honourable Sam Johnston, MLA, Campbell

DEPUTY SPEAKER — Art Webster, MLA, Klondike

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Tony Penkett	Whitehorse West	Government Leader. Minister responsible for: Executive Council Office; Finance; Economic Development; Mines and Small Business; Public Service Commission
Hon. Dave Porter	Watson Lake	Government House Leader. Minister responsible for: Tourism; Renewable Resources.
Hon. Roger Kimmerly	Whitehorse South Centre	Minister responsible for: Justice; Government Services.
Hon. Piers McDonald	Mayo	Minister responsible for: Education; Community and Transportation Services.
Hon. Margaret Joe	Whitehorse North Centre	Minister responsible for: Health and Human Resources; Women's Directorate.

GOVERNMENT PRIVATE MEMBERS

New Democratic Party

Sam Johnston	Campbell
Norma Kassl	Old Crow
Art Webster	Klondike

OPPOSITION MEMBERS

Progressive Conservative

Willard Phelps	Leader of the Official Opposition Hootalinqua
Bill Brewster	Kluane
Bea Firth	Whitehorse Riverdale South
Dan Lang	Whitehorse Porter Creek East
Alan Nordling	Whitehorse Porter Creek West
Doug Phillips	Whitehorse Riverdale North

Liberal

Roger Coles	Liberal Leader Tatchun
James McLachlan	Faro

LEGISLATIVE STAFF

Clerk of the Assembly	Patrick L. Michael
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Clerk Assistant (Administrative)	Jane Steele
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Hansard Administrator	Dave Robertson

01 Whitehorse, Yukon

Monday, March 17, 1986 — 1:30 p.m.

Speaker: I will now call the House to order.
At this time we will begin with prayers.

Prayers

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

DAILY ROUTINE**INTRODUCTION OF VISITORS**

Speaker: At this time I have the great pleasure to introduce our special guests from the Alaska State Legislature. They are Randy Phillips, Niilo Koponen, Kay Wallis, Bette Cato, Max Gruenberg, Adelheid Herrmann, and Peter Goll, who are all Members of the House of Representatives. I would ask that they rise and I am sure that all Members will join me in welcoming them to our Legislative Assembly.

Applause

Hon. Mr. Penikett: On this note of introducing these important visitors from the State of Alaska, I would like to remind all Members that this is the second time we have had visitors from Alaska. It is a continuation of a process that was begun a few years ago, initiated by us with great cooperation from Randy Phillips, to build on the common history and common bonds between our two jurisdictions. We were persuaded some years ago that from Alaska, having gone through statehood, a major land claims settlement, a pipeline and so forth, we had much to learn.

The first visit we made over there — a delegation I had the pleasure of leading and I was joined by the Member for Porter Creek East and others who are, unfortunately, no longer with us — was a very fruitful exchange. We learned much and, I believe, we may be so immodest as to say that we were even able to teach one or two small things, perhaps, to our neighbours from Alaska.

They have been extremely useful and constructive exchanges and I pray that they continue. I welcome the distinguished guests from Alaska today.

02 Mr. Lang: As the Government Leader has indicated, I had the pleasure of accompanying the parliamentary exchange to the State of Alaska a number of years ago. I think it has boded well for Yukon the importance of Alaska to our economy, whether it be transportation, renewable resources or tourism. It is very significant as far as Yukon is concerned. Also, culturally to the point that we may not be able to claim Yukon, but a number of us have the good fortune to be married to Alaskans, and maybe you are coming through the back door as far as the Yukon is concerned. I want to say welcome to Yukon, and I am sure we will see you again.

While on my feet, I would like to take this opportunity to introduce to the House, as well, a very good friend of Yukon from the Province of Alberta, which has always stood by Yukon at any interprovincial or federal conference that we have attended. I would like to introduce to the House today the Honourable Peter Trynchy, who is here as the Minister of Recreation for the Province of Alberta for the Arctic Winter Games.

Mr. Coles: Being new to the Legislature, this has been my first encounter with the representatives from Alaska, and I must say that it has been very enjoyable entertaining in Caucus, as well as during the evening when we are not sitting. I am looking forward to perhaps some day being able to visit Juneau and share in the same sort of things as have been going on here for the last few days.

Hon. Mr. Porter: In addition to the representative from the Province of Alberta and the representatives from the State of Alaska, we also are blessed this afternoon with representatives from our neighbouring jurisdiction, the Northwest Territories. I would like to introduce the following: the Commissioner of the Northwest

Territories, Mr. John Parker and his wife, Helen. Also, accompanying Mr. Parker, is the Minister for Aboriginal Rights and Constitutional Development, the Hon. Dennis Patterson, and accompanying him is his wife, Marie. The third member of the Northwest Territories' government I would like to introduce is the Hon. Gordon Wray, Minister for Local Government.

If I may say a few words, as has been indicated by the previous speakers, we do enjoy a special relationship with Alaska. Likewise, in many areas that are common to both territories, that same kind of relationship exists between the Northwest Territories and Yukon. I would like officially to welcome the Members to the Legislative Assembly chambers here in the Yukon. Welcome to the Yukon. Enjoy your stay with us.

03 TABLING RETURNS AND DOCUMENTS

Speaker: I have four documents for tabling. The first is the report of the Auditor General on examination of the accounts and financial transactions of the Government of Yukon for the year ended March 31, 1985.

The second is a letter dated December 18, 1985 to myself from the Right Hon. Brian Mulroney, Prime Minister of Canada, in response to the motion passed by the Assembly on July 18, 1985.

The third is a report from the Clerk of the Legislative Assembly on deductions from the indemnities of the members of the Assembly made pursuant to section 40.116 of the *Legislative Assembly Act*.

The last is an addendum to the report of the Chief Electoral Officer on contributions to the Candidates during the 1985 general election.

Hon. Mr. Kimmerly: I have several documents to table: Yukon Liquor Corporation annual report, 1984-85; Workers Compensation Board annual report, 1984; Department of Justice report, 1984-85; the submission of the territory to the Commission of Inquiry on unemployment insurance, February, 1986; and a legislative return, which is an answer to a question asked in the previous session.

Hon. Mr. Porter: I have for tabling the answer to three written questions.

04 Speaker: Are there any Reports of Committees?

Are there any Petitions?

Introduction of Bills?

Are there any Notices of Motion for the Production of Papers?

Are there any Notices of Motion?

NOTICES OF MOTION

Mr. Brewster: I move that this House urges the Government of the Yukon, the Government of British Columbia and the Government of Canada to conduct a feasibility study of Tarr Inlet as a potential port and access route corridor into the Tatshenshini River area in order to provide Yukon and Northwestern British Columbia an all-Canadian access to Pacific tidewater.

Speaker: Are there any statements by Ministers?

MINISTERIAL STATEMENTS**Re: Arctic Winter Games & Yukon Quest**

Hon. Mr. McDonald: Thank you, Mr. Speaker. It is with pleasure that I rise to mark the occasion of the Arctic Winter Games, which commenced yesterday in Whitehorse with the opening ceremonies. These games can truly be described as the premier sporting event of the North and are representative of the high spirit of friendship, cooperation and sporting competitiveness which exists between ourselves and our northern neighbours of Alaska and the Northwest Territories. This year, as well, we will also see contingents from northern Alberta and Quebec participating in the games which adds even more to the national and international significance to this event.

The Yukon Government, in its part, is proud to be a supporter

and sponsor of the Arctic Winter Games, both through its partnership with the Arctic Winter Games Corporation, and more particularly this year through its \$200,000 financial contribution to the Arctic Winter Games Host Society for putting on the games. A large amount of credit must, in fact, go to the Host Society for taking on the tremendous task of planning and coordinating the games. The many volunteers who make up the Host Society are to be congratulated for their hard work and dedication for without them the games would never come about. To the athletes, coaches, support staff and spectators who have come from the Northwest Territories, Alaska, Alberta and Quebec for these games, I would like to extend a hearty welcome to the Yukon.

To our Yukon Contingent in these games I would wish them the best of luck and success. I know that they will represent the Yukon well.

On a slightly different note, I would like to pass on congratulations to Mr. Bruce Johnson of Atlin, BC, winner of the 1986 Yukon Quest. This international sled-dog race, staged between Fairbanks, Alaska and Whitehorse, Yukon, represented a particularly arduous race this year and second only to the Iditarod in terms of distance and terrain which must be crossed for an event of this nature. All of the participants and dog teams face many difficulties from both weather and course conditions and are to be commended on both their stamina and fortitude. Credit must go also to the many volunteers from both the Yukon and Alaska who supported and made possible this international event.

05 Mrs. Firth: We, too, wish to extend our congratulations and best wishes to the athletes, visitors and all other participants of the 1986 Arctic Winter Games, and also to welcome all the visitors who have come to the Yukon Territory, in particular the new participants from Quebec and Northern Alberta. Our leader, on behalf of the Conservative caucus has extended to all of the Yukon athletes personal good wishes on our behalf and we are pleased to see the spirit of the games continue in the Yukon Territory. We would also like to extend our congratulations as a caucus to Mr. Bruce Johnson of Atlin, BC, the winner of the 1986 Yukon Quest.

Mr. McLachlan: On behalf of our party, I too would like to welcome the visitors from the Northwest Territories, Quebec and Alaska to the celebration of these games, which are held with an international flavour. I would like to reiterate our party's good wishes and congratulations for those people who participate, and in reiteration of the good feelings expressed last night, I fully believe that the contacts and the personal friendships and relationships made in the course of these games go a long, long way towards the future success of those games and their endeavours. Congratulations, also, to Mr. Johnson of Atlin, BC, who has become the first Canadian to win the Yukon Quest. It is a job well done, Bruce.

Re: Northern Games Demonstration at Expo '86

Hon. Mr. Porter: I rise today as the Minister responsible for the Yukon government's participation in Expo '86 to be held in Vancouver. I would like to acknowledge, as I have earlier, the presence of the Hon. Gordon Wray, the Minister of Local Government in the Northwest Territories. In his capacity as Minister, he is responsible for sport and recreation. Mr. Wray is in Whitehorse as head of the Northwest Territories' Arctic Winter Games squad. He is here in the Legislature today representing the Northwest Territories pavilion at Expo '86.

