



The Yukon Legislative Assembly

Number 45

3rd Session

26th Legislature

HANSARD

Thursday, November 27, 1986 — 1:30 p.m.

Speaker: The Honourable Sam Johnston

Yukon Legislative Assembly

SPEAKER — Honourable Sam Johnston, MLA, Campbell

DEPUTY SPEAKER — Art Webster, MLA, Klondike

CABINET MINISTERS

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

GOVERNMENT PRIVATE MEMBERS

New Democratic Party

Sam Johnston	Campbell
Norma Kassl	Old Crow
Art Webster	Klondike

OPPOSITION MEMBERS

Progressive Conservative

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

Liberal

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

Whitehorse, Yukon
Thursday, November 27, 1986 — 1:30 p.m.

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

Prayers

INTRODUCTION OF PAGES

Speaker: At this time I have the great pleasure to introduce our two pages. They are Dylan Armour and Lindsay DeHart and I would welcome them now to attend on behalf of the Assembly.
Applause

DAILY ROUTINE

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

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald: I have for tabling a Summary of Capital Projects for 1986-87 from the Departments of Education and Community and Transportation Services.

Hon. Mr. Penikett: I have for tabling the Public Accounts for the Government of Yukon for the year ended March 31, 1986 and, as well, the Annual Report and other information from the Asia Pacific Foundation, which organization receives a contribution from this government.

Hon. Mrs. Joe: I have for tabling a document entitled "Young Offenders Facility Planning Statement of this Government", dated January 1986.

Hon. Mr. Kimmerly: I have for tabling the Yukon Medical Council Annual Report and proposed regulations under Bill No. 77.

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

INTRODUCTION OF BILLS

Bill No. 73: First Reading

Hon. Mr. Kimmerly: I move that Bill No. 73, entitled *An Act To Amend the Legal Services Society Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Justice that Bill No. 73, entitled *An Act To Amend the Legal Services Society Act*, be now introduced and read a first time.

Motion agreed to

⁰² Are there any Notices of Motion for the Production of Papers?
 Notices of Motion?
 Ministerial Statements?

MINISTERIAL STATEMENTS

Young Offenders Facility

Hon. Mrs. Joe: I would like to inform the House at this time of the final plans for a young offender facility in the Yukon. As promised in the spring session, I have decided on a local solution for secure custody. Design work for a 12-bed secure facility has begun. The facility will be situated on a five acre wooded lot on Range Road immediately past the Whitehorse Correctional Institute. I plan to have this facility in operation by December, 1987.

A submission to the Treasury Board of Canada has been completed after lengthy negotiations with the Solicitor General and the Department of Indian and Northern Affairs. The objective of this submission is to ensure the Government of Canada picks up the full cost of implementing the legislation.

In addition, I also intend to proceed with renovations to 501

Taylor Street as an open-custody group home. I have discussed my plans with the City and invited the residents who voiced concerns to meet with me. This residence should be open by the beginning of February 1987.

I stand by my commitment to have both options of secure and open custody operational in the Yukon for young offenders. This will not only fulfill our mandated responsibility under the Young Offenders Act, but will also fulfill my commitment to offer quality services to young offenders here in the Yukon.

Mr. Phillips: I guess one could say that it is better late than never. We almost felt, on this side of the House, that the Minister was never going to build such a facility. It also was very unfortunate that there has been a lot of undue suffering in the last year and a half, and now it will be 2½ years before the facility is finally open. I am glad to see the government has made a decision. I am glad to see that they are going ahead with that badly needed facility.

With regard to 501 Taylor Street, I guess it is rather odd that the property owners in the area expressed a clear message to the Minister, in the form of a petition, that they do not want that facility in the area, and the Minister is going to talk to them. I do not know what she is going to tell them, because she has already decided she is going to build it. It is an unfortunate circumstance that the Minister has not listened to the people.

Hon. Mrs. Joe: The Member mentioned that a lot of people are suffering right now, and I agree. There are young offenders right now who are being sent to Willingdon in Vancouver. What he did not mention is that the intention of the former government, when they had decided to go ahead with the young offenders facility, was that it would not have been completed until April, 1987. My plan will save the taxpayers over \$1 million as opposed to the previous plan. We will be a few months behind schedule.

With regard to those residents who were opposed to the 501 Taylor Street as an open custody facility for young offenders, it does not matter what kind of a decision has been made. Not everyone is going to agree with that plan. I do sympathize with their feelings, and I have offered to meet with a number of those individuals. I have spoken to them on the phone, and I will continue to meet with them. I hope that some day they will understand that young offenders are human beings, and we do have a moral obligation to look after them, no matter what neighbourhood they are in.

⁰³ **Speaker:** This then brings us to the Question Period.

QUESTION PERIOD

Question re: Service contracts

Mr. Phelps: I have questions arising from the Ministerial Statement with respect to service contracts that was presented in this House by the Minister of Government Services.

In that statement, he states that the government spends between \$10 million and \$20 million annually on service contracts and consultant agreements. Yet, we cannot have this information, as we have had in the past, in order to scrutinize it.

Does the government have something to hide?

Hon. Mr. Kimmerly: No, absolutely nothing to hide. It is false to say that the Members opposite cannot have this information. When they ask for information about contracts, that information will be supplied in accordance with the principles of the *Access to Information Act*, which is not to say that the procedures of that Act must be followed.

If the information would be available under that Act, we will supply it forthwith upon request.

Mr. Phelps: This is not an open government. It is a coverup government. We have asked for the contracts. In fact, the Member for Porter Creek East has asked for the contracts in writing from the Minister. When can we expect to get those contracts so we can do meaningful work on behalf of the taxpayers of Yukon?

Hon. Mr. Kimmerly: Talk about the interest of the taxpayers;

what the Conservatives are asking for is a copy, at the taxpayers expense, of thousands of documents, which will be of no use to anyone. We will be collating this information and describing it for the use of the general public, as well as the Opposition.

Mr. Phelps: That is the whole point. We want to do our own collating, our own research; we want to look at things to leakage to the outside with all these consultant agreements from outside Yukon. Now, as never before, this government is spending money on consultants and services and contracts from outside firms. When can we expect all these documents?

Hon. Mr. Kimmerly: The only new question that has not been asked in the first supplementary and the original question is about collating, about leakages. As of period eight, 73 percent of the contracts went to local vendors and 27 percent outside, a substantial improvement over the Tory record.

Question re: Service contracts

Mr. Phelps: That is why this is such a silly thing. They want to manipulate the figures. They have been manipulating everything they can: the media releases, the percentage increase in the budget. This is the most closed government that Yukon has ever been faced with.

Speaker: Order, please.

Mr. Phelps: The Government Leader says that we did not release anything; they were too lazy to ask. Is that not true?

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

Mr. Phelps: Will the Minister of Government Services admit that they are hiding all this material because they are thinking of an election in the near future?

Hon. Mr. Kimmerly: Perhaps I will release some of the old contracts under the Conservative administration as well, but that would be called "playing partisan politics", I am sure.

Mr. Phelps: Can the side opposite, through the Minister apparently responsible for all the dirty deeds in the government — his reputation has been tarnished to such an extent that he is wastable — give us one good reason for hiding this information from the public until the end of the year each year?

Hon. Mr. Kimmerly: We are not hiding any information from the public. We will table the information in a useful form for taxpayers and Members to peruse in accordance with the policy I announced on Tuesday.

Mr. Phelps: The Minister loves to editorialize; editorialize about the questions and everything he can. We want to look at the figures ourselves and make our own conclusions about exactly what these contracts mean, and I ask the Minister once more, in good faith, will he table those contracts, which he has in the past over three or four Sessions?

Hon. Mr. Kimmerly: The Members opposite in the last Sitting asked for a policy. We have given them a policy and that is the policy that the government will follow.

Question re: Home owner's grants

Mr. McLachlan: My question is for the Minister of Finance. Last evening we were told that Home Owner's Grants could not be paid in Faro to qualified home owners because a closed sale agreement does not exist between Curragh and Faro Real Estate. Yet in a private communication to me the Minister has advised that this is not the reason at all. There is some confusion regarding the definition of a home owner.

In the interest of clarification, what is the real answer?

Hon. Mr. Penikett: The question is probably out of order because it is decidedly argumentative. The Member opposite knows full well that we have been trying, based on his representations for sometime, to facilitate the reasonable request from his constituents to qualify for home owner grants. The rules of the home owner grants are quite clear. They have to have something resembling title in the property and, as I understand the problem, the source of the problem is not with us, it is with the real estate company and the original owner of those properties.

Mr. McLachlan: That is certainly not my understanding of the question. I want to ask the Minister if he is saying that the option to

purchase must be exercised either at the outset or on each successive anniversary date? If that is the case, I am wondering if he has any ideas how that could possibly happen. CMHC has said no to private guaranteed bank mortgages. The government is not in any position to help. What is a Faro home owner to do to purchase the home?

Hon. Mr. Penikett: I am being asked for a legal opinion, which I am not equipped either by my office as a Minister nor by my training to give, and is not proper for me to provide in Question Period anyway, but the rules for Home Owner Grants are quite clear. The Member asked me about when you should exercise an option to purchase. Presumably you exercise your option to purchase once you have purchased. At some point you will have some document which indicates that you have some title in the property that will entitle you, and presumably qualify you, for a home owner grant.

Mr. McLachlan: Perhaps my final supplementary should then be directed to the Minister of Justice. It is certainly my understanding that an option to purchase agreement is legal and binding and defines an owner if the agreement contains a mechanism by which the option to purchase claim is triggered, is that not so?

Hon. Mr. Kimmerly: That is asking a legal opinion, which is improper. The question is best asked of a lawyer with specific reference to specific documents. Any other answer is so general as to be practically meaningless.

Question re: Service contracts

Mr. Lang: I intend to ask a very meaningful question. I think people should be aware that the new policy for the purpose of service contracts means that there is going to be \$20 million of service contracts that will not be required to go to public tender. That is important. The people should be aware of this, and what could be termed in some cases — depending on how they use it — as a slush fund.

Why did the Government Leader not take our suggestion with respect to the releasing of this information that, as a service contract was entered into, a copy would be sent to the Opposition for perusing and for us to come to our own conclusions whether or not those consultant or service contracts were valid and good expenditures of the public purse?

Hon. Mr. Kimmerly: The Member opposite stated in his preamble that the new policy will mean that \$20 million of contracts will now not go to public tender. That is absolutely untrue. There is absolutely no change in the policy about what will be tendered and what will not be, nor are there any slush funds.

Mr. Lang: The point I was making was that it was up to \$20 million that did not necessarily go out to public tender, but to go under service contracts, vis-a-vis the Ministerial Statement given by the Minister.

Why would the Government Leader not take our suggestion and send a copy of each service agreement, as they were entered into, send it to the Opposition for our perusal and we could come to our own conclusions?

Hon. Mr. Penikett: Given the inability of us to get any information out of the Member opposite when we were in Opposition, it is amazing that they are suggesting now that we turn over every document in this government, as it is developed, to the Opposition. There is not a government anywhere in the free world that operates on that basis.

