



The Yukon Legislative Assembly

Number 11

2nd Session

26th Legislature

HANSARD

Monday, October 21, 1985 — 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 Bureau.

GOVERNMENT PRIVATE MEMBERS

New Democratic Party

Sam Johnston	Campbell
Norma Kassi	Old Crow
Art Webster	Klondike

OPPOSITION MEMBERS

Progressive Conservative		Liberal	
Willard Phelps	Leader of the Official Opposition Hootalinqua	Roger Coles	Liberal Leader Tatchun
Bill Brewster	Kluane	James McLachlan	Faro
Bea Firth	Whitehorse Riverdale South		
Dan Lang	Whitehorse Porter Creek East		
Doug Phillips	Whitehorse Riverdale North		

LEGISLATIVE STAFF

Clerk of the Assembly	Patrick L. Michael
Clerk Assistant (Legislative)	Missy Follwell
Clerk Assistant (Administrative)	Jane Steele
Sergeant-at-Arms	G.I. Cameron
Hansard Administrator	Dave Robertson

⁰¹ **Whitehorse, Yukon**
Monday, October 21, 1985 — 1:30 p.m.

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

Prayers

Special adjournment

Hon. Mr. Porter: I move that the House do now adjourn until 3:00 p.m. today.

Speaker: It has been moved by the hon. Government House Leader that the House do now adjourn until 3:00 p.m.

Motion agreed to

Hon. Mr. Porter: For the record, the reason for the Motion is to permit Members to attend the memorial service for Pat Harvey.

Speaker: The House stands adjourned until 3:00 p.m.

House adjourned until 3:15 p.m.

Speaker: I will now call the House to order.

INTRODUCTION OF PAGES

Speaker: At this time, I would like to introduce two Pages to the House. They will be assisting the House during this Session, Matt Baran and Maria Mehli from Christ the King Secondary School in Whitehorse. Maria has just recently moved to the Yukon from Bolivia. It is a pleasure for me to welcome these Pages to the service of the Assembly. I would invite them to join us on the floor at this time.

Applause

DAILY ROUTINE

Speaker: We will proceed at this time with the Order Paper. Introduction of Visitors?
 Are there any Returns or Documents for Tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald: I have five legislative returns for tabling dealing with School Busing and French Language Education matters. I also have for filing a document entitled Third Party Equipment Rental Rates, 1985, and another document entitled Yukon Territorial Government Study of the Feasibility of Integrating the Whitehorse Component of the Yukon Ambulance Service with the Fire Department, City of Whitehorse, dated November 26, 1984.

Speaker: Are there any Reports of Committees?
 Are there any Petitions?
 Introduction of Bills?

INTRODUCTION OF BILLS

Bill No. 28: First Reading

Hon. Mr. Penikett: I move that Bill No. 28, entitled *Yukon Development Corporation Act*, be now introduced and read a first time.

Speaker: It has been moved by the hon. Government Leader that Bill No. 28, entitled *Yukon Development Corporation Act*, be now introduced and read a first time.

Motion agreed to

⁰² Bill No. 74: First Reading

Hon. Mr. Porter: I move that Bill No. 74, entitled *An Act to Amend the Wildlife Act*, be now introduced and read a first time.

Speaker: It has been moved by the hon. Minister of Renewable Resources that Bill No. 74, entitled *An Act to Amend the Wildlife Act*, be now introduced and read a first time.

Motion agreed to

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

Notices of Motion?

Statements by Ministers?

This then brings us to the Question Period.

QUESTION PERIOD

Question re: Frenchman/Tatchun Lakes Road

Mr. Phelps: I have a question arising from the Frenchman/Tatchun Lakes road issue. On October 17 I asked the Minister of Renewable Resources the following question, on page 180 of *Hansard*: "Can the Minister tell us why he did not discuss this matter with his Land Claims Negotiator prior to negotiating the agreement?"

The Minister replied: "The issue, in terms of the Frenchman/Tatchun question, was an issue that was presented to me by the Department to deal with more or less as soon as we took over government. There was no Land Claims negotiator appointed until well into August."

The press release was issued on August 22; the contract was signed on August 22. Will the Minister agree that the Land Claims negotiator started to work for this government on August 5?

Hon. Mr. Porter: Yes, that is true.

Mr. Phelps: Can the Minister advise this House whether he has received an opinion, or sought an opinion, from the Land Claims negotiator or Justice officials, as to whether this payment of \$100,000 was necessary in order to move the right of way around the beneficiary's place?

Hon. Mr. Porter: The Land Claims Secretariat was contacted, and it did give an opinion to the Department of Renewable Resources.

⁰³ **Mr. Phelps:** Will the Minister advise this House as to what their opinion is?

Hon. Mr. Porter: I do not have the memo in front of me. Essentially, they stated that — if I recall it correctly, and going on memory, as the Member for Whitehorse Porter Creek East so often does — the essence of their opinion was that there were provisions in the Agreement-in-Principle that spoke to this, and that we probably could go to the federal government to obtain the right of way but they said that that was politically unacceptable.

Speaker: New question.

Mr. Phelps: If the Minister cannot remember, I would ask him to table an answer later, but if he can remember, could the Minister advise the House if the Department received instructions about the political climate from the Land Claims negotiator?

Hon. Mr. Porter: The essence of the opinion, as I recall it, was that to go to the federal government and obtain the necessary right of way without consultations with the Band would be an unacceptable opinion. That is what I recall from the memo.

Mr. Phelps: Will the Minister take steps to refresh his memory in case we wish to ask him questions in days to come?

Question re: Government Leader's office equipment

Mr. Coles: I have a question for the Government Leader. Can the Government Leader advise the House as to whether or not there is now or is going to be voice-activated equipment installed in the Government Leader's office?

Hon. Mr. Penikett: No such equipment has been installed in the Government Leader's office.

Mr. Coles: I have a question for the Minister in charge of Government Services. Can the Minister advise the House, now — or perhaps he could check and advise the House later — as to whether or not voice-activated equipment was purchased for the Government Leader's office sometime in the last year?

Hon. Mr. Kimmerly: On the 27th of March, 1985, the then Communications Advisor, Andrew Hume, requested on behalf of the then Government Leader, Mr. Phelps, to purchase transcribing equipment for use in the Government Leader's office and the

capabilities were to include a voice-activated recording device for use in the room and on the telephone.

Mr. Coles: Could the Minister of Government Services tell us what the cost of that was?

Hon. Mr. Kimmerly: Four thousand, one hundred and ninety-five dollars.

Question re: Frenchman/Tatchun Lakes

Mr. Lang: I would like to direct a question to the Minister of Renewable Resources with respect to the issue of the Frenchman/Tatchun Lakes. I have received the tabled Third Party Equipment Rental Rates, 1985. Is the Minister going to supply this House with who the contractors were who worked on the project? Secondly, could he supply this House with the rates that were charged as opposed to other similar rates charged across the territory? Were they the lowest rates charged?

Hon. Mr. Porter: Yes. I have the information. It was delivered to me this afternoon and is not in accepted form yet. I will undertake to have it drafted and tabled through the Clerk's Office.

Mr. Lang: Was the Minister advised, either verbally or in writing, by either the Department of Highways or the Department of Renewable Resources that the agreement that he was entering into contravened all the principles as they pertained to the Third Party Agreement?

Hon. Mr. Porter: No, I was not advised to that extent.

Mr. Lang: The Minister nor his top aides, at the top management of the government, were not advised that this contravened the Third Party Agreement? He had no idea that it would, is that what he is telling me?

Hon. Mr. Porter: I really do not understand the Member's question. If the Member's question is if the contracts that we let to the local contractors in Carmacks were a contravention of the policy, the answer is no.

Speaker: New question.

Mr. Lang: I would like to ask the Minister another question. He referred, the other day, to the process by which one would apply for a third party rental contract with this government. In view of the fact that he does have a written agreement with the Carmacks Indian Band which makes it a requirement to go to both the government and the Indian Band for contractual purposes, if you wish to do work there, could he explain the process again? If I was a contractor from Mayo and I wanted to work on that particular project, and my prices were similar, if not lower, would it be the policy of the government that I would go to the Government of the Yukon Territory for the purpose of looking for work or to the Indian Band in Carmacks?

Hon. Mr. Porter: The obvious answer to that is that, in terms of any contract that has to do with this government, the contractor would be obligated to speak with the government.

Mr. Lang: I know the contractor, who had very low prices; I would submit, probably lower than any others that were submitted. He approached the Department and the Department told him to go to the Carmacks Indian Band for the purpose of seeing whether or not he could go to work on the project. How does the Minister account for that?

Hon. Mr. Porter: I am totally unaware of the allegation made by the Member opposite. I will follow through in discussions with the Department to see if what the Member states in the House is true.

os

Question re: Liquor warehouse proposed

Mr. Phillips: I have a question for the Minister of Justice regarding the new \$900,000 liquor warehouse.

Could the Minister tell this House why he stated in general Budget debate on Thursday that we need this building in the next five years, and then later on in the debate the Minister stated that the building would be needed sooner, and possibly as early as two years?

Why did he change his forecast of need during the debate, and when do we really need the building?

Hon. Mr. Kimmerly: In the first instance, I misspoke myself, and I should have said we will need the building within the next five years.

Mr. Phillips: I have some very serious concerns about using taxpayers' money to build, heat, light and maintain a large warehouse for anywhere from two to five years waiting for its need, using the taxpayers' money. Private industry would not build such a building if they did not need it for two years. Would the government consider deleting this \$900,000 expenditure from the Budget, or at least, if jobs are more important — and we on all sides here agree that jobs are more important — redirect this approximately \$1 million to a project from which Yukoners could see immediate results, such as mining and tourism?

Hon. Mr. Kimmerly: That issue was debated Thursday during the Budget. It is not a question. It is an effort to publicize the debate once again. The responses I made on Thursday stand.

Mr. Phillips: I think it is a very important question when someone is going to build a warehouse and let it sit vacant for three to five years, and heat it and light it in the Yukon.

Since the Minister will not change his mind on this project, will he discuss it with the Minister of Education, who is also planning to build a warehouse to store school equipment, and possibly delete \$15,000 this year, and the \$300,000 that they will be spending in the future to store the school equipment, in our new million dollar heated, lit and empty liquor warehouse?

Question re: Government Leader's office equipment

Mr. Coles: Can the Minister advise the House as to whether or not there was any other types of recording equipment, voice-activated or telephone monitoring equipment ordered for any other Minister's offices?

Hon. Mr. Kimmerly: No, there was not.

Mr. Coles: Was the equipment that was ordered, and I assume arrived and paid for, ever installed in any offices in this building?

Hon. Mr. Kimmerly: It was delivered to the then Government Leader in April, 1985. I am unaware of the precise date. It was in that month.

Mr. Coles: Does the Minister know whether or not it was ever installed and actually used?

Hon. Mr. Kimmerly: No, I assume that only Mr. Phelps could tell us that.

Question re: Cyprus Anvil Mine reopening

Mrs. Firth: I have a question for the Government Leader regarding the Cyprus Anvil Mine opening. The previous Government Leader had an agreement with Mr. Forbes, in the form of a letter, much to the effect that if the mine was to proceed and open the government would be prepared to purchase \$1,000,000 worth of houses from the mine as well as spend \$200,000 for the recreational facilities. Is the Government Leader prepared to uphold this previous commitment?

Hon. Mr. Penikett: For reasons that the Member opposite will well understand, while we were quite prepared to stand by the commitments of the previous government, those commitments were not appropriate to the new circumstances and the particular proposals of the new proponent. Until such time as we are able to close that deal and those negotiations are final, I will not get a report to the House in detail on what arrangements are necessary to facilitate a reopening. I hope to be able to do that soon. I had hoped to have been able to do that by now. I am sorry that I have not been able to.

Mrs. Firth: Could the Government Leader then give the House some assurance that the identification of the allotment of funding in the Health and Human Resources budget for \$1.3 million, \$900,000 of which is to be spent for the 1986-87 year for the staff housing in Faro, does not negate that previous commitment that was made?

Hon. Mr. Penikett: If I understand the question, I do not think that it negates anything. The fact of the matter is that we will be required to involve ourselves in matters of considerably greater complexity than was ever contemplated by the previous government and the previous owner of the mine, if we are to reopen it.

Mrs. Firth: I just felt that after the budget debate it looked like

the two could be the same, and I appreciate the Government Leader's position that he does not want to reveal what the negotiations entail. Perhaps the Government Leader could research the question that I am asking to see that that amount is not duplicated?

Hon. Mr. Penikett: I will certainly take that question under advisement and I will have my officials, particularly the Department of Economic Development, contact the officials of the Department of Health and Human Resources to make sure there is no redundant expenditure.

Question re: Buffalo, woods or plain

Mr. Brewster: My question is to the Minister of Renewable Resources. In the 1985-86 Estimates, I questioned if the buffalo that were being transported to the Yukon were wood buffalo or plains buffalo. Has the Minister checked into this situation and can he confirm that these transplanted buffalo are not a strain of the plains buffalo?

Hon. Mr. Porter: No I have not ascertained whether they are a strain of the plains buffalo. That has not been forthcoming from the Department. As soon as I receive the material I will turn it over to the Member opposite.

Mr. Brewster: Does the Minister accept the statement made by the Deputy Minister of Renewable Resources that the size alone is a distinct characteristic between wood buffalo and plains buffalo, and it is a known fact that animals that are kept in enclosures year around will grow larger than those that are out in the wild.

Hon. Mr. Porter: If I were qualified, I would feel that I would be able to answer the question with respect to the differences in sizes of the two species that the Member opposite alludes to.

I do not have any biological background and, frankly, I do not know the difference between the two.

Mr. Brewster: An accepted scientific criteria to distinguish buffalo is to measure the horn core. How many accepted and established sub-species of buffalo are there? Can the Minister assure us that we are transplanting into the Yukon the so-called endangered species?

Hon. Mr. Porter: If I answer the question correctly, what prize do I get? It does seem like an exercise to see how much biological knowledge on buffalo the Minister has. As I have stated to the Member opposite, I profess no particular expertise in this area. The question of whether or not we are importing endangered species is a serious question, and that portion of your question will be directed to the Department, and I will have them give me an answer, which I will translate to yourself.

Question re: Government Leader's office equipment

Mr. Coles: I have a question for the Minister of Government Services. The information I have regarding this tape recording system is that the equipment must have the capabilities of picking up and recording all conversations in the Government Leader's office and in a medium-sized conference room, be voice-activated rather than manual, with the ability to monitor in and outgoing telephone conversations, and have a two hour recording capability. Is this the equipment that was ordered and purchased?

Hon. Mr. Kimmerly: Yes, it was. The requirement was to have exactly that capability. It was called an Advocate III system, which is a sensitive voice-activated recording system.

Mr. Coles: Could the Minister advise the House as to what purchasing procedures were followed to obtain this equipment?

Hon. Mr. Kimmerly: There was an invitation to tender, which is the normal procedure in this case. Paul Butte Sales in Whitehorse became the supplier.

Mr. Coles: In my mind, transcribing equipment and voice activated tape recorders are two quite different things. Was it advertised as voice-activated transcribing equipment, or how was it advertised? What were the purchasing procedures?

Hon. Mr. Kimmerly: I do not have that specific information in front of me. I expect that I can get it, and I will forward it to the Member.

Question re: Animals at large

Mr. Phelps: I have a question to activate the voice of the Minister of Renewable Resources. It has to do with animals at large, the *Pounds Act*. I did send some correspondence to your fellow Minister, the Minister of Community Affairs. Which Minister is taking the responsibility of looking at the problem of animals at large in various areas of the Yukon, particularly in Hootalingua?

Hon. Mr. Porter: First I would like to say that it is a pleasure to recognize that the Leader of the Official Opposition likes to activate my voice.

With respect to the responsible ministry, the *Pounds Act* is an Act that falls under the jurisdiction of the ministry of Renewable Resources, so therefore, I am the responsible Minister.

Mr. Phelps: Can you tell us whether or not the problem is presently under review by your Department, and what you intend to do with regard to developing a policy?

Hon. Mr. Porter: I understood that this is a problem that is not new to government. It has been a problem for a number of years. There is a litany of complaints on the books. For one reason or another, there were a great deal of problems associated with the enforcement and the implementation of the *Pounds Act*. What we have done is, because the problem affects the agricultural community directly, and all others in the Yukon indirectly, we have asked for the Agricultural Planning and Advisory Committee to formulate a subcommittee to make recommendations to us as to what is the best possible procedure to follow in terms of implementing the *Pounds Act*.

Mr. Phelps: Can the Minister tell me whether or not that advisory committee will be available to hear from various residents throughout the territory about their complaints and their ideas about a solution?

