



# The Yukon Legislative Assembly

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Number 25

3rd Session

26th Legislature

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## **HANSARD**

**Tuesday, April 29, 1986 — 1:30 p.m.**

Speaker: The Honourable Sam Johnston

# Yukon Legislative Assembly

SPEAKER — Honourable Sam Johnston, MLA, Campbell

DEPUTY SPEAKER — Art Webster, MLA, Klondike

## CABINET MINISTERS

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

## GOVERNMENT PRIVATE MEMBERS

### New Democratic Party

Sam Johnston	Campbell
Norma Kassi	Old Crow
Art Webster	Klondike

## OPPOSITION MEMBERS

### Progressive Conservative

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

### Liberal

Roger Coles	Liberal Leader Tatchun
James McLachlan	Faro

## LEGISLATIVE STAFF

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

<sup>01</sup> **Whitehorse, Yukon**  
**Tuesday, April 29, 1986 — 1:30 p.m.**

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

*Prayers*

#### DAILY ROUTINE

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

#### TABLING RETURNS AND DOCUMENTS

**Hon. Mrs. Joe:** I have for tabling answers to questions asked by the Member for Riverdale South on April 16, 1986.

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

#### INTRODUCTION OF BILLS

##### Bill No. 50: First Reading

**Hon. Mrs. Joe:** I move that Bill No. 50, entitled *Vital Statistics Act*, be now introduced and read a first time.

**Speaker:** It has been moved by the hon. Minister of Health and Human Resources that Bill No. 50, entitled *Vital Statistics 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?  
 Are there any Statements by Ministers?

#### MINISTERIAL STATEMENTS

##### <sup>02</sup> Second Nurse for Teslin

**Hon. Mrs. Joe:** I am pleased to inform the House that local federal health officials have responded favourably to the motion of this House requesting the immediate recruitment of a second nurse for Teslin. The Yukon region of the Medical Services Branch has internally reallocated its resources and are now active in recruiting the nurse. Confirmation of the staffing action is expected from the federal Minister shortly.

**Mrs. Firth:** We are pleased to hear about the positive reaction regarding the second nurse for Teslin; however, the last sentence of the Ministerial Statement, saying that confirmation of the staffing action is expected from the federal Minister, does give us some concern and we would hope that the government has not preempted the federal Minister making an announcement. We would have anticipated that they would have made a joint announcement in order to preserve good relations with the senior level of government.

**Mrs. Joe:** We have been assured by Medical Services that that nurse is already being recruited, and that has been verified by Medical Services in writing.

##### Homesteader/Squatter Policy Discussion Paper

**Hon. Mr. McDonald:** We all know that Yukoners have a special feeling for their land and a desire to see it developed in a fair, responsible manner. The Yukon government today is taking an important step towards involving Yukoners in creating homesteader and squatter policies to resolve one of Yukon's most critical land management issues.  
 The paper I table today is a discussion paper. This is in keeping

with the government's philosophy of open communicative leadership. We invite public comment to make sure that we have a policy that all Yukon people can live with.

The paper aims to strike a balanced, fair approach to the squatter issue; however, it goes one step further by offering a low cost rural residential land or homesteader program for all Yukon residents. Yukon people have waited a long time for such low cost land away from major populations and highly structured environments.

Mr. Speaker, let me briefly state the principles of the paper which will provide the guidelines for discussion:

First, the Homesteader program provides an inexpensive rural land at no cost to the general taxpayer and it fosters orderly ownership of land without compromising other land use interests.

Secondly, the principles of the squatter program are based on sound land use management and planning while, at the same time, pre-empting future squatting. The existing squatter situation can be resolved through the options of legitimization or removal to homestead land.

Mr. Speaker, I wish to emphasize that this is truly a discussion paper.

<sup>03</sup> The policy that ultimately evolves from the process will hopefully reflect all interests in this important issue.

Copies of the paper have been sent to public distribution points throughout the Yukon. It is also being mailed to each squatter currently on the tax roll, squatter complainants, Indian Bands, municipalities, the Association of Yukon Communities, Council for Yukon Indians, and various interest groups.

All these, and any other member of the public, will be encouraged to provide their comments to this government. An information line, to deal with any inquiries, has been established. We will also be meeting with individuals and groups to facilitate thorough discussion.

Issues such as preselection payment, market value, purchase price, and "years of occupancy" clauses are very much open for discussion, as are all other aspects of the paper. By suggesting specific positions, we tried to steer a balanced course while also giving people a clear indication of what the policy could mean.

With this kind of thorough and thoughtful consultation, action will have begun to provide a real and practical means of resolving the squatter issue while, at the same time, providing equal opportunities for all Yukoners to access low cost rural land.

Mr. Speaker, Yukoners have waited many years for a solution to this problem. I believe today we have started a logical, Yukon-based approach to dealing with this difficult issue. With cooperative and rational discussion, we hope to establish a policy that will meet the needs of all Yukon people.

**Mr. Lang:** I want to commend the Minister on the work that has been done with respect to this particular area of concern. I notice that there is a combination of work that was done over a year ago, in conjunction with other policies, for example, the value of the land, what should the sale of the land encompass, and how much it should cost the individuals involved.

As an observation, I was hoping that this policy could have come forward earlier, over the course of the winter. The further we go into the spring and summer, the more chance we have of people not being able to come forward, for one reason or another, because of the work season in the Yukon.

The other principle that I want to speak on, since I just received it, is that there does not seem to be any definitive timeframe for the review committee to make a decision. That should be looked at very seriously. Sometimes these committees can go on forever and a day. To some degree, I think the Yukon has been saturated by inquiries, task forces, you name it, at the various levels of government, to the point that it is very confusing to the public.

<sup>04</sup> We are looking forward to the results with respect to the policy. I know it is a difficult area. I see it more from a non-partisan point of view in that it is a problem that has to be dealt with, and if we can constructively contribute to the debate we will.

**Mr. McLachlan:** We are pleased that the White Paper has finally been released that will provide some discussion on a number

of areas, and that this discussion can be seen as the start of an eventual solution to a problem that seems to have plagued the area of territorial-federal lands issue for what seems like time immemorial.

When the policy has been finalized as a result of the discussion paper, we will no doubt have a great deal more to say at that time.

**Speaker:** This then brings us to Question Period. Are there any questions?

### QUESTION PERIOD

#### Question re: Medicare premiums

**Mr. Phelps:** The first question has to do with what seems to be a difference in explaining how the decision was derived at to remove the payments of the medicare premiums in the Yukon. The Liberal Leader seems to be saying that it was a promise extracted from the NDP back in May. The Government Leader has been saying that it was on their agenda, that it was one of their policies for some time. I would like to know which it is. Would the NDP have done it without the insistence of the Liberals or not?

**Hon. Mr. Penikett:** I am interested today to hear the Leader of the Official Opposition use the term "extraction", which I normally associate with dentistry. Let me answer the question with this analogy: if one is having a impacted wisdom tooth extracted, it is very painful, but, if you are having a tooth taken out that is loose and comes quite easily, then, of course, the extraction is very easy.

In this case, it was the latter.

**Mr. Phelps:** We are speaking about the Liberal Party, and I think wisdom tooth is the wrong one, molar perhaps. The Government Leader also stated, last Thursday, that he had not even spoken about the issue of medicare premiums with the Members of the Liberal Party since last May. Am I correct in reading that into his answer?

**Hon. Mr. Penikett:** The statement that I made last Thursday is true. The Leader of the Official Opposition's memory of it is true.

**Mr. Phelps:** Did the government then, before assuming office last May, decide to abolish medicare premiums in Yukon?

**Hon. Mr. Penikett:** I have, in my political life, been credited with a great deal of foresight and perspicacity, but I do not think even my most flattering friends would have suggested that I would have been in a position to write a territorial budget before assuming office.

#### Question re: Medicare premiums

**Mr. Phelps:** My question had nothing to do with writing a territorial budget, as the Government Leader is well aware. Did he agree, last May, in conjunction with discussions with the Liberal Party, that his party, his government, would abolish medicare premiums?

**Hon. Mr. Penikett:** I believe it has already been made public several times before that. In our discussions last May, we discovered that we had several policy ambitions in common. We had a common agenda with respect to our desire to settle land claims; we had a common agenda with respect to our desire to re-open the mine at Faro; we had a common agenda with respect to the abolition of medicare premiums; and, I believe that we further had some community of interest when it comes to casuals reform. I think all those points of our discussion were made public shortly after the time we had the discussion.

**Mr. Phelps:** Could the Government Leader tell us, as a result of these discussions when the Liberal leader extracted the discontinuance of medicare premiums in Yukon as a promise from the Government Leader as a result of their loose coalition, whether or not there was a time limit placed by the Liberal leader when the medicare premiums had to be abolished?

**Hon. Mr. Penikett:** The short answer is no. Had we, of course, been able to wish a settlement of land claims within a year, the re-opening of Cyprus Anvil Mine within a year, and everything else that we wanted to do in a year, I am sure we would have done it. Sometimes these things take longer than one hopes.

**Mr. Phelps:** In the discussions that they had in forming this

loose coalition back in May, did the Liberal leader ever once discuss the issue of the revenue side of budget, and the issue as to how this government would pay for the abolition of medicare premiums?

**Hon. Mr. Penikett:** He and I have not had discussions on that subject, but I am sure, as a responsible Member of the Legislature, the Leader of the Liberal Party has discussed that with all sorts of people.

#### Question re: Cabinet documents

**Mr. Coles:** I have a question for the Government Leader. Could he tell the House whose department is doing the investigation into the leaked document? Is it his department or the Department of Justice?

**Hon. Mr. Penikett:** The investigation is being done on my authority and that is all the detail I intend to give about it.

**Mr. Coles:** When might the Government Leader be prepared, in a reasonable amount of time, to give this House some conclusions on this investigation?

**Hon. Mr. Penikett:** I will give this House, and the Member opposite, some conclusions at the most reasonable time I can after finding those conclusions. Some of my conclusions may cause us to take certain steps that I would not want to make public immediately. As soon as I can reasonably report on the results of the investigation I will do so.

**Mr. Coles:** Yesterday, in Question Period, the Minister of Justice said an investigation was being held to determine if there was a breach of security. Then, the Government Leader informed the House, in the same question, that everybody on his side knows and believes there has been a breach. Have the Government Leader and the Minister of Justice different viewpoints on the issue?

**Hon. Mr. Penikett:** No. I believe we were just using different words to describe the same thing. We know there was a Cabinet document that found its way into somebody's hands who misused it. That document, assuming it was stolen, was not returned to us but was presented to the local media. I think those are facts that we know. What we do not know, or are not absolutely sure of yet, are the circumstances of its removal, as government property, from this building.

#### Question re: Human rights legislation

**Mr. Phelps:** I have a question of the Minister of Justice with regard to another allegation by the Liberal Leader — or Inspector Clouseau, as some would call him — on the Human Rights Bill and that committee. Apparently, the Liberal leader's version is that he went to see the Justice Minister and told him he had better put it on the shelf and rethink it and explain what it is. Can the Minister of Justice tell us whether that conversation took place and, if so, whether he attempted to follow the instructions of the Liberal leader?

**Hon. Mr. Kimmerly:** There was no conversation between the leader of the Liberal Party and myself. There were conversations among various members of the Select Committee. The Leader of the Official Opposition was one of the members of the committee. I would assume the Leader of the Liberal Party is referring to the position of the Liberal Party, which was communicated to me by the Member for Faro.

**Mr. Phelps:** Would the Justice Minister not agree that any decision with regard to the withdrawal of the bill and the Committee business was clearly to be a decision to be taken by the Committee and not by the Justice Minister?

**Hon. Mr. Kimmerly:** I do agree, and that is exactly what happened.

**Mr. Phelps:** Just to be perfectly clear, surely the Liberal leader and the Justice Minister would agree that neither of the Liberal MLA's dictated to the committee as to what their decision should be.