They asked us for a policy. We have provided a policy, which provides more information than they ever did, and provides more information than any other provincial government in this country. This provides an annual list of the vast majority of the service contracts — all those over \$5,000. It will have the name, the purpose, the amount. Every parliamentary means is still available to the Members to ask further questions to pursue any particular matter, in terms of spending patterns, trends, contracting procedures, tendering procedures, whatever. Nothing has changed in that.

Mr. Lang: The question is supposed to be short, and so is the answer.

Speaker: Order, please. Would the Member please wait to be

recognized on the point of order?

Mr. Lang: The rules require short questions and short answers. I would ask why the Government Leader is allowed to make a speech every time we ask a question?

Speaker: There is a point of order on the floor, and I find there is no point of order. Next question.

Question re: Service contracts

Mr. Lang: Last session we asked that each copy of each service contract be Xeroxed and a copy be sent to the Opposition so that we could see how untendered contracts were being administered by this government and to whom. Why did the Government Leader not follow our suggestion?

Hon. Mr. Penikett: Because we thought it was an absurd suggestion. The Member opposite just raised a point of order about the length of answers, yet he bootlegs in here accusations of slush funds and lack of tendering, despicable and unparliamentary practices.

Point of order

Mr. Nordling: Point of order, Mr. Speaker.

Speaker: Point of order.

Mr. Nordling: On the point of order, I have not been in this House that long; I believe there was just a point of order previously, and the Government Leader is doing the same thing again. I think that he should be recognized and reprimanded.

Hon. Mr. Penikett: On the point of order. If the Members opposite are going to be picky about points of order, we are going to have serious problems with preambles and the nature of many of their questions. Mr. Speaker has been very liberal with them. I will respect Mr. Speaker's rules about short answers, but I expect short questions and questions that are parliamentary and within the rules. I say that to the new Member because he obviously does not know the rules yet.

Speaker: Order, please. I would like to speak to the point of order. On the point of order that has been on the floor, I find that there is a point of order, and I would like to remind all Members to please keep your questions and your answers short.

Mr. Lang: There is \$20 million for service contracts that are in good part, if not totally tendered publicly. I asked the Government Leader why he did not take our suggestion to Xerox the service contracts as they were entered into so that we could have a copy of them, peruse them and make up our own minds about whether or not they were good expenditures of the public purse. Could the Minister explain to me why that is a ludicrous suggestion?

Hon. Mr. Penikett: We did not think that was a good use of the public service's time, Xeroxing thousands of pages of information on contracts, as they come out of the government, to provide them to Members opposite. Next, they will be asking for copies of all the correspondence from the government as it goes back and forth. We have done something that was never done by the previous government. We are going to provide a list of the contracts, the amount and the purpose, which will provide them the means to answer questions that they will have about them.

Mr. Lang: When the Member opposite was in Opposition, and since he has been in government, he talks of openness and accountability. I still do not understand why it is impossible to Xerox a copy of a service contract when it is entered into, especially in view of the fact —

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

Mr. Lang: — that they are distributed throughout the department. Could the Government Leader please explain, again, why it is a ludicrous suggestion?

Hon. Mr. Penikett: I am just trying to imagine what the Member opposite would have answered when we were in his position. We are providing more information by way of publishing lists of contracts, the purpose of the contracts, the amounts of the contracts annually, the previous year, so that Members in this House, and other citizens can answer questions about those contracts. That could never have been done before, because the

House was never before provided with that information.

We are much more open; we are providing much more information. We will enable Members to do their jobs, because they will be able to follow up on particulars about particular contracts as they have never been able to do so before.

Question re: Service contracts

Mr. Phelps: It is true that we did get these contracts, because we asked for them. It has been very helpful to this side in perusing the budgets and the over-spending of the government. After all, it is the taxpayers' money. We asked the side opposite, through —

Point of Order

Hon. Mr. Kimmerly: On a point of order, Mr. Speaker.

Speaker: Minister of Justice, on a point of order.

Hon. Mr. Kimmerly: The Member opposite is going into his third sentence, which amounts to a speech. This is not a short question.

Speaker: A point of order has been raised.

Mrs. Firth: On that point of order, I find that that side of the House is constantly prompting the Speaker. I have confidence that you, Mr. Speaker, will rule when you feel that the sentence is the second or third sentence. I feel that it is inappropriate for the Minister of Justice to get up —

Speaker: Order, please. The Minister of Justice.

Hon. Mr. Kimmerly: On a point of privilege, the Member opposite has accused Members on this side, including myself, of prompting the Speaker. That is a comment that must be withdrawn.

Speaker's ruling

Speaker: I would like to rule on the point of order. I find that there is no point of order as our Oral Question Period Guidelines No. 7 states, "a brief preamble may be allowed in the case of a main question".

On the point of privilege, I would like to take that under advisement. Would the Member wish to continue?

Mr. Phelps: We asked the side opposite to improve the method for us for tendering contracts and tabling the contracts and delivering them to us. We asked them to open the window. They pulled down the blinds. Why, and this is to the Government Leader, will they not release a copy of each of these contracts to us when they are making copies for their department?

Hon. Mr. Penikett: Because we do not think this is a good use of public servants time. We do not think that it is a good use of photocopyers. We do not think that it is a good way for a government to operate. There is no government anywhere in the free world, with respect, that operates that way. What we have done, and I repeat it again, is improve the system radically; a major reform from the way it was before when we could get no information from the government. Now the Members opposite and all citizens will know the list of contracts, they will know the purpose, they will know the amounts, and they have every means available to them to ask questions about the specifics.

Mr. Phelps: The government is moving backward as quickly as it can. I ask the Government Leader: do you have something to hide?

Hon. Mr. Penikett: I have listened all day today to these snide remarks, these accusations, bootlegged in the preambles of questions. We have nothing to hide, but I would like to ask the Member opposite, the former Government Leader, what he had to hide? Why did he never develop a policy on this question, and why did his government, the administration before, never provide any such information to the House? Answer me that.

Mr. Phelps: Unfortunately, the poor present Government Leader wants to dwell in the past. I was not there very long, as you probably know, but I find it incredible that the Government Leader would stand up and say that it is a waste of time to provide contracts of huge amounts to the Opposition, a waste of taxpayers' money. I ask the Government Leader whether he will reconsider that statement. Understand that it is an insult not only to the Opposition but to the people of the territory, because they have a

right to know: it is their money.

¹⁰ **Hon. Mr. Penikett:** They not only have a right to know but, for the first time in the history of this government, they will know the contractors, they will know the amounts, they will know the purposes. There will be no more secret contracts to friends of the Conservative Party that were never reported in public. They will know all of the contracts over \$5,000, and they will be able to ask questions about them. The Members will be able to ask questions in this House. At the year end and we will provide a report. That will provide every reasonable opportunity for Members to pursue particulars. That is what we are doing. It is a major improvement, a major reform over the situation that existed previously.

Question re: Service contracts

Mr. Lang: Could the Government Leader explain to this House why it would be in the public interest to receive the amounts and the names of the individuals involved, as far as service contracts are concerned, let in January and that information be made available a year later? Could he explain why it would be more in the public interest from that point of view, as opposed to making it available within days of the contract being let?

Hon. Mr. Kimmerly: It would not be a year later. It would be three months later, in April.

Mr. Lang: Could the Minister of Justice explain to me, once again, why it would be of interest and more important to have the terms and conditions, the amounts and how the money is disposed of a year after it has been spent, as opposed to providing that information to Members of the Opposition, Members of his party, so that it can be scrutinized as these contracts are entered into, which have not been publicly tendered?

Hon. Mr. Kimmerly: The public will be interested in the information generally. It is of a particular interest, I would expect, to the businesses who are competing for these contracts to know what kind of expenditures the government has made in past years, in order to plan their businesses in future years.

Mr. Lang: He still has not answered my question. Why is it not in the public interest that, if a contract that is not publicly tendered is signed in June, and that information will not be made known to the public until April of the following year, why does the government refuse to make that information available to Members of this side or Members of the House or anyone who would like that information, like we are asking for?

Hon. Mr. Kimmerly: We are not refusing to make information available. We are making it available in a useful, systematic way, according to a sensible policy.

Question re: Service contracts

Mr. Lang: It has come to my attention that there is a minimum of one service contract a day being signed by this government. We are dealing with \$20 million. Is it not true that wherever these contracts are disposed off that a photocopier is very close at hand if they wanted to run off a copy of the service contract?

Hon. Mr. Penikett: We have photocopying machines all over the government. I could explain where and when they are available if the Member is interested in that kind of administrative detail as opposed to the policies that he should be concerned about.

Mr. Lang: I was very pleased to hear the Minister say that we have a great number of photocopiers throughout the government. We are all fully aware of that, and that is my point. I ask the Minister of Justice or the Government Leader what would be wrong with, when a service contract is entered into, a copy is photocopied off the machine right next to where it is signed and it is immediately put into the mail to at least this side and the media and anybody else who would be interested in seeing how these untendered service contracts are being administered.

Hon. Mr. Kimmerly: Every document that the government produces is additional paper at additional expense to the taxpayer, and it is only sensible to put some order into the disclosure of these contracts.

Mr. Lang: Talk about paper — \$73,000 of paper. All we are after is one photocopy of every service contract that is entered into by the government. Could I ask the Minister of Justice if that is the

only reason that we are not getting a photocopy? If it is, this side is prepared to pay for the paper that is required to go into the copiers so we could have a copy.

Hon. Mr. Kimmerly: No, it is not the only reason. This debate is becoming ridiculous. Of course we are talking about essentially administrative matters and we are providing a policy because we were asked for it, to put some order into these administrative matters so that they are useful in a policy formation or political sense.

¹² Question re: Service contracts

Mr. Nordling: I have been listening to the present Government Leader and the Minister of Finance espousing his political philosophies and beliefs since 1970 when he ran in the Dawson riding. I would never have believed the about-face that we have seen since he has come into power. Would it not be a lot more work to compile all this information and supply it at year end than to make one extra photocopy, costing pennies, and distribute it through the present intergovernmental mail system?

Hon. Mr. Penikett: Unfortunately, the Member has not been around here long enough to imagine what an incredible about-face there has been opposite. Let me make a little prediction. The Conservatives will one day come back to power, but one thing they will never do is make Xeroxed copies of all the contracts and provide them to the public. I will make that prediction. That is absolute complete hypocrisy.

We are providing more information.

Point of Order

Mrs. Firth: Point of order.

Speaker: Point of Order. The Member for Riverdale South.

Mrs. Firth: I believe the word "hypocrisy" is considered unparliamentary language, and I would like the Speaker to rule on that please.

Hon. Mr. Penikett: I believe that in parliament the word "hypocrisy" may be used in the exact sense. If you can spare the record of certain people and the propositions that have been taken by certain people and if they are directly contradictory as they are in this case, the word "hypocrisy" does, of course, apply.

Mr. Lang: On the point of order. I will read part of the rules that the Government Leader helped to put together for the House a number of years ago. "No. 8 - a question must adhere to the proprieties of the House and it must not contain inferences, impute motives, cast dispersions upon persons within the House or out of it". I think that this is relevant in this case.

Hon. Mr. McDonald: On the point of order. With reference to the rules, the Member cited rule No. 8 in the back of the Standing Orders of this Assembly. The Government Leader did not impute a motive on an individual Member. He did not call an individual Member a hypocrite. He stated a position that the Member espoused was hypocritical. The position is hypocritical, not the Member himself. So, no motives were imputed and no aspersions were cast in this case.