Hon. Mr. Porter: Apparently the subcommittee set up under the Agricultural Planning and Advisory Committee, aside from having representations from the agricultural community, has representations from outfitters, other interested parties and the government. As to whether or not this committee would be prepared to hear advice from the general public, I am sure that they would have no difficulty in accommodating the views of the general public. My understanding is that once they have recommended some alternatives, some procedures as to the implementation of the *Pounds Act*, they intend to have some form of public discussion on the matter.

Question re: Employment opportunities

Mrs. Firth: I have a question regarding the local employment opportunity program for \$2 million. The Minister has made very clear who is eligible for the program. I wonder if he could inform the House now as to what the criteria for eligibility will be?

Hon. Mr. McDonald: I am going on memory now. There is a list of criteria required in order to make application for this particular program. The program is essentially for capital projects. The eligible applicant can apply for up to 100 percent of a particular project of up to \$100,000. The program guidelines include an emphasis on the purchase of local materials, and the use of local labour. There is the clear understanding that the funding will be spread out around the territory, as much as conceivably possible, given the kinds of applications and the number of applications received from various communities.

Those are roughly the guidelines. I will provide a more detailed account if the Member wishes.

Mrs. Firth: I would appreciate the Minister sending the criteria and maybe a copy of the application to the MLAs.

My first supplementary is regarding the approval process. Could the Minister tell us what the approval process is going to be? Is there going to be a committee that will approve the projects and will there be a committee for each community or will it be one committee for the total amount of money?

Hon. Mr. McDonald: There will be a committee that will handle requests for the entire amount. Initially, the committee will be made up of appropriate Department representatives who will evaluate and assess the applications. They will include members from my own Department, especially the Inspections Branch. They will also include members from other appropriate Departments,

including Education and Economic Development. I will chair this particular committee and we will report to the government's Management Board for a final determination of the projects.

Mrs. Firth: Do I understand correctly, then, that people will make applications and the application will go to a committee consisting of Department officials and the Minister is chairman? Will the individuals or groups or Bands, or so on, who are applying have an opportunity to present their case personally before the committee?

Hon. Mr. McDonald: Yes, certainly, if there are difficulties with respect to the method in which the application has been forwarded, or if it is incomplete in any way. If the committee feels that the information is incomplete, we will not turn an application down out of hand; we will try to ensure that we have a very clear understanding of what the project is and the capability of the proponents. It is not our intention to be bureaucratic about this. We would like to be as fair and as accommodating as possible.

Point of Personal Privilege

Hon. Mr. Penikett: Just a moment ago I was handed a note advising me that a new Government Leader has been chosen in the Northwest Territories. I am sure that all Members of the House would want to join me in extending the best wishes of this House to Mr. Nick Sibbeston, who we are advised is the new Government Leader in the Northwest Territories.

Applause

Question re: Group homes

Mrs. Firth: I have a question for the Minister of Health and Human Resources regarding group homes, government versus the private sector. Has the Minister enquired of her officials about a cost comparison on a per-day, per-client basis to operate a government group home compared with operating a private group home?

Hon. Mrs. Joe: No, I have not done that.

Mrs. Firth: Will the Minister be reviewing this or will she be making a request of her officials to review it? If she does, could she bring the information to the House?

Hon. Mrs. Joe: I can do that.

Question re: Day care

Mr. McLachlan: My question is to the Minister of Human Resources. A letter to the Editor in one of Friday's papers outlined a problem with one parent who is receiving a day care subsidy who must wait an additional two or three weeks past an October 15 due date to collect her cheque because of problems within the Department. Will the Minister assure this House that this is just an isolated case of a Departmental slip-up and does not reflect any major change of policy within the Department?

Hon. Mrs. Joe: The information that I have is that there was a bit of a problem in Finance this month and that that problem has been overcome. The way that the claims are processed is that they have from the first of the month to the 20th to submit those claims for subsidies, and the sooner they get them in, the sooner they receive payment.

Mr. McLachlan: The Minister earlier indicated that there was some concern on the part of the government about paying the subsidy direct to the day care centre because some parents who are receiving the subsidy did not want the confidentiality of the system broken down. I suspect that the day care centres may have something to say about this if they thought they could be influential in the decision. Does the Minister not agree that the simple way around the problem is to request that the parents sign a consent to pay direct form to eliminate this problem?

Hon. Mrs. Joe: We are looking at that and still reviewing it. We have not come to a decision yet.

Mr. McLachlan: The letter to the Editor points out a problem, how a slip in the bureaucracy can cause some undue problems for the recipient of the subsidy when cheques goes awry. In this case, one parent was wondering if her child would be asked to leave the day care centre because of a non-payment of the bill. Will the Minister now agree that the easiest way is for the subsidy to be paid

direct to the day care centre if it is agreeable to the parent that it be done this way?

Hon. Mrs. Joe: The payment to the day care centres would probably get there at about the same time that these cheques would normally get to a parent.

Question re: Frenchman/Tatchun Lakes Road

Mr. Lang: I want to give another question to the Minister of Renewable Resources. Is this a correct statement from the Minister of Renewable Resources: "I read the entirety of the AIP, Agreement-in-Principle, prior to becoming involved in negotiations with respect to the Frenchman/Tatchun road issue". Is that an accurate statement?

Hon. Mr. Porter: Yes, I read the Agreement-in-Principle.

Mr. Lang: Therefore, he knew then, prior to going into negotiations during late July and August, that it would have an effect on the Land Claims negotiations? Is that correct?

Hon. Mr. Porter: As to whether or not it would have an effect on the Land Claims negotiations, that is not for me to predetermine. All that exists now on the negotiating table is a proposal to reach a memorandum of understanding among the three parties as to how they will begin a new process of Land Claim negotiations. There is no understandings with respect to all of the 72 subagreements that have been rejected by the Bands.

Mr. Lang: The Government Leader is on record as saying that the Government of Yukon Territory would not unilaterally change the Agreements-in-Principle unless at the negotiating table. On August 5, the Land Claims negotiator, Mr. Stewart, was appointed. The agreement was reached on August 22. Why was this particular issue, because of its ramifications, because of the concerns in this House and in the public, not discussed with Mr. Stewart, who is getting paid \$600 a day? If you do not discuss issues of this kind, what do you discuss with him?

Hon. Mr. Porter: The question had been answered, and on the question of consultation in this fashion, that the Land Claims Secretariat had been approached by the Department of Renewable Resources, and an opinion sought. There was an opinion given to the Department of Renewable Resources from the Land Claims Secretariat.

As to the question of discussions with Mr. Stuart with respect to this issue, this was not a Land Claims negotiations matter. This was an issue that concerned the construction of a recreational road in a proposed park.

Question re: Frenchman/Tatchun Lakes Road

Mr. Phelps: We have a situation where the right of way was in the Agreement-in-Principle, a Withdrawal Order, as a result of the Agreement-in-Principle, and provisions for the moving of the right of way, also in the Agreement-in-Principle.

Does the Minister of Renewable Resources really expect any thinking person to believe that those issues are not more properly discussed with the people in Land Claims, in this government, and the other two parties?

Hon. Mr. Porter: If the parties to the Land Claims wanted to discuss it, that was up to the parties to the Land Claims process. This was not an issue that was before the Land Claims negotiators for consideration. The point of discussions, as we stated time and time again, were only on a preliminary basis.

What we were talking about here was a road right of way that went through lands that were frozen by a federal Order-in-Council on behalf of the Band. We were not talking about an issue that the parties had agreed to discuss at the Land Claims table.

Mr. Phelps: It had been discussed at the Land Claims table, and the procedure agreed to. That shows up in the Agreement-in-Principle. Will the Minister table the opinion which his Department received from the Land Claims Secretariat on this matter?

Hon. Mr. Porter: If it is proper to do so, I will table it.

Mr. Phelps: Surely, if it is not part of Land Claims, as the Minister says, it is proper to do so. Will the Minister confirm that none of his officials had discussions with the federal government with regard to this matter prior to the negotiations being concluded on August 22?

Hon. Mr. Porter: I cannot confirm that at this particular point, but I will undertake to get a specific confirmation as to whether or not any of the federal Departments affected by this decision, or any of the federal bureaucrats affected by this decision, were contacted.

Question re: Government Leader's office equipment

Mr. Coles: Can the Minister apprise the House as to which account or which part of the Budget the money came from to pay for the transcribing equipment?

Hon. Mr. Kimmerly: It did not come from the Executive Council Office. There was specific instruction given to the Department of Government Services to charge the equipment to the general fund called office furniture and equipment. In the 1984/85 Budget, it would be identified under that line.

Mr. Coles: I am wondering if the Minister could tell the House whether that is normal procedure for Ministers, or the Government Leader, to order equipment for Executive Council Offices and have it taken out of another budget.

Hon. Mr. Kimmerly: The normal procedure, as I know it, for equipment such as this is that it would come out of the departmental Capital Budget.

Mr. Coles: Could the Minister advise the House as to where this equipment is right now?

Hon. Mr. Kimmerly: It is presently, at this instant, in the closet in my office. It is not plugged in, and it is not being used.

Speaker: The time for Question Period has now elapsed. We will now proceed with Orders of the Day, Government Bills.

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 16: Second Reading

Clerk: Second reading, Bill No. 16, standing in the name of the hon. Mr. Kimmerly.

Hon. Mr. Kimmerly: I move that Bill No. 16, entitled *An Act to Amend the Employment Standards Act*, be now read a second time.

Speaker: It has been moved by the hon. Minister of Justice that Bill No. 16, entitled *An Act to Amend the Employment Standards Act*, be now read a second time.

Hon. Mr. Kimmerly: This Act was proclaimed into effect on January 1, 1985. Since that time, certain errors or omissions in the Act have been identified, and these amendments are designed to correct that. The intention is to amend the Act to facilitate the administrative procedures. There is no intent to change the principle of the Act whatsoever.

The four areas of amendment are identified on the explanatory note prior to page 1, but briefly, there is an error in numbering, and the certificate registration in the courts is problematical, and we are proposing an amendment of a completely housekeeping nature to fix that. Also, there is an amendment concerning the reciprocal enforcement of certificates.

There was a definition of a fair wages schedule for public works, although it was not clear what public works exactly was, and that is clarified by this amendment.

¹² *Motion agreed to*

Bill No. 54: Second Reading

Clerk: Second reading, Bill No. 54, standing in the name of the hon. Mr. McDonald.

Hon. Mr. McDonald: I move that Bill No. 54, entitled *An Act to Amend the Apprenticeship Training Act*, be now read a second time.

Speaker: It has been moved by the hon. Minister of Education that Bill No. 54, entitled *An Act to Amend the Apprenticeship Training Act*, be now read a second time.

Hon. Mr. McDonald: The amendments outlined in this Act are essentially housekeeping measures intended to modernize and clarify the legislation. The amendments we propose are quite minor in nature. First, we propose to amend section 5 of the Act in order to increase the size of the Apprenticeship Advisory Board from three

members to a minimum of five members. The increase in the size of the Board will allow for greater involvement by employers and employees in designated trades in the decision-making processes regarding apprentice training.

It will also improve the capacity of the Board to be able to operate effectively by having more members available to attend meetings. Finally, it will bring the membership of Yukon's Board in line with those in the provincial jurisdictions.

Second, the legislation proposes to add a clause in section 9 of the Act to allow the Commissioner in Executive Council to make regulations establishing standards to allow the government to issue certificates of occupational status to people in designated trades that are not presently apprenticeable occupations. In addition, it is intended to clarify the intent of the government to provide for certification for all designated occupations under the Act, not just apprenticeable occupations.

Finally, the legislation proposes to make small wording changes in various sections to modernize and standardize the legislation with respect to the presently accepted traditions. For example, "Commissioner" is replaced with "Executive Council Member" or "Commissioner in Executive Council", "Director" replaces "Superintendent", and the types and extent of remuneration is detailed rather than being omitted, as is the present case.

I look forward to quick passage of the legislation, as I am sure many Members will recognize the intent of this legislation and are very familiar with the provisions.

Mrs. Firth: This is a good amendment, and we do recognize the intent. We look forward to a speedy passage of the Bill.

Motion agreed to

Bill No. 64: Second Reading

Clerk: Second reading, Bill No. 64, standing in the name of the hon. Mr. Penikett.

Hon. Mr. Penikett: I move that Bill No. 64, entitled *An Act to Amend the Energy Conservation Assistance Act*, be now read a second time.

Speaker: It has been moved by the hon. Government Leader that Bill No. 64, entitled *An Act to Amend the Energy Conservation Assistance Act*, be now read a second time.

Hon. Mr. Penikett: I am pleased to address the amendments to the *Energy Conservation Assistance Act*, amendments which will both expand the scope of the programs covered by this Act and which will allow the programs to be more flexible in meeting the needs of persons attempting to utilize those programs. The programs to which I refer are relatively new: the Saving Energy Action Loan, or SEAL, Program, and the Yukon Energy Alternatives Program, were introduced during the spring 1984 sitting of the Legislature, and were wholeheartedly supported on all sides of the House.

The experience of operating these programs for the past year, the cancellation of the federal programs which provided assistance for businesses to upgrade their facilities, and discussions with members of the business community have led us to seek improvements to the Act. Through these legislative changes, we plan to extend the SEAL program to non-residential properties to allow community organizations, municipalities and people in business to decrease the burden of high energy costs; to help them to lower prices to their clients and to stimulate the construction industry.

Through this expanded SEAL program, businesses and institutions normally faced with cash flow problems, will be able to pay back an interest-free loan with their energy savings. We will make the SEAL program available for energy-efficient new buildings as well as for existing structures.

Within the regulations we will set stringent standards for outlining an energy budget for buildings — a budget which will provide for the lowest life-cycle cost for the buildings for the combination of both construction and operating costs.

Since most property owners do not occupy the premises for the life of the structure, incentives are required to achieve the optimal levels of efficiency. We feel that these incentives are justified because of the socio-economic benefits that accrue to the community through the pursuit of energy conservation rather than consump-

tion of imported, refined petroleum products.

Through changes to the regulations, we plan to increase the maximum loan under SEAL from its present \$1,500 to \$3,000 for residential units and to extend the maximum loan of \$10,000 to commercial and institutional properties and to extend the time to repay the loans from three to five years.

We further intend to make the program easier to apply for by providing the required energy audit for the premises for a fixed fee, which will be the same whether they are located in Ross River, Whitehorse, or Old Crow.

Through these energy audits, we will assist building owners to determine the best use of their retrofit investments.

Through an additional change in the *Energy Conservation Assistance Act*, this government will extend the Yukon Energy Alternatives Program from one which assists in improving the feasibility of indigenous energy sources including energy conservation, to include also assistance for the development of resources that are found to be viable.

There are a number of reasons why we feel this step is warranted. One: many opportunities exist for the reduction of imported, refined petroleum products used currently for heating and electrical regeneration. It is estimated that this territory spends nearly \$45,000,000 annually for fuel for these purposes — money that is exported directly from the Yukon. Ultimately the need for half of this fuel could be eliminated through the use of cost effective energy conservation measures and the development of indigenous energy sources. To achieve that level of oil substitution would result in the net creation of up to 600 permanent jobs, an impact on our economy on the scale of the Faro mine. Of course, we do not claim that we will create 600 jobs through this program. We will, however, make a first step in that direction.

Two: barriers to the implementation of technologies to develop these indigenous energy resources exist, including the difficulty in securing loans from conventional bankers and additional development costs associated with the unfamiliarity of new technologies.

Three: reduced energy prices would result in a better standard of living, especially in smaller communities and will allow businesses to be more competitive in national and international markets.

Four: the development of indigenous energy resources usually involves higher capital costs in the use of conventional fuels and thus a developer is asked to wait several years to recover an investment, a situation which can make many projects unattractive to private investors.

We feel that the government must be concerned not only with the project's financial feasibility, but also with the broader economic and social benefits that will come about as a result of that project, the benefits of job creation and the stimulation to the economy that would result from reductions caused by the purchase of petroleum products.

It is our intention to introduce regulations to complement the grants now available for proving the feasibility of indigenous energy resources by providing low interest loans of up to \$200,000 towards their development.

¹⁵ These legislative changes will move us towards lower energy prices, employment creation and a more stable economy through a greater and more efficient use of our energy resources.

I urge the acceptance of this measure by all Members.

Mr. Lang: I can speak to the Bill with a great deal of familiarity, since I had the opportunity to introduce the Bill and its concept to the House some time ago. As the Government Leader has indicated, it was accepted by all sides of the House as being a good initiative towards the conservation of energy.