**Hon. Mr. Kimmerly:** Obviously, each of the members of the committee made up their own mind. I was not dictated to, and neither was he.

#### Question re: Land claims

**Mr. Nordling:** My understanding of land claims is that, at their convention this past weekend, the Liberals endorsed the report of the federal Task Force on Comprehensive Claims, known as the Coolican Report, in its entirety. Does the government also endorse this report?

**Hon. Mr. Penikett:** The government's position was outlined in the Ministerial Statement that I made to this House some weeks ago. We have, for the public record, made no further elaboration on our position in that connection.

**Mr. Nordling:** Does the government plan to make any further elaboration, in light of this report?

**Hon. Mr. Penikett:** It is just possible that, prior to the matter being decided upon in the federal Cabinet, namely the policy of the federal government with respect to land claims, that someone in the federal Cabinet, or the Minister responsible for the federal Cabinet, may communicate further with this government to clarify certain points. I had a recent conversation with the Minister, and that issue was not raised by him on that occasion.

**Mr. Nordling:** If that request is made by the federal Minister, will the government make their position public?

**Hon. Mr. Penikett:** I do not see why not. The point is that we are only likely to be asked to clarify what we may have meant by something particular in the report, or whether we have any concern about any other particular in the report, or whether we are apprehensive on yet another point. If I get that kind of inquiry, then I will consult with our people involved in land claims, and, if it is a matter of great consequence, with my Cabinet colleagues, before responding to the federal Minister. If it is a matter of some interest to the House, I would be pleased to report the matter.

#### Question re: Wood bison

**Mr. Brewster:** Yesterday, the Minister of Renewable Resources said he had not received any information to suggest the buffalo had parasites. My information is that the buffalo are infected with some type of parasite. What specific steps will be taken to identify the parasite, and also to ensure that there is no possibility of infecting wild populations of animals in the area?

**Hon. Mr. Porter:** To date, I still have not been told if there is a serious problem with the wood bison that are in the Yukon, with respect to a parasitic infection. In terms of the information that has been laid in the House, I will double-check with them to ask if they can confirm the Member's information.

#### Question re: Elk

**Mr. Brewster:** Can the Minister tell us if the elk brought into the Yukon Game Farm last fall were given a clean bill of health, and are they currently in good health?

**Hon. Mr. Porter:** There have not been any problems with the elk reported to my office by the Department of Wildlife.

**Mr. Brewster:** Can the Minister tell us why he does not have a policy in place that must be met before his department will permit animals to be transplanted to the Yukon?

**Hon. Mr. Porter:** It would be incumbent upon the Member to be more specific in terms of what area of policy he means. Our policy statement is very clear on the issues of the importation of game for the purpose of ranching and for the purpose of transplantation. We encourage that. We are working towards that end, and we are, in fact, developing a policy on game ranching throughout the Yukon.

#### Question re: Cabinet documents

**Mr. Coles:** I am happy to see that my colleagues to the far right of me have taken such a great interest in the Liberal Convention this weekend. I am even proud that maybe they will even adopt some of those policies and broaden their spectrum of thinking over there.

There are many dedicated and loyal public employees whose integrity is being questioned over the whole issue of the leaked document. I wonder if the Government Leader would not agree that now is the time to call in the RCMP to get the investigation over with, and put the employees' minds to rest?

**Hon. Mr. Penikett:** It is an interesting point of view. I am pleased to have that representation from the Liberal leader. I should advise him though that it is my impression, based on some

experience, that calling in the RCMP does rather the exact opposite than putting people's minds at rest.

It has rather the opposite effect on morale and productivity in the short run. The Member is quite correct. If we can successfully identify the culprit, and take appropriate remedial action, it will allow the loyal and honest public employees of this government to breathe easier, and do their work without fear of being compromised by a situation like this.

**Mr. Coles:** The Government Leader, on April 24, used the words "stolen" and "stolen document" seven times during Question Period with respect to the issue at hand. Would it not be reasonable to expect that an expert on so-called 'stolen items', the RCMP, be asked to assist in the investigation?

**Hon. Mr. Penikett:** As a theoretical proposition, I have no problem agreeing with that at all.

**Mr. Coles:** I have no wish to put entire departments under suspicion. I would think the Government Leader has the same desire. Can the Government Leader tell the House what is being done to prevent the unnecessary fear among employees of an internal investigation?

**Hon. Mr. Penikett:** I believe in our system of democracy, and I believe in our system of justice. I believe occasions of wrong accusations and wrong convictions are pretty rare. If we carry out the investigation properly, and with good effect, there is little prospect of any individual being wrongfully accused or wrongfully punished.

#### Question re: Contract directives

**Mr. Lang:** On January 31 of this year, the controversial contract directives were put into effect by authorization by the Cabinet of the day. Has there been any change to this particular document since that time?

**Hon. Mr. Kimmerly:** Formally, no, but there is one small section, in clause 29, but my memory may be wrong — it is about local preference, which is going to be removed — which is not being applied. The reason for the delay in taking it out is I want to take it to Management Board when the question of the publication of any changes is completely dealt with and discussed by the Contractors Association and the government. We are presently awaiting the Contractors Association position on that issue.

**Mr. Lang:** At the outset, I should remind the Minister opposite that it is not just the Contractors Association that is involved in this process, which makes it very important to all those in business, or wishing to do business with the government. When does he expect a decision to amend the directives?

**Hon. Mr. Kimmerly:** The Member makes a good point, and I totally agree. It is not only the Contractors Association who are involved; it is one of the major groups who should be consulted on these issues. However, the timing of the decisions to change whatever is not within my control as an individual. I would expect the decisions to be made by Management Board, pursuant to the *Financial Administration Act*, within the next several months, but I am simply unable to put a target date on it, as it is a collective matter, and not an individual matter.

**Mr. Lang:** As the Minister knows, this side agrees with the side opposite with respect to the principle of directives versus the principle of contract regulations, and the implications thereto.

Is it still the position of the government that if requested, they will revert to regulations?

**Hon. Mr. Kimmerly:** It is interesting that the Conservative Opposition now disagree. It is the fact that these directives are called for under the *Financial Administration Act*, which the Conservatives, now in opposition, guided through this House. The initial preparatory work on exactly these directives, and the concept of moving to directives, all occurred prior to the change of government.

The disagreement that the side opposite has is solely as a result of their changed place in the House after the last election.

#### Question re: Contract directives

**Mr. Lang:** To the Minister who did not answer my question, and just to preface my remarks: yes, there was a review of the regulations going on, but there was no decision to go into

directives. I can assure you, from this side of the House, that the decision to change the method of regulations would never have been made.

The Minister of Government Services did not answer my question. Is the Minister prepared to change the directives back into regulations if requested by the Contractors Association?

**Hon. Mr. Kimmerly:** That is a hypothetical question, of course, and the Contractors Association are not now saying that. They did at one time, but they have additional information. Also, it is not for me to say, it is a Management Board decision.

I have clearly committed myself to the Contractors Association and others that if they maintain their position, I will recommend to the Management Board that we change the directives into regulations or enact the directives as regulations. The Contractors Association have a much more informed and responsible view of the situation than the Member opposite. They are not asking for that at the present time. What they are asking for is very clearly a commitment that is guaranteed by law that any changes will be Gazetted and made public. We are looking at the appropriate way to achieve that aim.

**Mr. Lang:** Has the Minister instructed his staff to begin drafting the necessary changes of the directives into regulations?

**Hon. Mr. Kimmerly:** There have been instructions to staff in the Department of Justice to put a proposal forward, which will be discussed with the Contractors Association and others to achieve the result of guaranteeing in law that any changes be Gazetted and made public. That is the issue that we are working on today.

**Mr. Lang:** I think I got some legalese back here. Could I ask the Minister again, has he instructed his staff to take the present directives and draft them into regulations so that the Contractors Association and other organizations affected could perhaps peruse them and see if that is the direction they want to go?

**Hon. Mr. Kimmerly:** The problem is in the question. The Contractors Association initially asked the government to make the directives into regulations. We responded by explaining why regulations are not the most appropriate way to achieve the common goals of the contractors and the government.

<sup>11</sup> The Contractors Association has accepted, for the most part, that explanation. The remaining issue, and the only point of contention that I am aware of, is that the contractors are insisting that any changes be made public, and that that publicity be guaranteed in law.

The government has no problem at all with that principle. We are looking at ways to achieve that. It may involve an amendment to the *Financial Administration Act*. It may involve writing regulations, or even passing the directives as an appendix to a regulation. When that issue is resolved to everyone's satisfaction, I will take the issue to Management Board, and, if it involves a legislative change, obviously, the Legislature.

I have committed myself to putting the position of the contractors before the Management Board. I maintain that commitment.

#### Question re: Yukon Mineral Recovery Program

**Mr. McLachlan:** Last Friday, April 25, a joint news release was issued between Canada and the Yukon respecting the completion of the terms regarding the the Yukon Mineral Recovery Program. Why was the EDA being signed fully six full months after the announcement was first made in this Legislature on the program?

**Hon. Mr. Penikett:** I am not sure I can give the Member the exact reason why it was six months after it was originally signed. I will check into the specific reasons. I am not sure that I know what they were, off the top of my head. I will report back to the Member.

**Mr. McLachlan:** In order that I may be fully clear in my mind, I was wondering if the Government Leader could tell me and the Legislature if the conditions with respect to the release of the money are to be satisfied with the territorial government, the federal government, or joint requirements between the two governments?

**Hon. Mr. Penikett:** The conditions with respect to the release of the money under that EDA are requirements commonly agreed upon between the federal government and the territorial govern-

ment.

**Mr. McLachlan:** My concern is the late-minute nature of the finalized formal agreement. Can the Government Leader tell us that nothing that was signed in the agreement, and formalized on Friday, April 25, then, will disrupt the completion of the final agreements and the payments of money between Curragh and the Government of the Yukon due tomorrow?

**Hon. Mr. Penikett:** In the document that was formalized on the date described by the Member there was nothing new that was added to the matters that were agreed to by the parties some months ago.

#### Question re: Mayo group home

**Mr. Phelps:** My question pertains to the resolution that came forward from the Yukon Indian chiefs, dated March 19, 1986, supporting the Mayo group home. I understand that that body received a response from the Minister of Health and Human Resources that said that she did not understand parts of the resolution, and wanted clarification.

I further understand that the chiefs sent a letter of explanation subsequently. Does the Minister now understand the resolution that was forwarded to her in March?

**Hon. Mrs. Joe:** I understood the resolution. I needed clarification on the last section where it was stated that they have the opportunity to decide whether or not each and every Indian child who was apprehended be referred to the Mayo group home, and I needed clarification on that.

I have not received clarification from the Mayo Indian Band; however, I have received clarification from several of the other bands.

**Mr. Phelps:** The Mayo group home enjoys a broad based support from all sectors of the community, and obviously, broad based support from all the Indian Bands in the territory. I am wondering whether or not the Minister is prepared to lend her support to this home?

**Hon. Mrs. Joe:** The reason I asked for clarification on the last section was because there would have been a bit of controversy among a number of bands, including the Champagne-Aishihik Band, which, in its own right, is preparing to take care of its own children.

I was a little concerned about that kind of conflict. As a matter of fact, the Champagne-Aishihik Band was not the only one that objected to that last section, even though there was a signature on it from that Band. I have letters to tell me that.

**Mr. Phelps:** I understand the position enunciated by the Minister. The problem is that one of the major areas of concern was the request for guaranteed four-bed placement from her department. I am wondering whether or not the Minister could give an answer immediately to the request that was contained in the resolution that was forwarded to her by the Yukon Indian Band chiefs back on March 19.