I am announcing that the Department of Tourism will be sending a five member Yukon delegation to the Expo '86 site to participate in a northern games demonstration. The five Yukon athletes will be picked by the Yukon Sports Federation. The team will demonstrate, with athletes from the Northwest Territories, traditional aboriginal games. The exhibit of games include the one foot high kick, the two foot high kick, the airplane, and the head-pull, and the one-arm reach. Several other Expo participants with Arctic affiliations, Quebec, the United States — as represented by the State of Alaska — Greenland and the USSR have also been asked to participate. The demonstrations are scheduled at Expo for Polar Week, which is May 4 to May 11. I am pleased to make this announcement today with Mr. Wray present in the Assembly. Our participation in this event at Expo will be further evidence of our sharing of cultural

values and it is indeed a proud way to demonstrate the connection between northern governments and northern people.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

06 Question re: Carcross-Skagway Road

Mr. Phelps: Last fall, the Government of Yukon entered into a number of contracts regarding the possible reopening of the Cyprus Anvil Mine which could cost Yukoners anywhere from \$7 to \$8 million if the mine does not open successfully. The opening of the mine depends upon Alaska and Yukon agreeing on the year-round opening of the Carcross-Skagway Road. Could the Government Leader tell us why he entered into guarantees, housing commitments, et cetera, amounting to almost \$8 million without first signing an agreement with Alaska with regard to the year-round opening of the road?

Hon. Mr. Penikett: I thank the Leader of the Official Opposition for his question. The Government of Yukon was, as you know, as were all parties in this arrangement, operating against extremely tight time schedules with respect to putting together the deal. We received at a certain point — and the Minister of Community and Transportation Services will have to remind me of the exact date — a letter of comfort, or a telex, from the Commissioner of Transportation in Alaska indicating that the terms of the deal that had then been struck were acceptable to the State and that that document was satisfactory. We understood that that undertaking was satisfactory to the other parties involved, not only Curragh but a number of other organizations, including people who are quite demanding with respect to such things — the Canadian banks and others — and we proceeded on the basis of that understanding.

Subsequently, we were advised that the Governor of Alaska, who was attempting at that point to reschedule the summit between the heads of government in Yukon, British Columbia and Alaska, postponed the formal signing. Subsequently, we discovered that the Governor of Alaska, as a result, we understand, of a public meeting in Skagway, had some problems with the deal which caused us to have to continue negotiations. This was something of a surprise to us. We had difficulties and some tensions as a result, but we believe that they are now amicably resolved.

I have been advised that the date in question that we were provided with the communication from the State of Alaska was October 18.

Mr. Phelps: The telex that the Government Leader refers to speaks basically in terms of an agreement-in-principle, yet the Government Leader did table a fairly comprehensive document before this Legislative Assembly on the 28th day of October, 1985.

Speaker: Order. Would the Member please get to the question.

Mr. Phelps: When was the Government Leader first aware that Governor Sheffield was unwilling to sign the agreement in the form as it was tabled in the House on October 28, 1985?

Hon. Mr. Penikett: I do not have that date at my fingertips. Perhaps the Minister of Community and Transportation Services may be able to provide the Member with that information.

Mr. Phelps: May I ask that Minister, then, to undertake to provide me with that information?

07 Hon. Mr. McDonald: Yes, I will undertake that, and I will provide the information tomorrow.

Question re: Carcross-Skagway Road opening

Mr. Phelps: We understand that both Curragh and the trucking firm, Trimac, are on record as saying that the Carcross-Skagway road must be open to the ore trucks 24 hours a day in order to make the haul costs efficient. Have Alaska and Yukon a written agreement that allows Trimac or Curragh to haul ore over the road 24 hours per day?

Hon. Mr. McDonald: I am not sure if there was a question there, but clearly the suggestion was that Curragh and Trimac had expected, and still expect, that they will be operating on the road 24

hours a day, presumably all year round. Last summer we made it very clear to Curragh in a letter that the road designation specifying that the road may be designated for truck traffic only or for tourist traffic only for a specified period of hours in a day may be necessary, and we reserve the right at an early stage to have that occurrence take place.

Subsequently, Trimac and Curragh have indicated that they still wish the road to be open 24 hours a day, and we have indicated to them that road designation is still an option that we will consider, but we will consider all other options as well, including speed limits, et cetera. Those discussions are taking place presently.

Mr. Phelps: On October 28, 1985, I raised our concern about the safety of truck traffic, particularly in conjunction with tourist traffic, on the Carcross-Skagway road. Has this government prepared a detailed plan as to how to ensure safety for the traffic by tourists on the road?

Hon. Mr. McDonald: Any such arrangement that will necessitate that the industrial trucks on the road take extra precautions to ensure that it does not in any way interfere or impinge on the safety of all other users, including themselves, would require an agreement by all the parties concerned. If it is going to be successful, it will require the tourist industry's cooperation, it will require the mining company's cooperation, the truckers' cooperation, and certainly the cooperation of government departments in both the Yukon and Alaska.

For that reason, the detailed plan is not going to be dictated necessarily by Yukon. We will work out a mutually acceptable arrangement whereby safety is assured to the satisfaction of the tourist industry.

Mr. Phelps: It has been five and a half months since we raised our concern. Can the Minister tell us in detail what steps this government has taken to commence discussions in order to obtain such a written agreement?

Hon. Mr. McDonald: I will admit that we did not jump to the attention of the Opposition's call for detailed plans when they made their concerns public. We certainly had concerns about safety long before the Opposition had expressed those concerns in the Legislature. We had concerns and had sent the letter to Curragh and Trimac stating that safety would be our top priority. Now that we have a road deal, the trucks will be ordered and we will be undertaking road tests with those trucks to determine what specific arrangements are absolutely necessary to ensure the safety of the travellers on that highway and, because safety is our top priority, we will make sure that any arrangement with respect to industrial traffic on that road satisfies the concerns expressed by the travelling public.

Question re: Yukon Indian Development Corporation

Mr. Coles: Could the Government Leader advise the House what steps his government is taking in having the funding application reinstated for the Yukon Indian Development Corporation?

Hon. Mr. Penikett: I confess that I have not dealt with the question as it has been raised specifically by the Member in terms of the funding application reinstated. I should tell him that we wrote a letter of support and enquiry to Mr. Nielsen some months ago, and to Mr. Bissonnette as to the status of the application because we were concerned about the very long delay. I met with Mr. Bissonnette and raised the question with him in Banff and he offered to respond to me subsequently. Before I heard that response, though, his views were made known publicly and I have had subsequent conversations with the Chairman of the Development Corporation as to their plans. Should we be asked to support a new application or resurrection of certain aspects of the application, we would be pleased to do that.

Mr. Coles: That answer is not good enough for the Members of this House nor for the Indian people of the territory. Mr. Nielsen also wrote letters of support to the Yukon Indian Development Corporation. There are quotes in the paper. He has obviously changed his mind. I would like to know what specific steps this government is going to take toward the Minister of Small Business, toward the Prime Minister or toward our own Member of

Parliament to ensure that the Yukon Indian Development Corporation application is reinstated.

Hon. Mr. Penikett: I know enough about the ways, mysterious though they may be, of the federal government to know that it is unlikely that the application that was rejected right down to the last cent will be resurrected and reconsidered, after 18 months of careful deliberation by the federal government, without them taking some considerable period of time.

As I indicated, we are more than ready to support a subsequent request or an amended request, or whatever it takes to get approval, from the Yukon Indian Development Corporation to the federal government. They have not specifically sought our aid for that purpose. I have had conversations with the principals and if and when a new request goes forward from the Yukon Indian Development Corporation, we will be quite prepared to discuss that.

Nothing in the substantial response that came from Andre Bissonnette, in terms of the rejection of the previous application, gives us any encouragement that the federal government is likely to quickly reconsider its previous decision.

Mr. Coles: I would hope that the Government Leader of our government will be able to lend some encouragement to the YIDC. I wonder if the Government Leader could contact our own federal Member of Parliament, the Deputy Prime Minister, to determine what role he played in the YIDC funding consultation cancellation and what his present position is?

Hon. Mr. Penikett: I will be glad to convey that representation to our Member of Parliament.

Question re: Carcross-Skagway Road opening

Mr. Phelps: Last October, we expressed our concerns with regard to YTG's responsibility to cover one-half of any Alaskan capital costs on the Carcross-Skagway Road, arising because of trucking operations. We said, at that time, that this was too open-ended. Has the Government Leader's government done anything to put a maximum figure, or cap, on the potential expenditures by Yukon under that arrangement?

Hon. Mr. McDonald: The extent to which we can put a cap on that principle has been done in a technical addendum, which is appended to the agreement and which will be released tomorrow, along with the agreement itself. That technical addendum attempts to address the concerns that the Leader of the Official Opposition has expressed, the concerns that we had a considerable time ago. There is also an arbitration clause in the agreement that suggests that should agreement not be reached that the political leaders address a concern, however specific, about the cost-sharing arrangements.

Mr. Phelps: Can the Minister advise us, in simple terms, about how it is proposed, basically, to place this maximum amount, or cap, on the potential liability accruing to Yukon under the agreement?

Hon. Mr. McDonald: It is not that easy to put the expression of the cap on capital costs into simple terms. Perhaps, if the Member would wish to read the technical addendum - it is not very long - which addresses this very item, which will be released tomorrow, then he will understand more clearly how we have addressed, in technical terms, the issue of capping capital and O&M costs.

Mr. Phelps: We have asked for the agreement. We asked last Thursday, and it was not forthcoming from the Minister's office. Could the Minister advise this House as to whether this government knows if the road may require widening on the Alaska side because of trucking and, if so, what the cost might be to the Yukon?

Hon. Mr. McDonald: With respect to the suggestion that the Opposition requested the agreement last Thursday, that is, in fact, the case. I indicated to the Member for Porter Creek East, who made the request directly to my office, that I would be releasing the agreement as soon as possible. That time will be tomorrow as a reflection of this government's openness to the Legislative Assembly, a principle that is consistent in that we presented a draft agreement to the Legislative Assembly last October.

With respect to widening the Alaskan portion of the road, no

discussions, to my knowledge, have taken place. My understanding is that upgrading has taken place already on that portion of the road and the capital costs that we would associate would be resulting directly from the damage done by heavy truck traffic on the road.

Question re: Curragh Resources, local hire

Mr. Lang: To the Minister who just spoke, I would point out to him I did ask for it last Thursday, and the reason that was given to me was it was being typed. I have to wonder whether or not we are in agreement, or if we are just in cloud nine again.

I would ask a question directly to the Government Leader. It has to do with the question of a local hire policy agreeing with Curragh Resources. I think it is important to note that I have had a number of calls by Yukoners who have not been employed, who have applied and have been overlooked.

Last fall the Leader of the Official Opposition outlined our concerns about the lack of a written, and I underline written, agreement with Curragh Resources about a local hire provision. Has the government reached a written agreement for local hire provisions with Curragh Resources?