I am going to be looking forward to debate in Committee of the Whole to find out what steps are being taken to eliminate some of the red tape involved in applying for the grant that is available. I know that the qualification requirements put on contractors has been a bone of contention. It seemed to be a deterring factor to the public in coming forward to see if a loan could be made available and what cost.

I would also like to know who is going to be the agency and the individuals who will make the final decision to authorize or not to authorize loans to individual residential home owners and, more

importantly, the \$200,000 no interest loans that will be made available. We are talking about a significant amount of money. We are talking about projects, in my view, that will have to be scrutinized very carefully to avoid fly-by-night operations. We are in a situation of dealing with the taxpayers' purse, which you and I, and everybody in this House, have a duty and responsibility to protect where possible. I would seem to me that a system must be set up that is not rigorous, but will be fair. The committee, or the group of individuals who will be making the final decisions must be open to other points of view.

I wanted to bring that to the Minister's attention, because I think sometimes these things go by the board as we attempt to do our work in a 16 to 18 hour day. I think that the comments I am providing to the House today should be brought to the attention of the civil service.

Motion agreed to

Bill No. 72: Second Reading

Clerk: Second Reading, Bill No. 72, standing in the name of the hon. Mr. Kimmerly.

Hon. Mr. Kimmerly: I move that Bill No. 72, entitled *An Act to Amend the Legal Profession Act*, be now read a second time.

Speaker: It has been moved by the hon. Minister of Justice that Bill No. 72, entitled *An Act to Amend the Legal Profession Act*, be now read a second time.

Hon. Mr. Kimmerly: The most important amendment here is in the requirements of government lawyers to be members of the bar. The Act, as originally passed, excluded government lawyers or lawyers in the employ of the government. This creates several problems. First of all, it is perceived by the government, or it is the policy of the government, that government lawyers, be they with the federal government or the territorial government, should be part of the legal fraternity as completely as is possible.

¹⁶ They should take part in bar functions, and the part of the discussions among that profession. They should not be ostracized or be left out of the bar.

There is also a serious problem in that if the government lawyers are not members of the bar, they are not subject to the disciplinary procedures that all lawyers should be subject to. That is the most important position that the private bar, or the bar in Yukon, has put to the government. The government agrees that government lawyers should be subject to discipline exactly like other lawyers, with the possible exception of what lawyers would call a Crown privilege, that is, if they are involved in purely executive acts on behalf of the Crown, where there is a Crown immunity.

The situation was that the territorial lawyers complied and voluntarily paid their fees and became members, but the federal government lawyers did not. That created something of a problem in the bar. I am happy to say that the federal government has recently changed its position and recently the federal lawyers became members as well. That former situation does not exist now and, practically speaking, all lawyers are members of the bar. This will require what is already in existence.

There are some other amendments of an administrative, or technical, nature that I will identify at the committee stage. I should identify a few. It is efficient to notify all Members that we will, undoubtedly, propose an amendment ourselves to section 20(1) to delete the word "part". That would simply allow persons to article for the territorial government. That situation exists in all the provinces. There is, in effect, one articling student in the Solicitor's Branch of the Department of Justice now. This will allow for what is happening now.

¹⁷ The legal profession has been very forthcoming in their assistance and advice in the discussions around the needed amendments, and I thank the Law Society for that.

Motion agreed to

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

Speaker: It has been moved by the hon. Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

18 **Chairman:** I will now call Committee of the Whole to order. We will recess until 4:30.

Recess

19 **Chairman:** I now call Committee of the Whole to order. We will continue with Bill No. 52, *First Appropriation Act, 1986-87*. We are on the Department of Renewable Resources, continuing with general debate.

Bill No. 52 — *First Appropriation Act, 1986-87* — continued On Department of Renewable Resources - continued

Hon. Mr. Porter: The issues are very quite straightforward with respect to Renewable Resources. I suggest we move to line item debate.

Mr. Lang: Prior to moving on, in closing of debate the other day I made the observation that I was very concerned that we seem to be heading, either intentionally or unintentionally, I do not know which, to a policy of almost totally protected areas. I notice there are a number of areas in the Budget for the purpose of study, and for the purpose of looking at possible further parks.

The concept was basically, in my understanding of the *Parks Act*, which was approved by the Legislature here three years ago, multipurpose. I am very concerned that we are not taking enough interest, as politicians, as government, to reflect that particular principle of multipurpose utilization of our lands.

Maybe it requires further regulations for the purpose of environmental aspects as it affects a given area. I find it very difficult to accept or believe that certain areas, such as the Coal River Springs, needs 33 square miles, or 60 square miles, for total protection other than for cross-country skiing or trapping.

I think that is something that I would just put the Minister on notice on. I do not expect a reply or an answer now, but it is something that I think he should be taking into consideration down the road here when these things are starting to cross his desk. We are becoming more and more active in this area in view of the Budget and in view of the work over the past couple of years.

Mr. Brewster: The national parks now have nine percent of the Yukon under their command. How much do the territorial parks take in, percentage wise? Could you tell me?

Hon. Mr. Porter: No, I do not know the extent in percentage terms as to what the present level of the parks, under the control of this government, amounts to relative to the total land mass in the Yukon.

Chairman: Any further general debate on Renewable Resources? Then we will move to the line items.

On Tatchun/Frenchman Parkway

Mr. Phelps: I would like to ask the Minister how much of this is related to the contract signed with the Band?

Hon. Mr. Porter: Of the figure represented here, \$50,000 of the \$90,000 is related to the Carmacks Cultural Interpretive Study.

Amendment proposed

Mr. Phelps: In that case, I am going to move an amendment, THAT Bill Number 52, entitled *First Appropriation Act, 1986/87*, be amended in the Capital Estimates 1986/87, page 54, by reducing Vote 14, Department of Renewable Resources, line item "Tatchun/Frenchman Parkway" by \$50,000.

20 **Chairman:** It has been moved by Mr. Phelps, THAT Bill No. 52, entitled *First Appropriation Act, 1986-87*, be amended in the Capital Estimates, 1986-87, page 54, by reducing Vote 14, Department of Renewable Resources, line item "Tatchun/Frenchman Parkway" by \$50,000.

Mr. Phelps: This issue has been brought forward on a frequent number of occasions during the course of the past week. It is my position to the House that the contract with the Band and this expenditure is totally unwarranted and amounts to a waste of

monies of the taxpayers of the territory.

At the outset, I would like to make it very clear, because there has been some innuendo with regard to my position on this issue, that I am not saying that it is improper to contract with Bands to provide services or programs, or any number of things. That is not the issue here. What is an issue is the fact that the Minister and the government entered into this contract, they say, for one specific purpose. Had it been that on its own, aside from the issue of the road right of way relocation, the government felt, because of certain studies or because of a policy, or a program, that it was important for the benefit of all people in the Yukon territory to commission a study into the culture and heritage of that area and its relationship to the Band, and had they gone through a procedure that was acceptable and showed judicious and wise use of public funds and that was the sole reason for entering into this contract, I would not be asking all of these questions nor would I be putting forward this motion. I have absolutely no problem with this government spending money wisely on behalf of Indians, for studies done by Indian people about Indian people, for contracts performed by Indian people. There is absolutely nothing in my make-up or in my position or career or life that would have me take that kind of a stand. It is quite to the contrary. The unfortunate thing about the issue is that it seems to be enveloped into a situation where that kind of allegation has been raised and those who raise it do not only themselves a disservice but a disservice to everyone in the Yukon.

The issue is whether the money was necessary at all for the purpose of negotiating a new right of way around the beneficiary's yard and house and across settlement land. That is the issue.

21 Everything else is a smoke screen. The point is that the Carmacks Indian Band had no right in law to that land. It was federal land and the parties to a very detailed Agreement-in-Principle agreed to place a temporary withdrawal order on those lands in order to ensure that the land was not staked to somebody or, through a mistake, the Agreement-in-Principle would be jeopardized. From the outset, it has been the position of all parties, and particularly the federal government, that the Agreements-in-Principle are not binding, and that all minor problems would be dealt with and alleviated by the parties with their full consent. This had happened on numerous occasions without any money changing hands.

The Agreement itself provided that the land was subject to the right of way. The person affected, and the group wanting the right of way, ought to have been the Indian Band, because it was their beneficiary who was affected adversely through an oversight on the part of the negotiators on behalf of the Band. The Agreement-in-Principle states very clearly, as it did for all land selections, that if the Bands wanted the right of way of a road to be moved that they could do it, provided that it was at their expense and to the same standard as to the existing road. In this case, it was before a final agreement. One would not expect the Government of Yukon to have the Band pay for the relocation, in fairness. One would expect the matter to be resolved by all parties to the agreement. I cannot for the life of me understand why any money, let alone \$100,000, had to be given to the Band to alleviate the problem.

The problem is deeper than that. The problem is that it was done in isolation from Land Claims. It was not done after consultation by the party who takes credit for the negotiations, the Minister. It was not done following discussions with his Land Claims negotiator who had been appointed for over two weeks prior to the signing of the contract. It was not done in conjunction with consultations with the office of Native Claims or the negotiator for the federal government. It apparently was not done in conjunction with the CYI. It was not treated as a Land Claims issue. It was not a matter that was brought up, prior to the signing, in management board, or in Cabinet. These are all answers and I thank the Minister for his truthful and clear answers on those points. These are all on the record, all these answers. The problem is this: there is no justification for the expenditure of these monies, if the purpose was to relocate the road. Now we are going to bump into the same type of problem and the same type of demand from any other Band when any other minor adjustment has to be made to any other feature of the Agreement-in-Principle of the 1972 Sub-Agreements-in-Principle.

²² This expenditure is completely unwarranted and unjustified. The people of the Yukon are being asked to pay this money to relocate a road, and that expenditure was unnecessary.

I really have not seen this kind of — I would have to call it — gross negligence in my experience. I am rather dismayed that there was no forum created for the negotiation of the issue in conjunction with the Land Claims Secretariat, the negotiator and the CYI, the Band, and the federal government. There is absolutely nothing before us. Questions have been asked that would indicate that the federal government made any demand that there be an a priori contract with the Band. There is certainly evidence that would show that the federal government is not going to pick up the tab for this, yet it is a fundamental principle of Land Claims that the federal government is responsible for the costs to this government arising out of Land Claims, the negotiations and settlement.

I am saying to this House that there is absolutely no justification for this expenditure. The Minister has consistently insisted that the purpose was for the relocation of the right of way, not because there was a need, or a policy designed for, the production of a history of the area, or a study of the area. That was not the primary purpose. If one reads the questions and answers throughout the Question Periods over the last four days, that is abundantly clear. Accordingly, I would ask that all Members here consider their duties to the electorate of the Yukon, to the public of the Yukon. The Members have a duty to ensure that money is spent wisely. They have a duty to not create unwarranted precedents in Land Claims, so I would therefore ask them all to support this amendment. It could have been worse; we could have gone for the \$90,000 deduction and said that the Minister only owes us \$10,000, but we did not do that.

Mr. Coles: I just want to make a few brief comments. First of all, a couple of the councilors of the Little Salmon/Carmacks Indian Band have asked me to inform Members of the House that that is the name of the Band, not the Carmacks/Little Salmon Band. Members should note that when speaking of the Band.

A couple of years ago, the then Minister of Renewable Resources breezed into Carmacks, informed the constituents whom I now represent that we were going to be given this park, that a park was going to be built in our riding, not whether or not we would like to see a park there, where we would like it to be, to what extent it should be built, how much money should be spent on it, but we were getting a park, period.

The plans were already made up. The people had no say whatsoever as to how it was going to be built or where it was going to be located. It was the original plans that were done up by the previous government to put the road way right through the front yard of a beneficiary's property. It seems that the new Minister is taking a lot of flack for solving a problem which was created by the former government, and the person who was then the Minister of Renewable Resources.

²³ I just want to say that when Mr. Porter was named the Minister, he consulted with me and sent Department officials out to the riding to listen to what the people wanted. The people did not want a park. If it was up to the constituents in that riding, we would never have a parkway or a new road at all. They wanted it left as it was, to start with.

Since the previous government had already built two-thirds of the road, and had already spent so many hundreds of thousands of dollars in there, it was only right that the road be finished.

The Little Salmon/Carmacks Indian Band requested that, in giving up access for the new road, they would require some monies to do some studies of their heritage and culture and historical activities that took place in that area, which was granted by the Minister. I see absolutely nothing wrong with that. On behalf of the Little Salmon/Carmacks Indian Band — and the majority of councilors have told me that I have the right to stand up in the House to say this today — they appreciate the \$100,000 so they can do their studies. They were told by the previous government that they would be getting funds to do these studies, eventually, so that they could broadcast their heritage and their historical background in that area to the public for purposes of tourism, or what have you.

For that reason, and on behalf of the Little Salmon/Carmacks Indian Band and all the constituents of Tatchun, I will be voting

against the amendment.

Mr. Lang: Does the Minister have that information that he said he was going to table about contractors, and who did the work, and various other things? If he does, could he make it available for me, since we are debating the issue? I would appreciate it.

Hon. Mr. Porter: Yes, I do have that information. I was going to wait until I delivered it to the Clerk's office to ensure it is in the proper form. If the Member wants to see the information as it is now, I am quite prepared to table this.

Mr. Lang: Perhaps we could get one of the Pages to see if he could run off copies for all Members, so we will know what information we are referring to. Meanwhile, I could make a few statements as far as the Motion is concerned. I would like to get my concerns down on the record.

There are a number of things that have come to light here. I think it is important to reinforce, to some degree, what the Leader of the Official Opposition said. The realities of the situation are that for moving the road, which I am led to believe, and the Minister may correct me, was 300 metres at the most, at the request of a beneficiary of the Land Claims, that the road went through his particular yard, and he requested through the Band and to the Government of the Yukon Territory that the road be relocated. It was a very legitimate request, a request that I do not think any Member in this House would say was an unfair request.

There was an agreement. The Minister is not denying that there was an agreement in place that called for a right of way into the Frenchman/Tatchun Lakes area for the purpose of public access. There was a principle contained in that agreement that called for the Band, if required, to pay for relocation of that road.

²⁴ I am not, as a Member, saying that the Band should pay for the relocation. I am saying to you that it is my belief that the Government of the Yukon Territory should pay for the relocation of the road itself, whatever the costs incurred. I think that is fair.

We have a situation that has gone far beyond that agreement. There are some very important principles involved. First of all, the validity of the present Agreements-in-Principle, as far as the Yukon Indian Land Claims process is concerned. The Leader of the Official Opposition went to quite a length to tell Members of the importance of that particular principle. We were told, in this House — and it is in black and white — by the Government Leader, who specifically stated that there would be no unilateral changes of Agreements-in-Principle. Those would be done at the Land Claims table. We were told by the Minister of Renewable Resources that he was not working from an area of ignorance, he was working from an area of knowledge, because he told us, categorically, in this House, today and two days ago, that he knew of the Agreement-in-Principle and he had read it prior to going into negotiations.

We know, and it is on the written record, via a press release from this government, and also from what was discussed in Question Period today, that the realities of the situation are that the Land Claims negotiator was hired on August 5. The announcement was made on July 31, and he started to take his pay on August 5 of this year. The Minister, when he was first asked why he did not include the Land Claim negotiator in those discussions, stated to this House that it was because he was hired some time in late August. He had to backpedal today. He had to backpedal a fair amount. The Land Claim negotiator was here, on the behalf of the people of the territory, in the employ of the people of the territory, drawing a pay cheque, and was not involved in those negotiations, which were referred to in the press release as extensive, six-week negotiations.

The question is another inconsistency: why not? Why was he not involved? If it is the policy of the government not to include the Land Claims negotiator in the discussions of Land Claim matters, then what are we paying him for? If it is the policy of the government to go ahead, every time they have a problem, and extend the golden handshake, then we do not need to pay a Land Claims negotiator. I think that is a very important principle that, in my view, has been violated.

There are a number of others that I think that we, as Members of this House, have to look at and look at seriously. We have a situation where the Government of the Yukon Territory went beyond the call of duty, as far as the government responsibilities are

concerned, and paid \$100,000 for no apparent value. There were no reasons, no validity, no background on why we came to a determining factor of \$100,000. In fact, the original agreement called for \$50,000. That was signed late Thursday afternoon. That same Thursday afternoon, there was a press release emanating from the Minister's office that stated, categorically, that it was for \$100,000.

²³ He comes into the House and gives us a song and dance about how it is a legislative process and he had to get agreement of the Legislature.

I submit to you that that is poppycock. If you take a look at the initial agreement, it calls for funds in 1986-87 not to exceed \$50,000.