Mr. Phelps: On the point of order. The last Minister who spoke has a very short memory. It seems to me that only yesterday he rose on the same point of order, and I gracefully withdrew my remark about hypocrisy on the the other side.

¹³ **Hon. Mr. Penikett:** In the spirit of Christmas-like charity demonstrated by the Leader of the Official Opposition, I am quite happy to withdraw my remark, too, if it gave offense. I would hope that the Member for Porter Creek East, who just cited the rules, would stop making accusations of sleet and slush funds and so forth, because he just violated the rule he just read.

Speaker: Order, please. The hon. Government Leader has withdrawn his remark. Would the Member wish to continue?

Mr. Nordling: My question was not about what the Conservatives used to do. My question was about what the New Democratic Party is doing at this time.

Would the Government Leader consider the Liberal Leader's suggestion that this information be made available to us monthly, rather than at year-end?

Hon. Mr. Penikett: This really has not been a Question

Period today. It has been a point of order period.

We did consider more periodic reports. We decided that the most practical and effective way to provide the information on an annual basis so that, on April 1, when we get into the budget cycle and the Members would normally ask questions about such things, the information will be ready and fresh for the previous year.

Question re: Capital Budget, community breakdown

Mrs. Firth: Will the Government Leader be today tabling the community-by-community breakdown for the Capital Budget, so that the Opposition has the ability to peruse it over the weekend?

Hon. Mr. Penikett: At the outset of today's sitting, the Minister of Community and Transportation Services, which amounts to about 3/4 of the budget, provided a community-by-community breakdown table of the estimates for his department. There is slightly more of a problem in departments like mine where we have territorial-wide programs and no community breakdown. We will, I believe, by the outset of next week have a community breakdown for all the departments, as requested by the Member.

Mrs. Firth: It was my understanding, from the budget lockup, that the information was already prepared. I did give the Government Leader a letter Monday evening, November 24. We were also of the understanding that the information could be delivered almost immediately.

Speaker: Order, please. Would the Member please get to the supplementary question?

Mrs. Firth: Yes, I will, Mr. Speaker. Could the Government Leader tell us what the holdup is? It is three days later and we still do not have more information?

Hon. Mr. Penikett: We have provided most of the information today at the outset of the sitting. It had to be typed up in the form that is digestible by the Members. We do not want to give handwritten notes. Not all the departments collated the information by community in the same way. We want to provide it in a form that is similar.

Again, I repeat, there are departments, such as the Department of Economic Development, whose programs are largely territorial-wide. It may be impossible for us to break down what we expect to be the expenditures on those different programs on a community basis, and we will not be able to do it. In the departments like Community and Transportation Services, Education, Renewable Resources, Government Services, for much of the expenditures proposed in the budget, there will be a community breakdown provided to the Member. We are going to get it to her as fast as we can.

Mrs. Firth: I just want to register a concern and ask the Government Leader where the communication gap is. We were under the impression that the information was available. The communications advisor intervened and said we could not have it without asking the Minister, so is the information now being screened or processed, are we not going to get the information immediately that was considered to be available?

Hon. Mr. Penikett: This information is not normally provided in this detail until it is asked for in the Committee stage. We are not in the Committee stage yet, but we are endeavouring to respond to the Member's request. The Member will know, from having been a former Member of Cabinet and Management Board, that the great internal budget detail, the departmental documents, are not in tableable form. We will have to, in many cases, get them retyped and put on single sheets or special sheets so we can table them in the House and give the Members the information. We are not going to give internal, financial and budget documents on the floor of the House. We will provide the information requested by the Member as soon as we possibly can.

Question re: Faro social worker

Mr. McLachlan: My question is for the Minister for Human Resources with regard to staffing. In the community of Dawson City there is a full-time supervisor, Social Worker III, full-time child care receptionist and alcohol-drug worker all serving a population of 1,400.

In Faro, there is one social worker who is leaving, not two, no alcohol-drug worker and a secretary/receptionist. My question to the Minister is: could she please explain why some areas of the territory that have a Human Resources Office, have a much higher staff-to-population ratio than others?

Hon. Mrs. Joe: It normally depends on the caseload, as I mentioned to the Member yesterday. Indications have told us that the caseload is higher at Ross River at this point in time. With regard to the social worker that will be hired in Faro, from information I have received since yesterday, that person will be allowed to do a number of things that the former social worker did and will be allowed to process social assistance and other such things.

Mr. McLachlan: I have asked for the figures from the Minister and so far they have not come forward. The Minister told us yesterday that the money was budgetted eight months ago for the social development worker. All the social development workers have been hired and nobody arrived. Where is the mysterious apparition?

Hon. Mrs. Joe: I told the Member yesterday that I thought all the social development workers had been hired. What will happen in this case is that the position will be advertised, and we hope there will be a person in Faro who has those qualifications. I was only brought up to date on this information today.

Speaker: Time for Question Period has now elapsed. We will proceed with Orders of the Day.

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Speaker: Government Bills?

GOVERNMENT BILLS

Bill No. 21: Second Reading

Clerk: Second reading, Bill No. 21, standing in the name of the hon. Mr. McDonald.

Hon. Mr. McDonald: I move that Bill No. 21, entitled *An Act to Amend the Assessment and Taxation Act*, be now read a second time.

Speaker: It has been moved by the Minister of Community and Transportation Services that Bill No. 21, entitled *An Act to Amend the Assessment and Taxation Act*, be now read a second time.

Hon. Mr. McDonald: I am pleased to table for second reading several amendments to the *Assessment and Taxation Act*. In part, these amendments are housekeeping in nature, although one of the proposed amendments represented a fairly major shift in departmental responsibility for administering the Act.

Specifically, we are streamlining the business of tax assessment and collection. Currently the function of assessment falls under the responsibility of the Department of Community and Transportation Services, while the function of the collection of taxes is handled by the Department of Finance.

This arrangement has created a number of functional and administrative difficulties inasmuch as assessment and property taxation are very closely linked.

In this regard, the proposed amendment before you provides for a transfer of the collector of taxes responsibility from the Department of Finance to the Department of Community and Transportation Services. This move will then place the responsibility for the administration of the entire *Assessment and Taxation Act* under one department, which should facilitate a more effective and efficient administration of the Act.

With respect to the remaining amendments, these cover several different areas of the Act and are specifically related to the assessment function.

Firstly, the definition of depreciation is being deleted from the Act, as it is considered to be redundant because there is no subsequent reference to depreciation in the body of the Act. Functional and physical deterioration of property in completing individual assessments will continue to be considered.

Secondly, an amendment is being proposed that will enable certain late-filed assessment appeals to be heard to determine

whether late filing occurred due to extenuating circumstances. Presently, the Act provides for a 30-day appeal period, commencing from the mailing date of the assessment notice of each year which, in most cases, is more than sufficient. In some situations, however, an individual may be faced with circumstances outside of their control, such as hospitalization, et cetera, which does not enable them to respond within the required timeframe.

Under this amendment, the Assessment Appeal Board will not be able to review such cases and proceed with the hearing of the appeal, if felt to be appropriate.

Essentially, we are responding to special needs of people in making the process more flexible.

The third amendment being proposed is to enable the Executive Council Member to appoint the Secretary to the Assessment Appeal Board, rather than requiring an Order-in-Council. This particular position is normally selected by the chairperson of the board, therefore, only needs to be confirmed by the government under delegated authority to the Executive Council Member.

Finally, an amendment is being proposed to the Act clarifying the extent to which property held by a religious body will be deemed to be tax exempt. Under the existing wording, the intent was to exempt from taxation those properties used chiefly for religious purposes, such as actual churches and other such identifiable places of worship.

In applying this particular section, however, an appeal before the Yukon Supreme Court subsequently determined that this exemption applies to all religious property, whether only peripherally associated with worship or not. This has meant exempting residential improvements, such as staff quarters and housing, cabins used for living accommodations, as well as, potentially, farm and agricultural buildings and other improvements unrelated to the actual religious worship of the particular organization.

¹⁶ As this interpretation has gone far beyond the original intent of the legislation, the amendment before you will now serve to clearly specify, not only the type of land subject to tax exemptions, but also those to which the tax exemptions will not apply.

Motion agreed to

Bill No. 65: Second Reading

Clerk: Second reading, Bill No. 65, standing in the name of the honourable Mr. McDonald.

Hon. Mr. McDonald: I move that Bill No. 65, entitled *An Act to Amend the Municipal Finance Act*, be now read a second time.

Speaker: It has been moved by the Minister of Community and Transportation Services that Bill No. 65, entitled *An Act to Amend the Municipal Finance Act*, be now read a second time.

Hon. Mr. McDonald: I am pleased to table for second reading *An Amendment to the Municipal Finance Act*. This amendment relates to the provision of operating grants to the municipalities and arises out of discussions I have had with both the Association of Yukon Communities and the individual municipalities.

More particularly, the amendment provides for the establishment of a 10 percent protection factor, which serves to restrict the amount at which an individual municipality operating grant can be increased from one year to the next. As most Members may be aware, the provision of the operating grant to municipalities is governed by the *Municipal Finance Act*. It is determined through the application of a two-part formula based upon assessment equalization and dwelling units.

The dwelling unit side of the formula is fairly straightforward, being based upon a simple count of all dwelling units within a municipality, and funds are subsequently distributed accordingly. The assessment equalization side of the formula is, however, predicated upon an individual municipality's revenue creating potential through taxation as compared to the City of Whitehorse. In other words, the less ability of a municipality to generate property tax revenue, the higher will be the equalization grant.

As that municipality's tax-generating capability increases, such as through expanded development within the community, then the equalization grant will reduce somewhat. Under normal circumst-

ances within a municipality, growth will generally occur on a graduated or incremental basis. Thus, any reductions in the equalization grant will usually be minor in any one year and easily absorbed by the municipality through increased tax dollars.

An anomaly to this, however, is when an action such as boundary expansion takes place, which has the effect of creating an immediate and major change to the municipality's tax base. The result and effect on that municipality's operating grant can mean a reduction in the grant in one year, of upwards to 30 percent to 40 percent. Although the municipality's tax generating capability may have conversely increased by 60 percent to 70 percent, this type of major shift in funding can create substantial budgetting difficulties for the municipality.

By providing a limit of 10 percent on the maximum amount of decrease that could occur, this provides a degree of stability to the funding and serves to soften any major change by spreading the impact over several years. I would just mention, however, that this 10 percent limitation will only be applicable so long as the Yukon government is financially able to provide at least similar, if not increasing, amounts of total municipal operating grants funds from one year to the next.

¹⁷ In closing I would also note that this amendment is fully endorsed and fully supported by the Association of Yukon Communities, as well as by all municipalities. There is general consensus that with the amendment, the formula now becomes more equitable and balanced in its approach to funding municipalities.