**Hon. Mrs. Joe:** We have already guaranteed the Mayo group home two beds at \$41.00 a day. Each and every child they have in their care is entitled to that same amount. If they come to us with six beds, we will pay them for those. I have not responded to their letter as of yet. So far, we do guarantee two beds, and I will be responding to them.

#### Question re: Mayo group home

<sup>13</sup> **Mr. Phelps:** I am still curious, because I did not receive a straight answer. Is the Minister saying that she is not going to respond in a positive way to the request for a guaranteed four-bed placement in that group home?

**Hon. Mrs. Joe:** I have not come to a decision in that regard as yet. When I am ready to make that decision, I will be responding. There are negotiations underway between this department and the Mayo Group Home Society with regard to the kind of care they might provide. If there were not enough children to go into that home, then I would not know if we would be able to guarantee four beds, if there were only two beds filled. But we are negotiating with them to look at other areas of concern where we may need their services.

**Mr. Phelps:** Does the Minister not realize that the request and

the need for an answer is fairly urgent?

**Hon. Mrs. Joe:** I realize that the request is urgent, as are all of the requests we are getting. The federal government has dropped its services to those places like the Mayo Group Home in the Yukon. There are cutbacks all over. We get requests every day to pay the federal government's share, as has been done in the past. We would like to know whether or not there are going to be four beds filled all the time. We have to look at all the group homes in the Yukon and make those decisions accordingly. I realize the Member would like me to answer as quickly as possible, but there are all sorts of things we have to take into consideration.

**Mr. Phelps:** Given the broad base support for this type of facility by the community of Mayo and by all the Band Chiefs, can the Minister tell the House why it is taking so long to arrive at a decision? Why could the decision not be made by now, or at least very soon?

**Hon. Mrs. Joe:** A whole resolution came into us regarding a number of other things including the question asked by the Member. We are looking at the whole resolution, trying to get clarification on each and every one of them. There are people who have signed that who now disagree with it. They do not realize that it is in conflict. We are looking at the BCR as a whole BCR, and we cannot just answer each section one at a time.

**Speaker:** 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. 17: Third Reading

**Clerk:** Third reading, Bill No. 17, standing in the name of the hon. Mr. Penikett.

**Hon. Mr. Penikett:** I move that Bill No. 17, entitled the *Fourth Appropriation Act, 1985-86*, be now read a third time and do pass.

**Speaker:** It has been moved by the hon. Government Leader that Bill No. 17, entitled *Fourth Appropriation Act, 1985-86*, be now read a third time and do pass.

*Motion agreed to*

#### Bill No. 30: Third Reading

**Clerk:** Third reading, Bill No. 30 standing in the name of the hon. Mr. Penikett.

**Hon. Mr. Penikett:** I move that Bill No. 30, entitled *Interim Supply Appropriation Act, 1986-87 (No. 2)*, be now read a third time and do pass.

**Speaker:** It has been moved by the hon. Government Leader that Bill No. 30, entitled *Interim Supply Appropriation Act, 1986-87 (No. 2)*, be now read a third time and do pass.

*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

**Chairman:** The Committee of the Whole will now come to order.

We will recess for 15 minutes.

*Recess*

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

### Bill No. 5 — Second Appropriation Act, 1986-87 — continued

**Chairman:** We are on Executive Council Office, Cabinet Support.

**Hon. Mr. Penikett:** I spent some time last night doing an awful job of trying to explain the permanent person-years. We had 13 positions budgeted for in 1985-86, as we do in 1986-87. It was mentioned yesterday, by the Member for Riverdale South, that three of these positions, including the Communications Advisor, were contracts.

That does not change the situation. Clearly, as they were positions there should have been 13 in the O&M Estimates last fall. I was sufficiently confused by the record on this subject, that I went back, not only to last October, and discovered that we did not really discuss the person-year complement.

We did, however, in July discuss it at great length when we were doing the interim supply debate. There was a long debate, moved by the Leader of the Official Opposition condemning me for something or other. It was "moved by the Leader of the Official Opposition that the House urges the Government Leader to be consistent with concerns he expressed for the severe economic plight that many Yukoners currently find themselves in..." and, accordingly "to rescind the huge salary increase being paid to Ministers' Executive Assistants."

During that debate, and as was recorded on page 31, 32 and 33 of *Hansard*, I made it clear: "The total staff of my office, all of whom are, or will be, Order-In-Council appointments, number 13."

Then we went on in detail as to what those positions were: Chief of Staff, Executive Assistants to five Ministers, Communications Advisor and the Secretaries and the Constituency Liaison person, all of which was basically the same organization in terms of arrangements that had operated during Mr. Pearson's day, when there were 13 positions. It is that establishment that is basically maintained. The only difference why there were only 10 PYs, even though the total dollars were budgeted for the positions, is that some of them were contract. Nonetheless, it still seems to me that had the number been properly recorded in 1985-86, having regard to my statements in July of 1985, the number should have shown 10 because there is no increase in the number of these OIC positions.

**Mr. Lang:** For the record, we have to refer back to 1985-86. Are you telling me that the person-year establishment for that department would be 57.5 as opposed to 54.5?

**Hon. Mr. Penikett:** Actually, there is another error that I previously drew to the attention of the House with respect to the Secretariat of the Executive Council Office. If you look at page 27, it is recorded in 1986-87 that there are seven. In 1985-86, it is recorded that there are 11, when in fact there were only eight. So, the grand totals, even if we corrected 1985-86, do not change. If it had been properly accounted for, there would have been three more on the Cabinet support program in 1985-86, and if you have an accurate statement in terms of the Secretariat, there would have been three left, but the total for the department does not change.

**Mrs. Firth:** I believe those corrections were made to the organizational chart on page 23 of the 1985-86 Estimates during that debate. The Executive Council Secretariat was changed to eight PYs, which changed the total to 51.5 PYs. However, there was no change to the Cabinet support 10 PY square on the organizational chart.

**Hon. Mr. Penikett:** That is right.

**Mr. Lang:** I hate to belabour this, but there seems to be an increase of three somewhere. My addition may be incorrect. If there was 51.5 in total for the department, or up to 56.5, we actually have an increase of 5.5, as far as person-years are concerned.

**Hon. Mr. Penikett:** No. As I said, there were three people who are now OICs who were on contract. They probably should have been recorded as person-years so that there was a proper reflection of that. In my July statement I talked about there being 13 political appointee positions. As I do the calculations, in correcting the numbers for 1985-86, it still gives a total of 54.5 for 1985-86.

**Mrs. Firth:** I think I understand that. We debated the Executive Council Office Cabinet Support Staff in July. Obviously, when we debated the budget, they were still on contract so had not been

identified as PYs. Therefore, we are now clearing it all up. Everybody who is a PY is identified as a PY, not a contract. So, the correct complement is 56.5. Do we have a grasp of it yet?

**Hon. Mr. Penikett:** The real change in the total establishment of the department is the two new PYs for the Office of Devolution.

**Mr. Lang:** Just to refresh my memory, are those positions that were on contract now permanent positions?

**Hon. Mr. Penikett:** You may recall that the person who was the Executive Assistant to the Minister of Justice was a contract researcher rather than an OIC. It was a temporary posting. There was one other of the 13.

**Mr. Lang:** The Minister talked about one individual on a computer. I hope you will bear with me, but this kind of enthalls me a bit. What is the SAS that he referred to in the Blues?

**Hon. Mr. Penikett:** It is a computer program. This person operates a word processor or one of those PC terminals. Basically what they do is backup typing; they do large mailings; they do envelopes, the lists, all those kinds of things. SAS is the name of a program or a computer system. When we get to Government Services vote, I am sure the Minister for Government Services, having been given notice of the question, can get into a description of the program.

What I know about it, you could put into a paper bag, and it would float away.

**Mr. Lang:** Prior to leaving this line item, there was a number of other questions. The Minister referred to the Program Evaluation Committee last evening, and I asked about the four programs that were under review. Does he have that information for us today?

**Hon. Mr. Penikett:** I do not have it with me. I was thinking I might save that until we got to Finance, but if you really want the programs that are going to be evaluated, I am sure I can get it from Finance.

**Mr. Lang:** During Finance is fine.

He was going to go through the expenditures on behalf of the Cabinet support staff. He said he would go back and check his arithmetic last evening in respect to the amount for the various ministerial offices, as well as his own, if I recall correctly. I think his last words were as follows, "I think the confusion may be that when I was listing the Ministers, I did not read out the amount allocated for the Government Leader, and that is considerably above the average for most Ministers." I think it was a total of \$176,000 that we are discussing here.

**Hon. Mr. Penikett:** Let me state what is budgetted for the entire Executive Council office for travel since this was also a question asked by the Member, broken down by Minister or ministerial offices. That includes the Minister and aides, and other people who are charged against this vote.

The total amount of money for travel in the 1986-87 budget is \$33,400 for the Government Leader. It is \$24,500 for the Minister of Tourism and Renewable Resources. It is \$12,500 for the Minister of Justice and Government Services. It is \$20,500 for the Minister of Community and Transportation Services. It is \$16,500 for the Minister of Health and Human Resources.

For the Commissioner, it is \$12,800. The total for ECO Secretariat is \$8,000. For Internal Audit, the total is \$8,707. For Land Claims, the total is \$82,940. The total for Statistics is \$24,780. It is \$23,000 for Intergovernmental Relations. Public Affairs is \$7,000. Federal Relations office is \$6,000. The total out of this vote is \$255,847.

I is a very considerable amount of money, but the last year for which we actually have a total and final figure, which is for 1984-85, the expenditure was \$242,121, which I give just to make a comparison.

**Mr. Lang:** The Minister talked about Ministerial staff and assistants. Did he say other people as well?

**Hon. Mr. Penikett:** The other people who are listed are in the total I listed: the Commissioner, the ECO Secretariat, Internal Audit, Land Claims, Statistics, Intergovernmental, Public Affairs, and the Federal Relations Office. They all come out of that.

The Member asked yesterday what the total travel was for the department. These are all the people who are charged to this department. I gave the individual breakdown for each of the

Minister's offices, then for the other people, including the Commissioner, whose travel is charged to this department.

*Cabinet Support in the amount of \$677,000 agreed to  
On Office of the Commissioner*

**Hon. Mr. Penikett:** The objectives of this program are to provide the Commissioner with necessary secretarial and administrative support services required to fill the mandate of the office as currently delineated by policy and statute.

This includes expenses of Members of the Commissioner's Awards Committee and the Commissioner's spouse when required to assist the Commissioner with his official duties.

The allotments are \$42,000 for clerk typists and casual support at various times of the year that may be necessary. The other \$61,000 is for administrative and support costs. The costs associated with this activity include travel for the Commissioner's wife, equipment, aircraft, vehicle rentals, hospitality and entertainment expenses, office supplies, advertising and promotion material, communications charges, postage and freight.

**Mr. Lang:** I assume that the House has an arrangement between the Commissioner and the Government of Canada; is that correct?

**Hon. Mr. Penikett:** It is at this point, although I have recently had indications that this may be the subject of devolution talks.

**Mr. Lang:** I understand that could well be. I think there have been discussions underway for the last three or four years. I just wanted to point out that I think it is important that housing be provided for this position as it is in any other jurisdiction. I think that goes without saying if we are going to follow the parliamentary system of government.

**Hon. Mr. Penikett:** If we were looking for something for the Lieutenant Governor Designate that was really palatial and suitable to the station, with an appropriately Olympian view of the whole community, then they should probably be housed in Takhini or some other more attractive place on the upper bench of the community.

**Mr. Lang:** I did not want to get into that; there is no question in my mind that perhaps 501 Taylor Street is an idea.

**Hon. Mr. Penikett:** If the Commissioner would be willing to share the residence with a number of young offenders, I think we could work that out.