We have the Minister, within hours — or within minutes — of signing that agreement, upping the ante to another \$50,000 without Management Board approval.

I do not know how the procedures of government have changed since I was part of government, but it was a requirement, under policy, and under the direction of whomever the Government Leader was and whomever was the Chairman of Management Board, that you must go to Management Board to get authority for dollars to be expended.

The question is: was there Board authority for those monies?

I am taking it that we have voted the initial \$50,000 in the Supplementaries. The Minister is going to say, "I was negligent, perhaps, in not asking questions". The question was put to every government Minister on that side that if there had been a new initiative taken, or any new policy or deviation, would he report to the House as opposed to having a case of interrogation between both sides of the floor. He never mentioned it once. He did not come to this House and say openly that this money is involved in here.

I have to ask myself if it was the idea to kind of slide it through and not tell anybody? The question was put to the Minister: was there any major policy deviation? It was asked of the Government Leader that all the Ministers should come up and report to the House so we would not waste the time in the House, because the Budget we were discussing, in good part, had been put together from this side of the floor. I was involved in a good part of putting the Budget together. I did not see him going and reinventing the wheel. To save time for *Hansard* and various other things, I did not believe it was in the public interest. Obviously I was wrong, because it was wrong. I guess those monies are for third reading tomorrow.

I want to go into another area. I think it is very important to take a look at the situation of third party rental. The perception of government, when it comes to money, is that everyone has a right under the criteria set down to tender the public's business. That is a principle that should be inviolate. No politicians should take it upon themselves to violate it for their own political good.

There are exceptions: emergencies. I am not going to argue that. When there is time to tender, and there is time to go through the procedure, those procedures should be followed. The Minister across the way has not given us one good reason why those procedures were not followed. We have an agreement which very clearly and unequivocally cuts out any other contractors in the Yukon Territory, unless you have the approval of the Government of the Yukon Territory and the Little Salmon/Carmacks Indian Band.

The question is: is that right? Is that fair to the people of the territory, the small business people who have invested their life savings, have committed hours, weeks and years to building up a small business under the realization, under the conception, that government tenders would be made available to them.

²⁶ Is it fair that we sit in this House and permit something like this to occur? The Minister will stand up and say to us that the people in Carmacks had to go to work. I am not going to argue that. I submit to you that there is a tender procedure, and they have a responsibility to be low man on that tender. If they are not, then it should go to the lowest bidder.

I asked, during Question Period, about the application procedure on this particular project for a contractor who was from some other

place, say Mayo, Watson Lake, Haines Junction, or Whitehorse. The Minister said that he would come to the Government of Yukon. I stated in this House that I was talking to one particular contractor who was told, unequivocally, that if he wanted work on this particular project, he should go see the Little Salmon/Carmacks Indian Band. The Minister asked me for his name. I am going to phone that individual and ask him. This issue has sparked debate amongst small contractors.

I was talking to one contractor who is very leery about making any public statement regarding this. He is afraid that the government will come down on him and change the regulations or policies to the extent that he may not get any work with the Government of the Yukon Territory. I am talking about political oppression.

Mr. Coles: And well you should.

Mr. Lang: I am talking about people out there who are minding their own business, putting their prices forward, for example on the third party rental — perhaps the Member for Tatchun would like to speak.

Mr. Coles: I would like to speak. When that park started two years ago, the only contractor who was out there, until we complained loudly and clearly for two months, was a Conservative contractor in the Town of Carmacks. Other contractors were there from around the territory, some with prices that were even more than the equipment that was available in Carmacks, and there was government equipment out there doing that work, while there were private contractors sitting there with equipment in their yards that was not working. The previous government did that.

Mr. Lang: That was quite a dissertation from the Member for Tatchun. I would be a little upset if I were him.

I am talking about a very major principle here. There is no question that it was followed in previous years, and that was the third party rental schedule. A certain date is set, and people from throughout the territory put their prices in. Those prices are put in in such a manner that it requires a schedule. People are contacted to see whether or not they want to do that work. It is very clear. That particular principle has been violated. I have a copy here that shows a 1977 Cat loader for \$65 an hour; the lowest bidder was Watson Lake Concrete and Construction for \$62. I have another with a Kenworth truck for \$50; the lowest that was on that schedule was \$47 an hour. They are going to ask, "What is the difference, \$300, \$600 or \$1,000?"

It is far more important than that — the importance of the principle of the lowest bidder. Once we become involved by intruding into the area of the public tender process, the Government of Yukon, and every Member of this Legislature, is taken into question concerning the allocation of public monies.

²⁷ How can we stand here and say that a man in Watson Lake should not do the work because he does not live in Carmacks, but he has the lowest price. I ran across a contractor the other day that he lost a contract by \$22. I think the contract was a \$300,000 contract. Like you said, the other man had the lowest tender.

Here we are in a situation where we have tenders brought forward on equipment. People have submitted their prices in good faith, knowing that, in past years, the government has always followed the schedule, and it has been violated. I submit that that is not proper. It is dangerous, and I think it is a misuse of political office. I, for one in this House, did not give anybody that authorization. I do not think the Member for Tatchun did either, when he referred to the Government Services debate approximately three or four days ago. Because it is in Carmacks, does that principle not still apply?

I want to say that, in my belief, we have a very major departure from what was known government policy. We have a situation where the small contractor is very reluctant to make a statement because he believes that there could well be some kind of retribution, if you like, by government if he or she makes too much of a noise about it. I ask you: is that a free society?

As I indicated to the Minister, I will call the individual I talked to to see whether or not he is prepared to have his name used.

This kind of tactic by a government scares me. I do not care how honourable the intentions of the Minister of Renewable Resources were, and his zeal to come to an arrangement where he would allocate \$100,000 without government approval, without consulting

the Land Claims agreement, and also signing an agreement that indirectly affected his colleague, the Minister of Highways and Transportation, because that schedule of events falls under him. He signs that agreement in any event. It would seem that this is a major departure.

In my view, if we, as elected Members, permit this to proceed, I do not believe we are taking our responsibilities seriously. I am very concerned about some of the noise, and some of the rhetoric that is emanating from the other side when they indicate that contracts will only be filled by people within the communities. That sounds good. If they are the lowest tender — great. And they should be the lowest tender, because they do not have the expenses of moving people in; they do not have the expenses of feeding people in hotels and all these other things that come with a contractor who has to be mobile.

What I am afraid of is the incestuousness, where you get to the point that if there is a contract in Porter Creek, only Porter Creek contractors can bid on them. First of all, we do not have a large enough contracting force in Yukon to be able to say that we want that type of thing to happen here. Do we want a vulcanization of our business community, where it gets to the point of who you know; it is not what you know, and it is not a question of allocating taxpayers' dollars fairly. It is a question of scratching somebody's back and taking them for dinner in order to get a contract. I do not believe that is the case.

Quite frankly, when I look at the list of the contracts in the situation we are talking about, I see that they are all good people. There is no reason these people should be put into the position where we are actively discussing this on the floor of this House. I have known some of those people since I was that high. I am not here to call them down. These people have been put in an unfair position because of actions of the Minister of Renewable Resources.

Hon. Mr. Porter: (Inaudible)

Mr. Lang: The Minister of Renewable Resources says, "why, because I gave them work". Who the hell do you think you are? You are not God. That is public money.

I want to say to you that it is not your job to go ahead and object. Your job is to have policies in place to serve the general public and it is about time you realized it. Your job is to represent the public interest, not to go and offer chaos.

I am saying to the Minister: you had better clean up your act. It is not fair to the contractors involved. In no shape or way is it fair to those contractors that we should be discussing this on the floor of this House. I have people out there saying they went to the Department, and they said no. We have a list here where there are contractors who had lower prices, and who were not approached.

How does the Minister of Renewable Resources justify that to the public he is elected to serve in Watson Lake. We have a contractor in Watson Lake who had a lower price. You are the MLA for there, or had you forgotten, you moved around that often?

You have a responsibility. I find it hard to stand in this House, with the knowledge that if the Minister of Renewable Resources was letting the various government Departments know what he was doing, that he was not advised, either verbally or in writing, by either the Department of Renewable Resources or the Department of Highways, that this was totally and absolutely contrary to government policy.

I know the civil service too well in this government, and I have enough faith in them, that they would bring that to any politician's attention, whether they liked them or disliked them.

I want to say about the civil service of Yukon that they are very honourable people. They know the difference between policy, procedures and they also know the difference when it comes to a self-serving, what you could term, political initiative. I find it difficult to believe that the Minister, if I recall correctly, earlier today stated in this House that he had not been verbally nor in writing told that this went against the third party rental schedule.

I find it very disturbing when the Minister, who is supposed to be responsible for this particular agreement, says to this House that he followed the third party schedule, and the next day he said he did not. It is all documented in Question Period.

I want to know, other than him saying that he strictly wanted the work to go to Carmacks, why he took it upon himself to go against the third party rental schedule, to violate everything that is sacred in the bidding and tender procedures, as far as this agreement is concerned. It was not bad enough that we paid, I say we because we are here from a territorial perspective and it is territorial money and we have the responsibility of either lowering taxes or raising taxes for the public treasury of the territory to function, we, as Members, would have the Minister of Renewable Resources go ahead and give \$100,000 under a negotiation of that kind.

I find it unbelievable that the Minister of Renewable Resources could stand up here and not be embarrassed and say that he perhaps made a mistake. I believe he did make a mistake. I believe the Minister of Renewable Resources made a major mistake, as far as the present government is concerned, in view of the actions he has taken. I am going to find it very disheartening if the government is going to take the tack that in Dawson City, only Dawson City contractors can bid on jobs, or in Watson Lake, or in Whitehorse, that only locally situated contractors get to tender on jobs.

I do not think it good from a number of points of view. In contracting — and that is my background — contractors know that they are required to be mobile. When the park is finally finished at Frenchman/Tatchun Lake, there may be another park in Haines Junction, and they may want to move, and they may want to tender for a project there.

Therefore, it is absolutely crucial that the small contractors, and the few we have in the territory, have the right to contract on any job throughout the territory, and contract fairly, as long as they meet the requirements and they have the wherewithal and the low tender, they go ahead and do the job.

If we do not get into that situation, we are not building what I would deem to be a just society. We are building a society where political patronage will be rampant, where who you know will be the ingredients for getting any contract job, as opposed to what you know and having low tender.

When you take a look at that kind of thing, I do not think any Member in this House would stand up and say that they are for that principle. I would like to see them do it. That is what this principle here says, with the agreement signed by the Minister of Renewable Resources. I say to the Minister that he has a responsibility and that responsibility is to defend, to protect, and to bring forward the public interest. In this case, I say that he is not. What is before us is wrong.

Hon. Mr. Porter: As I understand the third party rental system, which is slightly different from the Member opposite, who implies that, in every instance on a third party rental system, the lowest bid must be accepted. As I read the policy, clearly that is not the case. In terms of the mandatory application of the third party rental system with respect to the departments of government, Highways is the Department that it is mandatory for.

For other Departments, with respect to third party rentals, the policy very clearly reads that there is an element of discretion, which suggests that where local contractors are affected, the Department may select the local contractor, and not necessarily the lowest bid.

In this instance, with respect to the third party rental agreements that were struck, it clearly indicates, as the Member correctly points out, that the hourly rates submitted for equipment that was hired were not necessarily the lowest hourly rates.

The question is one of providing local employment, local opportunities to the people of those communities. It was discretionary as to whether or not the jobs on those projects go to the local projects. That was a decision that was made here in this instance. It was decided that the local contractors had the equipment, the local people in the area needed the employment that was generated through the use of that equipment, so the decision was for local equipment and for local hire, with respect to that issue.

In terms of the entire question of this particular issue that we are now debating, this issue was first brought up in the Budget of 1983-84. The initial Budget that was represented by the Department of Renewable Resources for the park alone was in the neighbourhood of 79.7 percent for this park. Those were the numbers. The

original Budget was \$605,000, which represented, at that point, almost 80 percent of the total Budget for Renewable Resources allocated to the park.

The actual expenditure, after the decision was made to cut it, was \$533,000. That was a decision made by the government of the day and by the Minister of Renewable Resources who was responsible at that time, in direct contradiction to the wishes of the people in that community. The people in the community had never said they wanted a park. It was an obvious case of a Minister in the government deciding that they wanted to build a park and, regardless of how the people felt in the area, that they were going to build the park.

As of October 21, 1985, there has been \$1,203,000 spent attempting to complete this particular project. I would suggest that that is a vast investment on behalf of the taxpayers of the Yukon.

When I took over the ministry, and became responsible for this issue, I was faced with a situation where you could simply let it sit, take the \$1 million in excess that has been spent in one form or another and just let the project lie and do not do anything about it, and wait for somebody else to solve it, or actually deal with the issue at hand and find an equitable solution. I find it ironic that the Minister of the former government, who was responsible for us being in the situation that we are in today, then turns around and criticizes a government that acts to basically straighten out the mess.

In terms of the question of the archeological, cultural, interpretive study agreement that was struck with the Band, I am informed that in almost every instance where there are parks recreational sites that move toward development, as called for under the *Parks Act*, there are conditions to meet. Part of those conditions is to do the necessary archeological work and to do the necessary cultural interpretive work.

We are talking about an area that affects the Little Salmon/Carmacks Band. In that instance, it was desirable to move to a sole contractor position with the Little Salmon/Carmacks Band, to do the necessary cultural interpretive study with respect to the area in question. They, more than anybody else in the area, know the history of that particular area.

In terms of the benefit, I would suggest that the benefit can be utilized for all the people of the Yukon, and as well can be utilized for visitors to the territory.

³¹ In terms of why we even considered a contract with the Band, on August 8, 1983, we had representation from the then Minister of Renewable Resources and the then negotiator of the Yukon government in discussions with the CYI contemplating directly contracting to the Band to do — it says here — a general contract for trails and for slashing. What they were talking about, in that instance, was a direct contract with the Band, which would have been, I suggest, in violation of the principle of fairness. We did not go to a direct contract with the Band to do the slashing for the area. We did not go to a contract with the Band to give them the general contract for the road construction because, in the terms of the policy laid out, that would have been a direct violation of the process by which contracts are tendered. Rather, we chose to negotiate with the Band in an area where they quite legitimately can be deemed to be sole contractors, because in the area of the cultural-historical interpretation of the Little Salmon/Carmacks history, I would suggest that there is nobody in the entire Yukon, and probably in the entire world who can do the job better than the Little Salmon/Carmacks Band in terms of interpreting what their culture and what their history is. I suggest that that is going to be beneficial to the eventual development of the park, and not only for the people of the Yukon who do visit the park, but also for people from across the United States, the many visitors we get, and elsewhere.

In terms of the question of not consulting with the Land Claims people, clearly I have informed the Member that there had been consultations taken on with the Land Claims Secretariat and we had received a memo from them. I told the Member opposite that I would check to see if it would be proper for me to table such a document. There was a discussion about me not contacting the Management Board. Clearly, the Members opposite know that the terms of the expenditure were clearly within my authority to expend

the money.

In terms of the question the Member for Porter Creek East raised in terms of how, within seconds, I changed agreements. He should realize, and I know he realizes it, that in terms of the process of government, the process is one in which you negotiate internally the budget figures and programs. That is brought to Management Board's attention. Management board gives approval. Once it has been given approval, it comes before the Legislative Assembly process for approval. In that respect, in the fine budgetary process, clearly this issue is then brought to Management Board.

In terms of the agreement that was made, the agreement was made that we would look at spending an additional \$50,000, subject to Management Board and legislative approval. Clearly, the process of government was respected in terms of how that issue was handled.

That is the issue that we are debating now. We have the matter, the \$50,000, clearly before this Legislative Assembly. It is for debate, as we are doing now. That is how the process works. As the Members opposite had the right to do, they have expressed themselves in the way of a Motion to delete the amount. Then we, collectively, as a Legislature, will decide one way or another. That is how the process works. You understand it as such, and that is how we were carrying out that particular process.

³² **Chairman:** The time being 5:30, we will now recess until 7:30.

Recess

Chairman: I will now call Committee of the Whole to order. We will resume with the debate on the amendment.

Hon. Mr. Porter: I am pursuing debate on the amendment. I would like to speak to a couple more issues that were raised by the Members opposite, specifically to the question by the Member for Porter Creek East who speaks about the fact that we had precommitted the Legislature in the negotiated agreement by the suggestion that a further \$50,000 would be paid as part of the agreement.

I would like to refer him back to the agreement which he has spoken of in the House. The agreement very clearly states that the Government of Yukon shall not be considered to have committed funds for the fiscal year 1986-87. I think that the process in which we are engaged at this particular time is to debate the Capital Budget of the government which speaks to a certain line item of \$50,000. We have on the floor before us a Motion brought by the side opposite to deal with that question. It is their opinion that we should be deleting the item, and I think that we should let due process take effect and let the Members express themselves by way of a vote on the matter.