Mr. Lang: I listen to the words of the Minister of Community and Transportation Services with a great deal of interest. That is the Minister who stood up and told us how equitable the formula was last Session when we raised the very real problems the municipalities, specifically Watson Lake, were facing, and in part Mayo and to some degree Dawson City. It would seem to me that we are a little late with respect to this amendment. This was an amendment, if I recall correctly, that this side asked for two months prior to the Sitting of the House last Spring and also assured quick passage to cushion the boundary expansion and lack of flexibility in the then formula. I notice the Minister, in his opening statement did not indicate the reason it was here, because of the past experience. It was an experience I think we all to some degree took part in, at least in debate in this House, because of the lack of sensitivity toward the problem — primarily the community of Watson Lake — faced. That community had to make a substantial increase to its tax base and take major cuts in budgetary items in order to get through this year. I would like to say we will support this amendment, but I hope in the closing comments of his speech that this particular section will apply and whatever amount it figures to be, the community of Watson Lake will get it retroactively, as well as any other eligible communities.

Hon. Mr. McDonald: I do not think it serves any useful purpose to continue through the same debate we went through last Spring on this particular subject. I believe I made the case for the government at that time more than adequately. The Member mentioned that he had asked for this particular amendment last Spring to assist the communities, and I would like to ask him to refer back to his comments at that time where in fact he did state that he wanted a change in the formula, which this amendment does not provide, in order to assist communities. He, in fact, made statements that the Assessment Equalization Grant itself was not fair.

This amendment does not change the principles or the mechanism by which the Assessment Equalization Grant formula is determined. It only softens the fluctuations in any reductions in payments under this formula to any given community. This is quite different from what the Member mentioned. The Member did, of course, state different things and made some accusations with respect to the reasons for the financial situation of various communities, and I would be happy to pursue those with him if he wishes in Committee today.

¹⁸ *Motion agreed to*

Bill No. 55: Third Reading

Clerk: Third reading, Bill No. 55, standing in the name of the hon. Mr. McDonald.

Hon. Mr. McDonald: I move that Bill No. 55, entitled *Municipal and Community Infrastructure Grants Act*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Community and Transportation Services that Bill No. 55, entitled *Municipal and Community Infrastructure Grants Act*, be now read a third time and do pass.

Motion agreed to

Speaker: I declare that Bill No. 55 has passed this House.

Bill No. 54: Third Reading

Clerk: Third reading, Bill No. 54, standing in the name of the hon. Mr. Penikett.

Hon. Mr. Penikett: I move that Bill No. 54, entitled *Fifth Appropriation Act, 1985-86*, be now read a third time.

Speaker: It has been moved by the hon. Government Leader that Bill No. 54, entitled *Fifth Appropriation Act, 1985-86*, be now read a third time and do pass.

Motion agreed to

Speaker: I declare that Bill No. 54 has passed this House.

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

Recess

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

Bill No. 18 — Fourth Appropriation Act, 1986/87 — continued

Hon. Mr. Penikett: We discussed this in General Debate yesterday. I do not know if Members have further general questions or if they want to move on to the lines.

Chairman: We will turn to Schedule A, Operation and Maintenance Votes. The first one is Education. This appropriation is for \$1,166,000, and it appears on page 7 in your Estimate Book.

Mrs. Firth: Could the Minister give us some detail, please?

Hon. Mr. McDonald: Are we discussing Education?

Chairman: We are discussing Education. We will be taking these in the order in which they appear on Schedule A and the first one under O&M votes is the Education Department.

Hon. Mr. McDonald: This is the year the government paid considerable attention to this field. They address education and manpower accounts for \$763,000 of the O&M request to improve the opportunities of non-Whitehorse students, the government has leased the Yukon Hall for student accommodation. It has been renamed, for the Members' information, Nisutlin Campus of Yukon College. This facility will be used as a residence until the new college is opened in 1988.

Two hundred and five thousand dollars of this supplementary is to cover personnel costs, food services, materials, maintenance and telephone for the Nisutlin Campus.

The government was also committed, as Members know, to the fair treatment for the employees of the College, and to meet this commitment it was essential to regularize the use of long-term contract employees at the College. This conversion exercise has given those long-term employees at the College a range of benefits enjoyed by permanent civil servants. At the same time, it was

recognized that to fully staff the College to meet the educational needs of the people, some teachers on staff had to be considered. Increases were granted in administrative support and in instructional services. Together with the additional cost of conversion of contract positions to permanent status and for that increase in personnel for instruction and administration, amounts to \$376,000.

In support for an increase in demand for educational services through the CLCs, the government has identified the need for an additional \$182,000.

²⁰ In Carcross, Carmacks, Haines Junction, Burwash, Old Crow, Pelly Crossing, Ross River, Teslin and Watson Lake, part time instructional and coordinating positions have been increased to full time status. In some locations, additional positions have been added. Also under O&M expenditures, there is a call for an increase to the Department of Education's Policy and Planning budget of \$403,000. The cost here is associated with an agreement between the Council for Yukon Indians and the Yukon government to establish a joint commission on Indian education and training. This is an independent joint commission that was put into placed in August and has so far travelled, as part of its first round of community consultations, to Beaver Creek, Burwash, Haines Junction, Carcross, Teslin, Carmacks and Ross River. We suspect that the commission will be reporting in April, 1987.

Of the commission's budget, \$144,000 has been dedicated to the salaries of the commissioners, \$110,700 to the salaries for support staff, \$50,000 for consulting professional services, \$33,000 for travel costs and \$20,400 for the office. An additional \$45,100 has been provided to put into place a community liaison network, which is to assist the commission at the community level.

Mrs. Firth: Can the Minister give me a person year number that this amount of money reflects? How many new person years are there?

Hon. Mr. McDonald: With respect to the Yukon Hall operation, we are looking at 1.5 persons for term positions for a resident supervisor and a custodian. Those terms will last until June, 1988, at which time the contract ends and people will hopefully move to the new college site. For the administration and instructors, we are looking at, first of all, a conversion of 10 contract casual positions to permanent positions. That is technically person years although there are no new people working for the government. There are an additional two people in the administrative support area: an admissions clerk and student services and a cultural clerk for continuing education.

With respect to the instructors, there was a conversion exercise for 12.5 permanent positions from casual contract positions. There were also an additional three positions in the faculty to enhance the delivery of courses.

²¹ With respect to community learning centres, there were conversion of staff to full-time from part-time, for a total of 8.4 person years. I hope you can understand that this will be broken out as fractions of person years to a number of communities: Carcross, Carmacks, Haines Junction, Burwash, Old Crow, Pelly Crossing, Ross River, Teslin and Watson Lake. Because of an increase in volume and level of community-based adult education programs, there was an increase total of 4.25 person years split across those same communities, but also including Mayo.

The joint commission was on Indian education and training, because it is a contractual arrangement with the commission. There are no person years associated with that initiative.

Mrs. Firth: I have just done a quick tally, and I have 46.9 new person years that have been identified for the Department of Education. Is that correct?

Hon. Mr. McDonald: That sounds extremely high. I have not totalled that up. When we announced the conversion exercise and the redistribution of personnel to the Yukon College, we announced an increase of 33 person years. I added to that the 2.5 person years for the Yukon Hall operation. You then have close to 36. Those are the only positions that we have added to the Department of Education, and they are primarily conversions of long-term contract personnel.

Mrs. Firth: Could the Minister tell me the person years in the adult education and the CLCs that are broken up into lots of

part-time positions. Are all of those positions filled?

Hon. Mr. McDonald: I believe many are under recruitment. I believe most of them are classified. Many are under recruitment. There are probably a few that have been filled. I do not have those exact figures in front of me.

Mrs. Firth: I would like to get some idea of what that total 7.65 person year complement is going to be in actual people working for the government. Are there going to be 15 people in that complement? Five? Ten? Fifteen? Twenty people? Thirty people? Does the Minister have any idea how many people that is going to represent?

Hon. Mr. McDonald: I do not have the breakdown of the fractions of person years, but I can supply those relatively easily to the Member.

Mrs. Firth: I would like that on a community-by-community basis, if I could, just so that we know how many people are working for the government in each community.

The Indian Education Commission will be commencing its visits to the communities again in the new year, I understand. When is the Minister expecting that they will have finished all the community visits?

Hon. Mr. McDonald: I would hope that the Commission could complete community visits in March. That was the initial understanding that we had come up with with the Commissioners themselves.

Mrs. Firth: Can the Minister give me an idea of how many meetings are going to be held in the Whitehorse area?

Hon. Mr. McDonald: At this time, I cannot. The Commission knows that to submit a report that is representative of not only the views of the people in Whitehorse, but also the views of the most remote community in the territory, will be a report that the government will have to question with respect to its validity. We would like to encourage the Commission to travel to, and make contact with, all the communities in the territory and, certainly, in Whitehorse. I know that the Commissioners have had numerous meetings with groups in the Whitehorse area, but they do not report to me on a regular basis. I have had a number of meetings with them in general terms to talk about what the government wanted to get out of the Commission's report, but we agreed from the very beginning that we would not direct the Commission's activities, that this would be an independent Commission.

Mrs. Firth: The Minister has written a letter to me when I made the inquiry about the Commission, saying that if I had any other inquiries that I could call the Commission number. Do I understand from that that I have freedom to correspond with the Commission, and will they respond to my questions without intervention from the Minister, or will the Minister be sent any correspondence I send to them and asked what the reply should be?

Hon. Mr. McDonald: This is an independent commission. If the Member wishes, I can express the position to the commissioners, what exchange of information the opposition critic has with the commission. It will be kept in confidence. I am not interested at all in curtailing or directing the activities of the commission. The commissioners were appointed because we felt that they were good, competent people and could do a good job for the people of the territory. They are an independent commission, and I will not direct their activities in any way whatsoever. I certainly would not try to muzzle the commission with respect to dealings with the Member. She is entitled to contact them, correspond with them directly, and all correspondence that passes between them does not have to come through me at all, and will not, if the Member wishes.

Mrs. Firth: Surely, the Minister has misinterpreted my intention. It was not to be combative or confrontative. I simply wanted further direction from the letter that I got so that I know the proper channels to go through for communication. It was not, in any way, intended to be a sneaky, sleazy or suspicious question. I thank the Minister for his answer.

I would like to ask a question about a production that has been done by Daniel T'len regarding native languages. If it is inappropriate to ask at this time, the Minister can indicate that to me. I understand it was done partially with territorial funds. Can the Minister give me some information as to when it was done and if it

was put out to tender? Was it contracted? Was this individual asked to do it because of his expertise in the area? Could the Minister give me some information about the background?

Hon. Mr. McDonald: Generally speaking, the agreement was with the Native Language Centre to do a study on native language education in the territory. I did not play any part at all in choosing the person who actually did the study. I only met with the person when the study results came out. That was the Director of the Native Language Centre. Around the time that the Centre wanted to conduct the study, we thought it was an excellent idea. The next time I heard officially from the consultant doing the report was when the recommendations were released.

Mrs. Firth: It is an excellent production. I wanted to know if the Indian Education Commission will be gathering resources like that when they are reviewing submissions. Will they also be compiling a library of information that has already been done regarding Indian education? Is this the kind of information that they will be looking for?

Hon. Mr. McDonald: The work that Daniel T'len was doing on the native language education in the territory was taken into consideration in the development of the commission. The commissioners, upon their appointment, were informed of our interest in pursuing the options that Mr. T'len was studying. Not surprisingly, of course, all the commissioners knew very well of Mr. T'len's activities and were more than happy to use the baseline data and review the recommendations he had made in pursuing their field of studies.