*Office of the Commissioner agreed to  
On Administration*

**Hon. Mr. Penikett:** The objectives of this program are to assist in the orderly and efficient functioning of the department as a whole for the provision of necessary administrative and financial services. Changes in the program required transfer of personnel dollars budgetted in 1984-85 to land claims and funds for subscriptions, et cetera, to various programs for more responsible accounting by the managers.

**Mr. Lang:** When he is reading his notes we would appreciate him reading them a little more slowly, and I think the people doing the transcribing would appreciate it as well. I am sure it is very difficult for them.

It says, "includes funds for non-government employee travel expenses". What exactly are we referring to here, and did we do it in the past year, and if so where?

**Hon. Mr. Penikett:** If we are employing a contractor to do some work for the government that may involve some travel, that is the allocation that covers that. I should note that the change in the person-years here from four to three results from the movement of Madeline Kennedy, who is associated with the land claims operation, to the Land Claims Secretariat, so there is a proper accounting of where her duties and functions are within this organization.

**Mr. Lang:** I notice that this particular line item includes funds for non-government employee travel expenses. Looking at the administration of the previous budget, that particular line item was not there. Why specifically is it pointed out?

**Hon. Mr. Penikett:** Because this is the administration vote here, which includes the Deputy Minister, the Administrator and the Accounts Clerk, it is included so that there can be a proper coding and consistent charging of accounts. As the Member may



know, as a result of the new Financial Management Information System, there is a new standard coding in place for charges in the government. It will no longer be possible, for example, to charge entertainment to Professional Services. In one case, some years ago, entertainment was charged to Equipment and Supplies.

As the code of accounts is now laid out, travel will be charged to the administrative vote in this department.

**Mr. Lang:** I understood that a number of people came in from Manitoba when the reins of government were first handed over. Are those costs included in this kind of a line item for the purposes of advice regarding the transition of authority?

**Hon. Mr. Penikett:** One person came in from Manitoba, the person who was then the Clerk of Cabinet in that government. I believe we were charged for their expenses only to come here.

**Mr. Lang:** How many funds have been included for non-government employee travel expenses in this budget?

**Hon. Mr. Penikett:** I will just take that question as notice. I will get the information back to the Member, hopefully in a few minutes.

**Mr. Lang:** I am assuming that the \$159,000 is for salaries and fringe benefits. Perhaps you have a breakdown. I see that your people are going through it; perhaps we could have a total breakdown of the proposed \$166,000.

**Hon. Mr. Penikett:** We have \$25,000 for travel. We have a total of \$9,000 for special training, government employees, conference fees, membership fees. We have \$3,000 for equipment repair. We have \$7,800 for entertainment. We have \$1,500 rental equipment, autos and trucks. We have \$40,500 for office supplies, supplies and subscriptions. We have \$3,300 for postage and freight. We have \$4,300 for advertising for proclamations and special messages for Christmas, Rendezvous, et cetera. We have \$27,500 for program materials and promotional materials, special binders and so forth.

We have \$42,400 for communications, which include telephone charges, Dex, long distance and other communications. Then we have \$2,000 for what is called non-consumable supplies.

**Mr. Lang:** Since you only have three people in this area, why would you need \$25,000 for travel?

**Hon. Mr. Penikett:** That not only covers Deputy Minister travel, but it also covers travel for others, for example, the devolution people. The \$102,000 in the devolution vote under the Policy and Intergovernmental Affairs is basically personnel costs.

**Mr. Lang:** Maybe I did not hear him properly, but if I refer to page 30, I am looking at \$149,000 for other costs for Policy and Intergovernmental Relations. Why would we have the money for devolution when my understanding of that area is that it would fall under Policy and Intergovernmental Relations? You do not have an increase in man-years for this particular area. In fact, we have a decrease.

**Hon. Mr. Penikett:** When we get to the devolution money I will have a breakdown there. I do not know why the charges are organized to one vote as opposed to another. I assume that there is some rational explanation, and I will get back to the Member about why it is charged to that line.

**Mr. Lang:** Could he tell me how much of the \$25,000 is charged to that line as a breakdown of what these three people would have for travel, as opposed to the people operating in devolution?

**Hon. Mr. Penikett:** The \$25,000 also includes relocation costs for government employees. It does not matter whether or not it is this department. Let us say that we hire someone in the devolution job who happens to come from Quebec. I have that as a relocation cost, and I assume that that comes as a charge to this department as the hiring department. Recruitment costs go to the PSC, but I am not sure that relocation costs do not go to the hiring department.

**Mr. Lang:** I believe that it is, in part, charged to the Public Service Commission, but that is something that we can get on to. Is the intention that the decision has been made already that the individuals involved will be hired from outside the Yukon?

**Hon. Mr. Penikett:** Let me give one example where we did have a relocation cost charged to this item. In the case of the Science Advisor, who was a secondment from the federal govern-

ment, that relocation cost was charged to this item in the Executive Council Office. No, we have made no decision to hire outside for the Office of Devolution. Obviously, we will be watching the outcome of this debate with some interest as to how we begin the hiring.

**Mr. Lang:** For clarification, and to get the record straight — because it is getting kind of confusing — do I take it that the Minister is coming back to give us a rough breakdown of the \$25,000, and how they are predicting the expenditure of that \$25,000? I recognize that certain assumptions are made. When he does that, could he give us a comparison to last year, as far as travel in this area is concerned, just to give us an idea of what we are dealing with? We are dealing with one less man-year, as well, as the Minister knows.

**Hon. Mr. Penikett:** I am sure we can do that. Just so I do not tie up the House, let me give the Member broad categories. We have \$1,000 allocated for travel inside the territory. We have \$14,000 allocated for travel outside the territory, and we have \$10,000 allocated for relocation costs.

**Mr. Lang:** Is that the response to my question? If it is, why did he not tell me that earlier? I thought it was information that was buried somewhere.

**Hon. Mr. Penikett:** If the Member is content with that information I will get back to him with the comparison with previous years.

**Mr. Lang:** I am not going to hold up the budget. I would like to know how much was spent on travel last year for the sake of comparison, if that is okay. I see the Government Leader has a note there. Maybe he has the answer.

**Chairman:** Is there further debate on Administration?

*Executive Council Office Administration in the amount of \$325,000 agreed to*

*On Executive Council Office Secretariat*

**Hon. Mr. Penikett:** Let me again point out that the 1985-86 permanent person-years number at the bottom of the page should be eight, not 11.

The objectives of the Executive Council Office Secretariat are to assist in the efficient operation of the Cabinet and its committees through the provision of necessary secretariat services.

Major changes have taken place in the budget of the ECO Secretariat, and there has been a substantial decrease in the number of person-years allocated to this program, from eight to seven. There has been a corresponding increase in other expenditures due the allocation for additional funds for personal services required for constitution development and special projects as I previously referred to.

**Mr. Lang:** We have gone from eight to seven. Our gross salaries in 1985-86 were \$370,000. In 1986-87, it is \$276,000. There is a decrease in the personnel side of \$94,000. Could the Minister explain to the House why there is such a substantial difference? Who did we lose and how come he was getting paid so much?

**Hon. Mr. Penikett:** The major change here is that we have allocated \$151,000 for requirements for special services. These are to provide funding for research and other services, as required, for Cabinet support on a project-by-project basis. The activities are anticipated to occur in the areas of devolution research. Those are not the people who are actually hired, but are contract people who we may hire on constitutional law, on particular research questions relating to that, special intergovernmental issues, and others. It is conceivable that we could even be involved in questions like salmon questions, and so forth, land claims, and central coordination of issues or projects involving more than one department.

<sup>24</sup> These funds will be available for extra legal services and other professionals as required.

**Mr. Lang:** He did not answer my question. It went from \$370,000 down to \$276,000, and we went from eight person-years to seven, the way it has been described to me in the 1985-86 budget. I would like to know why there is a substantial drop in that area.

**Hon. Mr. Penikett:** I believe I mentioned earlier that the position we moved to Policy and Intergovernmental Affairs, which

was the policy analyst before, transferred with the dollars. That was a position under this department that is now totally under Policy and Intergovernmental Affairs. That explains the difference the Member is looking at in terms of salary dollars.

**Mr. Lang:** I am not trying to be difficult. I am talking about \$94,000. I could understand \$40,000 with various sundry items. That would be reflected in Other to be transferred out in salaries and benefits. We are talking \$94,000.

**Hon. Mr. Penikett:** The other part of the reduction is a position that is vacant in this department, which we have not funded but will be transferring to Public Affairs during the course of this year and that explains the rest of the change in the salary area.

**Mr. Lang:** Are the monies for that particular salary included in Public Affairs then, for the proposed transfer?

**Hon. Mr. Penikett:** No, we had not included money in Public Affairs. How we use that position when it goes to Public Affairs and how we fund it, whether we fund it from existing sources, or a request from Management Board for additional funds, is a decision that still has to be made.

**Mr. Lang:** Just on the average, a Deputy Minister's salary runs about \$49,000 if you divide the total by six as opposed to seven.

**Hon. Mr. Penikett:** The Deputy Minister's salary is included in administration, not in this line.

**Mr. Lang:** I recognize the Deputy Minister is paid considerably more than anyone else in the office and I recognize why. But we are dealing with six person-years and a substantial amount of salary dollars in the Executive Council Office. Could I have a breakdown of the \$151,000?

**Hon. Mr. Penikett:** The largest amount of money is for the Professional Services, and we have an estimate of \$127,731. The other money in this item is \$20,000 for travel, \$1,000 for advertising, and \$7,000 for communications.

**Mr. Lang:** Again, is this non-government employee travel, or is this going to be people within the Executive Council Office Secretariat travel?

**Hon. Mr. Penikett:** This will be travel associated with the professionals who are brought in on these projects.

**Mr. Phelps:** Can the Minister tell us what kind of professional services are contemplated?

**Hon. Mr. Penikett:** I did answer that question while the Member was absent. Among them are contract researchers, lawyers, and others who will be in devolution research, special intergovernmental issues, including legal and constitutional questions and central coordination of issues and projects involving more than one department. We expect that, as we proceed on constitutional development, devolution and land claims there will be a number of areas where — like the previous government — we will require specialized expertise and special professional help on a short-term basis to provide us with expert advice and expert research on these areas.

This is not a substantial increase from the money spent for this purpose in previous years.

**Mr. Phelps:** I do not know, again, what "substantial" means in the mind of the Government Leader. We have gone, 1985-86, with an actual of \$26,000, up to \$151,000. If six times is not a substantial increase, I would like to know what is substantial so that we can communicate to some degree. Six times is not as a hundred times.

**Hon. Mr. Penikett:** If it will help, I will pull in the amounts that were spent scattered all over this budget in previous years for this purpose and show the comparisons of what we are spending. What we are attempting to do, in the way the Secretariat is organized, is put the money in this area, or pool the money in one final place, so that the research money we have for this purpose, instead of coming out of several different lines, will be pooled in this one place, and we will be able to give an accounting for it under this vote as it is spent in the coming year.

**Mr. Phelps:** If you move over to the Land Claims Secretariat Other, it has remained close to the same. I would take it that Other in that department refers to the necessary professional assistance that that Secretariat needs, does it not? Has that remained reasonably constant, or are you providing some of that from the

Executive Council Office Secretariat?

**Hon. Mr. Penikett:** Let me give you one example of where we have taken money from another line and pooled it in here. There was research money that was being paid for out of the federal relations office in Ottawa. From now on, if we issue contracts, such as was done by the previous government, which were charged to that office, they will be charged to this Secretariat vote. I believe the previous government had a Mr. Kennedy from Ottawa, who was an outsider, doing some constitutional research at the federal relations office. There may have been some other contracts, too, which were done by the previous government.

Under this budget, such contracts will be charged to this line.