Mr. Brewster: For the last two hours, I have been thinking about what has been going on here. I am very concerned. For instance, in my area there are about 12 contractors who make a living all over the Yukon. They cannot possibly make it in a little place like Beaver Creek with 38 people, yet there are contractors there. There is contractors' equipment all up and down the road. They put their bids in on this and they expected, if they were the low bid, to get the job.

If we are going to follow this kind of procedure, these people may as well pack up and leave the Yukon because they cannot make a living where they are. In Haines Junction, for instance, there is an individual who has one of the highest diplomas that you can get in BC. He underbids the people in Whitehorse and comes in because he cannot make a living out there, but he chose to live there. Are you telling me that he has no right to go to Watson Lake, or Carmacks, or any other place if he can underbid someone who lives there? If you can underbid someone who lives there, then there is something wrong with the guy who is living there, because he does not pay room and board while these others have to be put up in hotels.

This is a very serious issue. I am sure that when I contact the people in my area, they are going to be very upset with what went on here.

Mr. Lang: I could not agree more with the MLA for Klwane. I think there are a number of points, in view of the information that has been provided us. It is an interesting tabulation that the total amount of work that we are talking about, as far as these third party rentals are concerned, is \$135,000.

Two companies that were excluded, because of the new policy

advanced by the Minister of Renewable Resources, were about \$16,500 lower. If you subtract that from \$135,000, it is roughly \$120,000 that would have stayed in the community if tenders were not tampered with. The only object of discussion would be why the grader was not taken from the third party rental schedule. Why was it intentionally not taken from the third party rental as per the information that has been delivered to us?

I think the Minister has a responsibility to answer prior to voting. Why was that the case? I would like to hear his comments on that. I think that the realities of the situation, when you face this, and you see what has happened here, is that you have had two contractors who were lower, Watson Lake Concrete and Construction and Dawson Brothers, with a 1970 Kenworth Truck, who had done work last year on that particular project through the third party schedule. I understand that work was satisfactory. Why were they excluded?

Underneath, you have the reason, "local competent operator with equipment in good condition", and the same for the second one. Was there something against these contractors? Were they not doing the job? If they were not, then I would accept that as a given fact.

These people have to feed their families. These people have to get work. These people have, by your actions, been intentionally excluded. I would like the Minister to ask why those people were not contacted to see whether or not they were prepared to go to work on that project.

Hon. Mr. Porter: He continuously talks about the policy. For the life of me, I do not know what he is talking about. There is no written policy. Do you know what it is? Can you show me where there is written policy that states that the low bidder must be taken on a third party rental?

I have asked about it. I am told that it is an administrative issue, and that the administrative policy is discretion. I have asked the Minister of Highways about this. His Department is finally preparing an across-the-board policy for the government with respect to third party rentals.

Mr. Lang: The Member opposite is not answering my question. The policy was very clear, and you can ask anybody in the administration. The general policy followed was the lowest price. That was the bottom line, and if you went beyond that lowest price, there were certain procedures you had to go through, and you had to document why you were not going with the lowest price. You just did not indiscriminately say, "I like Roger Kimmerly, and I do not like Piers McDonald, so I am going with Roger Kimmerly". Do you think that is the way the government functioned? If it did, you would have brought us to task, and we would have been so embarrassed in this forum. You would have taken us to task for months at a time, and rightly so — similar to what we are doing now.

It was the lowest price. You say: what is the policy? The policy is very evident. You had better look at the paper you are tabling in this House — the contracts for third party rentals, as per this schedule. How did the Member for Watson Lake, and Dawson Brothers' 1970 Kenworth Truck, who were the lowest, get hired last year? They got hired because they were the lowest price, not because of where they lived. That had nothing to do with it. You explain to me why Watson Lake Concrete and Construction, under the policy that was there when we were in government — maybe it has changed — were not contracted to do the work?

¹³ I would like to know.

Hon. Mr. Porter: There is no clear stated policy that I have been able to obtain, in written form, that applies to all the departments of government. I have been asked about this question, and I have been informed by the Minister of Highways that his department, because of a lack of a clear stated written policy, will be going before Cabinet to bring about concrete policy. That will address this particular area.

With respect to the completion of the Frenchman/Tatchun Lake Road, the decision was made to provide local employment, local contracts to the people in the area. That was the decision.

Mr. Brewster: He says that there is no policy on the third party rental. What is the point of putting that magazine out and asking people to submit bids so that you can get the lowest. It does not

make sense. Why are you making a book like that, and you say there is no policy. People spend money figuring out their bids, and then you stand up here and say there is no policy.

Hon. Mr. McDonald: As a point of clarification, there is, as the Member for Porter Creek East must know, a policy within the Department of Highways for third party rentals, which is administered rigorously within that Department. Every year that Department puts ads in the paper seeking information from persons who are willing to rent their equipment to the government. In this case, Highways is the Department which puts out the request. Highways then compiles a list, at some expense and time, indicating who is prepared to offer equipment, the rates and where they are prepared to offer the equipment. That is the policy that the Member for Porter Creek East is referring to. It is a policy which the Department of Highways applies rigorously to its own staff.

At this time, there is no policy that has been given Cabinet approval, which would insist that all third party rentals would apply to all departments in government. This is a policy, as the Member for Porter Creek East ought to know, which is applied rigorously within the Department of Highways.

Mr. Lang: That is a totally and absolute inaccurate statement. I was in the government for 11 years, and it was the general rule of thumb that the Department of Renewable Resources follow the third party equipment rental rate, and they went from the lowest price up.

I do not know what you are worried about that is in writing, or whatever. You ask the administration, and you ask the people working in administration, if the general policy, prior to this, was to go with the third party rental with the lowest price, and the answer will be yes, they always went with the lowest price.

If they diverged, or went away from that particular policy, they would have to go another channel; they could not go through this particular schedule. i.e. what you have here for a grader. You are probably correct when you say the grader was not under third party rentals. My question is: why not? What was the difference? There are graders in this book. Why did we go with the grader in Carmacks? Maybe the Minister can answer that.

At the same time, the Minister has not answered my question: what was wrong with Watson Lake Concrete and Construction and their lowest price, and Dawson Bros. 1970 Kenworth Truck and lower price, in view of the fact that they had done work the year previous. Now, answer those questions.

Hon. Mr. Porter: The answer obviously, as I have told the Member time and time again, is because we made a decision to use local contractors in the area to do the work. That is the decision. With respect to the policy that he talks about, I have asked the Department. I have asked them to deliver a policy with respect to this issue.

Some Member: You are wrong.

Hon. Mr. Porter: What I got is that the factors considered when selecting a contractor are: hourly rate, stability of equipment, competency of the equipment and location of the equipment and, where possible, local equipment is used.

The Leader for the Official Opposition says "hire your friends". Personally I do not know one of the contractors who were hired. What are you talking about "hiring your friends"? I do not know any of those contractors who were involved in the decision. How can I be hiring my friends when I do not even know the people involved? It was a decision because this government supports local employment, because this government supports local hire to use local equipment on the job. It is totally within the area of discretion that is applicable to, in this instance, the Department of Renewable Resources.

Mrs. Firth: I would like to ask the Minister if his policy is local contractors, what is the government's policy when it comes to the difference of the two bids, how wide is the government's policy going to be to allow the gap? For an example, if one had been \$85 an hour for a local contractor and the other one was \$62 an hour, what is that in between percentage, and what is the this government's policy which will determine whether the local contractor gets it or the other contractor?

Hon. Mr. Porter: Clearly, that is the problem. That there is no comprehensive written policy that applies to the government

straight across the board. There is none. The Minister of Highways says that he is developing one that each department of the government is going to have to live with. It is going to Cabinet, and it is going to apply to all departments of government. We now have the ability to use discretion, and the answer to the question is to make a decision between the brinks of outside contractors, outside of the community and the community contractors, is totally discretionary within the policy guidelines.

Mrs. Firth: From what the Minister has just told me, I get the impression that he has made half a policy. That half a policy is that when it comes to contracts, the local contractor will have the preference because he is a local contractor, which is fine. That is a motherhood statement. We would agree with that too. Surely, in all reasonability and responsibility, the Minister must account to this House and take it one step further and say what the other half of his policy is going to be regarding the local contract, and what is he going to allow the difference to be? He surely must have completed his policy in order to justify this. Here it is only three dollars, but it could have been \$50. What is the Minister's policy? I have half a policy, I do not have the other half.

Hon. Mr. Porter: It is very clear, as I stated for the record, and I state again, there is no policy that cuts clear across the board and that affects every department of government. I have not been able to find it. Show me where it is written. Show me where there is a written policy that you have developed that applies to Renewable Resources, Health and all the other departments. We understand that there is policy in the framework. The Minister of Highways is developing a policy, which you never did, did you?

Chairman: Order.

Mr. Lang: Yes, we did.

Hon. Mr. Porter: The question is, does it apply to the Department of Renewable Resources?

Mrs. Firth: I have to say that when I was a Member of the government and we did not use the lower bid on bids which came in, we were required to go to Management Board to get permission and authority to use a higher bid. Did the Minister take this to Management Board to get the authorization for this bid to be used?

Hon. Mr. Porter: Again, there is no policy which applies to all departments of government. The Minister of Highways has just finished telling you that we are developing a comprehensive policy on this matter, which will be brought to Cabinet. Try as I might, I could not find a policy applying to the Department of Renewable Resources.

Mr. Lang: You did not look. Cut the crap. Payoff.

Hon. Mr. Porter: I hope the record caught the comments of the previous speaker.

Mr. Phillips: I would not only like to let the Minister know the dangerous precedent he has set, but I would also like to let every Member in this House, who has contractors in their riding, know the type of precedent that has been set here — and I speak from experience as I was a contractor four months ago — I could not survive contracting totally out of Whitehorse. I had to work in Carmacks; I had to work in Faro. It was to my best advantage to hire people in those communities. Coles Construction, the guy from Watson Lake, cannot survive if all the work he can ever get is in Watson Lake. We cannot be so incestuous that we will not let people work in other communities. We have to be mobile. If we are not mobile, this thing is going to fall apart. You are going to have contractors who will be fine one year, he gets a \$100,000 contract. If there is no work in Carmacks next year, he will go broke, because he cannot work in Dawson, or Whitehorse, or anywhere else.

You had better look at this policy, and you had better look at it clearly. You can create a lot more problems than you are solving with what you call local hire, and it is more of an incestuous policy of just taking care of people in communities and buying votes.

Hon. Mr. Porter: In responding to the Member, it is obvious that there is a lack of policy. As a responsible government, we are developing comprehensive policy that will apply to every department of government, not just the Department of Highways.

In terms of the Member's comments about an incestuous relationship, how many times do I have to tell him, I do not even

know these people, so how can I be having any sort of relationship with them at all? A decision was made to hire local contractors to complete the job. That decision was made. We are developing a comprehensive policy.

Mr. Brewster: It is a good thing you are not in business, because you would be sure to go broke. You keep talking about policy, but commonsense should also be used by a Minister, and you are responsible for taxpayers' money. This time it is only two or three dollars an hour. Next time it will be \$50, and you are willing to put one guy to work and put all the rest of the people out of work. You should use a little bit of commonsense. That thing between your ears should be for more than keeping your ears apart.

Mr. Coles: I feel a little uneasy debating this subject, because of the involvement of Coles Contracting and Sales, which is my father's, but after some of the comments the Member for Riverdale North and the Member for Porter Creek East made, I feel I must get up and debate this.

Perhaps the trucks that worked there last year and not this year were because there were no trucks in Carmacks last year, and those other trucks had to be brought in. Secondly, the Minister of the day, who announced the park at a public meeting, promised local contractors the work. He promised that, and it is documented. It was a Minister in your government.

Mr. Lang: Oh, do not give me that.

Mr. Coles: What do you mean by "Oh, do not give me that?" I am talking about principle. I told you why I did not want to stand up.

Mr. Lang: Well, maybe you had better not.

Mr. Coles: Well, I am going to.

Chairman: Will the Members confine their remarks to the Chair please.

Mr. Coles: There are also people, truck drivers and contractors in Carmacks who have to eat, as well as the contractors in Watson Lake and Dawson City. In the last two years, we have had contractors from Haines Junction on that park. We have had contractors from Mayo working on that park. We have had contractors from Watson Lake working on that park. We have had contractors from Whitehorse working on that park. It is not as if this whole park was built by people in Carmacks, and the whole \$1.2 million was spent in Carmacks — far from it, because in the last two years the contractors in Carmacks had their equipment sitting in their yard and many of them were suffering while contractors from elsewhere were getting the jobs. There was no one complaining. It was fair ball.

This year, they finally got their fair share of something that was promised to them three years ago, and we have to listen to this jabberwocky all night.

Mr. Lang: I object to the comments made by the Member opposite. I just tallied up the money spent there. Of \$135,000, if you had gone by the third party schedule, there would have been about \$16,000 go to contractors outside Carmacks. I do not want to give the impression that we are opposed to Carmacks contractors. I think they should get work at a lower price. They did not get it on merit. Coles Contracting bid \$65 for a Cat loader. A lower price was for \$62.

That was the fault of the government, not the contractor. That is the political dynamite that we are dealing with. That should not happen.

I will tell you that if any Member on this side of the House had brought in any contracts from their families or otherwise, there would have been hell to pay, and rightly so.

⁷⁷ You have a responsibility to go through the procedures.

I have a question for the Minister of Renewable Resources. Down under Coles, for a 1977 loader it says a total for contract is \$6,500, yet up above it is \$13,000 for a Cat loader. Why the discrepancy?

Hon. Mr. Porter: I will submit a paper on this, which I am having difficulty in finding. What was the question again?

Mr. Lang: The question that the Member obviously did not see when he was providing from the bureaucracy, under Coles its said Cat loader, \$13,000. Under Coles 1977 Cat loader it says \$6,500. Why the discrepancy?

Hon. Mr. Porter: I really do not understand this particular

question. He says that under Coles there is a Cat loader for \$13,000? That is to rent the equipment.

Mr. Lang: Are there two loaders on the job from the same company?

Hon. Mr. Porter: I do not know what the discrepancy is with respect to the two entries here.

Mr. McLachlan: The comments that I would like to raise concern statements made by Members of this House about people coming in from outside locations and having a higher cost. I want to point out that the community that I live in has pretty high local costs, be it taxes, be it the cost of land, be it building. I firmly believe that the local person, in some cases, has every reason to be two or three dollars an hour higher.

I am sure that the Member for Tatchun has seen some of these outside contractors in the past three years come in from Watson Lake, Haines Junction, Whitehorse and they do not always live in the local hotel or motel. They are living down by the river in tents. There very well may be a justification for three, four and five dollars an hour difference. I have seen it happen many times in Faro. The local guys do not get much, and the outside ones come in. The reason is that the differences are very much that their costs are not as high to come from outside. You have got transportation, yes, but you have less than the local costs to put those guys up when you are living in a mobile home. Everybody who is in the construction business knows that facet of construction, including the Member for Porter Creek East. There are many 20, 40 and 80-man bunkhouse units that are pulled around the territory. That is a saving. That is the point that I want to make.

Mr. Phillips: I would like to make a point, again speaking from experience as a contractor. There were years when the only way I could survive was to bid jobs in Watson Lake or Faro or wherever. There were some years that I bid and I did not get any jobs in these communities, and they were tough years. I would like the Member for Tatchun and the Member for Faro to explain to his contractors, in the years when they are really hungry, when they bid a job in Watson Lake, and they do not happen to be local and they do not get the job, will they then send out for their contractor and say this government is right by hiring locally in the community all the time?

If you tinker with the marketplace, you are going to create all kinds of problem. Fair marketplace value is what people will do work for. We are dealing with the taxpayers' dollars, not my dollar, and not just money that we can throw away. We are dealing with everybody in the Yukon's dollars, and we get the best value for our dollar. That is why we put out the book. That is why we get the lowest price. That is why you go out to get the lowest price in these things. We cannot play with the marketplace. You start interfering community by community and you will find that one year you are going to starve the guy in Carmacks to death, or the guy in Faro. We cannot play with that.

They must understand that, if they understand anything about contracting in the Yukon.

Hon. Mr. Porter: Respectfully, an original question was: why was \$65 under Cat loader. That was the hourly rate. When you read the information, the first rate was \$65 an hour for the Cat loader from Carmacks, and then the \$62 an hour was the Cat loader from Watson Lake. The difference in terms of the total contract paid was \$300.