Hon. Mr. Penikett: The answer is: yes and no. The master agreement between Curragh Resources and this government, the Government of Canada and the other parties provided that Curragh commit itself to provide Yukon employment and business benefits. Under that master agreement, Yukon and Canada, as the Members will remember, are committed to provide \$3 million to Curragh via the Yukon Mining Recovery Program. The Canada and Yukon Mineral Industry Recovery Subagreement, under which the YMRP falls, was signed on March 6 of this year. That agreement contains requirements for a contribution agreement that details employment and business benefits that are to be provided, and the mechanisms provided to monitor and evaluate them. The \$3 million, as part of the master agreement, is contingent on the contribution agreement being met. That contribution agreement is being negotiated right now between the parties, and it will nail down, we hope, the specific targets in terms of local employment and business opportunities, and the reporting procedures, which we will hope to be regular.

The Member describes complaints that he has heard, and I am sure that I have probably heard as many as he, both in regards to employment opportunities and business opportunities. The complaints, I know as well as the Member opposite, are of two kinds: one, that local people were not hired when there were qualified people available, and two, that certain kinds of business opportunities were not tendered or were not made public. Those are exactly the kinds of things that we are looking to be specific about in the contribution agreement, which the Member will understand in the master agreement it was not possible to get specific about, because we were negotiating global principles.

Mr. Lang: It has been five and a half months, as the Leader of the Official Opposition has indicated, since we left the Legislature here. I did not need a lecture on the master agreement.

I would like a question, and not a yes or a no, and not a half-pregnant question, answer. I would like him to answer to this House when did he start negotiating for local hire provisions? Was it within the last week, within 30 days, or when?

Hon. Mr. Penikett: Shortly after the master agreement was signed.

Mr. Lang: How come it is taking so long? The spirit of cooperation that the Member opposite has spoken of, here we are today sitting here and people are not being considered for employment. When do you expect to conclude an agreement?

Hon. Mr. Penikett: It is not true that people are not being considered for employment. The record will show that as a result of us being tough in terms of local hire, stating our principles clearly, there is a greater percentage of local hire with the opening of this mine than with any previous mine in the history of the Yukon Territory, especially of this size. Obviously, when you are dealing with a deal as complicated and as complex and as difficult as this, we have many things to work out with Curragh. One of the things that we are looking for is for specific targets for when they will need certain kinds of skills, some cooperative arrangements by

which we can make sure that they are advertised locally. The company, until very recently, has been in the situation where it is not Curragh hiring employees but a contractor. They have not been in a position, until they go into production mode, to be able to be very specific about their manpower needs and to be on target and anticipate them. It is an agreement which deals with that unprecedented detail that we are looking for.

Question re: Carcross-Skagway Road

Mr. Lang: While we are on the discussion of agreements, which we do not seem to have too many of, and five and a half months have lapsed, last fall the Government Leader informed the Legislature that Curragh Resources would not have to pay the \$5,000,000 towards the maintenance of the Alaskan portion of the highway, as proposed previously by Pierre Lassonde, as he would bring forward what he termed a bulk commodity transportation agreement. I would ask the Government Leader: could he table the agreement for our perusal?

Hon. Mr. Penikett: I can undertake to provide information about our agreement with Curragh in that respect, yes.

Mr. Lang: Has the Government Leader concluded an agreement with Curragh Resources in reference to the Bulk Commodity Transportation Agreement that he referred to last fall?

Hon. Mr. Penikett: I am pretty sure that we have agreed on a schedule and what it will cost Curragh under that agreement. My colleague, the Minister of Community and Transportation Services, may know if that is involved in some other particulars but, in any case, I will report to the Member opposite.

Mr. Lang: When?

Hon. Mr. Penikett: Depending on how much work we have created for public servants today during Question Period, I will try to do it tomorrow.

Question re: Carcross-Skagway Road

Mr. McLachlan: Can the Minister of Community and Transportation Services advise this House that when he completed the initial discussions with the State of Alaska, last October, towards the opening of the Skagway Road, knowing full well that he had only a telex and not a signed agreement, why did he not move immediately to secure the final agreement and thus avoid the last four months of confusion that the territory has gone through on this issue?

Hon. Mr. McDonald: When we received the so-called telex that came from the Alaska state government, it was our assumption that what the telex said was the intention of the government at the time. We were not aware that the state government would change its mind. It was definitely, to say the least, a surprise to us.

Mr. McLachlan: I really wonder if the Minister is aware that, based upon the strength of that telex, Curragh Resources was able to go out and secure private financing towards opening that mine. If the private concerns backing it were aware that we were only banking on a shoestring about that thick, they may quite likely have withdrawn the private industry financing for the opening of the mine. Is the Minister not really aware of the serious implications of the inability to complete the deal?

Hon. Mr. McDonald: The telex was made known to, and copies were sent to the people who were negotiating the overall Curragh deal. Presumably, the private financiers that the Member speaks of were under the same impression that the Government of the Yukon was, that when the Government of Alaska, the State Commissioner for Transportation says that a deal has been struck then we would presume that a deal has been struck and presume that the private financier regarded the telex in the same manner.

Mr. McLachlan: Can the Minister advise this House that if he, during the negotiations of the so-called last final agreement with Alaska last Wednesday, made contact with Trimac Transportation of Calgary asking them if they would then be agreeable to having their road-haul time cut in half - did he make contact with them last Wednesday asking that - or did he just make the agreement, sign the agreement and not bother to check with any of the people with that part?

Hon. Mr. McDonald: We did not, to my recollection, contact

Trimac Transportation to tell them that the road time would be cut in half. We have not determined whether that is the only route to go to make the road conditions safe for the travelling public. We were not prepared to tell Trimac, whom we would like to involve in the negotiations for the tourism industry, that there was a hard and fast rule that we would only prepared to allow them to operate 12 hours a day. We could not give them that indication because we had not undertaken the meetings with the trucking company and the tourism industry to determine what it would take in the final analysis to make the roads safe.

Question re: Carcross-Skagway Road

Mrs. Firth: I have a question for the Minister of Community and Transportation Services regarding the capital costs of the Skagway Road. Five months ago the Minister told us that the federal government would cover the capital costs of upgrading the Skagway Road. Does this government have an agreement with the Government of Canada for the costs of upgrading that road?

Hon. Mr. McDonald: We have an indication from the Government of Canada that they will fund the capital costs of upgrading the Canadian portion of the Skagway Road and the indications are that it will be in the neighbourhood of \$20 million over the next three to five years.

Mrs. Firth: Those costs of \$20 million for the Canadian portion of the road: how are they going to be channeled to this government if there is no agreement officially signed for the purpose of the road?

Hon. Mr. McDonald: The funding I would presume would be channeled through the Engineering Services Agreement. I can check on that conclusively for the Member but I would presume that would be the route that the funding would be channeled through. It is the route through which funding is channeled for the capital upgrading of all federal roads and the south Klondike Highway is a federal road as well.

Mrs. Firth: Based on the government's track record so far, I am not prepared to accept presumptions about agreements. I would like the Minister to come back very specifically with how this \$20 million is going to be channeled to this government or whether we are going to have to pay a portion of it, whether it is going to come to us as a block fund or whether it is going to come as a portion of the Economic Development Agreement and if Yukoners are going to end up having to pay some of these capital costs.

Hon. Mr. McDonald: It is interesting that the Members opposite are certainly trying to blame the uncertainty surrounding the finalizing of the Skagway road deal on the victim here. Clearly, the uncertainty was not created by the Government of Yukon. The uncertainty was certainly not created by us. There seems to be a lack of trust, presumably, about the federal government's commitment to provide the \$20 million that they said they would provide to us. If the Member wishes, I can communicate to her friends in Ottawa and to the Deputy Prime Minister, perhaps, that she does not trust the commitment of the federal government, and would like the commitment in writing.

Question re: Carcross-Skagway Road

Mr. Brewster: Can the Government Leader advise this House what plans, if any, his Minister of Tourism has developed to counteract the negative impact the 24-hour a day traffic from Faro will have on tourists travelling to Carmacks and Dawson City?

Hon. Mr. Penikett: As the Minister of Community and Transportation Services has explained this afternoon, the question of safety has been uppermost in our minds from the beginning in respect to the road. We know that there are substantial public concerns about safety on that road. We also know that it is a profoundly important economic opportunity, the year-round operation of that road, not only for tourism, but for all other sectors of the Yukon economy. To have that access to tidewater open year-round, and not have the territory beholden to one company is a very important new development.

The Minister for Community and Transportation Services has told the House that, in trying to work out acceptable rules, or acceptable standards, he has taken it upon himself to involve the transportation

industry and the companies that are operating on that road. I am sure that there will be, as we come to conclusions on this question, a substantial involvement by the Department of Tourism on this question.

In opening the mine and in seeing that road open for traffic, we do not want to see a negative impact on our tourism. We will be trying to make sure that that is the case.

Mr. Brewster: I presume there is no plan as of now. Can the Government Leader advise this House whether or not this government has an agreement with Curragh Resources to help pay the additional cost of the road from Faro to Whitehorse as the consequence of the 24-hour-a-day traffic, and the increase of 13 tons per load. If the road does not stand up to the additional weight, who will pay for this extra maintenance?

Hon. Mr. Penikett: Any road in the territory where there is extra traffic, of whatever kind, will deteriorate faster. The people of the territory and, indirectly, the people of Canada, end up bearing the cost of that increased economic activity, as we do the benefits.

The return to this government from Curragh being on that road is provided for in the Bulk Commodities Agreement principle, which the Member for Porter Creek East asked questions about earlier.

Mr. Brewster: Can the Government Leader tell me why the signing ceremony for the Skagway Road agreement is to take place in Skagway rather than in Yukon, when the Yukon taxpayers are being asked to shoulder the financial burden?

Hon. Mr. Penikett: The Member has obviously got better contacts in Alaska than I have. As far as I know the time and place has not been fixed. However, unlike the Member, I do not have any particular hostility toward the town of Skagway and I am quite happy to travel to Skagway to sign the agreement. The sooner the better.

Question re: Indian self-sufficiency

Mr. Coles: Self sufficiency of the Indian people and the hopes and aspirations of all the Indian people in this territory is the stated intention of this territorial government. The very first reaction of a federal Conservative government is to squash any chance of attaining it.

Will the Government Leader tell us his plans to assist the native people in this territory to gain this self sufficiency.

Hon. Mr. Penikett: It would take more time than you would permit me in Question Period to discuss all the ways in which we are trying to help the economic and social development of the people in the smaller communities, and particularly the Indian people who have been unemployed and underemployed and have suffered from a condition of underdevelopment for so long.