**Mr. Phelps:** The only point that I am trying to make is that there has been a substantial increase under Other in this program, and I cannot find another program in the Executive Council Office where there has been a decrease, except for a very small percentage. I do not understand how you have managed to take from other programs in the department, and move them into this item. Policy and Intergovernmental has gone from \$69,000 to \$149,000, for example, and I suppose that is not substantial, either.

**Hon. Mr. Penikett:** There was \$25,000 moved out of Federal Relations that had been research money that was charged to that line previously.

As the Member will appreciate, as we get hot and heavy into the devolution process, not only will we have the devolution office, the coordinator and the other person there, but we will have a heavy demand for certain kinds of specialists, research and expert advice. I am attempting, on the grounds of accountability, to be able to charge that to this item in this vote.

**Mr. Lang:** What is being said here seems to be inconsistent. I appreciate the efforts of the Minister. He is saying, for further accounting procedures, we are moving money from one side of the budget to the other. That is fine, and I defend your right to do that. In the context of what is being said, we are also saving money on the other side of the budget.

The Minister has said that he has taken \$25,000 out of the Federal Policy and Intergovernmental Relations, yet there is an increase of \$6,000 for Other in that particular area. It does not add up.

**Hon. Mr. Penikett:** Let us talk about the federal inter-governmental budget when we get there. Let me make the point again that the budget increase that we are talking about is a very small overall percentage. We are trying, with the addition of the people and the dollars for the devolution work, and by way of organizing the other research demands and other professional service demands upon the department, to provide better accountability by grouping it under this line.

**Mr. Lang:** We have gone from \$26,000 in 1984-85 to \$151,000 in 1986-87. I recognize that the government has to do certain research, but I also note in Economic Development it is \$580,000 for special projects. Is the NCPC report coming out of this \$151,000, for the purpose of devolution, if that is the case?

**Hon. Mr. Penikett:** No. The NCPC work is going on under Economic Development. There could be a critical point in the negotiations with NCPC where we require some kind of inter-governmental dimension that requires a charge against this account. I do not anticipate a charge of that much. There could be special legal expertise or other types of expertise we may need on devolution items and other kinds of research that Executive Office commission will be charged to this line.

**Mr. Lang:** I do not understand the increase of \$149,000 under Intergovernmental Relations. Is that not going to be spent on legal affairs and other sundry things? It seems to me we are increasing our man-years overall in the policy area and we are also increasing the contractual monies available to the government for the purpose of going outside the government for contracting. Is that a fair statement?

**Hon. Mr. Penikett:** I will come back and report on all the contracts issued by the previous government and where they were charged to in the different departments — all of the contracts. And then I will show where we have reduced each of the items to group that amount of money under the Secretariat so there is one pooled place to charge those kinds of professional and research services.

**Mr. Lang:** If you want the bureaucracy to do that kind of work it is fine. I am not asking for that information. All I am asking is why we are decreasing amounts on one line item and, at the same time, see the costs go up in every area. I recognize it as \$25,000 and defend your right to do it but there is not a similar decrease in the other section. Am I not correct?

**Hon. Mr. Penikett:** I will come back and give a report of all the research on projects — dollars and contracts — issued under the previous government, and where they come from under the previous budget, and I will show where we have reduced in each of the lines and where we are no longer charging the contracts to them. As we deal with the lines, I will justify the amount of money we are asking for in each line. There is a modest increase, overall, in this budget. Even though we are adding \$120,000 to the Office of Devolution, there is only a modest overall increase in the total budget. I will explain it to the Members, showing them where the contracts were charged before, under which departments they were charged, and how we plan to charge those contracts to this Secretariat vote.

**Mr. Lang:** I am asking a straightforward question of the Minister. We have gone, since 1984-85, from \$26,000 to \$151,000. The reason I am told that we have had an increase is because correspondingly, two pages later, \$25,000 was taken out from that section. That is not the case.

The Minister can sit there and filibuster. He can sit there and bluster. All I am asking for is an answer. I want to know why there is not a decrease in the Intergovernmental area? That is my only question.

**Hon. Mr. Penikett:** The Member can make his animal noises, and do his wild dog imitations in the House. I am not going to be impressed by that. I have said to him that I do not know why there was only \$24,000 in this line some years ago, and why the contracts that I know were issued were charged all over the map.

I will come back. I will detail the same kind of work that was done by the previous government. I will show where it was charged previously. I will show where we plan to do it now. I will give an accounting, comparing the previous years, as the Member has asked, to what we plan to do in this budget. I have said I will do that, and I will do it.

**Mr. Lang:** Nobody on this side has asked for that. We recommended to vote \$120,000 for devolution. In conjunction with that, two pages later, we are also asked to vote \$149,000, which I would assume would correspond to that. We are also told that under Administration there is money for travel for devolution.

I recognize that the Minister feels he is much better organized than the government in the past. That is fine. What special projects are we talking about if we are not talking NCPC, which I understand is a considerable contract? What particular projects are we talking about?

**Hon. Mr. Penikett:** I will come back with a list for the Member of some of the things that we expect in the year, but let me tell him about some of the ones he already knows. There is free trade, for example, the part of it that is going to be done intergovernmentally. There are continuing intergovernmental questions on free trade that we will require some special advice on. There will be some constitutional research and work that we will need done, which will be charged here.

There are questions to do with devolution that may involve charges to this vote. This will be work that will not be done in house by people we have on staff doing devolution work. These are things that we may need to take to constitutional lawyers or some kind of financial experts, although, I would expect that if there were specific financial questions, we would go to Finance.

There may be questions that are not neatly a finance matter or an economic development matter, but things that are intergovernmental or that involve one or two or more departments. That is when we will go to this vote for the money to conduct that research.

**Mrs. Firth:** Would this line be where funds would be paid to do a contract, like the contract I raised with the Government Leader in Question Period that was given to the individual to do the paper for the Special Joint Committee on Canada's International Relations? Is that where the money for that comes from?

**Hon. Mr. Penikett:** If it was in this budget year, yes.

**Mrs. Firth:** When the Government Leader answered the question in the House, and said that he had every intention of spending \$5,000, or \$4,900, to have Cabinet documents done, perhaps that could be given as a reason for that increase?

**Hon. Mr. Penikett:** There are some Cabinet documents, as the former Minister well knows, that if you computed the total value of the labour that went into them, and the intellectual effort that went into them, would cost a lot more than \$5,000 to develop. If we are hiring people from outside the government to do that kind of project, it will come out of here.

**Mrs. Firth:** Does the contract work that has been done by the government for the editing of Throne Speeches, and so on, also come under this line?

**Hon. Mr. Penikett:** Yes.

**Mrs. Firth:** It is quite a substantial amount that has been allocated. When the Government Leader brings the breakdown that he has indicated to the House he is prepared to bring, I would like him to specify the amount that they are projecting for that kind of external work, in light of the staff that he does have at present.

**Hon. Mr. Penikett:** I hope the Member opposite is not going to ask the impossible. I cannot, for example, in the coming year, say that I am going to be able to spend \$37,000 on free trade, and \$14,000 in connection with devolution.

Let me just give the Member a taste of some of the things that we will be drawing on these dollars for. The *Yukon Act* amendments have been something that has been the subject of questions by the Leader of the Official Opposition. On other constitutional questions, we may well require, such as on the boundaries matter, some special advice or consultation in that area. We were recently asked by the federal government to give a very quick and speedy response to a matter involving our views on the subject of freedom of information, and how federal policy and territorial and provincial policies correlate. That required hiring a lawyer for some legal advice to assist us in responding to that.

On science matters, we are now enjoined with a responsibility. The federal government is raising with us certain matters concerning languages. We are going to have to retain certain kinds of advice and expertise to deal with these questions. The boundaries question was something else that I mentioned might come under here.

**Mrs. Firth:** I appreciate the extreme bind that the Government Leader is in; however I am looking at this purely from a money point of view, and the amount of money that this House is going to approve for the Government Leader to spend on these projects. All I am asking for is the projection of what he anticipates he is going to have to spend. We are being asked to approve a specified amount of money, and the Minister may have to come back for additional monies, or less monies, and we can get into all the nitty-gritty, and how much every little program and contract and study costs. We are being asked to approve this amount of money and are asking for some projections: what is he expecting that he may have to spend? Then, he will be accountable if he spends under or over that amount.

**Hon. Mr. Penikett:** I hope that the Member will not be offended when I say that, to a certain extent, she is asking the impossible. I will tell her what the budget number was based on some of the issues that we will have to respond to and some of the issues that we will have to respond to and requirements we might have. Let the Member also understand that sometimes we are asked to respond very, very quickly — in a matter of very few days — to some issues. We do not have the capacity. I know we tend to think of this as a very big government, but it is not a very big government in terms of the variety of skills that are present in it. We do not have a lot of highly specialized skills in some areas. We have to retain them. Sometimes we cannot do it in-house just because of the workload, the volume of the demands on our people.

I will come back with a list of some of the things that we expect might happen. There is also the unexpected. We could have just rolled the money up and said that we will find the money wherever we can, as has been the case in the past. We have put this total money in the Secretariat. We are going to draw upon it as we need

it. I will come back to the Member and indicate some of the kinds of things that we expect that we will need it for. I may merely give some kind of approximations. But, I do not want to be held to saying "You said you were going to spend \$3,000 on boundaries, and then you spent \$17,000" because we cannot possibly make that kind of prediction.

**Mrs. Firth:** I was not asking the Government Leader for that. I already said to him that we would approve a certain allotment of money that we were going to be asked to in this budget; he would have to be accountable if he underspent or overspent on that amount, and then we could get into the fine details of it.

I have listened to the Government Leader say that some projects have to be done out of house because of all the reasons that he just listed. I have also heard him say that, in some senses, it is cost-effective and that \$4,900 was a quicker, more cost-effective method. I want to be able to make a comparison, and ask him whether it was or not. In order to do that, I have to have some idea of how he is planning his budget. That is all that we are asking him for: how is he setting out his budget?

<sup>31</sup> If any of the other Members have any questions along this line I will let them pursue it, otherwise I would like to pursue another line of questioning.

**Mr. Phelps:** I would like to get on the record. The Government Leader has talked about moving monies around, and there has to be some concern because one has to compare the 1984-85 fiscal year with this one when one talks about such things as devolution, land claims and so on. The statement has been made that this money was simply somewhere else within this department and has just been moved for the sake of convenience.

The COPE Agreement-in-Principle was concluded in 1984-85. Virtually all of the work was concluded on the Porcupine Caribou Herd Agreement, and there was full-time work being done on issues of devolution and land claims. What is the difference and where did the money get switched from that was being used elsewhere? Very quickly, to go through these items: Cabinet Support 1984-85 from \$160,000, the line item, Other, has gone up to \$176,000.

Then we look at the Office of the Commissioner. It has gone up slightly but is not pertinent.

Administration remained fairly constant: \$164,000 to \$166,000 with one less man-year.

In the Executive Council Office Secretariat, which we are speaking of now, a slight change from 1984-85 at \$26,000 to \$251,000 this year.

The next one, Internal Audit, remained the same.

Land Claims Secretariat went from \$348,000 to \$332,000, but bear in mind that there were two other intensive negotiations going on that year. Besides the one land claim, there was the COPE Land Claim Settlement and the Porcupine Caribou Herd Agreement, which was fairly ongoing.

Then we come to the item where this money was apparently switched out of, now called Policy and Intergovernmental Relations. Person-years went from five to 10 and Other has increased from \$69,999 to \$149,000 this year.

The Public Affairs Bureau has doubled from \$131,000 to \$260,000.

The Bureau of Statistics has gone down slightly, but I doubt that has a bearing on the issues raised by the Government Leader.

I wanted to place the nature of our concern on the record. It is very difficult for us to accept that this is money that simply came from elsewhere when we know that there was a lot of ongoing work and policy development in all of these areas. The last fiscal year has been less than satisfactory, from the point-of-view of this side, with regard to any progress in policy development being made in issues relating to constitutional development, changes to the *Yukon Act* and so on.