In other words, for a Carmacks contractor to do the work, it cost the government \$300 more than if they had brought someone else in.

In terms of the allegation that we have made a policy change that affects the entire government, I come back to the central point that we recognize that there is a need for a written policy, clean across the board, that applies to every department of government, and that we, as a government, are doing the responsible thing by developing that policy. It is going to receive Cabinet approval and it will affect all contractors in the Yukon.

Mr. Lang: The Minister has not answered my question. Under Coles, the total for the contract is \$6,500. Under Coles, up above, under Cat loader, it says \$13,000. It has been established that you have not gone with the lowest bidder. That is an established fact, contrary to previous government policy.

I have two questions for the Minister and I would like a straight answer just once on this issue. I want to know — \$13,000 and \$6,500 — why the difference? Secondly, I want to know when you did not go with the lowest bidder, did you go to Management Board to seek authority?

Hon. Mr. Porter: In terms of the question about the discrepancy between the two figures, obviously the formula below utilizes 100 hours when we are talking about the figure. If you buy 100 hours at the rate of \$65 an hour, that would be the figure that you come up with.

Obviously, there was more work than simply 100 hours done by that particular company.

In terms of Management Board, in terms of the guidelines that were received by the Department of Renewable Resources on third rental, there is an element of discretion. If you want to hire locally, that is the discretionary choice that is there. If you hire locally and put a local contractor in place, then may I ask the question as to what is there in the policy of Renewable Resources in terms of third party rental that says I have to go to Management Board? You tell me.

Mr. Lang: The Member opposite said that he did not know anyone who had any of these contracts, and he said that in this House. I just looked up what Burdow Enterprises is. Is that Ken Roberts the same Ken Roberts that witnessed the agreement that would only apply to Carmacks contractors? Is that the same individual?

Hon. Mr. Porter: Yes, I know Ken Roberts. When I made the decision to go locally with the third party rentals, I did not know who owned that particular company. I found out after the decision was made. Sure, I know Ken Roberts, I do not deny that.

Ms. Firth: I am very concerned by the kind of debate that is happening in this House this evening. I see something happening here that happened a while ago regarding another Minister who had a lack of direction of policy, and the attack on the government was turned around and made to look like we were attacking an individual. They had tried to make it look like we were attacking contractors. That is not what we have been doing.

We have been questioning the government regarding policy. I tell you, you do not make decisions and set precedents as your Department is formulating policy. In particular, you do not do it at the expense of Yukon taxpayers. This is what this government is doing.

We are now seeing that there is another circumstance where half a policy, whatever that government's policy may be, and it is not ours, has been made. An amount of money has been identified. A principle has been set. The Minister's justification is that it was only \$300. That is not the point.

The point is that it could have been a thousand and it could be \$70,000 the next time. The Minister cannot experience a learning experience about governing and spending the taxpayers' dollars responsibly while he is formulating policy. You have the policy there before you make the decisions. If you do not have the policy, you tell people that you have not established your policy yet, and therefore, you are not going to spend this amount of money.

I heard the Minister this afternoon say, well, it was in my spending authority to give away \$100,000. That makes me very nervous, and it should make you nervous. I never felt that, as a Minister, I could just go around and spend \$100,000 without having to be accountable for it. Being accountable means that you have an airtight policy, a whole policy. The Opposition may not agree with it philosophically, and there may be other parties who do not agree with it philosophically, but you determine that that is the policy of your party and your government, and that is why you spent the money.

You do not do it the other way around. You just do not spend other people's money that way.

Hon. Mr. Porter: I do not know how many times we have got to go through this, but I will just keep going through it as many times as necessary. There is no policy in this government that speaks to the process of third party rentals and applies to each and every department of government. There is none, so we are developing a policy that is going to Cabinet, that is going to apply

to all contractors in the Yukon.

Mr. Lang: I cannot accept that. I know for a fact that the third party equipment rental was the policy that was used in the Department of Renewable Resources, and was just as rigorously enforced as it is in Highways. I know that for a fact.

I guess the point that has to be made to the Minister is: is the government going to a local purchase and a local contracting preference for each community? That is the question that I would like answered.

Hon. Mr. Porter: That is a good question, and that is one of the questions that we will have to look at and take into consideration when we do put a comprehensive policy into place that affects all of government.

Mr. Lang: I want to go on record, on behalf of this party, that we object strenuously to a policy that utilizes territorial taxpayers' dollars, which every member of the public contributes to, where, in Dawson City, only Dawson City contractors can bid; where in Haines Junction, only Haines Junction contractors can bid with a preference, or Watson Lake, or Whitehorse. If you go in that direction, which you have already started to go in — you have taken the first step; you have gone the first mile — you are going to have raging debates in this House day in and day out, similar to what we have had for the last week and a half.

I am telling you this: you are on the threshold of walking into contracting procedures which will rely, totally and absolutely, — and if that is your policy, stand up and say it — on political patronage.

It will be question of who goes out for lunch and who goes out for supper. There will be no question of capabilities or the ability to do the job. That is what is going to happen, and I think that is a travesty.

Other areas in North America have gone through that, if you look back in history, and it has not worked. All it has done is vulcanized an area; it has alienated neighbour against neighbour.

I say to the Member for Whitehorse North Centre: her husband is in the contracting business; he gets his work on his own merits. He does not have to take somebody out for dinner. Is this what we want in the territory? This is what is coming, if it is not already here.

The Minister of Renewable Resources can stand up and say, "Well, it is just money". I say to the Member opposite: he is getting a regular paycheque; these guys here are not. Their livelihood depends on the ability to compete, their ability to bid and to tender. That is where their bread and butter comes from.

This is dangerous stuff that we are dealing with.

I talked to a contractor this morning. He said, "I do not want to say too much, because the government could really come down on me". What have we got to? Is that the kind of Yukon you want to build? There was never any question about contracting and the tendering procedures. You go back to the documentation. You are dealing with dynamite, plus everybody else's money.

Hon. Mr. Porter: Speaking to the insinuation that I took somebody out for lunch with respect to this issue, that was never done. In terms of the point that the Member makes, on a philosophical basis, in terms of government giving out public money on contracts, clearly a policy of political patronage is not a policy that any particular government favours, not this government nor any responsible government. The Members opposite, I am sure, will be pleased with the final product of this government's consideration of policy measures in this area, and I will make sure the Member opposite is informed once that policy decision is made.

Mr. Brewster: I had the good luck to work with that Department for about four months, and the bids that came in were always the lowest. They never came to me. They had already been decided somewhere else. When the low bids come in, they showed us what we took.

Are you going against what your administrators say, and making your own decisions, or are you listening to them?

Hon. Mr. Porter: On a lot of issues, it is a collective effort on my part and on the part of the bureaucracy. There was no situation where I overruled the Department on this issue.

I would like to ask: has there been any case in the past where the previous government utilized discretion in making a decision about

third party rentals? Was there any case ever, in the history of the previous government, that they decided in favour of a local contractor who was higher than someone else along the third party rentals schedule?

Mr. Lang: I am sure that if it were done it would not have been done through the third party rental, as far as hiring was concerned. The point I want to make, and I think that is the essential fundamental principle here, is it should be low bidder. The reality of the situation is that we have two companies in Yukon that pay territorial taxes. They are required to get territorial licences, go through all the territorial procedures, and they did previous work on the project, and they were not, to my knowledge, from what the Minister has said, contacted to see whether or not they could go to work.

I think that that is probably the most important oversight. You have alienated, whether you like it or not, a constituent of yours in Watson Lake. If that constituent in Watson Lake gets the *Hanard* of this evening, he is going to say, "My MLA intentionally signed an agreement where I could not bid".

I can honestly say that, in terms of that agreement, you did not represent your constituency or your constituent, to give him fair opportunity to tender on the procedures.

I just want to say for the record that my understanding is, and you can check with the administration, that third party rental rates were followed as rigorously as it was in Highways. I think that you had better doublecheck that because I am sure that if you check with your staff, it may not be at the first level, but get down three or four levels and you will find that that is the procedure that has been followed.

I think it is a tragedy that this has happened, because the irony of the situation is that when you have a look at the contracts that are before you, if the lowest tenders of those two had been taken, you still would have had \$120,000 out of \$135,000 going to local contractors in the area, through their own merit and through their own tendering procedures.

I think it is a shame that we have to bring these particular individuals and their companies into question on the floor of the House. It is a very important principle that we are messing with here, and it is one that I want to recommend to the government that they had better get away from. If they continue to do it, there are going to be continued debates in this House on the merits of contractors and who should get a contract.

To my knowledge, and I am going on memory, I do not believe that I was ever involved in a debate of that kind in this House until today. What that says to me is that, overall, the procedures that had been followed by the government previously have been done not only fairly, but have been perceived to have been fair.

I think that that is the important thing, fairness and the perception of fairness, because the Government of Yukon has a public trust. We have to go that extra country mile that perhaps one would not have to go businessman to businessman. That is the responsibility you are vested with.

Mr. Coles: I have just a couple more points. I wonder how fair the Member for Porter Creek East thinks it is that in the last ten years his government bought new dump trucks year after year, new equipment year after year while many of these contractors sat. Maybe even the Member for Riverdale North could have gone and done a little more work if there was not so much government rubber running around the road as there has been in the last few years: brand new trucks, automatic Kenworths, the whole works, while many contractors sat at home with their trucks up on blocks.

Mr. Lang: So that the Member is aware, I am not the government any longer so why do you not move across the floor, Roger, it would be easier to see you. If you check the record, and check the last three or four Capital Budgets — I think that the now Minister of Justice asked these questions — the larger part of those allocations of dollars went out for third party rentals. That is a reality. Also there was the ability to go into agreements for rentals. That is a factor. I am not saying that more could not have gone out to rental. I am not going to argue that. I am a proponent of it.

I want to conclude by saying that your comments do not vindicate what has happened here. If you are telling me that it does, then you

are comparing apples and oranges. We are dealing with a situation where tenders were asked for, tenders were given, and they were not given to the lower tender. The tragedy of the situation is that the two lowest bidders had done previous work in that area, and I understand that it was satisfactory.

Mr. Phelps: I rise for a number of reasons. A lot of issues have been flying around. I wanted to tell this House that I was rather dismayed to hear the news at 5:30, and hear the Minister of Renewable Resources making allegations that would best be described as unfortunate. I heard him say on CBC that the AIP had been rejected by all the Bands, therefore, the argument is, I suppose, that it is worthless. I guess that raises the issue then of why the withdrawal order. Has this government asked the federal government to lift the withdrawal order if he feels so strongly that all that work is useless now, and that all the Indian people have rejected it, because I do not believe that.

The second thing that is even worse, with respect, is for him to say publicly, privately or otherwise, that somehow or other I am being racial by raising this issue of the Frenchman/Tatchun, or any other issue regarding people of the Yukon, in a fair way. It is my duty in this House. I am not a racist. I am not doing this for anything racial. The issue here has to do with the appropriate use of public funds and nothing more. I have done as much, if not more than anybody in this House, towards Land Claims over a good many years. I do not accept that. I honestly feel badly that that Minister would use this kind of red herring that only very cynical people listen to — and sometimes the press.

It is simply not true. It is reverse racism to suggest that because an Indian Band or a white person, or anything, is involved, that you cannot raise legitimate questions. I suggest to you, correctly, the questions raised are legitimate questions. The questions are important, no matter what the race or religion, or whomever, is involved.

Hon. Mr. Porter: On a point of order. I never did refer to the Leader of the Official Opposition as being racist at this point or any other time, with respect to the issue that is before us. I do not want him to think that I have said that about him and would like to clarify that for his mind. If I am going to make statements of that nature to him, if I feel that I have grounds to do that, I would come and see him and talk to him about it first instead of insinuating it anywhere.

Mr. Phelps: I thank the Minister. I have always respected him, but, nonetheless, the impression from the news reports was enough to upset me on that score.

Finally, the third point has to do with the issue of the study itself. It is \$100,000 for a fairly generalized study, and I am going to be asking questions, not tonight but in the future, about the criteria, the planning, the number of people who are going to be hired, the entire concept, how long it was being formulated by the Department, the qualifications of those who will be employed, duration of contract and those kinds of things, because if that is the reason for the contract and not the switch in the road right of way around somebody's house, then all those questions will have to be gotten into.

Mr. Coles: I have just one more point. Due to my father's past interest in this particular issue and possible future interest, I will not be voting.

Chairman: It has been moved by Mr. Phelps that Bill No. 52, entitled *First Appropriation Act, 1986/87*, be amended in the Capital Estimates 1986/87, page 54, by reducing Vote 14, Department of Renewable Resources, line item "Tatchun/Frenchman Parkway" by \$50,000.

Hon. Mr. Kimmerly: I have just a word more to say on the general issue. On second thought, enough has been said.

Chairman: Division has been called. Those in favour of the amendment please rise.

Those contrary please rise.

Chairman: The results are: five yea; eight nae.

Amendment defeated

Tatchun/Frenchman Parkway in the amount of \$90,000 agreed to

On Coal River Springs Planning

Coal River Springs Planning in the amount of \$225,000 agreed to

On Kusawa Lake Planning

Kusawa Lake Planning in the amount of \$28,000 agreed to
On Dempster Campground Planning/Construction
Dempster Campground Planning/Construction in the amount of \$195,000 agreed to

On Tarfu/Snafu - Campground Planning
Tarfu/Snafu - Campground Planning in the amount of \$16,000 agreed to

On Nahanni Campground Construction
Nahanni Campground Construction in the amount of \$215,000 agreed to

On South Canol - Planning and Construction
South Canol - Planning and Construction in the amount of \$72,000 agreed to

On Watson Lake Campground - Planning and Construction
Watson Lake Campground - Planning and Construction in the amount of \$33,000 agreed to

On Mayo - Recreation Planning and Construction
Mayo - Recreation Planning and Construction in the amount of \$145,000 agreed to

On Recreation Area - Watson/Wheaton

Mr. Phillips: I would just like to know roughly what are the plans? Where is the planned recreation area? It is an area which is fairly widely used for hunting by the Native community of Carcross? It is a permanent area for sheep hunting. There is also a mine in the area, which will have heavy trucks hauling up and down that road in a year or two. Where and how are they going to plan this recreation area around that?

Hon. Mr. Porter: At this point, there has not been a specific site decided upon. What has been agreed internally in the Department is that the Wheaton-Watson River area of the Yukon is a very attractive area, and that it warrants some investigation as a recreational area. What we are talking about here is site planning, looking at the area and making a decision as to where best we should begin development. The most that they are looking at is a picnic site, probably along one of the rivers, where we would clear a small site and then just make it available for the public visiting there to stop and rest.

Mr. Phillips: Picnic sites, or picnic site. I mean, \$42,000 seems a little high.

Hon. Mr. Porter: Sites.

Recreation Area - Watson/Wheaton in the amount of \$42,000 agreed to

On Campground Rehabilitation

Mrs. Firth: Could the Minister tell us which campgrounds will be rehabilitated?

Hon. Mr. Porter: At Marsh Lake we are doing site widening and lengthening of the park there to accommodate recreational vehicles. Also, the Marsh Lake day use requires work on the beach area, Frances Lake needs a new kitchen and minimal upgrading. Rancheria requires a new kitchen. Lake Laberge will require reconstruction of several campsites and a new highway access, when a new highway access goes in. Wolf Creek requires a new kitchen and the Morley Campground must be generally upgraded.

Mr. Phillips: I am just curious, and I am just going from memory, but I am wondering if the Kusawa Lake Campground, which was partly covered by a mud slide, is included in this, or are there any plans to do anything with that particular campground? It is a fairly popular campground.

Hon. Mr. Porter: My understanding is that the Kusawa Campground site that was inundated by the mud slide was looked after by the previous government. I can check through the records to make certain.

Campground Rehabilitation in the amount of \$160,000 agreed to

On Fort Selkirk Park Planning

Fort Selkirk Park Planning in the amount of \$50,000 agreed to

On Thirty Mile River Planning

Mrs. Firth: Before we leave Fort Selkirk Park Planning, I do not understand what this item is. Is it at Fort Selkirk?

Hon. Mr. Porter: It is at Fort Selkirk.

Mrs. Firth: What kind of park is there? They are doing rehabilitation to a lot of buildings under Heritage, and so on? Where is the park going to be?

Hon. Mr. Porter: This is not a park, *per se*. The decision has not been made to make it a park, *per se*. The previous government had decided to do a lot of upgrading of the Fort Selkirk facilities and had spent thousands of dollars upgrading those facilities. I must say, from what I have seen there, they have done extremely good work in rehabilitating the buildings.