There was also a report on native education from the Province of Alberta that we transmitted. There was a report done by the Government of the Northwest Territories on native language education. There have been numerous reports in the North — not in the Yukon but in the North — pursuing the general subject. My understanding is that the commission's first task was to collate information generally and use that as baseline information when they went on their community tours.

Mr. Lang: I am kind of curious since there seems to be a lot of outstanding questions in respect to service contracts and that kind of thing. Can the Minister tell us how many service contracts his department has gone into to date as far as these supplementaries are concerned?

Hon. Mr. McDonald: No, I cannot. I do not have that detail in front of me. For the Member for Riverdale South's information, the breakdown for the 7.65 new CLC positions is as follows: there is a .5 position added to Carcross; .5 to Carmacks; .5 to Dawson; .2 to Haines Junction; .5 to Mayo; .2 to Old Crow; .5 to Pelly Crossing; 1 to Ross River; .75 to Teslin and 2 to Watson Lake. There is also 1 to the Itinerant Trades Instructor.

Mr. Lang: Prior to getting into that information, perhaps I could pursue my line of questioning, and then we could get into the teacher-pupil ratio and how those are administered. I would like to ask the Minister if he has a total amount of dollars that have been put out by service contracts that have not gone out to tender?

Hon. Mr. McDonald: I do not have a total number of service contracts that have not gone out to tender. My understanding would be that there would, at the very minimum, be an invitational tender on all contracts. If the Member wants certain specific information, I will come back to the Legislature with it.

Mr. Lang: Perhaps the Minister could make a breakdown for us of the numbers of service contracts, to whom, and the terms of reference of the service contracts so that we know where they have gone and for how much. Perhaps the Minister could make that available? Maybe the Government Leader wants to speak to it? I hope that he does not think this is a ludicrous question. We would just like to know how the money is spent, since we are obviously almost to year end as far as this particular budget is concerned.

Hon. Mr. McDonald: I will provide the information if the Member has a specific contract he would like to pursue. I will provide the information. We have a policy, as the Member knows, with respect to the release of service contracts, or the general overall releasing of service contracts. If the Member has an individual situation that he would like to pursue, I will make that available to him.

Mr. Lang: That puts us all at a disadvantage here because we do not have the names of who has service contracts. It is very difficult to say that we want some information over another at this time. I guess this is what I am going after. Could he provide us with a total list of the service contracts accompanied with the amounts and terms and conditions of the contracts and when they were issued, and for what purpose, that would certainly aid and abet us with respect to looking at this amount of money of \$500,000 supplementary that the Minister is asking the people of the territory to take his word that it was administered properly.

Hon. Mr. McDonald: I think that my credibility within the territory is reasonably good. With respect to the money voted here, there is one significant service contract — I think it is the only service contract associated with this particular money — and a breakdown of the budget and the terms of reference have been sent to the critic for Education. The service contract I am referring to would be the Commission on Indian Education.

Mr. Lang: This is my point. This is information that would be welcomed by us. I am asking if there were more service contracts in this particular department, in this budget here, which we are looking at. If he could provide us with the same information on every service contract that was issued, then he would give us full disclosure and the ability to scrutinize the amount of monies the Minister is asking all Members of this House to vote on. Why would you release the terms of reference, the amount of money, and the total breakdown on the Commission that the Minister referred to, when you probably have other service contracts and withhold that information; it does not make sense. It would seem to me that if you are going to give information on one particular item, then I would say give us the information on all. Could I ask the Minister to give us the same amount of information on all other service contracts that were issued by the department that were not tendered publicly so that we can review them?

Hon. Mr. McDonald: The reason I gave this particular information to the Member for Riverdale South was because the Member took the trouble to write and ask, and I took the trouble to respond. There was a specific request made for information on a contract, and I responded by providing the information that she required.

The Member is asking me to somehow break from stated government policy with respect to blanket information about all contracts outside government policy. I am not prepared to do that. If the Member wishes information on a specific contract, I will provide the information as I have already to the Member for Riverdale South, who asked for information on a particular contract.

Mr. Lang: I know there is another form to pursue the principles of the general policy. I want to assure all the front bench that we will be doing our best to get to the bottom of it at some other forum.

Perhaps the way to resolve this situation, where he is not breaking from major government policy, as enumerated by the fairminded Minister of Justice, is to give us the list of the names of all the companies and all the people who had service contracts through his department. Then we could go through it, and we could ask specifically, as the Member in Opposition did, for the information that we want so that we could go on with the deliberations of the budget.

Hon. Mr. McDonald: A list will be forthcoming. I believe the Minister of Justice has indicated when that list will be forthcoming. When the Members want information on any particular on that list, any particular in this budget, all they have to do is ask and I will try to provide the information as fully as I can.

Mr. Lang: That should definitely help us. Could he also provide us with that information by as early as Monday so we can go through these line items and scrutinize them. I see the Government Leader shaking his head. Does that have to do with closed or open government or whatever?

It is going to be very difficult for us to go through the budget, line by line, and be deprived of the information that is necessary to make a cautious decision with respect to the items before us.

Perhaps the Minister could enumerate further, or maybe the

Government Leader could speak up.

Hon. Mr. McDonald: To my knowledge, there was one service contract associated with this funding. When the Member asked, I gave the Member the details. There is a policy that the Minister of Government Services has enunciated clearly. I will abide by the policy. I will provide as much information as I possibly can to Members upon request. So far, I believe the record has been good from the Departments of Education and Community and Transportation Services. All the information the Members request, however trivial it may seem to me, will be transmitted to the Members. That is the way I will operate. I will try to be as specific as I can with respect to details. Obviously, I do not have all the department's budget books in front of me, the accounting ledgers and the works, but if I can get that information back to the Members in a timely way, I certainly will.

Mr. Lang: I was pointing out to the Member opposite, we do not sit tomorrow. He must have that information in the department. I know he does. These things are not secret in the internal workings of a department. As opposed to being selective and just waiting for public announcements for us to write and ask for the terms of reference of one particular item, I thought it would help our debate if we could have the information — at least the names of all the companies and the amounts that were distributed — at this time for asking to vote this amount of money. Then we would be in a position to have a very thorough debate with respect to the budget.

I cannot see why it cannot be made available. We know it is not impossible. It has been made available over the last two Sessions. I think it assisted all Members with respect to the deliberation of the budget.

Could the Minister provide us, line by line, for all the capital expenditures here, the names of any service contracts that were put out with respect to either planning, designing or for the purposes of research, that kind of thing, and then that would give us the ability to see just exactly how the Minister and his department has gone about spending the taxpayers' money.

Hon. Mr. McDonald: I will stand here all day and repeat, if the Member wants to filibuster, the government's position with respect to the policy for releasing service contracts. I will not break from that policy, I will not veer from that policy. I will be open and forthcoming with respect to the expenditures. As long as this debate goes on, the more my memory is going to be cast back to the kind of information I received when I was a Member of the opposition. I will be as open as I can. I will table information that is as open as I have ever seen before, and a lot more open than I have known for a Minister to be in this House.

There are a multitude of details associated with every item. If it is the building of a school, it may be the person who got the contract to lay the carpet, the time lines when the carpet was laid, the kind of pile in the carpet, whether or not there was any analysis on the kind of pile, which was the most cost effective. We could get into endless details if the Member wanted. We are discussing the estimates here, and I am trying to be as open as I can. At the administrative level, there is a concern that money is not being spent efficiently. There is also a crying desire to get involved in every last detail.

There is the Public Accounts Committee, which is a committee of legislators who review those details. Even the Public Accounts Committee does not get into that kind of detail most of the time, even when they are charged with that pursuit.

As far as I am concerned, there seems about to be a filibuster, it is 3:30 on Thursday afternoon and I have to settle myself down to two more hours of this stuff.

Mr. Nordling: The Minister has offered us a list of these service contracts pursuant to the government policy. What date will that list be available for us?

Hon. Mr. Kimmerly: As soon as it is prepared after the fiscal year end, being March 31. I would expect to table it in the spring sitting of the Legislature.

Hon. Mr. Nordling: Perhaps the Minister can clear the situation up for me. We are going to have the lists of service contracts to see where the money has been spent sometime after March 31, 1987, and we are being asked to approve and vote on

those expenditures within the next few days. Is that the situation we are in?

Hon. Mr. Kimmerly: It is obviously impossible to table the information before the money is spent. Is that not simplistic; is that not obvious? We will report on the budgets, on the expected expenditures at the beginning of the year, and at the end of the year, report on the actual expenditures and the actual contracts. That is the only way to do it, that is the way we do it.

Mr. Nordling: To be as simplistic as the Minister, has some of this not been spent already and have some of the contracts not been let?

Hon. Mr. Kimmerly: Yes.

Mr. Lang: What are we arguing about? We are talking about money that you are asking to give our consent after it has been spent, and we are asking simply why we cannot have some information? I agree with the Minister, if you are talking about projected monies, you cannot provide something you do not have. But I think it is safe to say that you have the information and all we are asking for is that that information be provided for us on the specific areas of the budget in question. I think it is a legitimate request. Maybe the Minister of Education or the Government Leader or the Minister of Justice would have some comments on it. We know it does not take that much time to get that stuff together.

Hon. Mr. McDonald: As I stated, a government policy was enunciated in a Ministerial Statement in this House with respect to the blanket release of information on service contracts. It was a policy adopted by this government. There is other information, there are all kinds of other detail that could be sought by Members. We could have the administrative units work full-time for the Members just providing and collating information of various sorts and various ways. If it is not service contracts today, it may be carpet suppliers tomorrow. There may not seem to be an end to the detail. Given the climate of this Legislature this Session and last Spring, I am not optimistic that there is any end to the kind of details Members might request. If Members have questions on given particulars, I will provide answers. With respect to blanket release of service contracts, the Minister of Justice has enunciated this government's policy with respect to that. That is the policy by which I will abide in the Estimates Debate.

With respect to details, I have a fair number of details here but not all of them. If there is something a Member wants, even if it is the character of the pile of a piece of carpet, I will try to find the information and provide it — irrespective of how trivial I think it is. Ask the particulars; I will try to provide the information.

Mr. Lang: I want to assure the Member opposite that with respect to the construction of facilities and that type of thing, they are publicly tendered out. The carpets in the school would be part of that tender and probably a subtrade. That is available to the public. We know it has gone through the public procedure. Therefore, that information is available to us, just like him.

We are asking for information that has not been divulged to the public; service contracts that have not necessarily gone to invitation tender nor for proposal. For these items that he is asking us to give our approbation to, we are asking for copies of the service contracts. That would be the easiest method. We would pay for the paper, if it is that financially burdensome, on a \$250 million contract, to allow us to peruse and question areas that we think should be scrutinized.

I cannot see that we are being ludicrous or out of order. We are just asking for information. Maybe the other sides believes a little information is dangerous and maybe they are right.

Perhaps the Minister could tell us why we cannot have copies of the service contracts that have been issued, have been paid, and nobody, other than the recipients, know that it has occurred? Can he give me one good reason why we cannot see it?