So just for the record, the question is still outstanding. The concern is that we hope there will be some efficient use made of all this money for contracts and trends to develop policy.

<sup>32</sup> **Mrs. Firth:** Is this the area that would be responsible for security of documents and confidentiality of documents? Would it come under this Executive Council Office Secretariat, within this department?

**Hon. Mr. Penikett:** It could, but if the Member is asking if it carries out a security agency function, of course it does not. There are a number of points of contact or access to Cabinet where the people involved are responsible for the security of sensitive Cabinet and financial documents.

**Mrs. Firth:** I wanted to ask some questions about security of public records. I will ask them under this line item.

Can the Government Leader tell us what the process is for suitable safeguards to ensure that appropriate security measures are met and maintained?

**Hon. Mr. Penikett:** The Member may be surprised to know that I have only a general knowledge about the processes for ensuring confidentiality of public documents. If she would like some information that can appropriately be made public on the subject, I could come back to the Member. I hope she will also understand that, even though she is a former Minister, I am not, on the public record, going to get into a lot of detail about new procedures that may have been implemented in this government. Some of those procedures would be pointless the minute they became public.

**Mrs. Firth:** I am asking my questions in a general sense, and in light of what has occurred over the last few days. I would like to know what the Government Leader's direction is to his staff in the Executive Council Office who are responsible for implementing a procedure or policy of this government regarding security of records and documents. I would just like him to tell the House what the safeguards are to ensure those security systems.

**Hon. Mr. Penikett:** Following the allegation last fall that there had been a budget leak to the Conservative Caucus, and the Conservative Caucus in this House had access to current budget documents, certain procedures were changed at that time, including some rules for the budget lockup, which, I understand, some of the Members opposite objected to, as did some members of the media.

As a result of the recent leak, there is now an investigation going on. One of the consequences of that investigation may be some substantial change in the security provisions affecting documents. I think that if the Member is sincerely interested in this question what I would like to do is to offer the undertaking that at the point when the current investigation is concluded and the results are known to me and the consequences are implemented, I will be pleased to come back to the House, if we are sitting or if we are not, and provide her with a report on the new procedures, such as they may be at that point.

**Mrs. Firth:** I am asking what the procedures are now. I am asking if the Government Leader could tell us what they are; if there is a certain way of classifying documents, and has his policy been communicated to the department staff?

<sup>33</sup> **Hon. Mr. Penikett:** Yes, of course there are procedures in place. Rather than discussing them on the floor of the House without any care or thought, I think I will come back and provide the Member with a written answer. I will give careful consideration to that written answer to ensure that it does not provide any information that compromises the security system.

**Mr. Lang:** It seems that government is going more into directives, for whatever reason. No one can argue the pros and cons. I would like to know the access that one has to directives. Is that generally, by policy, public information if requested?

**Hon. Mr. Penikett:** The age of directives really came when the previous government passed the *Financial Administration Act*, because that act contemplates the directives and speaks in the form of directives. Management Board, which was created by that act, speaks in the form of directives.

Some of the directives, such as the ones that affect the public — the

the contract directives — are made public. I do not know if there is a need for public knowledge of a lot of the directives, because they are direction to the public service, of one kind or another, to follow certain procedures or to do certain things.

If the Member has some specific directive that he is interested in, I would be happy to try and answer his questions.

**Mr. Lang:** I do not. I was just wondering what the general policy of the government is with respect to, prior to the *Financial Administration Act*, the amendments that were passed by the House. I believe they were called policy procedures. They are now referred to as directives. Does the general public have access, upon request, to these directives?

**Hon. Mr. Penikett:** Under most acts passed by the Legislature, we have regulations not directives. Those are public. We would, as a rule, make it our view that when the public would need to know about a directive, we would make that public also.

The Member is asking a very broad question, and I cannot think of other directives, other than the contract directives, that the public would need to know about. I will take the question back and have a look at it. I assume it is not an urgent one. I will see if there are any directives that have been passed that are not public that should be.

*Executive Council Office Secretariat in the amount of \$427,000 agreed to*

*On Internal Audit*

**Hon. Mr. Penikett:** I assume that everybody understands the role of the Internal Audit. We have no change in person-years here. If we want to get into the particular lines, I can give some information to the Members.

As they can see, there is a change largely in the Other amount. That is a result of contract work that this office has had to do. It is for audit contract work in order to keep up with the workload. Interestingly enough, it partly results not just from the audit work that was done by the department, but departments are making increasing requests to the Internal Audit people for consulting services on, "How do we deal with this particular problem, and how do we deal with this particular accounting procedure?" and so forth.

<sup>34</sup> *Internal Audit in the amount of \$279,000 agreed to*

**Chairman:** Would the Members wish to take a recess at this time? We will recess for 15 minutes.

*Recess*

<sup>35</sup> **Chairman:** I will call Committee back to order.

*On Land Claims Secretariat*

**Hon. Mr. Penikett:** The objectives of this program are to represent the Government of Yukon at all negotiations respecting Yukon Indian land claims; to establish effective relations amongst the parties in order to conduct effective discussions conducive to a fair and equitable settlement of the claim; to establish and maintain effective relations in communications with the Yukon government departments, other government agencies, the Indian community and the public in order to effectively analyze current and changing trends relative to land claims concerns and to plan accordingly; to assist, through advice and discussion, the coordination of Yukon government departments respecting activities relative to land claims issues; to monitor the progress of the national aboriginal constitutional matters process and to analyze and report on current changing developments; to provide advice and recommendations to the Minister and/or Executive Council Office on matters relating to the progress of Yukon Indian land claims process.

There is a small increase in this amount this year. There are currently four person-years allotted to the secretariat, and one of the positions is vacant. The personnel dollars in this budget are slightly less, owing to a decrease in the salary levels resulting from a staffing of the assistant research position, and vacating the director of policy position. There is an increase of \$20,000 in the Other allotment, which is largely to cover the professional services of the negotiator and other researchers and other professionals whom we will be retaining from time to time throughout the process.

**Mr. Lang:** Would the Minister give us a breakdown of the

\$332,000?

<sup>36</sup> **Hon. Mr. Penikett:** As I indicated, the largest part of it is \$225,000 for contract services of professionals: a negotiator, consultant, researchers and others. There may even be, in some cases, secretaries and some conference costs. Travel in the Yukon for the Land Claims Secretariat is budgeted this year for \$33,000 because we expect most of the negotiations to go on in communities around the territory. Travel outside the territory, including costs for Secretariat attendance at two First Ministers Conferences in connection with aboriginal rights, is \$18,400. Travel in Yukon for non-government employees — in other words, the professionals and consultants who may be involved in this process — is budgeted for \$20,000. Entertainment, such as the hosting of luncheon meetings as required, is \$3,000. Rental of private buildings in Yukon communities, rental of photocopying equipment, et cetera, is a total of \$9,000.

Stationery supplies, photocopy paper, et cetera, is \$6,000. Postage and freight \$500. Communications, which is basically telephone charges including long distance, is \$5,550.

**Mrs. Firth:** Can the Government Leader give me some information about the education coordinator position. What exactly is the job description for that position?

**Hon. Mr. Penikett:** Education coordinator is not a title with which I am acquainted. I believe the Member is referring to Mr. Wolf Riedl, who is being seconded for a period by the Department of Education to the Secretariat. He and at least one other person whom we will be taking on, probably from the professional private sector allocation, will be involved in negotiations as well. The Member will know that we have this working group system that will enable us to carry on negotiations, we hope, on several fronts at once and we will need skilled people to help make those things happen. We will also have someone like Mr. Riedl, who is a highly respected and highly successful educator — I think, empirically, perhaps the most successful high school principal in the territory with considerable rural experience and knowledge of the rural Yukon as well as education issues — to assist us.

<sup>37</sup> We are in the process, at this moment, of also talking to another person or two who are prominent local professionals who may play a role in negotiations similar to Mr. Riedl, but on different fronts.

**Mrs. Firth:** Can the Government Leader tell us how the job was advertised?

**Hon. Mr. Penikett:** It was not advertised. We have been looking for some time for a number of people who could play roles in the negotiating process based on their personal qualities, their personal experience, and their personal professional standing. Mr. Riedl is one such person. There is another person who we are also in communication with at the moment. The Member opposite will know that no land claims negotiator who we have on staff at the moment, nor any land claims negotiator in the past, was hired as a result of an advertisement.

**Mrs. Firth:** I am sure that I read in the newspaper that this job was advertised. There was a press statement made, either by the Government Leader's communications person, or somebody was interviewed and said that he received this job fair and square through a process of competition. The job was advertised and he was the successful applicant. And, because he was the successful applicant, they gave him a leave from his principal's job at the Junction, and he was being seconded to do this job as a successful applicant.

**Hon. Mr. Penikett:** Mr. Riedl is being seconded. We advertised, I believe, to develop a list of people who had certain research skills and would do certain research in certain areas. We have developed a list of local people who are available to do that work from those advertisements. We are also, I believe, currently advertising for, or looking for, someone to play a role in the Communications Secretariat, which I previously talked about in answers to questions in the House.

<sup>38</sup> It is our hope that it will be established as a common communication secretariat between the three parties.

**Mrs. Firth:** I am almost positive that this job had been put out to competition, and that this person was the successful applicant. What is the title of this job? Am I to understand that there were no

other applicants for this job?

The essence of the article in the paper was that he won the job fair and square through a competition. It had been advertised through the proper channels, and he was the successful applicant.

**Hon. Mr. Penikett:** I cannot comment on what was in the press. I do not know. All I know is that the person we are talking about is already an employee of this government in a very responsible position, and is seconded from a position in this government to another position in this government for a period of time.

**Mrs. Firth:** I am concerned about it, because there are two conflicting stories. The Government Leader is saying one thing about the job, and one of his press people is reporting another. I do not think that is appropriate. What is the title of this job that the applicant has successfully been chosen for?

**Hon. Mr. Penikett:** The job does not have a formal bureaucratic title. The person involved is going to be working in community liaison and doing some of the things that we talked about earlier on behalf of the secretariat. He is seconded from one department in the government to the secretariat. As far as I know, it does not have a title as such, in the same way that government positions in the public service would have titles.

**Mrs. Firth:** I would like the Government Leader to give us a detailed job description, if he could?

**Hon. Mr. Penikett:** I will come back with a description of what the person is going to be doing. There is no Public Service classified job description.

**Mrs. Firth:** What kind of job is it? Is it a chosen job? Is it just, here is a good job, this guy looks like he would do a good job and we will give it to him?

**Hon. Mr. Penikett:** I have already explained some of what the persons will be doing in the job. They will be involved in negotiations. They will be negotiating. They will be involved for the period of the secondment in the negotiations, involved in the working groups, involved at the negotiating table and involved in community liaison, and part of the process is advising people in the communities of what is going on at the negotiating table, when we are in different communities. I have previously explained that we will be holding the negotiations in different communities around the territory. They will have a role to play in that.

**Mrs. Firth:** Can the Government Leader tell me what the salary for this job is?

**Hon. Mr. Penikett:** As I explained, the person is seconded, so he will be paid the same salary as he is getting now.

**Mrs. Firth:** Just for the record, is that salary going to be paid for by the Department of Education or by the ECO?

**Hon. Mr. Penikett:** Yes, it is being paid for by the Department of Education.

**Mrs. Firth:** The job that was advertised in the paper for an education coordinator for land claims and human rights: who has successfully filled that job?

**Hon. Mr. Penikett:** I do not know what the Member is talking about. A job advertising for land claims coordinator and human rights?