Essentially, we are going along with that program of rehabilitating the site. The changes that we are looking at with respect to some of the expenditures are with the Indian grave site. We are fixing the grave site up. We are going to be finishing the cabin that was started in previous years. There are additional cabin sites in the Native village in Fort Selkirk that are going to be looked at and upgraded.

As well, there are two planning aspects. The previous government initiated an exercise to come up with a master plan for Fort Selkirk. We are going to continue with that planning exercise to develop a master plan for Fort Selkirk.

In conjunction with that, there is another area for tourism that we will be looking at. It is developing an overall policy and framework for historic sites in the Yukon, to make a decision as to what are the priorities for historic sites in the Yukon, and what kinds of efforts should go forward in terms of rehabilitating those particular sites.

Mrs. Firth: Could the Minister tell us when the Indian grave sites are fixed up whether the tourists will be allowed to visit those grave sites?

Hon. Mr. Porter: I cannot say, at this point, whether or not the tourists will be allowed to visit. I suspect that that is a question that is going to have to be addressed, in the planning process, by the various departments of government and the Band affected, as to whether or not that particular question will be answered in the positive or negative.

¹⁶ *Fort Selkirk Park Planning in the amount of \$50,000 agreed to On Thirty Mile River Planning*

Mr. Brewster: Could you briefly explain to me what this planning on Thirty Mile River is?

Hon. Mr. Porter: This is one of the nominated historical rivers, and again this is something that the previous government oversaw. We will be researching to identify the natural features, historical significance and the recreational capabilities. This part of the Yukon River, which is referred to as the Thirty Mile River, was a very historical part of the river in days of old.

Mr. Brewster: I presume from what you said that there is going to be another park where trapping or placer mining, and such things as this, will not be allowed? Heritage rivers are also pretty well controlled by the National Parks of Canada. We have nine percent; are we going to add some more to their control of the Yukon?

Hon. Mr. Porter: If I did leave the impression with the Member that it was a heritage river, then I would like to correct *Hansard*, because my note says historical. At this point we have no immediate plans to develop a park. That is a question for the future.

Mr. Brewster: Has no one ever approached you to make this a Heritage Site?

Hon. Mr. Porter: Not that I can recall, right now. Someone could very well have talked to me somewhere along the line and asked me about it, or there could have been a letter or something. I can check on that. I will go through my files and see if I received any correspondence from anyone suggesting that this be a heritage river.

Mr. Brewster: What would the Minister's feelings be on that, if someone did approach him?

Hon. Mr. Porter: That is a really difficult question to answer, because we are talking about the Yukon River. Do we start to make piecemeal decisions about the various parts of the river, that this bend is now heritage, that that bend is historical and that one over there is a swimming pool? I have always been mystified by that approach. There has to be, at some point, a decision on the Yukon River itself, as to whether or not there is going to be any historical, significant protection for the river, and I think that is going to be a big decision. I do not see myself making that decision. I think that it is something for the future and that is going to really involve, not only our public, but the Canadian public as well.

Mr. Phillips: I would like to follow up on the line of

questioning by the Member for Kluane. You mentioned trapping and you mentioned mining on the Thirty Mile River, and you just mentioned the Yukon River and the possibility of planning taking place on that and maybe making it an historic river. I am a little concerned about one of my favourite loves, and that is hunting. I am wondering if, in all this planning, any thought is being given to control-hunting, or stock-hunting on some of these very important rivers to people who live on the rivers, who hunt and fish. Every year, a great many Yukoners make a river trip on the Yukon, the Thirty Mile and other Yukon Rivers such as the Teslin for this type of enjoyment. Is the stopping of hunting on these rivers being considered at all?

Hon. Mr. Porter: There is no active discussion to, in any way, affect or limit the ability of people to hunt. As to whether or not the Member puts his question in the broad philosophical framework as to whether or not we are going to ban hunting on the Yukon River itself, that is not a position that is under active discussion. That is not the position at this particular time that I would support. If there is some biological reason to curtail hunting, that is a different question. With respect to this particular line item, the Thirty Mile River question, there is no contemplation on the part of myself or the Department to, in any way, affect the rights of individuals to hunt.

¹⁷ *On Thirty Mile River Planning*

Thirty Mile River Planning in the amount of \$20,000 agreed to On Herschel Park Planning

Mr. McLachlan: I was wondering if the Minister could outline for us some of what he knows of his Department's thoughts on this item. It could turn out to be a very expensive park in an area that not too many Yukoners could get to, simply because of its location. I want to make sure that it is simply not a cleanup.

Hon. Mr. Porter: My understanding is that there has been no complete park plan on Herschel. It is like the Selkirk issue. We are developing it; it has been set aside as a territorial park under the Inuvialuit final settlement. We are moving very slowly in terms of its development. We are doing resource inventory with respect to the park. We are talking about the development of management plans. We have not reached a decision to say that Herschel Island is going to become the flagship of the territorial park system and that we are going to encourage sponsored tours directly to that particular site.

The Department of Renewable Resources is doing an inventory of the existing resources in the Herschel Island Park. Also, I might add that Tourism is involved in this particular park. We are looking at all the buildings there. We are looking at all the significant archaeological sites, and there are some. The problem with many of the archaeological sites is that through the constant pounding of the water we have an erosion problem, and we are losing some of the archaeological sites. There is a need to step up that part of the program.

At this point, we do not have a decision as to the ultimate destination for Herschel Island Park. We are slowly moving along and doing the necessary planning and development and the inventory work.

Mr. McLachlan: If this is set aside under the Inuvialuit settlement, does the Minister anticipate some cooperative funding, at some point, from the Northwest Territories government?

Hon. Mr. Porter: It is our ground. We do not see the NWT paying any part. This has been turned over to the Government of the Yukon. We are going to develop it as a park. We are looking after it. I imagine that one of the considerations that we have to look at seriously, with respect to Herschel — and I do not raise it for a point of continued debate but just as a matter of interest — is that particularly with the Dome strike, with the oil so new, and with previous discussions that affected this particular site, there is going to be a debate, at some point in the future, as to whether or not there should be an allowance for oil and gas activities or facilities, or any kind of feeder or gathering line systems with respect to the exploration of oil, or a discussion as to whether or not there is even a port considered for there.

Those are issues that we are going to have to come to terms with in the future, given the kind of activity that we have seen and the

recent shift of the Beaufort activity toward the Yukon coast.

Herschel Park Planning in the amount of \$75,000 agreed to

Chairman: Is it the wish of the Members at this time to take a brief recess, or continue?

Some Members: No. Continue.

On Recreation Trails

Mr. Phillips: I have a question similar to my earlier question on the rivers; it is the funds for planning and construction of recreational trails and campsites in areas with historic, natural or scenic significance. Will this exclude hunting and fishing and activities such as this on the trails that they build? I imagine they are talking about trails such as the Dalton Trail?

Hon. Mr. Porter: Some of the trails that we have charted are the very evident historical trails such as the Dalton, such as the old trail that went from Dease Lake to Frances Lake, and also the trail that links up Atlin and Teslin.

This is a really difficult development. This is a really tough area to police. Those old trails have a lot of history behind them; a lot of people have walked those trails. In recognition of their efforts and in recognition of the wilderness experience they offer to us today, we are looking at rehabilitating those trails, developing them, putting people to work to clean them up, putting up some interpretive signs, as the Member speaks about, and then maybe do some basic development, maybe a nice log cabin somewhere. If the Member for Kluane is hiking along, we had better make sure we have a sauna here and there.

The difficult part of the exercise is to police it. How do you make sure that people do not come along and wreck the sites. Also, how do you deal with conflicting interests. In summertime, people can walk those trails; in wintertime people may want to ski them. The moment you have people skiing, the snowmobilers come in behind them and tear up the ski trails, and then we have a real conflict. I could never come up with any easy solution to that question. It is going to be one that continues in the future. There will probably be spot checks on those trails. That is probably the only deterrent that we can have, along with the goodwill of the people of the Yukon to try to protect those trails.

At this point, I have not been made aware of any active discussion to try to attempt to ban hunting, for example, near these trails. If there are site developments, I would suspect that there would be certain provisions under the trapping regulations, for example, that you cannot trap in a certain distance from a dwelling unit. If we did construct a dwelling unit, that probably would apply under the current *Wildlife Act*. In terms of banning hunting on those trails, no, there is no intention that I know of.

It may become a question for the future. I do not rule it out, if these trails become very popular and heavily used, we may want some protection like we have on Annie Lake, where you cannot hunt 800 feet from the highway corridor. We may have to look at it if a lot of people are using the trail.

Mr. Brewster: I am not saying what I am going to say to be smart, but I am very concerned, especially with the policy of the Minister of Justice. There will not be inmates from the Correctional Institute doing these trails? It will be the people who need jobs?

Hon. Mr. Porter: When we get around to the point of hiring people to do this work, to clear these trails, my position is that local people be used from the communities near where these trails are being built.

Mr. Phillips: Is the Member saying that these people will be hired through YTG, or will we go to a sort of a private tender where individuals in the community could bid on five miles of clearing or five miles of trail work or something like this and, then you could employ local people in the communities to do the work?

Hon. Mr. Porter: In the past, the Department has generally operated these areas by in-house management. The Department goes to a community and says they need some slashing done. They ask the community who has power saws available, axes, and they basically hire the crew, then they have a foreman and that foreman reports to the supervisor. That is how it has worked in the past. I do not see us deviating unless we get a huge chunk of work, a massive amount of dollars, but we are talking about maybe \$5,000 to \$10,000 here and there in this community. We have people on staff

who would be able to manage these projects so I suspect that in most cases we will probably continue with project management in-house. I do not rule out that in the future we will look at contracting out certain aspects of some of these parks, particularly when we move to parks development, for example Coal River. I can see an awful lot of work in the Coal River Park itself being contracted out.

On Recreation Trails

Recreation Trails in the amount of \$50,000 agreed to

On Interpretive Centre - Dempster Highway

Interpretive Centre - Dempster Highway in the amount of \$4,000 agreed to

On Departmental Equipment

Department Equipment in the amount of \$70,000 agreed to

On Conservation Officer Facilities - Water Supply

Conservation Officer Facilities Water Supply in the amount of \$13,000 agreed to

On Biology Workshop and Laboratory

Mr. Phillips: Where is this going to be located, or is this already in place and just being upgraded?

Hon. Mr. Porter: That is correct. We are talking about the biological laboratory in Whitehorse where we have some ventilation and draining problems. We are looking at fixing up the draining and ventilation problems there.

Mr. Phillips: I would like to suggest to the Minister that there is currently a bit of a problem with the Biology Department being up the hill and the Conservation Office being on Quartz Road when you have to take in submissions. People have difficulty in knowing which one to go to and sometimes they end up running back and forth. It would be awfully nice if, in the future, there could be some consideration given to having the headquarters in the same place so that people would not take half of their submissions to one area and then have to take the other half to the other.

I know that he is going to say that it was the previous government that had this policy, but I am speaking as someone who had to run back and forth all the time, and I would hope that he might take that into consideration.

Hon. Mr. Porter: Given the interest of the Member opposite in wildlife generally, and Renewable Resources, and given that he has voiced his opinion for the Department of Renewable Resources to have better facilities, I can rest assured that, should I look to him for support for possible new Capital expenditures in the future, he is going to be there supporting me.

Space is a problem for this particular Department, and that is the mitigating factor here. We have to live in the confines of the space that we have. I would argue that if there is any Department of government that needs new log structure for future office space, it is this Department.

Mr. Phillips: Just a comment and just a suggestion: maybe the Minister could move his Department into the new warehouse for the next five years. That will be vacant, and they could work out of there.

Biology Workshop and Laboratory in the amount of \$4,000 agreed to

On Northern Oil and Gas Action Program

Northern Oil and Gas Action Program in the amount of one dollar agreed to

On Economic Development Agreement

Economic Development Agreement in the amount of one dollar agreed to

Department of Renewable Resources in the amount of \$1,507,000 agreed to

On Department of Tourism

Chairman: Page 62, Department of Tourism
General debate?

Mr. Lang: We have not heard from the Minister.

Hon. Mr. Porter: In presenting the 1986-87 Capital Estimates for the Department of Tourism, I would remind the House that the lack of employment in the Yukon is a priority of this government. Thus the majority of the Capital projects of the Department are designed with this objective in mind. It is estimated that 2,254

person-years of employment will be created during the year, 63 percent of which will be in the private sector.

Again, much work will be carried out in rural communities and will involve participation of the members of the public in many instances.

In terms of a couple of items that we have here, there is a great deal of emphasis, as there should be, on careful research and planning before the actual construction or the expenditure of funds. Work will continue on various historical sites that are being restored this year. Research will be commencing on the Forty Mile Townsite to develop a conceptual plan for future work on this site.

Work will continue on the stabilization and partial restoration of the *S.S. Tuishi* in Carcross, and that should be completed next year. There has been \$100,000 allocated for urgent and essential renovations to the George Johnston Museum in Teslin. \$100,000 will go to assist the MacBride Museum to carry out their development plan. \$50,000 will provide a roof for the outdoor display of locomotives in the Dawson City Museum, particularly the locomotives that have been transported to Vancouver for Expo. It has just been sandblasted, had a new paint job, and we have done a lot of work and spent a lot of money upgrading that particular locomotive. It will be coming back to Dawson. In preparation and consideration of that locomotive and others, we will be building a roof to protect the trains.

²¹ It is important because of the name of this particular train carries. It is called the *Porter*.

A major grant of \$100,000 will also go to the community group that has organized the establishment of a transportation museum in Whitehorse. \$200,000 will be given to the community of Watson Lake, the gateway to the Yukon, as the former Minister of Tourism fondly refers to it as. This is for a streetscape item, which we are looking at in the Budget. I understand that there was active discussion under the previous government to develop such a plan. We are carrying that work forward. We are starting from the bottom of the Alaska Highway and working our way north. It is going to be a ten year program that is going to work up the Alaska Highway. Next year the target communities are going to be Haines Junction and Carcross. In subsequent years, planning implementation will be for other communities along the Alaska Highway. Then we will move to the Klondike Highway, and then we will move to the Campbell Highway.

Dawson and Whitehorse are not part and parcel of this specific program. My understanding is that they have had these kinds of programs for years, like the Target Downtown program. There have been monies spent in this area in these other two communities. There is a major project for the riverfront development for the City of Whitehorse.

More or less, those are the major expenditures.

Mr. Brewster: Something that has been near and dear to my heart for thirty-some years is Silver City, which is among the oldest communities in the Yukon. I know they keep arguing that it is privately owned, however, that was a mistake when the Yukon government let it get away years ago. If we wait another 10 years, there will be nothing left. All the buses go in there and everybody strips off logs and everything else. It is almost a wreck right now.

I see nothing in here at all for that. Unless that Canyon Creek Bridge is there, I see nothing in the Kluane area.

I would like to ask a question about the Heritage Yukon program that we hear on the radio all the time, which I presume are in this Budget. There is one short on the whole Kluane area, and that is four of my damned old pack horses standing fighting flies, and that is very stupid. That is just a fact of life. I can name the four horses standing there if you want me to.

The National Parks of Canada are putting more into the Yukon than anybody else.

Hon. Mr. Porter: It is the first I have heard of these horses.

The question concerning Silver City a legitimate one. As I have explained, an inventory is being taken of the sites in Yukon. As to whether or not we are spending any money under this Capital Budget for that particular site, the answer is no. Frankly, in the discussions internally within the Department, it was not something that was raised. It was not raised by the Member, that I am aware

of, or brought to me by way of letter or representation for Budget planning.

Seeing as how the Member has raised it at this particular point in the discussions, it will definitely be an item for consideration for next year's Capital.

²² **Mr. Brewster:** I have been arranging it ever since I got into politics and I have got nowhere. If I may point out, you may see five to six buses parked there at a time. I do not suspect that you have one place anywhere in the Yukon as a Heritage site. Fort Selkirk certainly does, and we spent all that money there. This is five miles off the road. The road is maintained for them by the government and I presume the Department of Highways does that on the side on a Saturday or something, because it is done. I can go in there on almost any day during the week during the summer and there will be five or six buses parked there. That is 150 people at a time and they are just literally destroying that place.

Hon. Mr. Porter: The Member represents his interests well and I can assure him that I will try to give as good a representation to the Department when we draft next year's budget. The budget for this year has already been through the process, it has been through Management Board, and we have already agreed on it. In terms of whether new monies can be made available, that is a question for the Supplementary process that I would have to more or less deal with the government as a whole one.