Perhaps the best thing that I can suggest is that when this government brings down its budget and when we are discussing the various departmental estimates, particularly those of the Department of Community and Transportation Services, the Department of Renewable Resources and Tourism, the Department of Economic Development, the Department of Health and Human Resource, and the Department of Justice, all will have initiatives which we believe will be of substantial benefit to the Indian population of the Yukon Territory and we look forward to explaining them in great detail to the House and to the Member opposite.

Mr. Coles: In the letter from the Yukon Member of Parliament to the YIDC, he urged the reader to "regard the concept of the Yukon Indian Development Corporation as a vital need for the future of Native people in Yukon." Does the Government Leader share that same point of view?

Hon. Mr. Penikett: Yes, I believe so strongly that the YIDC could be an important and valuable tool for the economic development of Indian people that to represent the views of Indian people in the economic development area, we precipitated an appointment of the president of that organization to the Yukon Economic Council to represent those interests that we take so seriously. We regard as quite significant the presence in our economy and the potential in our economy of that corporation.

Mr. Coles: The northern Vice-Chief of the Assembly of First Nations has placed full blame on our Member of Parliament for the 18-month delay and the final cancellation of the funding

program which the YIDC has applied for. Does our Government Leader share that?

Hon. Mr. Penikett: In a cabinet form of government, there is collective responsibility for the decisions taken by the Cabinet. The specific responsibility for turning down the application from the YIDC, I understand, belongs to the Minister of State for Small Business, Mr. Andre Bissonnette. I understand there have been press stories and allegations about the role of our Member of Parliament, but I do not think it would be appropriate for me to comment on them.

Question re: Carcross-Skagway Road

Mr. Phillips: To the Minister of Community and Transportation with respect to the customs operations on the Carcross-Skagway road. Under the trucking agreement, trucks are planning to haul twenty-four hours a day. Has this government officially met with, and agreed upon extending the daily hours and the year round operations, with Canadian and American Customs officials?

¹⁵ **Hon. Mr. McDonald:** We have been assured by the American officials that the provision of Custom services on the American side will not be a problem. We have been assured by the federal minister responsible for the Custom services that Custom services will be available for the Canadian side of the operation.

Mr. Phillips: I would like to ask the Minister if he has that assurance in writing, and when did he get that assurance?

Hon. Mr. McDonald: There seems to be a marked lack of trust of the word of federal ministers. I will, too, communicate that lack of trust to the federal minister. In any case, yes, that is in writing, and to anticipate his next question, yes, I can provide that to the Legislature, even tomorrow.

Question re: Carcross-Skagway Road

Mrs. Firth: The trust, or lack thereof, is not with the federal government. It is with our local government. Five months ago our local government told us that \$700,000 was going to be needed to maintain and operate the Skagway road. Now that has been increased to \$1 million, depending on the costs of upgrading, and we also spend \$300,000 a year just in summer costs, so the cost is now approximately \$1.3 million.

Can the Minister tell us how much the cost is going to be for the O&M for the whole year?

Hon. Mr. McDonald: I can give that information to the Member. The figure would most appropriately be provided after the budget has been tabled. I presume that the Member would understand that distinction. In any case, the amounts that we discussed previously in the Legislature, in October, are roughly the amounts that we anticipate would be the cost of the maintenance and the capital for the coming year. Clearly, there is no experience factor from which we can draw a clear definition of the costs. This is a new venture for us, but it is a venture we are absolutely determined to be involved in. We believe that this transportation corridor is necessary for the future economic activity in Yukon, not only the activity in Faro, but also the activity around the territory. We are committed to this transportation corridor.

Mrs. Firth: Has the Minister had his department officials review the December 1983 Canadian Transportation Committee in regards to the comparative costs of the White Pass Rail and the three alternate truck transportation routes?

Hon. Mr. McDonald: Yes, an analysis has been done by the department on the CTC Report. I have done an analysis of it myself.

Mrs. Firth: Perhaps the Minister could tell us the results of that analysis in his answer, and whether his department is investigating the costs as compared to getting the White Pass Rail operating again?

Hon. Mr. McDonald: The result of the analysis was that the use of the Skagway road would be the most cost-effective — by far — route for the transportation of the industrial traffic to points outside Yukon. Of the three routes, I presume we mean the Alaska Highway down through BC, the Skagway Road and the Haines Road. Clearly, the Skagway Road comes out on top by far, in terms of being the most cost-effective.

With respect to the rail route, we are talking about a considerable additional increase in expenses, largely due to the additional freight handling of goods in Whitehorse. The bottom line is that the Skagway Road is the cheapest; the truck-rail route does not compete.

¹⁶ **Speaker:** The time for Question Period has now elapsed. We will now proceed with Orders of the Day. Addresses in reply to the Speech from the Throne.

ORDERS OF THE DAY

ADDRESS IN REPLY TO SPEECH FROM THE THRONE

Ms Kassi: I move that the following address be presented to the Commissioner of Yukon: May it please the Commissioner, we the Members of the Yukon Legislative Assembly beg leave to offer our humble thanks for the gracious speech which you have addressed to the House.

Speaker: It has been moved by the hon. Member for Old Crow that the following address be presented to the Commissioner of Yukon: May it please the Commissioner, we the Members of the Yukon Legislative Assembly beg leave to offer our humble thanks for the gracious speech which you have addressed to the House.

Ms Kassi: It is with pleasure that I rise today to speak in reply to the Speech from the Throne on behalf of the Vun Tut Gwich'in people of Old Crow. I would like to take this opportunity also to welcome the participants of the Arctic Winter Games from the Northwest Territories, Alaska, Northern Quebec and Northern Alberta. It is also a pleasure to have met and talked with representatives from the Northwest Territories and the Alaskan legislatures.

In my village it has been an interesting winter so far and, at the moment, people in the village are preparing for the yearly spring move to the Old Crow Flats for the traditional muskrat hunt. With the preparation comes the concern once again about the anti-trapping movement in Europe and the United States.

My people are pleased that there is good work being done by this government of the Yukon and the people were happy to see the motions passed in the last session on trapping.

We are also pleased to see the work being done in European countries by Indigenous Survival International, and I wish them all the best.

It was good to see the Speech from the Throne deal with this subject and the subject of wildlife. Recently we had the pleasure of hosting in our village, a visit of the select Committee on Renewable Resources and there was a good turnout with excellent participation by the people of the community for that hearing.

Some of the concerns raised during the visit related to the Porcupine caribou herd. The Dempster Corridor and the amount of hunting going on this past winter along the highway is a big concern. Old Crow wants to see the corridor put back to its previous width, also greater enforcement along the highway during hunting season. We also feel that the hunting season there is too long and should be reduced. We are concerned with the increased kill on the highway from this past year compared to previous years.

I was encouraged to see the Telit Gwich'in of the Dene nation from Fort McPherson, Northwest Territories, come all the way to Whitehorse to make their presentation to the Committee. It goes to show that the people are willing to work together with Old Crow and this government for the benefit of us all.

Our community also told the Select Committee that we need a Conservation Officer stationed at Old Crow who could help out along the Dempster Highway during the busy season.

My village participated well during the Committee's visit and we are in favour of this kind of consultation. People like to be heard, especially in Old Crow, where sometimes we feel very isolated from the people who make decisions.

¹⁷ We were also glad, Mr. Speaker, when the hon. Margaret Joe, Minister of Health and Human Resources, came to visit and discuss what to do with our young offenders. Our community has its share

of problems with young people in conflict with the law, and this is a concern to each and every one of us. We favour keeping the offenders in the community and finding ways of dealing with them by their peer group at home. We would like to establish a rehabilitation camp 50 miles up the Porcupine River. This would be for young offenders as well as old. The main purpose of the camp would be to bring out in people greater respect for themselves and others through traditional means.

Jobs, of course, is a big issue in Old Crow because there is so much unemployment. The community is glad to see that there is an emphasis on creating jobs by this government and it has brought results to the village already. Under the Yukon Government's Local Employment Opportunities Program, a total of \$89,400 was put into the community to create jobs and improve local facilities. One of these projects went to the Band for \$59,200 to renovate the Chief Peter Moses Centennial Hall, which will be used for a youth recreation facility as well as build garbage bins and grave fences.

The second project was for \$30,200 to the St. Luke's Women's Auxiliary for renovations and retrofit of the Old Mission House. This meant work for some of our unemployed people this winter. I must say, Mr. Speaker, that I am glad to be part of a government that is committed to finding long-term solutions for our unemployment problem. We know that instant solutions really do not exist but are satisfied when programs like the Local Employment Opportunities Program not only create jobs but make real improvement to buildings and other facilities in our communities. Congratulations from me, as well as from the people of Old Crow, to the Minister of Community and Transportation Services and his officials for designing such a good winter works program.

The Throne Speech, Mr. Speaker, outlines several new things the government would be doing on local hire and I commend this sort of action, especially the positive employment programs, which lead to more aboriginal people being hired within the Yukon territorial government. I think the idea of "less credentialism," which I think means less emphasis on paper qualifications for jobs and more emphasis on local experience, is a very positive move.

Decentralization is happening too, Mr. Speaker, from what was said in the Throne Speech. I know that my village of Old Crow will make good use of, and get better services, as a result of a rural superintendent of education being located in the northern part of the territory. Dawson City or Mayo would be close enough for us. We will make good use of that person and let him know what the needs are of the students of the Chief Zzeh Gittlit School. I am sure Old Crow will also make use of the Business Development Office in Dawson when it opens there. The same goes for the community recreation consultant position going into Dawson. This leads me to say that decentralization at this time will not just benefit the community these people are located in, but all surrounding communities will benefit as well. The simple fact is that Dawson or Mayo are a lot closer than Whitehorse, so Old Crow stands to gain by this.

Mr. Speaker, I am pleased with the overall direction of our government in terms of its economic strategy and attempts to diversify and build on our renewable resources. We need a better balance between renewable and non-renewable resources, as was said in the Throne Speech. This will mean long-term benefit for the Yukon and its people.

As hon. Members will know, the salmon migrate up the Porcupine River. I was pleased to hear the Throne Speech state that we are taking a strong position in the treaty negotiations with the Americans. We need more fish, and have a right to those fish.

One subject no one has mentioned that needs to be worked on is the problem our people face in hunting migratory birds. When the hunting season is on, the birds have left Old Crow. They come in the spring and leave again towards the fall, but are gone from our area when the hunting season officially opens. I know that these birds are covered by an international agreement, and I am sure that it has been well-intentioned, however, they left out northerners many years ago when they drew up their rules and regulations. I hope that I can get support from other Hon. Members on this issue when the time comes to deal with it.