**Mrs. Firth:** Education coordinator.

**Hon. Mr. Penikett:** I believe the Member is talking about a communications coordinator, not education coordinator.

**Mrs. Firth:** I stand corrected. It was the communications coordinator. Who is the successful applicant for that job?

**Hon. Mr. Penikett:** No successful applicant has been chosen yet.

**Mrs. Firth:** Can the Government Leader tell us if this position with the Land Claims Secretariat — the principal on secondment — is going to be in Whitehorse? Is the individual going to have to move to Whitehorse?

**Hon. Mr. Penikett:** As far as I know, it will involve commuting to Whitehorse. I also emphasize that the actual negotiations that will be going on will be going on in many communities throughout the territory. As far as I know, the person will continue to live in Haines Junction.

**Mr. Lang:** For the purpose of the secondment, how much money are we talking about? We are talking a very broad range. Is

it \$50,000 or \$60,000, and is it for a 12-month period?

**Hon. Mr. Penikett:** I do not know what principals in schools get paid in the territory, at the moment. It may be a matter of public record, and I will come back with that.

**Mr. Lang:** I would appreciate that information. In view of the fact that the secondment is paid out of the Department of Education, can the Minister tell me if the chief land claims negotiator's salary is coming out of this particular line item, or is it, as per your policy, coming out of the Department of Justice?

**Hon. Mr. Penikett:** No. The land claims negotiator, as I previously explained, is coming out of this item. The \$225,000 that I spoke about covered the negotiators and all the professional contracts that we would be engaged in.

**Mr. Lang:** Does the Minister want to give us a breakdown of the Land Claim Negotiator's contract and perhaps a breakdown of whatever monies we have for special contracts?

**Hon. Mr. Penikett:** As I said, the total amount is \$225,000. We have the researchers in the neighbourhood of \$43,000 and other contractors for a total of \$22,000. Secretarial services may be \$1,000, and other conference and training costs of \$12,500. The balance we have allocated for the principal negotiator.

**Mr. Lang:** Could you give me the total balance.

**Hon. Mr. Penikett:** \$47,000.

**Mr. Phelps:** The Minister spoke about a Communications Director who I understood is to be hired on behalf of all three parties at the table, is that correct?

**Hon. Mr. Penikett:** It is the hope, yes.

**Mr. Phelps:** Which party will be responsible for paying that position?

**Hon. Mr. Penikett:** The objective is to have it cost-shared three ways.

**Mr. Phelps:** Is that portion of the projected salary, then, contemplated in the item under Other?

**Hon. Mr. Penikett:** Yes.

**Mr. Phelps:** Can the Government Leader explain how the Communication Director's responsibilities differ from those of Mr. Riedl?

**Hon. Mr. Penikett:** I think the Communication Director is going to have as a principle point of contact media and public information packages, in other words, a role analogous to a public relations position. Mr. Riedl's role will involve more, in that dimension, direct contact with people in the communities, local leadership and councils, as well as his work in the working groups at the table.

**Mr. Phelps:** Does that mean that that particular individual, Mr. Riedl, will be working solely on behalf of the one party, namely the Government of the Yukon?

**Hon. Mr. Penikett:** That is correct.

**Mrs. Firth:** I have my reference now and I know the Government Leader talks about quoting from newspapers and so on, however these quotes are in quotations and I find that it is very seldom that the press quotes people out of context and there are certainly legal recourses that can be followed if that is the case.

It is an article in the *Yukon News* from April 2, on page 4. The headline of the article is: "NDP Member Gets Job With Land Claims Office". I will read the article so there are no questions about it and I will indicate where the quotes are.

<sup>41</sup> "A long time Member of the NDP will take up a newly-created position in the Land Claims Secretariat while the government holds his regular job as principal of the Haines Junction school for a year. Wolf Riedl, who has held executive party positions with the NDP federally, and is a party Member territorially, is scheduled to begin duties after the school year ends in June.

"Questions about the appointment first saw both Riedl and government officials being closed-mouthed on the matter. Initially, Riedl said there was 'some talk' and 'there is some negotiation going on'. Eloise Spitzer, Deputy Minister of the Executive Council office said the matter was 'completely up in the air' and said she did not want to discuss it.

"Finally the Cabinet's Communications Advisor, Lindsay Staples confirmed Riedl's new job, which will be to explain the land claims process to people in the communities. Staples said the job was

advertised about two months ago and Riedl sent in his resume along with several other candidates. "He said Reidl's twelve year residency in the territory, and his experience as a teacher, were the reasons he was seconded for the position.

"More than anything else, it is his community experience, and as an educator he can perform really well the role in explaining the complexities of land claims to the community peoples", Staples said. "He is a fine fellow".

"Riedl, who subsequently confirmed the secondment, said that he has been a party member for quite a while and said he has served as a federal councilor for the party. He refused to answer any more questions about his involvement with the NDP."

I ask the Government Leader, again: is this a false statement in the newspaper? Is the information that he gave us this afternoon correct?

**Hon. Mr. Penikett:** From everything I know, the statements attributed to the government Communications Advisor are incorrect. I would only hope that, since the Member took care to quote the article, that next time we employ someone who is a member of the Progressive Conservative Party that not only will she ask questions about it but also that the media will care to report it.

**Mrs. Firth:** That is not the point. The point I was making was that the Government Leader said one thing, and the paper reported another. We want to find out which one was correct. We find out now that this is incorrect, that the job was not advertised, and that this job was obviously given to a chosen individual. I would like to see a detailed description of the individual's job.

**Hon. Mr. Penikett:** I believe that I have told the Member exactly what I know about the situation. The facts are as I know them. The quote attributed to the person in the story is, as far as I know, inaccurate.

**Mrs. Firth:** What does the Government Leader intend to do about this tremendous conflict that has been created?

**Hon. Mr. Penikett:** Whatever I do, I will not be discussing it with the Member opposite.

**Mr. Lang:** I know in some cases there are legitimate grounds for some of these comments. Is it the government's intention, if there is a conclusion to the negotiations, that Barry Stuart become the chief judge again?

**Hon. Mr. Penikett:** There is a chief judge of the territorial court now. He would not become chief judge again. After his sabbatical, it is contemplated that he will return to the bench.

**Mr. Lang:** Because of the smallness of our population and the political ramifications of what we are dealing with, I want to express our concern about that element of it — in particular, the situation outlined on the other position that you are dealing with. Perhaps that will go by, and people will not notice it. But when you are dealing with the judiciary in such a small, confined space, I think that is cause for concern.

**Mrs. Firth:** Can the Government Leader tell us how long this working group will carry on? Will it carry on for the whole process of the land claims? Is there some potential that the secondment will have to go on for longer?

**Hon. Mr. Penikett:** There are two questions there. The working groups will go on as long as they work, because it is slightly different. The process will continue as long as it is effective. The secondment, as far as I know, is for 14 months.

**Mr. Lang:** At one time, some of these costs were recoverable from the Government of Canada. Are they still recoverable, or are they just built into the base in our negotiations with the Government of Canada?

**Hon. Mr. Penikett:** Not that I know of.

*Land Claims Secretariat in the amount of \$557,000 agreed to On Policy and Intergovernmental Relations*

**Hon. Mr. Penikett:** The objective of this program is to provide for a central review and analysis of all proposed departmental policies and to coordinate and develop policy proposals as required by the Executive Council; to establish and maintain effective relations between the Yukon government and all other orders of government; to maintain effective relations with all central federal agencies, and to gather information on the activities of such agencies through the federal relations office in Ottawa; to coordin-

ate interdepartmental activities and special projects where such projects or activities are of a central concern to the government where they extend beyond the scope of two or more departments; to provide to the Executive Council, government departments and the Commissioner advice on protocol matters, and to coordinate the provision of such protocol services as required.

The most important change in this department comes from the addition of \$120,000 to create two person-years in the Office of Devolution, which I will be happy to discuss further.

Last night, I was asked a question about the number of full-time policy analysts in the Yukon government. This, I should explain, includes directors where it is appropriate. In this budget, there is a total of five in the ECO, one in the Women's Directorate, two in Education, four in Health and Human Resources, four in Renewable Resources, two in Economic Development, one in Government Services, two in Justice, two in Community and Transportation Services, and one in Tourism, for a total of 24. These figures do not include vacancies. These figures do not include those people whose jobs involve some policy analysis but do not work exclusively in this field.

**Mr. Lang:** I want to express a concern here. I know that in the last year, the previous government was moving towards having more policy individuals involved within the government as opposed to going out and perhaps contracting services. There is a legitimate reason for it.

Last night, I expressed very clearly a concern that I have. We have a major increase in the policy area, and I defend the government's right to do that. Perhaps the government had been weak in this area, in retrospect. On the converse, special services, primarily in the area of contractual arrangements and consultant fees, which at times are necessary, are increasing in the budget. That is what concerns me. We have 24 person-years, which is probably in the neighbourhood of \$1 million in salaries. Simultaneously, we are going outside the government for consultative services, which is costing significant amounts of money.

I would ask the Government Leader to pay some attention to this area, because I think sometimes the political arm of government does not see some of these things because of workload. I think it is a legitimate observation on our part. If we are going to hire people with certain expertise who live here, I do not have a problem. It concerns me when, for example, in Highways, we are dealing with four policy analysts, and at the same time, we are contracting for major policy papers in the neighbourhood of over \$100,000.

Deputy Ministers are paid a significant amount of money, on a bi-monthly basis, not only for running the department, but also to be involved in policy, because they have certain expertise and should have the ability to help develop policy in conjunction with the expertise of others. I think this observation is justified. I would like to hear the comments from the Government Leader on that, because I know that he cares just as much as I do where we spend our money.

**Hon. Mr. Penikett:** I appreciate the concern of the Member opposite, and it is clearly something we should be sensitive to. We are frequently criticized by the Leader of the Official Opposition for lack of policy development. This afternoon he made a criticism about lack of policy development in the course of the last few months.

We are in a time of change and changing political agendas, nationally, internationally and locally. There is much that has to be done. I know that the previous Government Leader wanted to organize the Government Leader's Office in a way that he centralized much of that policy development and hoped to have maximum coordination that way. My view on the subject is a little different. I have discovered that much of the policy development workload that is carried out by individuals in the departments is spent on perhaps not the most momentous policy things, but researching issues that preoccupy line departments from day to day, and that is much of the work of the individuals who are involved in those departments.

«Nonetheless, I think it is worth noting that there is an awful lot of work going on on an awful lot of policy fronts. In recent months, we have had work on training. We have had policy work on the use

of venture capital. It is policy work, believe it or not, that is involved in developing the five-year capital plan, which is ongoing work. We have done policy work on the local materials and purchase policies, the northern preference policies, local hire and affirmative action policies, which has gone on in the Public Service Commission. We have had policy work involved in the renewable resources green paper, northern land use planning and land claims policy matters on which, as the Leader of the Official Opposition will know, ongoing work is required.

We have major work begun in Community and Transportation Services on transportation policy. We are beginning to develop work on a new policy area, which is beginning to concern not only governments, but private sector organizations right across this country from one end to the other, and that is the policy questions on distance communications, the whole communications policy, which involves a lot of high-tech matters but also has impact on education systems and the way different branches of a large organization like this communicate with each other.

We have some policy work being done on devolution, and more work will go on in the next year. We have had policy work done on the question of decentralization. That work will be going on in the next year. A lot of policy work, as the Member conceded earlier today, has been done in the lands area: squatters policy, lands disposition policy, rural-residential land policy, homesteader policy, and so forth. We have work going on now on a social housing policy. We have work going on in the social policy field in economic strategy, tourism strategy, human rights policy and the question of casuals.

The Member mentioned Deputy Ministers. In many cases, of course, the Deputy Minister, as the managers in the department, obviously have a key role to play in directing policy work and administering it, but much of the reading, writing, number crunching and analysis that has to be done is being done by the individuals whom we have identified a moment ago. Much is being done in this line that we are talking about. I would like to say to Members opposite that I do understand the concern about the expenditures, both on policy people inside the government and the services that are being contracted out. I do believe that the individuals involved in this government are diligent, serious and responsible people.