We will look at this particular site. We will find out who owns it and what the significance of the site is and then incorporate it in our planning process as one of the priority sites we, as a government, should look at. I have seen the site myself. I have been out through Cultus Bay, and I recognize that those buildings are very old and there is no question that, because of their proximity to the highway, they are easily accessible and thereby a target for vandalism. Just bear with me and hopefully we can do something about it.

Mr. Brewster: Could you assure me that you get some little TV shorts on the Kluane area? They are losing out completely. National Parks is doing all of this for you.

Hon. Mr. Porter: In terms of government and advertising, I am a firm believer that this government, like any other government, has to wake up to the fact that it does live in the age of television and that it has to spend more of its resources to project its televised image to the rest of the world. We have some of the most beautiful country in the world, and we should not be ashamed to show the rest of the world what it looks like. The Member can rest assured that I will be arguing for greater resources for communications generally to improve the image of the Yukon by doing more film and video development on various places of the Yukon. Kluane obviously is a major attraction.

The Member will be pleased to know that we are working toward the completion of a travel film which was something that was started by the previous government. It has a lot of footage of Kluane in it. We are also putting in place a film development program to encourage people that have an interest in filming to look at the Yukon as a potential location, either for commercials or for some possible film presentations.

He has got somebody on this side who agrees with him in the area of development of film and video. Obviously, when we step into that area and get into high gear on it, there are going to be an awful lot of lenses focused on Kluane.

²³ **Mrs. Firth:** I just want to follow up a bit on the vignettes that the Member for Kluane is talking about. I recall, as the Minister of Tourism, we spent some hundred thousand dollars to have eight of the vignette shots done. Heritage Yukon is what it was called. We did it through a local advertising agency, and by doing that, the exposure that we got was valued in approximately \$2 million worth of free advertising. The vignettes were supplied to some 52 television stations, who aired them regularly. You can see that they are holding on to them, because they are still continuing to air them. Some of the later ones that had not been shown are now being aired.

The program has not continued over the past couple of years, and I notice that it is not in this Capital Budget again. The Minister is, in a way, giving us a commitment that he is going to look at identifying more funds for that, and I think he should be looking at

it immediately, for continuity of the program.

We sent a full tape of the vignettes that we had done to Japan, and the Japanese market was very interested in that. There are just no end of areas where they can go to be televised on our behalf, and because it is a heritage endeavour, we do not have to pay for advertising. The benefit that we derive is extremely beneficial to the Yukon.

Hon. Mr. Porter: I thank the Member for her comments, and I will incorporate the general thrust. There is no difference of opinion here. We agree that this is an area that should continue to develop, and that we should commit dollars to.

Mr. Coles: I am happy to see that the Minister is continuing on with the Fort Selkirk stabilization, and I am wondering if his Department has considered for the next Budget perhaps, since it is not on here, doing something with the stabilization of Montague House on the Klondike Highway?

Hon. Mr. Porter: It is not in this particular Budget. It is another site that would have to fall into the inventory that is going to be carried out by the Department, much like the Silver City site. It will have to be catalogued, and there will have to be some basic research done on it, and then a decision made as to the priorities of site.

In terms of the question of vandalism, it is in a very similar situation as the Silver City site, because of its proximity to the highway. I suspect that, through the process of identification of sites, those kinds of areas of historical importance that are easily accessible, probably because of the fact that they are more subject to vandalism than other sites, will get priority. Both of them are locations on highway corridors.

Mr. Coles: I thank the Minister for his consideration. I urge you to look at the Montague House quite quickly because the roof has caved in, and I do not think that there is much left to restore. If it is left another year or two, there will be nothing to restore. It is one of the major roadhouses on the Klondike Trail, and one of the larger ones that was used during the years of the gold rush.

²⁴ *On Old Territorial Administration Building*

Mr. Lang: I would like to hear from the Minister.

Hon. Mr. Porter: It is one of the Yukon's most important physical historical sites. It is located in Dawson. It was, at one time, the seat of government. It is very important that we continue the initiatives of the previous government. The project was started in 1985-86. It is not inadequate for museum purposes. We are talking about general restoration work in respect to this project, about a total of 1,450 person-weeks of employment, and 425 person-weeks in 1986-87. The project will be a major tourism attraction. It will include the construction of a rear addition to house an audio-visual room, a cafe, a mechanical room, modern, public washrooms and also the exterior of the building will be repaired as necessary and repainted. Hopefully, we are going to finish the restoration by 1988, and perhaps we will have one of our legislative sessions there some day.

Mr. Lang: I have to register my objections to the principle of constructing for profit within the Territorial Administration Building. I think there are enough people in Dawson who are in business, and we are going into competition with people who have gone into business with the idea that they would be competing with other companies, and not the government. I want to say that I feel that that is a misappropriation of money. I do not believe that yours and my money should be spent that way. To my knowledge, there is no shortage of eating places in Dawson, in summer or winter.

I was led to believe that the possibility existed for the building to be used by the city or territorial government as offices, in a duality of use, as opposed to doing what Parks Canada does in resurrecting buildings. I was hoping that the objective would be to utilize the space in a manner that would be a benefit to the people of Dawson, the people of Yukon, and visitors.

²⁵ **Hon. Mr. Porter:** There is no problem with multiple use of historic buildings. If there is excess space available for continued use to meet modern society's needs, such as office space, to house municipal employees or other government employees, then we are in favour of that. That makes sense to me. I suspect that most of the space in this particular museum has already been planned for by the

Dawson Museum Association. If there is space when the project is completed, and it meets all the standards, then I have no problem advocating that that space be utilized.

Mr. Lang: The Minister did not answer my whole question, the question of the cafe. I would like to know how many dollars would be allocated to put a cafe into that particular building?

Hon. Mr. Porter: I do not have the break down regarding the specific amount of the cafe portion of it. The information here speaks to the audio-visual room, the cafe, and the mechanical room. The information regarding the specific costs of the cafe is not available here.

Mr. Lang: With all due respect, I would like to know what those costs are. I think we would all like to know. If we are getting into the cafe business now, I would like to know how much it is costing us.

Hon. Mr. Porter: I will get the information and provide it to the Member opposite.

Mr. Lang: I would ask that this particular section be set aside then, because we are not going to get through the whole Budget, and then he can bring it back tomorrow. Obviously, somebody has been doing some work on it.

Old Territorial Administration Building stood over

On S.S. Tutshi

Mr. Phelps: How many jobs?

Hon. Mr. Porter: 125 person-weeks.

Mrs. Firth: One hundred and twenty-five weeks is how many jobs? I would like to ask the Minister of Community Affairs too — who is not here — it is fine to say so many weeks of work, but how many real jobs is that? How many people are going to have jobs?

Hon. Mr. Porter: There is no permanent employment created. We are talking about seasonal employment, and we are talking about 125 person-weeks. As to how many people that means on the job site, last year we talked about two, and I suspect we are probably talking about the same.

Mr. Lang: We had \$177,000 last year, and we have \$100,000 this year. That is \$277,000. I think that if we look in past Budgets, it would be \$50,000 here and \$20,000 there. We are getting to the point that we are spending a fair amount of money on that structure.

What is the final bill going to tally up to when we have completed the stabilization and get it to the point where it is restored in a manner that is acceptable to the general public?

²⁶ **Hon. Mr. Porter:** My understanding is that to get this boat into the shape that is necessary to take the Member for Porter Creek East and the Leader of the Official Opposition on a fishing trip on Tagish Lake, we are going to have spend at least \$375,000.

Mr. Phelps: The hon. Minister is going to have one hell of a time getting that boat underneath the bridge. In any event, there were more than two people hired last summer. I would like to see this item set aside until we know whether or not the employment is going to be the same or whether there are going to be fewer people hired next summer.

S.S. Tutshi stood over

On Fort Selkirk Stabilization

Mr. Coles: I wonder if the Minister could elaborate just a bit on this \$260,000?

Hon. Mr. Porter: We are talking about the continued stabilization of five cabins including the cabins in the Indian village, the continued stabilization of the cemetery. The important aspect of this is to begin the planning process to find out what we are going to do with Fort Selkirk. We have spent hundreds of thousands of dollars on it, but nobody seems to know what is going to happen to it. Are we going to move the entirety of the official Opposition down there for the winter and let them live there in the buildings? Both of my departments, Renewable Resources and Tourism, together with the Band, the people in the Historical Museums Association are going to continue with recording work there and initial archaeological surveys.

Mr. Coles: Can the Minister tell us how much will be created by this project this year?

Hon. Mr. Porter: 290 person-weeks.

Mr. Brewster: I would like to inform the Minister that his last remarks are wishful thinking.

Fort Selkirk Stabilization in the amount of \$260,00 agreed to On Herschel Island

Mr. Lang: Is anything being done as far as the grave site that is located there? For Members that are not aware, the hill has come down and exposed a number of the graves. It was my thought that the government should have some ceremony and maybe take some steps to ensure that these graves are buried properly. I would like the comments of the Minister, as I think that it is pretty serious.

Hon. Mr. Porter: There has been that problem. Whether or not we have been able to do anything about it this summer, I do not know. I know that the crew was in there doing basic stabilization, cleaning up on the site, cleaning up the buildings. Whether or not they did any remedial work on the exposed remains, I do not know the answer to that question. I will speak to the Department to see if they have done anything. If they have not, I will ask them why they have not and what their future options are for dealing with this issue.

Mr. Lang: I would like to give a suggestion, since not all good thoughts come from the bureaucracy. Sometimes they do come from the political side of government. If no work has been done, perhaps the Anglican Church should be contacted, because the history of Herschel Island is strongly linked with the Anglican Church, and see if some arrangement can be made with the Bishop to have a ceremony on the island. I think it would be advisable that the government take the issue upon itself and move in that direction.

It would also reassure, and give prominence to our territorial rights to the island. It would also recognize the historical past of the area. If there is an empty seat on the airplane, I would be happy to go along with Mr. Webster.

Hon. Mr. Porter: I thank the Member for his comments.

Herschel Island in the amount of \$60,000 agreed to

On Robinson Roadhouse

Robinson Roadhouse in the amount of \$150,000 agreed to

On Canyon Creek Bridge

Mr. Lang: What are you going to do to the Canyon Creek Bridge, and which bridge is it? Is it the bridge on the Kusawa?

Hon. Mr. Porter: No. We are talking about Canyon Creek. The Member for Kluane is right. We are talking about a working platform over the river, repair and replacement of the piers, reconstruction of bridge decking and replacement of structural members where necessary.

Mr. Brewster: I notice in the information part that a bunch of work was done there last year. Is that correct?

Hon. Mr. Porter: My understanding is that all that was done last year was \$10,000 worth of work. We plan to do an additional \$75,000. We think that after that we may need another \$25,000 in 1987-88 to clean it up.

Mr. Brewster: I was beginning to wonder if I have been going by there with my eyes shut, because I have never seen any work being done on it. Ten thousand, I can understand.

Mr. Lang: Do we actually use this bridge? Is this the bridge across Canyon Creek on the way to Kusawa?

Hon. Mr. Porter: (Inaudible)

Mr. Lang: Is this just a bridge that is being restored but nobody is going to be using? That is a lot of money. I can build you a lot of bridge for \$110,000.

Hon. Mr. Porter: I am sure I will have the Member for Kluane's help in taking the Member for Porter Creek East to show him where it is and give him some of the history of this particular bridge.

My understanding is that this bridge was part of the historic trail to Dawson. It has those roots in history, and it is a very attractive bridge. It is located close to the highway, and it is a good tourism attraction, if you can have people come down and sit there. I would like to invite the Member for Kluane to give further points of clarification on that.

Mr. Brewster: This once again proves that Dawson and Whitehorse have a conflict, if every road goes to Dawson. Well this road did not go to Dawson. This was built so that they could turn around and haul their food and such articles to Cultus Bay, put them on a boat and take them up to Burwash. If you have been by there it

is about 150 feet from the regular bridge now, on the right-hand side going up, and if you look you can see the old road going up beside the old graves on top. It had nothing to do with Dawson.

On Canyon Creek Bridge

Canyon Creek Bridge in the amount of \$75,000 agreed to

On Forty Mile Townsite

Forty Mile Townsite in the amount of \$120,000 agreed to

On Historic Sites Inventory

Historic Sites Inventory in the amount of \$150,000 agreed to

On Museum Grants

Museum Grants in the amount of \$100,000 agreed to

On Conservation Projects - Museums

Conservation Projects - Museums in the amount of \$12,000 agreed to

On Teslin Museum Renovations

Teslin Museum Renovations in the amount of \$100,000 agreed to

On MacBride Museum Expansion

Mr. Lang: I have to ask a question because we are starting to spend a significant amount of money here. We have roughly \$500,000, if you total it up, for museum facilities, and one of the areas that we are sadly lacking in, as far as facilities are concerned, is actual museum facilities. That way the air can be controlled so that we can have our artifacts and that type of thing preserved for all times. I think that was part of the museum study that was done a year or two years ago, where initiatives by government were going to come into place. I would like to hear the comments of the Minister on this, because I think it is an important area that should be looked at. I know that there are short-term political gains to do a little bit of work on each museum, but I am wondering, in the long-term, whether or not we are doing ourselves a disservice as far as the objective that we are trying to reach and that is the preservation of our artifacts. As the years go on, we are losing more and more. I am wondering what step the government is taking in that direction because you are talking about a significant amount of money if you go in that direction. You are not talking small change. If we continue to allocate money in disproportionate amounts throughout the territory then we are going to be in a situation where perhaps we will never be able to take steps which in the long-term we would all like to see happen.

Hon. Mr. Porter: The Member is absolutely correct in the generalities and the comments he has expressed here tonight. The people who are responsible for the MacBride Museum recognize that and what they have done through the work of two individuals, Barry Lord and Gayle Dexter Lord, is to have a major study of the museum commissioned, which the previous government assisted them with. They have some major recommendations. The project is in the neighbourhood of \$2.8 million, they think, to upgrade that museum to the degree where we have a facility in which the artifacts that are brought in are protected. One of the steps that we are taking is that, hopefully, the money that we will be putting forward to the museum will assist them in advancing their proposal and pull in some private industry funding. I think that this is an area that has to be investigated. All people of the Yukon have an obligation to contribute to assist in the development of the museum. This particular measure represents the government's contribution at this point toward that study. As to how much we will be asked to deliver on the total project, that decision has not been made. Those questions are going to be coming back, I know. Hopefully, what can happen is that we can see a greater profile in the community, by the museum, in that there is more participation, not only from government, but from private industry and the public at large as well.

MacBride Museum Expansion in the amount of \$100,000 agreed to

On Dawson Museum Train Roof

Mr. Lang: Are we going to spend \$50,000 on the roof? \$50,000 is a lot of money. I can understand \$15,000 or \$20,000 maybe, but \$50,000 for a roof? I know that there is a fair amount of train indicated but \$50,000 is an awful lot of money. Is that the estimate that was given to the Department or did somebody dream that up from Whitehorse?

Hon. Mr. Porter: That is the estimate that we received.

*Dawson Museum Train Roof in the amount of \$50,000 agreed to
On Transportation Museum
Transportation Museum in the amount of \$100,000 agreed to*

Hon. Mr. Porter: In view of the time, I move that the Chairman do now report progress on Bill No. 52.

Motion agreed to

Hon. Mr. Porter: I move that the Speaker now resume the Chair.

Motion agreed to

Speaker resumes the Chair

³⁰ **Speaker:** May the House now have a report from the Chairman of Committee of the Whole.

Mr. Webster: Committee of the Whole has considered Bill No. 52, *First Appropriation Act, 1986-87*, and directed me to report progress on same.

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

Some Members: Agreed.

Speaker: May I have you further plasure.

Mr. Phillips: I move that the House do now adjourn.

Speaker: It has been moved by the hon. Member for Whitehorse Riverdale North that the House do now adjourn. Are you agreed?

Motion agreed to

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

The following Legislative Returns were tabled on October 21, 1985:

85-2-7

School Bus Numbers (McDonald) (Oral - Hansard, p. 57)

85-2-8

Liability insurance of school bus contractors (McDonald) (Oral - Hansard, p. 58)

85-2-9

School busing policy and Whitehorse transit system (McDonald) (Oral - Hansard p. 59)

85-2-10

School busing policy and consultation with School Committees or Education Council (McDonald) (Oral - Hansard, p. 59)

85-2-11

French Language Coordinator position (McDonald) (Oral - Hansard p. 59 and p. 60)

The following Filed Documents were tabled on October 21, 1985:

85-2-4

Third Party Equipment Rental Rates 1985 (McDonald)

85-2-5

Study of the Feasibility of Integrating the Whitehorse Component of the Yukon Ambulance Service with the Fire Department, City of Whitehorse (McDonald)