Hon. Mr. McDonald: This discussion is a repetition of the point of order period that we had today at 1:30. The policy, as enunciated by the Minister responsible for Government Services, was enunciated in a Ministerial Statement this week. The debate during the point of order period reinforced the government's position, explained it over and over again with respect to the blanket release of service contracts. If the Members have any

particulars they would like on any particular matter, I will try to provide the information to the Members, as I always have. The policy for the blanket release of service contracts is as the Minister of Government Services has stated it, and I will abide by that policy.

Mrs. Firth: I would like to ask the Minister for a copy of the policy.

Hon. Mr. McDonald: A statement of policy can be provided to the Member.

Mrs. Firth: Perhaps we could have it as soon as possible so that we know what we are dealing with. Perhaps the Minister could get one of his officials to get us a copy of the policy so we could have it here in the Legislature and read it and deal with it right away.

Hon. Mr. Kimmerly: As I remember it, the policy is contained in a brief Cabinet decision, and it is best explained in the Ministerial Statement that already exists. That is the policy.

Mrs. Firth: Is the Minister telling us then that there is not a written policy. It is simply in a Cabinet document. Does that mean that the civil servants have not received any policy directive from this government regarding the public issuance of contracts?

Hon. Mr. Kimmerly: Surprising as it may seem, the government does not always draft complicated policy documents. We have a simple statement, which is an instruction to Supply Services in Government Services to prepare annually the lists according to the criteria enunciated in the Ministerial Statement. That is all it is. It is simple. It is completely understandable to the civil servants. That is all we need; that is all you need.

Mrs. Firth: I know the Government Leader feels that policies are a very serious matter and that policies of the government should be made known to the civil servants. To me that means that he would only extend the courtesy to his civil servants to give them the policy in writing. I believe that the Government Leader said in the Legislature the other day that very serious consideration had been given to this new policy, and therefore, I take from that that there is a definite policy statement and a directive that would have been issued. I find out now there is no such thing. How are the civil servants to know what the policy is? Simply from reading the Ministerial Statement and from a word from the Minister of Government Services telling them what the policy is?

Hon. Mr. Kimmerly: No. They will know from reading the record decision of Cabinet, which is very, very short. The Ministerial Statement contains all of that information.

Mrs. Firth: Can the Minister tell me when this new policy was decided upon and when it came into effect?

Hon. Mr. Kimmerly: It will, practically, come into effect on April 1 of this year, and we will supply all of last year's information, that is 1986/87 information at the conclusion of the year. It was decided on recently. I forget when precisely, but that is immaterial: the effect is the same.

Mrs. Firth: It is not immaterial. Is the Minister saying that the policy is now retroactive back to April 1 of 1986?

Hon. Mr. Kimmerly: It is clear. After April 1, 1987 we will report on the information from 1986/87.

Mrs. Firth: So then the new policy is not in effect until April 1 of 1987? So why can we not have the contracts if the new policy is not in effect yet?

Hon. Mr. Kimmerly: The new policy is in effect now and it will practically show results after April 1, 1987.

Mrs. Firth: I again ask my question: what specific date did the policy become effective?

Hon. Mr. Kimmerly: The date of the Cabinet meeting approximately a month ago.

Mr. Lang: I find that very, very unsettling, and I go once again to the principle in this House, the cornerstone of this House is like the judicial system: it is the truth. I ask the Minister of Justice why he told me in Question Period approximately two days ago — I do not have *Hansard* in front of me — that the decision had just been made and that is the reason why he had not corresponded with me for my letter of November 5, 1986. How long are we going to tolerate somebody standing up and not giving us the straight goods? Is this a just a joke

that we are sitting here?

Hon. Mr. Kimmerly: That is approaching unparliamentary behaviour. I forget precisely when the Cabinet decided the question. I said I would make a Ministerial Statement this week on the policy.

³² **Mr. Lang:** I would ask that we have a brief recess so I can go and research *Hansard*. I think there has been a serious disregard for the parliamentary system here.

Chairman: Very well. The Committee of the Whole will now recess for fifteen minutes.

Recess

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

Mr. Lang: I have a question for the Minister of Justice. What was the date of the Cabinet decision that took place with respect to providing this policy of closure?

Hon. Mr. Kimmerly: The Cabinet has never made a decision to bring in a policy of closure.

Chairman: Would you repeat that please, I did not hear it.

Hon. Mr. Kimmerly: The Cabinet has never made a decision to bring in a policy of closure.

Mr. Lang: Just to refresh the Minister's mind, when did the Cabinet make the decision in respect to the policy that I gather has now been in effect for quite some time, with respect to releasing the contents of service contracts and the information that is provided with them?

Hon. Mr. Kimmerly: It is not normally the policy of the government to reveal Cabinet dates but, in this case, I will. The decision was made on October the 23rd, this year, and at the time of the decision it was decided to announce the decision by Ministerial Statement in the first week of the Sitting to next occur.

Mr. Lang: It is interesting how selective we can be and if the information could be provided to the public if it supports the Minister's argument, but if it brings up another argument, then we will keep the information within the government.

The point I want to make with respect to the issuance of the Ministerial Statement is that on Monday I asked if a decision had been made. He said yes, it had been made and the inference was definitely left in the tone and in the debate that ensued that the decision had just been made.

Point of Order

Hon. Mr. Kimmerly: Point of order.

Chairman: A point of order has been made; Mr. Kimmerly.

Hon. Mr. Kimmerly: It is in our rules that it is improper to imply a motive to another Member. Aside from that, the Member is absolutely and totally wrong, however he refuses to admit it. I clearly said that a policy had been made and I would announce it this week. That is all I said.

³³ **Chairman:** Mr. Lang, on the point of order.

Mr. Lang: Go ahead, rule.

Chairman: The point of order is well taken.

Mr. Lang: Does that mean that he had a point of order, or he did not have a point of order?

Chairman: That means he did have a point of order.

Mr. Lang: I see. I see.

With respect to the decision-making process, the misunderstanding was that this side was led to believe that a decision had just been taken. I had made an assumption, because I had been hand delivered, on November 5, a letter clearly asking that the information on dollars that are spent, that are not tendered out but go to service contracts, so that we could have that information over the course of the debate when the House sat.

I find it interesting that the letter was disregarded, because we were thinking that this information would be coming any day. The Minister took it upon himself to utilize his famous Ministerial Statements in order to respond to what I thought was a legitimate request in writing to the Minister.

Life goes in a circle and, when it does, fair treatment will be exhibited the other way around.

In any of the capital expenditures that we have before us, were there any service contracts let in those capital projects?

Hon. Mr. McDonald: We are not before the Capital Estimates. We are before the O&M Estimates in Education.

Mrs. Firth: I would like to get a clarification from the Minister of Justice, and then I have some further questions for the Minister of Education.

In the Ministerial Statement delineating the kinds of contracts that the government enters into, can the Minister tell me what is meant by specialized research? What kind of contracts would that be?

Hon. Mr. Kimmerly: Research into a specialized area requiring expertise beyond what may be the common expertise of laypeople in any particular area. The word "specialized" has its dictionary definition meaning and the phrase is obvious.

³⁴ **Mrs. Firth:** I really was not looking for a nasty answer and a dictionary definition. It is the Minister's term. I would have preferred an example, and maybe I could ask him if it is something like the \$1,400 contract for proofreading the Throne Speech? Is that what that would come under in his policy, and the \$4,900 contract for the preparation for the Cabinet document? Does that come under specialized research?

Hon. Mr. Kimmerly: I did not give a nasty answer. To the nasty question, the answer is no.

Mrs. Firth: Under what terminology, which the Minister has provided in his Ministerial Statement, would that be found?

Hon. Mr. Kimmerly: It would not be found under Education, which is the subject on the floor.

Mrs. Firth: I am asking for a general statement from the Minister of Government Services as to whose responsibility it is for the Ministerial Statement that he issued the other day in the Legislature. The contracts that he mentioned were items such as equipment rental, equipment maintenance, garbage removal, flight services, landscaping, catering, graphic design and specialized research. Can the Minister tell me in a general sense, not in an educational sense, where, under those definitions then, I would find contracts in the form of the ones that I have just raised — the \$1,400 for the editing or the \$4,900 for the preparation of the Cabinet document?

Hon. Mr. Kimmerly: On reflection, I think I spoke too quickly. Those would be under specialized research. I think that is a reasonable categorization for them.

Mrs. Firth: I must compose myself. I would like to ask the Minister of Education if I could have, specifically, any contracts in this budget that are within the time limit that we are allowed to have, in keeping with the policy, that deal with specialized research.

Hon. Mr. McDonald: If the Member has any questions about any contract, I will provide the details as best I can.

Mr. Lang: We have asked specifically for an area where service contracts would be issued as per the policy. We have asked if those service contracts, in any manner, could be put forward for the critic's perusal so that they can be discussed. Can you give me a good reason why that information should not be provided to us and the general public?

³⁵ **Hon. Mr. McDonald:** If the Members have any questions about any specific contracts, I will provide the information to the best of my ability. I will ask the department to come up with all the detailed information the Member asks for. The Member asks for a particular non-tendered contract in this case with respect to the Commission on Indian Education. The Member was answered, expeditiously in my view. A budget was provided and the terms of reference were provided.

Mr. Phillips: Maybe the Minister could help me. How in the devil am I supposed to know what kinds of contracts are let in the Department of Education if they are specialized contracts and they have not been tendered? How am I supposed to know what you are doing that is specialized? Am I supposed to guess? Am I supposed to give you a list of every contractor or consultant across the country and say, "Are they doing anything for the government?". You are spending taxpayers dollars. You have an obligation to tell us what you are spending it on. Not eight or nine or 10 months after it is spent. How am I supposed to know?

Hon. Mr. McDonald: The Member may not realize, but I am sure the Member may, that budgets here are in the millions of dollars, and there are hundreds of thousands of dollars for many individual items that may catch the Member's attention, may catch the Member's interest; they may not. The Member may be interested in the kind of paint that is used in a particular school because he is a painting contractor. If the Member wants some information, even if it is something trivial like paint, I will try to get the specific information, but general fishing trips waste the time of this Legislature. If the Members cannot do their homework in advance, they have the contacts out there in the public, if there is a concern raised by the public and the Member can identify it, I will try my best and provide the information in as detailed a way as I can, irrespective of what the issue is. Members can ask any specific questions they want and I will provide the answers.

Mr. Phillips: We have offered to pay for the printing of those contracts. What are you and this government trying to hide? Give us the contracts and we will go through them. If we think there are some valuable questions we would like to ask from them, we will. Quit trying to be devious; quit trying to hide it.

Hon. Mr. Penikett: Would the Members opposite quit trying to be phoney. Right now I am researching the record of the dozens of times I was refused this kind of information from Members opposite when they were in government. They are being completely mischievous on this question. We are improving the question. We were never told who the contractors were. We were never told what the contracts were. We were never told what the amount of the contracts were. We have reformed from the dark days of the Tory regime. We have reformed the situation. At the end of the year now you will have a list of what was spent on the contracts of the previous year. We ought to ask questions about them.

The next logical question to come from, in fact, tabling all the contracts, is to table all the correspondence to the government. The Members have not got it through their thick heads that they are not in government anymore. I am going to surprise the Member opposite. I do not see service contracts. He wants to see service contracts that are administrative detail. Administrative minutia. I do not see those contracts. My job as a legislator, as a member of the executive is in fact to make policy and budget decisions. We bring those budget and policy proposals before this House. That is what, in the great old days of Chris Pearson, we used to be admonished to debate.