It is a concern of mine, though — and I might as well share this with the House as there is no point in being coy about it — that there are many things that Cabinet wants done, policy work that it directs to be done, that cannot be done as quickly as we would like in many cases and the turnaround time is too great from our point of view. In government, of course, it is necessary to coordinate and it is necessary to consult with different departments and different interests, public and private. That, of course, takes time. For many of the really skilled individuals in this government, I know their workloads are already very heavy. We are putting a lot of pressure on them. I do believe that the expenditures that we are proposing in this budget are defensible.

However, I want to emphasize to the Member for Porter Creek East that I do take his position on this question very seriously. It is something that we will have to keep an eye on. As we develop the use for the new Financial Management Information System, and the number crunching that will come as a result of that, I think it will be possible for us to do something that was, perhaps, not possible before.

<sup>43</sup> So we can, from time to time, take a look, system-wide, at expenditures on things like policy research, and so forth, and decide in terms of the global allocation of our resources whether we are over-committed or whether we are making appropriate economic allocations for that purpose.

**Mr. Lang:** I do not want to go further. I will get into some specific questions here in a second. I am not doing this from a partisan point of view. Where on policy at one time perhaps we were deficient, we are now almost getting to the point where we are overloaded, at least in numbers, if one analyzes it. I listened intently to the list that the Minister rattled off about areas that they were looking at, and I could say that probably 50 percent of those were being done by consultants, yet we still have 24 people on

staff.

I appreciate his concern about the turnaround time. I am not going to argue that. At times you want something quickly and you need it quickly. I just want to caution the Minister, and I hope he takes it in the context that I am trying to put forward, that it seems to me that for the money we are spending we should be getting a lot more policies.

Under Other, what is the breakdown for the \$149,000?

**Hon. Mr. Penikett:** We have \$3,000 allocated for travel in the Yukon Territory; \$33,000 for travel outside the Yukon Territory; \$6,000 allocated for the Yukon Science Advisor — that is for travel, seconded to YTG from DIAND; \$4,500 for entertainment; \$7,000 for rental of equipment; \$300 for advertising; \$5,500 on program materials; \$5,000 on communications; \$25,000 for transfer payment to the Asia Pacific Foundation; \$47,000 associated with the federal relations office, including \$6,000 for travel; \$15,000 for professional services, temporary secretarial services as required; \$2,000 for entertainment, coffee and beverages for visitors and meetings, receptions, lunches, et cetera; \$13,320 for rentals — \$475 a month for 12-month vehicle lease — vehicle operating cost, gas, oil, insurance, parking fees, other parking in the city, photocopy equipment, photocopying services and copy charges, TV and cable to monitor the House of Commons debates, media coverage in federal-provincial meetings, postage scale and meter — 12 months at \$60; supplies for \$4,600; postage and freight, \$3,000; program materials, \$1,000; communications, \$16,000.

<sup>46</sup> **Mr. Lang:** Is the \$33,000 for travel what was spent by Federal Relations last year, since the Office of Devolution is in another area of the budget?

**Hon. Mr. Penikett:** That was spent by Federal Relations and Intergovernmental Relations. That does not include the audit office. I will find out what was spent last year.

**Mr. Lang:** There is some confusion in reading this budget with program devolution budget partly being in another one that we debated in some length. There is \$6,000 for Intergovernmental for the office back in Ottawa. There is \$33,000 here. That is a total of \$39,000. How does that compare to last year?

**Hon. Mr. Penikett:** I believe it was \$46,000 last year. I should explain one item that the Members may be concerned about. There is a leased vehicle in Ottawa that is part of the conditions under which Mr. Murphy went to Ottawa. I cannot guarantee to whomever succeeds him that there will be a leased vehicle for that purpose.

**Mr. Lang:** The Minister talked about reassignment of the individual who is in Ottawa. Could he elaborate further? Is the individual up for retirement?

**Hon. Mr. Penikett:** It was my original understanding that the individual is inclined to retire. However, I understand through particular community relations with the Public Service Commission, that technically he has a choice of retiring, having reached a certain age, or being reassigned at the end of his current posting. He had an agreement with Mr. Pearson about how long he would be there.

My offer to the individual is that he either retire in that area or he will be reassigned, and I will reassign him to a post here.

**Mr. Lang:** Is that this year

**Hon. Mr. Penikett:** It will be in this calendar year. I believe the commitment is until December of this year.

**Mrs. Firth:** I am looking at the program objectives. There are quite a few more program objectives indicated than in last year's budget. Can the Government Leader give us a brief outline of how these objectives are related to the allotments of money that are being asked for, as compared to last year?

**Hon. Mr. Penikett:** The major change is, of course, that this is not just an Intergovernmental branch, but a Policy branch. That means that, as Cabinet submissions are coming forward, and are being analyzed for consistency with other government policies, or for conflicts with other government policies, or for any of the central government-wide perspectives that we need to have on Cabinet documents, making sure that the consultation has occurred with the required departments, the people who are involved with policy and Intergovernmental officers, including the person who has



been added to this branch who was a free-floating analyst reporting to the Deputy Minister, will now report to the Director. The Director will be responsible for coordinating his work.

There will be the two devolution people under this branch who will have that special responsibility. They will be reporting to the Director, who is Mr. Oppen.

<sup>47</sup> **Mrs. Firth:** Is it fair to say that the Government Leader has centralized the policy development of the government?

**Hon. Mr. Penikett:** I have not centralized it to the extent that Mr. Phelps proposed to do. We are still keeping the policy analysts, who are in line departments, in those line departments, but we believe that this organization is an improved central coordination model over the model that was in effect in place last year. Hopefully, it will be an improved model over that which existed over most of the Pearson years. Of course, I have no way of knowing how well it compares with the model proposed by Mr. Phelps, except that this arrangement is more to the style of the present Cabinet than Mr. Phelps' style would have been.

**Mr. McLachlan:** Of the \$183,000 increase in this particular line item from last year to this year, \$120,000 was due to the Office of Devolution. Is the bulk of the remaining \$63,000 here or in the Ottawa office?

**Hon. Mr. Penikett:** The other significant movement into this line is the policy analyst position, which has now moved into this branch. So there is the addition of those salary dollars and that function in here.

**Mr. McLachlan:** When we were debating the 1985-86 O&M Estimates, the Government Leader had expressed some concerns about the size of that office and the amount of money that we had paid on rent. Are we still making full use of that office, still paying full rental, or has any attempt been made to scale down the size of the Ottawa operation in that respect?

**Hon. Mr. Penikett:** As I indicated last time in the debate, at the end of the current incumbent's assignment, I will likely be reviewing the situation and making some changes. As I indicated, I have until December to do that.

I believe there is surplus office space in that office right now. I believe it is perhaps slightly more elaborate than we need. I believe we will continually, usefully employ a fiscal relations officer in that office, even though that office will be paid for out of Finance, but I think that is an extremely useful thing to continue. I think we will still need space for a person in the office, a senior officer and a secretary. Whether other space is justified — part of the argument before was that there should be an extra office for when the Government Leader or Ministers came to town. I am not sure that it happens frequently enough to justify that, but I will be reviewing all of those issues, the rent and accommodation costs prior to Mr. Murphy's departure from the post.

I should make it clear that the office space situation in Ottawa, I think has changed as a result of the Nielsen Task Force and other deficit-cutting initiatives. I believe it is now a renter's market in Ottawa, so it is quite possible that, if we went shopping, we could find more attractive circumstances. The contrary may be true, too, but we will be looking into that.

<sup>48</sup> **Mr. Lang:** I am surprised that the Members to my left did not put a motion of congratulations in to the Deputy Prime Minister.

Intergovernmental Relations grew up over a period of time, 10 years, and there are quite a number of people in there who were, I thought, very capable and competent, to the point that they can not only compare favourably to those people across Canada, but, in many cases, I think that we excelled with the limited resources that we had at our disposal at that time. I would just like to say that on their behalf. It is forming a good nucleus for the government to go ahead, if certain political steps are taken.

I take it from the Minister's comments that it is still his intention to have an office in Ottawa. Is that correct? Forget the review for a second.

**Hon. Mr. Penikett:** I think that it is almost certain that I will want to keep a fiscal relations officer in Ottawa. The rest of it, notwithstanding my observation the other night about rotating people through, I think I am going to look at the full range of options before making a decision.

**Mrs. Firth:** About rotating people through the Ottawa office, is that going to be considered a promotion, or a demotion, for employees who could be rotated through that office?

**Hon. Mr. Penikett:** There is another way of asking the Member's question: are we talking about missionary work or banishment?

I do see it as missionary work, not the other.

*On Intergovernmental Relations*

**Mr. Phelps:** I am just wondering about the figures. We went from five person-years at \$208,000 to 10 for \$431,000. I understand two of those 10 are taken up by the Office of Devolution, \$120,000. Why is there a bit more than double, when we have only gone from five to eight person-years? This is under Intergovernmental Relations.

**Hon. Mr. Penikett:** The explanation is that apparently Federal Relations used to be a separate line item, which accounts for two people there, plus the other change in the personnel amount involves the moving of the policy analyst into this department, as well as the two new positions in the Office of Devolution, which accounts for the total change in the personnel dollars.

*Intergovernmental Relations in the amount of \$431,000 agreed to*  
*On Federal Relations*

*Federal Relations in the amount of \$176,000 agreed to*

*On Office of Devolution*

*Office of Devolution in the amount of \$120,000 agreed to*  
*Policy and Intergovernmental Relations in the amount of*  
*\$727,000 agreed to*

<sup>49</sup> General debate?

**Hon. Mr. Penikett:** As all Members know, the Public Affairs Bureau is a centralized service to assist the departments in public relations, advertising, photographic, media relations, public communications and public enquiry needs.

The total budget for the 1986-87 year is \$602,000. I would be happy to answer line item questions about it.

**Mr. Phelps:** We have the same person-years as in 1984-85, yet Other has doubled. It has gone from \$131,000 to \$260,000. Why is that?

**Hon. Mr. Penikett:** I believe I previously explained about an increase of \$50,000 that was a Management Board decision made, I think, to increase it by \$50,000 after the original O&M budget was set last year. If the Member will give me a couple of minutes, I will get the rest of that information.

**Hon. Mr. Porter:** I move that you report progress on Bill No. 5.

*Motion agreed to*

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

*Motion agreed to*

*Speaker resumes the Chair*

<sup>50</sup> **Speaker:** I will now call the House to order. May the House have a report from the Chairman of the Committee of the Whole?

**Mr. Webster:** The Committee of the Whole considered Bill No. 5, *Second Appropriation Act, 1986-87*, and directed me to report progress on same.

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

**Some Members:** Agreed.

**Speaker:** I declare the report carried.

I wish to inform the Assembly that we will now receive the Administrator to grant assent to a bill that has passed this House.

*Administrator of Yukon enters the Chamber announced by the Sergeant-at-Arms*

**Speaker:** The Assembly, at its present Session, passed certain bills to which, in the name and on behalf of the Assembly, I respectfully request your assent.

**Clerk:** *Fourth Appropriation Act, 1985-86; Interim Supply*

Appropriation Act, 1986-87 (No. 2).

**Administrator:** I give my assent to bills as enumerated by the Clerk.

*Administrator leaves the Chamber*

51 **Speaker:** I will now call the House back to order.

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

**Speaker:** It has been moved by the hon. Government House Leader that the House do now adjourn.

*Motion agreed to*

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

*The House adjourned at 5:19 p.m.*

**The following Legislative Return was tabled April 29, 1986:**

86-3-7

Consultants employed re Young Offenders facilities and programs (Joe)

Oral - Hansard p. 325

**The following Document was filed April 29, 1986:**

No. 6

Homesteader and Squatter Policy - A Discussion Paper (McDonald)