The aboriginal settlement negotiations, of course, are of great

interest to my people. I have seen trust being rebuilt between the government and Yukon's aboriginal people. My village is looking forward to trying the new process for negotiations. I see them getting rid of a huge communications gap by negotiating in the communities. I think the cooperative approach is beginning to work.

Some concerns we have not dealt with yet are in regards to the Beaufort Sea development. While many Yukoners think of all the potential riches and the bonanza of promise the Beaufort holds, what we have in Old Crow is apprehension about the impact it might bring if things really take off there. We worry about oil spills, gas leaks and other environmental damage. I would like to see emphasis on protecting the northern environment from damages that might occur in the future.

Overall, the village of Old Crow is getting stronger all the time, and is getting better at dealing with the problems it has, such as alcohol abuse. I have recently seen new efforts being made to help the community deal with this. People are working together quite well to deal with the social problems in our village. I think this is in part because they have the support of this government, and because they feel they will be getting action when they take the initiative and put forward a proposal.

The Throne Speech, while it does not solve all our problems, sets the stage for a lot of solutions to be found. By working together, I think that the people from my village, the people of rural Yukon generally, and all the Yukon people can overcome the problems we have so that we will build a much better future for us, our children, and the generations to come.

Mahsi Cho, Mr. Speaker.

Applause

Mr. Phelps: Once again, I am pleased to rise and give my reply to the Speech from the Throne. This is the third occasion that I do so since the NDP took office last May.

The Throne Speech will be remembered, most of all, for the fact that it was the last one delivered by Commissioner Douglas Bell. On behalf of my constituents and, indeed, of all Yukoners, I would like to take this opportunity to thank Doug Bell for a job well done. He was the right person for the right job at a very important time in Yukon's history. We all appreciate his efforts and wish him and his family all the best in the future.

As I have already mentioned, this is the third Speech from the Throne since the NDP took office last year. In the past, I have noticed that the Government Leader has been extremely sensitive about any criticisms I have made about the Throne Speech. Indeed, he has literally quivered with indignation when we dared to criticize the length or content of the past Speeches from the Throne.

I am sensitive about his sensitivity, and I want to reassure him. This time I will not criticize the length of the Throne Speech. In fact, let me go on record as saying that it was plenty long enough, and not too short. I actually thought that there were a few good things in the Speech. If it will brighten the Government Leader's day, I would like to mention these.

We are pleased, for example, to see that the government is designing its own program to replace the Prospectors' Assistance Program brought by the federal government. We hope the design phase is completed soon so the program can be announced in time for prospectors to be able to plan for this season in the field.

We are also pleased to see the introduction of a homecare program to enable our elderly, disabled and chronically ill to maintain more independent lives. We will have no problem in giving our full support to such a program, as it is fully in keeping with our party's principles and philosophy.

Welcome, too, is the announcement that the government will institute a pilot project for providing safe houses to shelter victims of family violence from potentially harmful situations. We must advise, however, that we are disappointed at the government's minimal response to the numerous recommendations contained in the Report of the Task Force on Family Violence.

Other positive announcements were the expansion of the Saving Energy Action Loan Program and the Mineral Exploration Incentives Program, which we were discussing with the Yukon Chamber

of Mines almost one year ago.

One final thing, on a positive note: the Speech contained all kinds of nice, philosophic words and phrases about the good intentions of this government, about its hopes and plans for the development of policies. They all sounded really nice. The problem is that we have heard these same homilies from the same bunch when they were in Opposition. Given their rhetoric back then, Yukoners had a right to expect policies from the NDP back when they took on government responsibilities. After all, they billed themselves as a government-in-waiting. What we have had for the past ten months or so is a Yukon-in-waiting, waiting for more than puffery and fluffery; waiting for some substance and some policies.

The only new policy that the NDP has introduced thus far is the human rights bill, and that was so poorly done, and the public became so outraged with it, that they ran for cover. The Human Rights Bill gets only one sentence in a one hour long speech. When the Human Rights Bill was withdrawn, we heard the most arrogant, insulting statement in recent memory from the Government; that the problem with the Bill was one of education and that this government would introduce an educational program prior to reintroducing the legislation. Yukoners do not need a socialist educational program and they do not need radical human rights legislation.

So, almost ten months have gone by and still no new policies. This government has been content to merely move along initiatives from the past government: the NCPC transfer. The commitment to cover NCPC was made by the federal government to us last April. The consulting firm was hired in April. Discussions were underway with the private sector last April.

The improvements to the Annie Lake Road, mentioned in the Throne Speech, were authorized by Cabinet last May.

How about Cyprus Anvil? Agreement-in-principle about opening the Carcross-Skagway Road year round was reached last April. This government has not even followed through adequately. The NDP Government put Yukoners on the line for \$7 to \$8 million before they even signed the complete contract with Alaska with regard to that fundamental issue.

Would they have been so negligent if it was their personal money on the line? Numerous Cyprus Anvil issues remain outstanding, issues that were raised in the Legislature last October, and the government still has not resolved these issues or even worked all that hard at resolving them.

We intend to continue to raise these issues in Question Period until the government actually starts to do something about them. So again, it is an example of the Speech from the Throne containing great platitudes but little action.

I would like to refer to the statement in the Speech about devolution. Almost ten months after assuming office, this government has the temerity to announce that they are going to create an office of devolution within the Executive Office. Almost a year has gone by and this government has done almost nothing about the transfer of forestry, of fish water fisheries, health care and other programs.

How about lands? Last summer the Minister of Community Affairs announced that the government was coming forward soon with a proposed squatter and affordable land policy. Almost every month since then, we have had a similar promise from the same Minister. Yukoners who have needed land have been kept on pins and needles for almost ten months. We certainly look forward to seeing the draft policy that has been so imminent for such a long time.

How about all the people who want land for agriculture: some 300 applications. People kept waiting because the government has shirked its responsibility and has apparently given a veto to CYI and the Bands over such land going forward. This government has a duty to do something for those who have a legitimate need for agricultural land. Granting a veto to any group over land transfers or program transfers or jurisdictional transfers is simply not the democratic way.

We can go on and on about the deficiencies of this government, but then we do not want to prick their pride, only their conscience. We will be raising the issues referred to here, along with other

issues, during the course of this session. We will be scrutinizing the carefree spending practices of government and how this government awards contracts. We will be asking about government initiatives in north Yukon, about the north boundary. The list is long and this session will be long. I would remind the government that the patience of many Yukoners is growing short. Thank you.

Applause

Mr. Coles: I have the privilege of being able to stand here again, and for the third time address the Speech from the Throne, and also to convey our party's recognition of Mr. Bell, and Pearl, and the fine job that I think that he has done during his years as Commissioner.

We have now had three Throne Speeches since this government was formed. In fairness, on the first two occasions we were prepared to allow for a period of adjustment. We recognized that the government Members were new to their responsibilities and portfolios and that it would take a few months before we saw action in terms of their pre-election promises. We have now heard a third Throne Speech. A full year is almost behind us and with the exception of one or two areas, I am beginning to feel that the vehicle driving this government has only two gears: neutral and, occasionally, reverse. Occasionally, I have had the impression that the forward gear was working, but then I realized that we were going downhill. Reverse gear is working great and it has been used often in the last few months, territorially and federally. The neutral gear is the one that is the most disturbing. All Yukoners are concerned about this. Having the engine running idle for such a long period is building up carbons of discontent that will soon suffocate all of us. Where is the multitude of new directions and new horizons that Yukoners were promised? Yukoners have already begun to save their money for a new vehicle and I do not think that it will be much longer before they are ready to purchase one.

The maintenance of the status quo just will not do any longer. Sixteen hundred people unemployed in our territory is a disgrace. Fifteen percent, a full five percent higher than the national average, is outrageous. No, not one of us should sleep comfortably until we find some solutions to this most serious problem.

We had the maintenance of the status quo with the previous government and where did that get us? If you are in business you look at the bottom line to see if you are successful or not. The bottom line, after eight years, is no increase in economic growth and a smaller population base. These two factors alone demand that this House address themselves to the reasons why. Yes, I know that the easy way out would be to continue on the way we are going. We can continue to deal with the issues on a piecemeal basis or react to problems as they arise.

This government, like the government before it, continues to avoid the implications of continuing a centralized form of government even though both have agreed that some form of decentralization is desirable. As Liberals, we do not believe it is only desirable, but crucial to the survival of many of the small communities. I, myself represent a rural riding and have my constituents' future to think about, as well as the rest of the people in the territory. What can I tell them about their future? Will there be jobs available when they enter the job market? Can I assure them that they will be able to stay in their communities and make a reasonable living? The Members here already know the answer. Unless we take action now, we will be responsible for closing the doors on their tomorrows, and perhaps even closing the doors on many of the small communities in this territory. It is not good for families to always be in the state of transition. The lack of jobs and infrastructure in our rural communities is discouraging. The social problems associated with our lack of action is enormous and getting worse, not better.

The government took some initiatives on a little daycare motion, but they still have a long way to go before it is complete. I was also pleased to note that the Minister in charge of residential land sales adopted the Liberal proposal to lower the prices, and we applaud this cooperative style.

I am pleased to hear that the government will be taking action in two other areas of Liberal concern, namely the YTG casual

situation and medicare premiums. The big question is: when will we see some concrete initiatives in these directions.

Through a motion, the Liberals asked this government to make the Yukon College an independent community college, one that had its own board of directors. Where is the action? The motion was passed. When will implementation begin?

Yukoners are disappointed with this government's performance over handling the Skagway Road situation. We were put in a very weak negotiating position unnecessarily, while at the same time committing millions of taxpayers' dollars. Is this what you call a good government?

This government has now indicated three different date deadlines for the introduction of a squatters' policy. Where is the policy? What is being done? We are not getting the answers from this government. We are getting very vague agendas and more promises.

We were promised an amendment to the *Yukon Act*, one that would protect our boundaries. What has this government done to see that this is done? We were promised major initiatives in the decentralization process. What is taking place there and where are they? We were promised a forum of enquiry to the justice system. Where is it? This government is moving to a better forum of municipal funding, they say, but it remains to be seen just how good it is.

I caution the government to give a good, hard second look at the NCPC transfer, given the present federal attitude towards cutbacks. I would also caution them to reconsider the merits, both pro and con, before they jump at privatizing certain aspects of it. The Liberals will be presenting a major motion this session on the transfer of NCPC to the Yukon, and we will be watching very closely to see exactly what type of deals are being struck on behalf of Yukoners.

We have seen that the federal government is not too willing to do us any favours at this time, and this transfer of our utility to us is too important to get into without critical analysis of all the details.