³⁶ It is not the colour of the paint or how many nickels we were spending on nails, or which restaurant some member of the management of the government had had a meeting in. That is not what legislators are elected to decide. That is not what legislators are elected to discuss.

We are supposed to be here discussing policy. We are supposed to be here discussing a budget, spending proposals, and the policy implications of those. We are accountable. We have said that we are going to provide a list of service contracts, a list that was never ever provided before in this House. For the Members opposite to suggest that we should have a rule that not only is better than the one that they had but, in fact, one that they would never have considered in government, it is just unbelievable.

These Members opposite — one, two, three, several of them — were in government for how many years? Did they care about this issue? No. Did they make any policy to make such information available to us? No, they did not. Did they offer to provide information about consultants contracts, about this kind of information to the House? No, they did not.

I am checking the record now. This is not a good use of my time in this House, but I am going back to 1978, and I am going to check and document the times the Member for Porter Creek East said no, he would not give that information. It was too trivial. It was too much detail. It was beyond the dignity of the House. I am going to check the record for when the previous Minister of Finance, the Government Leader, told us it was not fitting for a Legislature to get into that kind of detail and that kind of information.

We are going to check that record. It is not a good use of our time. It is not a good use of the administrative talent in this government, but we are going to provide the information and we are

going to provide an avenue for the Members to pursue specifics.

If we are going to have the suggestion, somehow, of a double standard, that there is one standard for an NDP government — which is generally an impossible standard — and that every document in the government immediately gets provided to the Opposition but it is not provided to every Cabinet Minister. None of us would have time, but it is going to be provided to every Opposition Member. Consider the ludicrousness of that.

The rule for Conservative governments is different. The rule for Conservative governments is: no information. When I was an Opposition Member, when I wanted information — information that was available to the public — I was told I had to go to a Minister to ask for it. These Members opposite feel perfectly free to call anybody in the public service and get information.

This government is a pile more open than the previous administration, a long way more open than the previous administration, in terms of providing information. It is just hogwash for them to represent themselves as the champions of open government.

Even the information provided by the Minister of Education today with respect to the one service contract is far more information than we would ever have been given when we were in opposition.

We know what this is all about. This is another one of those filibusters where we waste six-and-a-half weeks, whatever it was last time, discussing a reduction in the expenditure in the last supplementary of how much; four thousand dollars, or whatever, in three days, and a reduction. We know what it is. It is all gamesmanship. It is all posturing. It is all politics.

I will tell you one thing it is not: it is not responsible legislating.

³⁷ **Mrs. Firth:** I would like to make a response to the Government Leader's comments. I do not think I will be quite as emotional as he was. I do not think my blood pressure needs that, and probably the Government Leader's does not either.

We are talking about a very simple principle here. I have never stood in this Legislature, and I have never heard my colleagues stand in the Legislature and say that we were the best government in the whole world, as the Government Leader alludes to. I have not done that. We are not saying that the previous government was the most open government. I am simply responding, as a Member of the opposition, to the intentions that the Government Leader expressed about the kind of thing he thought was the best government of all, utopia, in the world of government.

I listened to the Government Leader when he was the Leader of the Opposition, and I have told him before that I have learned many things from him, because he had many good ideas, and he had many good ideas about open government. As a Member, I felt that I was responsible in providing him with information and in responding to his requests for information. But, I never got any requests for contracts. When the then Leader of the Opposition became the Government Leader, I listened to his lectures, his preaching and his pontification about what an open government they were going to be, how honest they were going to be, their integrity and how they wanted to be accountable.

I had certain expectations of the kind of government this was going to be, as I am sure the public did and as the constituents I represent did. The assessment I am making is purely based on the Government Leader's performance as a Member of the Opposition and his ideas of what kind of government he was going to present to the Yukon public. I am criticizing or opposing only on those grounds. I am not making a comparison of the previous government to this government.

The comparison I am making is the talk to the action of the Government Leader. The talk of the Government Leader, the way he felt it should be, and the kind of government we should have and the kind of performance there should have been from the previous government, is getting further from the kind of action that this government is giving the Yukon public. The Government Leader has always talked about being accountable and wanting to be accountable and being responsible. We are simply asking for him to do that.

If we were the government, I would have no hesitation in making the contracts public, but we were never asked. Find any instances you can where you asked. I challenge the Government Leader to do

his research, because I have done the same thing. We will compare notes after his research is completed. However, the point is this: if government wants to be truly good government like the Government Leader is always professing, this is a safeguard for him. It will keep the government on its toes, and it will make it more accountable. I have always felt that the Government Leader received that in a positive light. I felt that that is really what he believed in, having the most open, accountable and accessible government.

This time, I find the budget document has been changed. I was generous, I thought, in my comments as to why. I understood why. We asked for the information. It was indicated to us that that was no problem but, all of a sudden, it seems to be one. What impression are we to get? The Government Leader is saying there is no problem; we are giving you the information.

³⁸ We were led to believe it could be dispensed to us almost immediately. I get the impression now, because it has not been dispensed to us over the last three days, that maybe the Government Leader is combing through the information. What other conclusion am I to come to, if we are told on one hand it can be given immediately and on the other hand the Government Leader says we cannot have it?

The Government Leader gets up and has an outburst about the previous government, but that is not the comparison. The comparison is simply the words of the Government Leader prior to being Government Leader and after being Government Leader; the style of government he says he wishes to deliver to the territory, with his actions and what is actually happening.

Hon. Mr. McDonald: There is a back and forth. The Member makes reference to the fact that the record of the previous government does not count with respect to the provision of information and that what we really should be comparing is the Utopian state and the actions of this government.

With this capital budget and the previous capital budget, the information that has been provided has been very detailed. I recall when I sat in this Legislature and asked questions about a particular budgetary item, I would get a flurry of numbers with no willingness whatsoever to add them up or even discuss them. When it came time to talk about certain subject areas, there was no response at all — especially when it came time to talk about things like agriculture. I did not get an answer to a question for three years.

Let me tell the Legislature something. There is information provided in these estimates that is extraordinarily detailed. There is information here that talks about the character of the expenditures for this government in quite a detailed way. We wanted to provide the information first to the Legislature. There were people out in the public who felt that there should be instant access to all of the numbers at once in a \$114,000,000 budget and perhaps the Member for Riverdale South thinks that not only should there be action, but right now when "I want it", immediately. If they want certain details, even if it were provided, it would never be provided fast enough. Well in that position the government is always too late, too soon, too little or too much. The government never hits the mark as far as the Opposition is concerned, certainly as far as this Opposition is concerned.

There is detailed information here. There is detailed information on what I thought we were supposed to be talking about here. It was supposed to have been Education Supplementary Estimates O&M.

It was a long drawn out discussion about the release of service contracts. We have been, in our period of office, more open — and I am proud to say that — than ever before in the history of this Legislature. I am happy and proud of that record. When I was in the Opposition, I called my duty to go out and ask the public about where there were concerns. If they had concerns, I would bring them up in the Legislature. I would do my homework in advance. I was actively discouraged from any kind of fishing trip in this Legislature, such as providing us with this blanket information or that blanket information, so that we can go on a fishing trip and, hopefully find something that is wrong with things. I did the detailed work myself. I logged it out like Opposition Members are supposed to do.

What the Members opposite want us to do is to galvanize all our administrative units of this government and provide them with

massive amounts of information. They will be asking for research staff to help them to sift through these things pretty soon, because they will not have enough information. They will be complaining about all the work they have, and will be bogged down in detail. This Legislature will not discuss policy anymore. We will discuss painting contracts, or something, or the kind of paint or the value of one particular paint over another particular paint.

The record that this government stands on is an enviable one. The information is being provided. The detail of this information about the Capital Budget is incredibly detailed. I ask any Member of the Legislature, irrespective of political background, if they could imagine the Member for Porter Creek East, the Minister of Community and Transportation Services, providing this information ever?

Mr. Lang: It always seems that we get back to the Member for Porter Creek East. If I was as bad as the Members opposite say I was, I would assume the electorate would have done the proper thing and voted for some other candidate.

I do object, to a degree, to the vindictiveness of the Government Leader's tone and the presentation that he made to the Members on this side, the Members who have been sitting here longer than others. I would just point out that the previous government could have been more open. Perhaps that is one of the reasons we are on this side. I am not going to argue that.

I got elected. I ran as the MLA for Porter Creek East, part of a political party, with the idea of forming the government, which we did not do but, then if I was not going to form part of the government, I was going to be a Member of this House and it was my job to scrutinize the actions of not just the politicians who sit in this room, but of the government.

Just for the record, I would like to point out to the Government Leader that I know for a fact that very few Ministers in the front bench sign service contracts, or very very seldom.

⁴⁰ I would say that if there is anything awry that perhaps the Ministers on the front bench could say that they did not know anything about it. The point that we are bringing up here is very clear and specific. Up to this point, we were being provided with information that we could peruse the service contracts. We did not have to have the Minister of Justice saying what should be for our consumption and cataloging it for us, and in some cases saying that we could not have it unless we go to access to information.

Our point was that the information was being provided very, very well and we thank the government for it. The only suggestion that we put forward was that, perhaps as service contracts were entered into, they could use the photocopier, which the Minister of Justice admitted was right next to where they draw up the contracts, run off a copy and send it to our office. That is not difficult.

We offered to pay for the paper, because it was such an administrative hassle, and the cost to a \$250 million budget would probably require a supplementary if they did this. I cannot accept that argument. Here we have a situation where the government is asking us to vote on money that they have spent. It has not, in many cases, been duly authorized as vote authority by the House, but it has been spent. It is money after the fact. The Cabinet of the day made a decision in May and went ahead with the project, for whatever reasons. We are asking for a correlation of the service contracts that did not go out for public tender.

I concur with the Minister of Education. I think it is safe to say that we are not going to start talking about the colour of paint. That is not the intent at all. I do not understand what we have to hide. If there are miss-expenditures then we, as legislators, have a responsibility to review them and not only make our observations, but also to make suggestions and recommendations on how it can be corrected.

It would seem to me, if we are not provided the information or the list of who has been given contracts until a year later, that we are in a situation where we are almost condoning and encouraging miss-expenditures, if we, as responsible legislators, do not have the opportunity of going through information of this kind. Obviously, the Ministers on the front bench thought it was important enough that they took it to Cabinet. It is obviously not a trivial matter, is it?

⁴¹ I do not think it is a question of what the previous government did

versus this government. I think the question should be put as to how we can more positively get information on the table for discussion.

Look what has happened here. There was a specific question asked about the Ministerial Statement of one particular general area where a number of contracts fall under. The Minister of Justice, in his wisdom, said no they would not fall under that particular category and then, approximately three minutes later, stood up and said maybe it might. Then, I guess the question is: who decides? Who decides where this information falls under as far as categories are concerned? Or, do we sit there and do we look and say that does not fall under any category so they will not even be registered. We will not even let the public see it in a list.