Applause

Mr. Webster: It has been a very busy few months since we last met in session. Clearly for myself, as the only Member of this House who has had the distinction, I can say also pleasure, of sitting on both select committees that this House established by motion last October, not to mention my time on Public Accounts. As a member of both committees, I enjoyed the opportunity to visit most Yukon communities once, and some twice. In my speech today, I would like to take a look at what is happening not only in my riding, but in other parts of rural Yukon as well.

It was mentioned very early in the Throne Speech that 1986 is a year of great promise. There is good reason for such optimism, for although we are barely three months into the new year, the economic initiatives resulting from this government's capital supplementary budget and the Local Employment Opportunities Program, which were introduced last October, have already benefitted, without exception, every Yukon community.

In Dawson City, for example, the capital supplementary budget was responsible for restoration work on the old territorial administration building to begin during the month of February, putting local people to work at a traditionally quiet time of the year.

The Local Employment Opportunities Program, a \$2 million jobs program of the capital budget, has been more popular than anticipated. Nearly every community has participated in this plan, which emphasizes the employment of local residents using locally produced materials to improve facilities for lasting benefit.

In my riding, several projects were approved: the Dawson Indian Band's construction of picnic tables, garbage stands, prefabrication of grave fencing and insulation of their workshop and warehouse; the City of Dawson's construction of a bandstand at Minto Park, prefabrication of sidewalks and a floating dock; Dawson Curling Club's retrofit and interior renovations; and the Dawson Child Care Association's funding for stabilization and exterior retrofit to our daycare centre.

²³ There is a measure to help daycares in the Yukon, Member for Tatchun.

This amounts to slightly more than \$200,000 in funding and a lot of work for a lot of otherwise unemployed people. I might add that the effects of such projects have been very positive for the private sector. For example, the local sawmill employed two additional men all winter to meet the increased demand for locally-produced lumber.

In short, 1986 has already indicated to be an economically active one, and will prove the government's forecast of five percent real annual growth and a continued rise in employment to be an accurate one. To help realize these goals, better use must be made of the Economic Development Agreement. For this reason I am pleased to read in the Throne Speech that this government will be reviewing the rules and the appraisal process governing the EDA funding, with the purpose to further encourage and support new economic initiatives. A similar review of the special Agricultural and Rural Development Agreement to make it more responsive to community needs is welcome news as well. The \$4.6 million Small Business Incentive Sub-agreement recently negotiated with the federal government is a new source of low-interest loan funding for the manufacturing and processing activities. This is more good news for the Yukon, as it opens up new possibilities in areas such as forestry and agriculture.

As for renewable resources in general, I share the government's optimism that our best prospects for economic diversification is in their development. During the public hearings conducted by the Select Committee on Renewable Resources, many excellent ideas for such development were offered. Now all that is required is the encouragement and incentive for Yukoners to pursue these opportunities.

I would like to take this opportunity to thank the other members of the Select Committee — the Member for Kluane, the Member for Tatchun, wherever he may be — for without their commitment and contributions through this undertaking, success would not have been possible. Just for the record, following a thorough review of all materials and input received by this committee, a full report containing a series of recommendations will be tabled in the fall sitting of the Legislature.

News that the Minister of Renewable Resources will establish a separate agriculture branch with the mandate to consolidate and expand the support offered by this government to agriculture will be welcomed by most Yukoners who feel that agriculture has suffered neglect for far too long. But we, as a government, must work harder to make more land available for legitimate agricultural purposes if this industry has any chance of fulfilling its great potential.

On forestry matters, I am pleased to learn that this government will provide core funding for the Yukon Forest Association in an effort to promote our forest reserves. We do have marketable stands of timber, and there are several rural communities that could use more local materials in their constructions projects. I for one am proud to tell visitors to my house in Dawson City that it was built by Dawson craftsmen with logs from the local mill, and harvested within 20 miles of Dawson.

On the topic of wildlife, I praise the efforts of this government and in particular that of the Minister of Renewable Resources to combat the anti-trapping lobby in order to protect the income and lifestyles of the Yukon's several hundred trappers. I am looking forward to this government making a definite commitment that will advance our position on this critical matter.

The position of our government on the Yukon River section of the Pacific Salmon Treaty is a commendable one that is endorsed by our commercial and subsistence fishermen. It is regrettable that the negotiating teams could not, due to poor weather, conduct their meetings in Dawson City in mid-January, as scheduled, and I would like to take this opportunity to indicate that Dawson City's invitation to play host to these important meetings is still open.

²⁴ On the matter of energy, the successful transfer of the Northern Canada Power Commission's Yukon operations to this government is the only way to gain control of our energy future. I am very much encouraged to hear that this may take place within the year. We in the Klondike look forward to this day, as such a transfer will enable us to get on with the job of developing the Klondike north fork

hydroelectric project. The sooner this small scale operation, which satisfies immediate and long-range needs of our community, comes onstream the better off we will be to attract new investment to our area through reduced costs for electricity.

As you all know, there is a lot more gold yet in those Klondike hills and there are many still finding it. These placer miners have expressed many favorable comments on the new initiatives of this government to assist their industry. The introduction of new programs, such as the Mining Exploration Incentives Program and the Prospectors' Assistance Program, have been well received, and work to improve the area's mining roads is, as always, most appreciated.

I want to thank this government, and particularly the Minister of Economic Development, for offering financial assistance to the first Dawson Gold Show, which will be held in Dawson City on the May 30th weekend. This Gold Show is jointly sponsored by the Klondike Visitors Association, the Chamber of Commerce and the Klondike Placer Miners Association and is attracting interest from not only the Canadian northwest and Alaska but also the lower 48. From all accounts, this Gold Show will be a major success. I urge all placer miners throughout the Yukon to participate.

New initiatives in the area of small business will be a real boost for rural Yukon. Most notable is the plan to open business development offices, first in Watson Lake and Dawson City and then, if successful, in the Haines Junction-Beaver Creek and Faro-Ross River areas. Now rural entrepreneurs will not be required to travel to Whitehorse for business information and assistance. The Trade Show Participation Assistance Program will enable the Klondike Visitors Association to have a booth at the Sportsmen's Show in Anchorage next month. Core funding support to the Chambers of Commerce will further assist their membership and that of this government in creating more economic opportunities throughout the Yukon.

A brief comment on the subject of Yukon hire is simply to commend this government for developing the first Yukon hire policy. It is a comprehensive policy that involves training programs, positive employment programs and casual reform as essential elements of an overall strategy designed to get more people working and to make our communities better places to work.

As a former member of the Dawson City Council and the Association of Yukon Communities, I can assure you that measures by this government to give more local control to our communities will be well received. For example, the introduction of block funding under a flexible formula will enable communities to plan their own capital programs in the near future. I am especially encouraged with the new emphasis on improving the level of municipal services in rural Yukon on several fronts, from court registry service, to bail and probation supervision, to recreation.

You may recall that I spoke about decentralization in my maiden speech, so I am pleased to hear that this government has taken action. As mentioned earlier, an economic development officer will soon be employed and just recently a community recreation consultant, based in Dawson City, was hired. Take note, this latter position was filled by a local resident who was well qualified. In all likelihood, this will also apply to the position of economic development officer. In short, the benefits of decentralizing government are obvious: more jobs and better services in rural Yukon communities.

²⁵ On the same topic, I applaud the Minister of Education for taking up the suggestion, as expressed in my maiden speech, to post a rural superintendent of education in the north Yukon area. The action will enable the rural superintendent to devote more time to working in our northern communities, thereby providing better service to students, parents, and staff. This is only one of several measures announced in the Throne Speech that will see dramatic improvements to our education system.

To summarize, rural Yukoners have benefited in many ways, some small, others major, from the attention this government has paid to the needs of our outlying areas. The new initiatives outlined in the Throne Speech and highlighted in this address will continue to place increased importance on providing the services and assistance our rural communities deserve.

In closing I want to say how pleased I am with the Speech from the Throne. I think this government is right on track and has the support of rural Yukoners. This is the true test, for what is good for rural Yukon is good for all the Yukon.

Applause

Mr. Phillips: Before I get into my reply to the Speech from the Throne, I would like to extend a very warm welcome to our legislative friends from Alaska. They have only been here for a few short days but I have already found the exchange of ideas has been very valuable to me as a Member of the House and I think that exchanges like this with our closest neighbours and friends should be strongly encouraged in the future.

On Thursday last, I listened very closely to the agenda laid out by the government for this session. I have to say that in the Speech from the Throne, the thing that hit me most was the enormous cost of all the programs planned. When you look back, and you do not have to look back very far, at the huge amounts of money this government has already spent and add on the new plan expenditure, it becomes rather scary.

We currently have a federal government looking at ways to trim government spending, because it is out of hand, and we seem, at the same time, to have a Yukon government that apparently cannot spend enough. Who will pay? I suggest that Yukoners are going to find out shortly and they are not going to be very happy.

Some of the programs that were outlined in the Throne Speech may be very worthwhile and I will address that later. A government must always, not only in tough times but also in good times, manage wisely. It seems to me that the priority for this government appears to be in studies. For the past few months press release after press release crosses my desk announcing another study. Now, in the Throne Speech, we learn of several others that are coming. I am absolutely convinced that people in the north have been, are, and still are the most studied-to-death people in the world.

A government is elected to lead. A government is elected to make decisions based on the policies that its party has developed. Public input is important but now we have a government in the Yukon that seems to have very few ideas of its own. It wants to study everything and that is a very costly way to govern.

We have just been through too many years of Liberal rule where they studied every aspect of northerners lives and I hope that what we are seeing develop here is not an instant replay, because I believe Yukoners want actions and not words. I certainly do not want to leave the impression that I do not think in some cases a study or inquiry is not needed but it should be judged on a priority basis.

This leads me to a topic that I think should be a very high priority with the government, and the hon. Member for Whitehorse South Centre guessed that it is justice. I hope to get into this at greater length later in this session but I would just like to touch on a few things at this time.

In the Throne Speech there were some suggested changes in the justice system. I commend the Minister of Justice for his initiatives, but I have to wonder why he is using a bandaid to try and stop the hemorrhage. Last summer, the Minister of Justice told us in this House that he identified an immediate need for a third judge to help clear up the court backlog. More than seven months have passed and we still have a court backlog and you know what: we still do not have a third judge. Why?

In the last session, almost every Member of this House agreed that we needed an immediate justice inquiry. We differed on the type of inquiry but we all said clearly that we needed to address the problem now. That was on October 16th of last year. On October 22nd, a petition was given to the Minister of Justice that called for the Legislative Assembly — for the information of the Justice Minister, that is us — to immediately initiate an inquiry into the judicial system in Yukon. The Minister of Justice himself signed this petition and tabled it in the House. We still, today, March 17th, 1986, still do not have any kind of justice inquiry and it must appear to all the people in the Yukon and Members of this House, with the exception of the Minister of Justice, that justice is lacking here too.

²⁶ I would also like to make a few comments on other programs that this government has embarked upon. The government talks about local manufacturing. I think that this program could be quite successful if handled properly. I would caution this government that if they encourage any Yukoner to initiate local manufacture of products, that they look closely at the product and make sure that, while starting some Yukons in interesting ventures, that they are not forcing others to lay off employees and close down.

All these ventures should also be able to sustain themselves in the future and, of course, as we will be spending taxpayers' money, they should all be cost-competitive and of acceptable quality. I will look forward with interest to the progress of this initiative.

With renewable resources, although I am not the critic for this area, I still have a very strong interest and will be following closely the government's actions. I would like to, at this time, commend the Minister of Renewable Resources for his initiatives in the formation of a new Department of Agriculture.

I would like to talk briefly about the Green Paper, also. I commend the government for going out to Yukoners and soliciting ideas on Yukon's renewable resources. I have two very serious concerns about the way it was handled. First, I feel it was almost too much to ask Yukoners to sit down in a two-hour meeting and tell you what they felt the priorities should be. Most of the public was expected to come to the meeting in their community and make comments with very little lead information. If the government is going to use this method to develop their policy in the future, they should allow more time and make available more information so the public can be more informed. The whole process seemed to me to be rushed throughout. What we are talking about here is one of Yukon's most valuable resources.

Secondly, and even more serious, are the initiatives that the Minister of Renewable Resources has already announced. Why did the Minister already announce that he is proceeding with some programs and discontinuing others, when he has asked us these very questions in his Green Paper? Did he not want our opinion? It seems in some cases the decision that will be made will be contrary to the decision the Minister has already made. I do not think that is fair if you decide to go to the public process.

I listened closely on Thursday for an indication of some type of action on freshwater fisheries. Yukoners were told over a year ago that this responsibility was ready to be transferred. The Minister of Tourism has just returned from Germany telling people about Yukon's beauty and its outdoor opportunities. I hope he did not tell anyone how great our fishing is, because we all know it is a far cry from what it was five years ago.

Freshwater fisheries in Yukon could be one of our most valuable resources. Unfortunately, I feel, like many others do, that it has been poorly mismanaged in the past. It is certainly a program which could be, and should be, better managed by us. Why does this government make little, or no, effort to accept these responsibilities? The transfer appears now to be in limbo. No one is doing anything. Because of the feeling that it was going to be transferred this spring, the freshwater part of the federal fisheries budget has been drastically cut. I am not suggesting that the government should seek this responsibility without the necessary funding, but I am confident that with some hard work the funding could be acquired, as it has been for other federal programs that we have acquired.

There is some real feeling in the Yukon that this resource could better be managed by Yukoners and would receive a lot higher priority if it was brought home where it should be. I was very concerned when all that was said in Thursday's Throne Speech was the importance of fisheries in Yukon for subsistence and commercial use. Has the Minister forgotten about sport fishing in Yukon? There are sport fishermen and women in almost every household in the territory. Almost 20,000 sport fishing licences were issued annually in Yukon. One-half of those are Yukoners. Hundreds of thousands of dollars, probably more like millions, are spent in the Yukon every year by residents and tourists alike in search of the big one. This resource, and the responsibility of fisheries, has to be a high priority with this and any future government. I am asking the Minister of Renewable Resources to ask his officials, or tell his officials, to begin negotiations now for the immediate transfer of

fisheries to the Yukon.

²⁷ I just want to make a brief comment about trapping, as others have here today. We, in this House last session, supported a Motion to unanimously assist the trappers in fighting the anti-trapping movement. I understand that some Canadian Native groups recently made trips to Europe to defend the right to trap and clearly explained their side of the story.

I support their arguments, but I have some problems with the agreements that they reached with the anti-trapping movement. As I understand it, furs harvested as a way of life for natives may become exempt from the anti-trapping lobby if they are identified as such. I raise my concern because not all trappers in Canada, and especially in the Yukon, are natives and a great many of these people also depend on trapping as a lifestyle. We have certainly not won the war by any means and we should continue in this House to support all trappers wherever possible.

With respect to energy, I would like to commend all Members of this House for the speedy passage last fall of the Energy Action Loan Program. I have to raise to the House's attention that although we worked hard to deliver this program last fall for the benefits this winter, bureaucratic red tape and a lack of action from the government resulted in the program not being available until late February this year: almost four months of critical delays. If this program could have, and it should have, been ready in early November many Yukoners and businesses would be showing a substantial energy saving this year.

I am pleased to see that things are beginning to happen also with the transfer of NCPC.

Land claims is an issue that all Yukoners, native and non-native, feel has been going on forever. Some now feel that it will never be over. I sincerely hope that they are wrong, but I, too, have some serious concerns that we are starting all over. I will be watching closely in the next few months, hopefully for positive results. I would also hope that the Yukon government makes the changes agreed upon in the Memorandum of Understanding public as soon as possible.

I would like to express my views on the Constitutional Committee that is going to be set up through the new Land Claims process between the territorial government and the Council for Yukon Indians. As I understand, this Committee will be looking at the devolution of responsibility to the Yukon government. I am very concerned about the power of this Committee and in no way should it have a veto over any constitutional development in Yukon. Consultation must take place, but it is the Members of this legislature who are the Government of Yukon and it is the responsibility of everyone in this House to deal with these important matters. I am confident in the Members who sit in this House that the interests of all Yukoners can be and will be served well. After all, that is why we were elected and it is unfair to all of the Yukoners to allow any group, no matter who they may be, the power of veto or control over a matter as important as this.

We will also be looking forward to a full description of the job that the Land Claims public education coordinator will do.

I would like to commend the Minister of Health. I am pleased to see that they are developing a new homecare program for seniors and I am looking forward to obtaining more details when we get into the budget.

I would also like to raise a concern I have about the reopening of the mine in Faro. This involves the Skagway Road. The on-again, off-again, maybe we have a deal, maybe we do not have a deal situation. It seems to me that based on the facts we now have, we really blew this one. Maybe we should see if we can hire the American negotiator; he did a fine job. We in the Yukon realize the Skagway Road is essential to the reopening of the Faro mine, but at the same time, Yukoners are now going to have to realize that this deal is going to cost many times more than what we have been told. We are now told for the second time we have a deal, yet in fact we are not out of the woods yet. There have been as many unanswered questions and costs now as there has ever been. I am not so sure with all the problems that are still on the horizon that we should be looking at other options for the future. What I am talking about here is the possibility of reviving the railroad and/or looking at Tarr Inlet

as an all Canadian option.

²⁸ In the next few weeks, I think it will be very important to pin down the actual cost of maintaining and upgrading that road. I repeat, I feel it is good that the road will be opened, but this government's poor planning and misleading statements are going to cost us all a great deal of money.

Today, I just touched on a few areas of concern that I hope to pursue in this session. I am pleased that the government has moved in some programs but, in general, the movement has been too slow and too many mistakes have been made. I will be looking forward to the budget because one has to believe, with all the grants and studies that have gone out, or are planned, that the well must be getting rather dry.

Before I conclude today, I would like to take a few minutes of your time to say a few brief words about a friend and a first class Yukoner. Doug Bell made quite an impression on myself in the years that he was Commissioner. In some cases, people grow with their jobs but, in our case, the job grew around Doug Bell. This certainly is a perfect case for having the right person in the right job at the right time. His sense of humour, his wit and his unique ability to communicate effectively with all Yukoners will be missed. I am sure that most of us have not heard the last of Doug Bell and, for Yukon's sake, I hope not. Doug, for you and Pearl, I would like to wish good health and much success and may the many happy memories you and Pearl have left us with be as rich for you as they have been for us. Thank you very much.

Applause

Mr. McLachlan: So much of the Throne Speech had to do with economic development and improvement of our territory that I would certainly like to suggest to the Government Leader that, perhaps, one way to deal with the economic development in rural communities is to consider putting in a McDonalds — it seems to be doing very well in Whitehorse. Lest you get the wrong impression, I do not mean that that means sending the Minister of Education all around the territory wearing a little pin, now, in the Mayo-Elsa area.

The Yukon hire policy is a good policy to initiate insofar as the government recognizes that there not be infringement on the *Canadian Charter of Rights and Freedoms* with respect to mobility and the recognition that not all specialized trades required for Yukon industry are available locally. To that end, programs should be developed for training in the job gap where it exists, but only if there is a continuing demonstrated need for these specialties. Previous training programs, on many occasions, have historically trained Yukoners only to find there is no market for their newly-developed skills. We thus become a net exporter of Yukon skills training as these people sought to find work elsewhere, out of the territory, to fulfil their newly-acquired skills.

We, in this party, would back the establishment of a gluelam beam plant, but only if the raw product is prepared properly through the use of the drying kilns. If the government fails to ensure that the raw material is not prepared properly, the laminated beam plant may be only so much puffery.

The government has promised local consultation workshops and an economic forum with diversified sectors of Yukon society present. But unless an agenda for success is prepared in advance, also with consultation within these groups, the subject of the conference itself often degenerates into a general bitching session. Where there is smoke there must be fire for this approach to work. Although the first kick at the cat was well received, vis-a-vis the desirability of the end product of locally manufactured furniture, many questions remain as to who, outside of government, can afford this. Perhaps the small business incentives sub-agreement, currently being negotiated, could help, but it is completely unclear in the Throne Speech why references made only to forestry and agriculture as being more mature in manufacturing and processing sectors. Does that then say that mineral processing is out completely, a non-qualifier?

In many instances, the Throne Speech has adopted the carrot-on-the-string approach, with very little else concrete at the end of the string. It may lure business to strive to new heights, but it may also

cause then to fall off into the muskeg without some defined course of action, which the Speech failed to address.

²⁹ The Government Leader has not specified what EDA projects are in trouble with funding from Ottawa, nor has he elaborated on how he plans to get out of the problem. Yet great hopes continued to be held out for the EDA's in the Renewable Resource sector in areas of ranching, fur marketing and greenhousing. If we are unsure of the starting point, the path to follow and the means to do it, how then can we be sure of the end product?

So much of the Throne Speech falls into the category of over-simplification: a peaches and cream story of perfection, a dream of conquests without any pitfalls in the road, mountains to climb or windmills to tilt at, without anybody saying that there really are rocks, and sharp ones, out there on the road. One of those rocks stands in the way of the transfer of the power commission operations to the Yukon.

This stands to be one of the most important developments that the territory faces since the national gas pipeline project collapsed. It is bigger than the reopening of the Curragh Mine and it has greater long term implications than the mine's reopening. What is the government side of the House ready to do? They are going to give away half of the action, the money-making part of the action, and send the profits down the Alaska Highway to our poor, undeserved, underprivileged orphan cousins in the Province of Alberta. This they are doing in the best interests of the territory. I really thought the Cabinet was made of greater spunk than this.

Efforts and programs designed to improve Yukon's mining industry appear to be successful, working, and increasing the potential of Yukon's mineral output back to the level that it once held. Such government support programs as Mineral Industry Recovery, Resource Roads, Mineral Exploration Incentives and Prospectors' Assistance Programs will do well to aid our hardrock recovery program.

Tourism and small business incentive development programs have the best intentions of the beneficiaries at heart, but the reliance and the ability of the small business development office to deliver the answers sought by the recipients is becoming increasingly important. This office will require more support staff as its assignments increase, more funding as its levels of activities increase, and more sophistication of its program delivery and information responses. If it should fail, a large segment of this government's initiatives towards business development will go with it.

We have heard of plans to decentralize government services in an election scheme last May. To date, nothing has happened, although grandiose plans exist for both the Business Development Office and senior supervision in the Department of Education. This is a start if, in fact, it does happen, but it is not good enough. It only pays token lip service to beautiful election schemes. More must happen and be seen to be happening.

This government must take gigantic steps forward toward the completion of a land claims process. The struggle has gone on long enough without more positive results developing and with only a conflagration of opposing views and opinions. Failure to resolve the land claims issue will only impede further development of Yukon's economy, and almost all programs will eventually wind up running up against this barrier.

We in this party are pleased to see extension of health care benefits to include new appliances, drugs and the treatment of chronic diseases not previously covered. The homecare program will fill in the gap not previously covered and often requested. What happened to the reduction in the health care premiums that the Government Leader touted to the press? Was it a misquote? Or, is the expanded coverage under the YHCIP a tradeoff for reduced premiums? It would appear that only the hairdresser knows for sure, and she is not telling, just yet.

The Throne Speech seems to contain a something-for-everyone, almost-maybe approach. If you are part of a certain group that this government saw as being disenfranchised before, then you are in. If you are on the fringe, it is well, maybe. If you are on the outside looking in, you have to struggle hard and hope that some carrots or plums will be thrown your way.

³⁰ I would agree with the Member for Riverdale North and the

Leader of the Official Opposition, that Mr. Bell was indeed the right man for the right job and I am sorry to see him leave his position. Appointments often made by Liberal governments were criticised, but I know that all Members of this House will agree with me that this was not the case with Mr. Bell. He has served the Territory well and all Members of this House, I am sure, join with me in wishing Doug and Pearl well. Thank you.

Hon. Mr. Kimmerly: I too would express my personal thank you and best wishes to Doug and Pearl.

As this is my first opportunity to stand on my feet and express a few words not in a completely formal context, let me also welcome the new member for Porter Creek West and let me, in passing, observe that when I was elected in 1981, I was the second lawyer in the House, a subject that was commented upon in the 24th Legislature. In the 25th Legislature there was only one lawyer, and there are now three, and lawyers are 17 percent of the Conservative Caucus and I am pleased to see that the Legislature is maturing.

The member for Riverdale North raised some justice issues and I will respond to them now. He spoke about the delay in the appointment of the third judge. Let me point out that the appointment of judges is regulated by statute and the Judicial Council is, by legislation, mandated to recommend judges before appointment by the Cabinet. I spoke at the Judicial Council, initially, and asked them to proceed with haste, and I had hoped that a judge could be named by September. In fact, I received the recommendations last Wednesday, March 12th, and will be acting on them as quickly as is appropriate.

I should also point out that the backlog in the court, although it is still not acceptable, has improved. I am unable to give specific numbers because the methodology to identify the average backlog did not exist in May or October; indeed, it still does not. However, despite a base figure, I am able to say that except in the exceptional case we are approaching a 90-day turnaround in the Territorial Court from first appearance to disposition in the court. It still is not good enough. My aim is 90 days from alleged offence date, not the first appearance in court, which is usually three weeks or so after the alleged offence date.

³¹ In any event, there is a significant and reliable indication of improvement, and although there has not been a regular full time judge, we have used deputy judges to fill the space, and that is one of the reasons why we are in better shape today than we were last May.

As to the inquiry, I fully recognize that there is, and should be, an onus on me to explain the delay. There is a delay, and I shall explain it. Colloquially speaking, the Member opposite spoke about bandages and hemorrhages. Let me say that after the public consultation process on the select committee on human rights, I felt somewhat bruised, and I have acted with extreme caution. That is a colloquial way to put it. I consider that this inquiry, and there will be an inquiry, is of utmost importance and it must be done very carefully. That means that the proper thought and, indeed, some control must go into the planning of it.

The appropriate decisions have now been made and it is a matter of identifying the specific individuals who will carry out the inquiry, and that is not complete as of today. When it is complete, I will be making a full announcement. However, there will be an inquiry consisting of three people, all of whom are local Yukoners, and non of whom are "experts", that is, lawyers or judges. It will be a lay inquiry, although these people will have some background in the judicial system and some ability to know what contempt of court is, for example, and some ability to respond to questions as well as simply receive input.

The delay is also occasioned by the consultations that I have had with the various segments of the system, and the member will recognize that many of the areas that may be commented on in an inquiry are not areas within the jurisdiction of this government. Consequently, we must act with caution.

³² It is for those reasons, and primarily in an effort to be careful, thorough and appropriate, that we did not rush ahead and establish something that may let a tiger out of a cage, and not have an ability to get it back in. Indeed, the Member's own comments were

tempered and appropriate in the House, but not so in the local media.

With respect to land claims, this is not my area but I am going to mention a little bit about the generalities, because it bears repeating over and over again. The land claims process is not starting all over. There is a difference in approach. I will speak only about the process, not about anything concrete. The approach of the previous government, which was clearly articulated, was that there would not be any changes or concessions, if you will, until an agreement was reached. They originally talked about extinguishment, although they later changed that.

Our approach, as has been stated, and I simply repeat, has a difference. It is that the way to settle the land claims is to have some achievable, concrete successes, that is, to do something together. It may be an agreement about child welfare in the Haines Junction area pursuant to the *Children's Act*; it may be other things. We hope it will involve freeing up the land. The principle is to have some successes. That has been articulated before, and I repeat it simply for emphasis.

I would like to respond also to what was said about Human Rights. It is certainly appropriate that the government now announce in greater detail its intentions in that area for this session. I said, colloquially, that the select committee process, which was followed after the close of the second session, was bruising, and that is accurate, but let me go back to what I said on second reading of the old Bill No. 58 on October 24. I spoke about the history of the process, and I identified that the previous Conservative government, in August 1984, published a Green Paper that did not take a position on all of the important issues on Human Rights, and that all of the respondents to that paper said it was appropriate for the government to express its position and to have a consultation process about that position. I said this, "That is exactly what we are doing. We are not presenting a White Paper to the public because of the long delays in the past. We perceive that the public mood is that we have waited long enough and it is time to act."

As the responsible Minister for the Bill, I was obviously concerned about the delays, about our inaction over the past decade in this area, and I was making an effort to catch up. I certainly recognize that the way it was proposed was a misjudgement; that the catch-up process has to go through all of the steps that other jurisdictions went through, albeit 10 and 20 years ago.

Consequently, we are changing our strategy somewhat and this sitting we will propose a White Paper on Human Rights, which will not contain specifically a Bill. It will contain, very clearly, the government's position on all of the relevant issues which would be contained in a Bill. This will avoid the very unproductive process that occurred in the Select Committee about arguing from the very worst case about the possible interpretation of a particular clause in a Bill. We will make every attempt to focus the discussion on principles and the proposal of the government will be very, very clear. We will hope that there will be a responsible discussion among the public and legislators about those principles.

Although it is wrong, I now feel, to impose any artificial timelines or deadlines, I would hope that in this sitting, in the fall session, we can have another Bill introduced by the government. That is certainly the ambition of the government but not the absolute promise, because it depends on the result of the public consultation process around the White Paper.

Thank you.

³⁴ **Hon. Mr. McDonald:** I move that debate be now adjourned.
Speaker: It has been moved by the hon. Minister of Education that debate be now adjourned. Are you agreed?

Some Members: Agreed.

Motion agreed to

Hon. Mr. Porter: I would like to inform the House that, pursuant to Standing Order 26, proceedings on the Motion for an Address in Reply to the Speech from the Throne will continue on Wednesday, March 19.

I move that the House be now adjourned.

Speaker: It has been moved by the hon. Government House Leader that the House do now adjourn. Are you agreed?

Some Members: Agreed.

Motion agreed to

Speaker: This House stands adjourned until 1:30 tomorrow.

The House adjourned at 3:48 p.m.

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The following Sessional Papers were tabled on March 17, 1986:

86-3-2

Report of Auditor General on examination of accounts and financial transactions of Government of Yukon for year ended March 31, 1985 (Johnston - Speaker)

86-3-3

Letter dated December 18, 1985, to Speaker from Rt. Hon. Brian Mulroney re motion passed by Assembly on July 18, 1985 (Johnston - Speaker)

86-3-4

Report from Clerk of Assembly on deductions from indemnities of Members pursuant to subsection 40.1(6) of *Legislative Assembly Act* (Johnston - Speaker)

86-3-5

Addendum to report of Chief Electoral Officer on contributions to candidates during 1985 general election (Johnston - Speaker)

86-3-6

Yukon Liquor Corporation Annual Report April 1, 1984 to March 31, 1985 (Kimmerly)

86-3-7

Workes' Compensation Board 1984 Annual Report (Kimmerly)

86-3-8

Department of Justice Annual Report 1984/85 (Kimmerly)

86-3-9

Submission of the Yukon Territory to the Commission of Inquiry on Unemployment Insurance, February 1986 (Kimmerly)

The following Legislative Returns were tabled on March 17, 1986:

86-3-1

Service Contracts (Written Question No. 3, 2nd Session) (Kimmerly)

86-3-2

Buffalo compound project (Written Question No. 4, 2nd Session) (Porter)

86-3-3

Tatchun-Frenchman Lake Recreation Area Project (Written Question No. 5, 2nd Session) (Porter)

86-3-4

Cultural history of Little Salmon people (Written Question No. 2, 2nd Session) (Porter)