It distresses me when the legislator from Mayo stands up and says your job is to pick up stuff off the street and bring it in the House to discuss. I do not think that is the format or that is the way we should be discussing issues in this House. Hopefully, if we are bringing issues, we have some foundation, some reason to believe what we are talking about. I do not think the idea is to go into the alleys and pick things out and bring it forward for the purposes of discussion because someone from the media, perhaps, dropped a tidbit here, or somebody at the coffee shop discussed the affairs of the MLA for Mayo. I think what we are asking for is very valid information; information that has been provided to us. Information that the government was very proud of the fact that they had been prepared to bring forward and provide to the public so that there would be a review. Now we are told that a year later we get the information. The interesting thing about it is that a good portion of the money will have been voted. Our ability to go back and discuss it is going to be very limited. We are going to be discussing the 1987-88 Mains, which is the prime purpose for meeting in the Spring.

The Government Leader makes the comment "well, we sat for six weeks". I recall the Government Leader saying "well, we only sat for a week, geez, they were not even interested in coming to work". We cannot win. We sat six weeks. We asked some very, very probing questions of the government. I think it was healthy for this side; I think it was healthy for that side. I think it was healthy for that side moreso than ours, because I think it made the Ministers more aware of what their departments were doing. I think we all learned from the exercise. As bitter and vindictive as it got at times, on both sides, I think, overall, it did what it was supposed to do, and that was to say that there is a government and there is an Opposition and we have a responsibility to review the expenditures of this government as closely as we possibly can. To be comparing what the previous government did versus this government, Mr. Chairman, I do not think adds to the conversation one bit. If that is the reason why you have withdrawn the contracts, I have to question that. Quite frankly, this conversation would not be going on at all if all this money, \$20 million, was publicly tendered. Then there is an avenue for the public to see how their expenditures are being made. I think it is safe to say and it is true that service contracts are made in such a manner that they are not publicly tendered, and there is no public scrutiny. Unless we know what has been put out for service contracts, in many cases we will not know they happened.

I want to submit maybe the way to do it is, since we are dealing with the O&M of the budget for supplementaries, perhaps we should refer to the Main Budget for 1986/87 and under the program of Policy, Planning & Evaluation Branch — where we voted \$125,000 and the supplementary has gone to \$528,000 — combine that all together and could the Minister provide to us all the service contracts relating to research or specialized area that the Minister of Justice had referred to. Maybe this is the format to follow because we have to tie one into the other.

Perhaps he could just give us a list of the amounts of the service contracts that were let — when he is finished yawning — how many went to outside consultants and how many to inside consultants, what areas they were researching — that kind of thing — and then it would provide the necessary information. I am sure a lot of it will not even generate any debate but at least it is there for the record and the Minister, who can quite rightly stand up and say he does not see these in many cases, will be at least made aware and will bear

down on Ministerial responsibility that we are all looking for as far as government is concerned.

Chairman: Is there any further general debate?

Mr. Lang: I would like the Minister of Education's comments on referring back to the Main Estimates and try to tie the two together in these particular areas since they are relevant.

Hon. Mr. McDonald: The question has been answered numerous times this afternoon and if the Member has any questions on other matters, education-related matters, or is there any education policy that the Member wants to talk about? Is there anything about the school system in the territory the Member wants to talk about? Advanced education initiatives? There are a lot of exciting things happening out there. Is there anything of significance the Member wants to talk about with respect to education policy? I am prepared to answer those questions. I am ready.

Mr. Lang: I know he is prepared and ready.

Did he sign personally any service contracts that are contained in this particular document?

Hon. Mr. McDonald: I am not sure whether I signed the contract on the Commission on Indian Education. I will check into that particular question for the Member. I may have signed the contract on the Commission on Indian Education, which is the contract that the Member for Riverdale South questioned me on and I provided answers to.

Mr. Lang: Now I think we are starting to move. I can see you look relieved.

Could the Minister, while he is looking through and seeing what has been signed and what has not, let us know how many service contracts were let out to outside consultants versus inside consultants? There should not be any problem. I believe the Minister of Justice outlined a number of figures earlier today. They should be available.

Hon. Mr. McDonald: I have answered the question many times before. There is a policy on the blanket release on service contracts. The person who will speak to the nature of that policy is the Minister responsible for Government Services. If the Members have any specific questions on any specific contract, I will be more than happy to try to answer them and provide the information.

That is the position I gave two-and-a-half hours ago. That is the position I gave two hours ago. That is the position I gave an hour-and-a-half ago, an hour ago, a half-hour ago, and that is the position I am giving now.

Mrs. Firth: I would like to ask a couple more questions about the policy matter. Could the Minister of Justice tell us whether or not he can give to us the amount of money of specialized contracts that have gone out in any particular area? The special research contracts? The Minister looks puzzled. Say the \$12 million that has been spent on contracts. Can the Minister of Justice pull out the ones for specialized research and say we spent this many dollars on those contracts?

Hon. Mr. Kimmerly: This is obviously off the topic, but I will answer. I gave the answer as to local content in Question Period today. The analysis can be made at the end of the year, and the categories can be summed up at the end of the year. That is the appropriate time to report on that information.

Mr. Lang: Maybe the Government Leader could clear this up for us. What is the difference between providing that information for us today for money that has been spent that you are asking us to vote for, as opposed to making it available at April 1? Why is that being withheld for four-and-a-half months?

Hon. Mr. Penikett: In the same way that, after year-end, there is a statement that comes out — I just tabled it today on the Public Accounts — that looks at the expenditures made by the government. The administration is brought before a committee of the Legislature, the Public Accounts Committee, to review those initiatives and expenditures. That is the forum. It is a long practice in most mature parliaments in the Commonwealth. The Legislature is for for discussing policy and debating the policy surrounding the Estimates.

We are talking about administrative detail. We are talking about administrative decisions with respect to service contracts. We are talking about detail about expenditures. What we do when we

present a budget before the House is present expenditure proposals and the policy and the program initiatives that the Executive is proposing. That is what we are doing here. It is well within the rights of a Member to ask about a particular administrative matter during the course of the year. The Ministers will, within their departmental responsibilities, attempt to answer those questions.

It is quite popular, and a considerable improvement over the previous system, for us to do what we are now proposing to do. The Member, in his previous statement, said he will not know for a year. That is not true. If a service contract is issued in March, it will be out about a month later. If it is issued in the first month of the year, it will be out 11 months later — not a year.

The Minister made the point that he did not know what happened. That was the problem we did not know before. We did not know what service contracts had been issued. We did not know what to ask about. For the first time in the history of this Legislature under the new policy, Members will know what happened. They will have a list. They will have the totals and the specifics. Then they will be able to pursue those questions, and they will be able to pursue them in the context. That has always been the history in every Estimates debate, in the context of the new budget before the Legislature.

I would guess that, in the same sense there is a committee of the House, namely the Public Accounts Committee, which reviews the administrative practices of the government and calls to account the Managers who have been responsible for spending the money voted by the Legislature. We will provide the detail of the expenditure that is the detailed information about the service contracts. It will be available before the public accounts are available because the turnaround time will be faster. The Members will be able to see how the money was spent that they approved in the Legislature.

We are not equipped in this Legislature to discuss now a particular service contract that someone might issue next month; nor, since we are in mid-year, is it the time to want to get into great detail about some that may be going on now. I submit that the proper duties of legislators is to discuss policy, to discuss the programs and the expenditures. For the first time in the history of this House, at the end of the year, there will be a list of service contracts, and there will be an opportunity, for the first time, for Members to see all of them over a certain amount that was spent during the year. They will be able to answer questions about them in a way that they have never been able to before.

« **Mr. Lang:** I want to make an observation. It is the first time, to my knowledge, in my short tenure in politics, that I have seen two editorials going after the Government of the Yukon Territory for the lack of information. I want that on record and would say that we are not the only ones feeling the effect of the "new policies" of the open government that they all profess to be.

I have a question for the Minister of Justice on this. What is the procedure going to be for the purpose of ensuring the information is properly catalogued? Will that be done on an ongoing daily basis and put into categories in amounts of money so that, over a period of time, you will be able to draw that information out of April 1? Is that the idea?

Hon. Mr. Kimmerly: No, it will be collected at the end of the year.

Mr. Lang: I find that very interesting that all this happens at the end of the year. I have had enough knowledge of government to deal with what is norm. This government maybe does not bother looking at variance reports, but we took them very seriously. They were catalogued and gave an idea of the expenditures of the Government of the Yukon Territory. I would like to hear the Government Leader's comments on this in view of the fact it is a matter of major concern on this side and of major concern enough to that side that they took it to Cabinet. Perhaps they would be prepared to catalogue the information as they went by similar to a variance report and, at the beginning of each Session, table the appropriate information for the past four or six months we have not sat, and we would have an ongoing review of the service contracts and how they have been administered.

The reason I am recommending this is that it would seem to me to be more appropriate for us to be debating monies expended in May that we are asking to be voted for now, as opposed to voting for

them on April 1, along with all the major work we have to do at that time. I see the Administration up there in good part realizes the work that has to be done getting a Main Budget together. I am sure they would prefer to be discussing things on an ongoing current basis as opposed to something that has expired, is long gone, finished and perhaps not that topical at that time. It seems this would provide a much-needed check and balance in this system in view of the fact that we are significantly spending more money because the government has more money. I am not saying this in a disparaging way. The fact is there is more money — \$20 million. It would give us the ability to get the information we wanted, and we could get on with the discussions of the budget, which I think are important to the general well-being of the territory and would add to the debate.

« Maybe the Minister of Justice would like to comment on that. I find it hard to understand how you would find it easier to correlate all this information at the end of the year, as opposed to doing it on a daily basis. If you are not doing it on a daily basis, and there is at least a minimum of one service contract a day, probably at times 10, 12, 18, 20, depending on the department and various other things, maybe it would be better to go back to my original idea and just run off copies and send them to us.

Hon. Mr. Kimmerly: The flaw in the Member's analogy to variance reports is it loses the point that the purpose of the variance report is administrative. It is to be an administrative check on the bureaucracy to see that they are living within the budget, which is a policy matter, which is subject to this Legislature. The Member is asking the legislative body to take on an administrative role, which would be extremely unwise.

Mr. Lang: It is amazing how much the Minister of Justice has learned in a year-and-a-half in office. I would submit that the variance report is not only an administrative exercise, it is also for the purpose of a political exercise, so that the Minister can check and ensure the financial well-being of the government, the money that they have held in trust.

That is my point with respect to this procedure that we are looking at. If we do find something amiss that the Ministers have not found, do you not think that it would be in the best interest of the government?

It would seem to me to be a reasonable solution, a reasonable compromise, to what appears to be an impasse of actual philosophy. I do not understand why it is good to have this information tabled on April 1 and correlated, as opposed to it being made available to us now for the portion of the year that the government has been responsible for the governing of the Yukon Territory and their expenditures when the House was not sitting.

I do not understand the rationale for that. I know that the ability of the government is very clear. The ability of the government is capable of providing that information almost immediately. I have no doubt in my mind that that information is available. I want to submit to you, to the front bench, that it was obviously of concern to the front bench because they made a Cabinet decision, and obviously of concern to this side because we wrote a letter on the matter saying we wanted that information because we felt that it would help, aid and abet the informative debate that we should be having in this House.

47 Since I have had as much experience or probably a little more than the Minister on variance reports, would the Minister be prepared to reconsider and look at the concept of getting a chart out and doing it on a daily basis through the administrative body that is set up to finalize and authorize these service contracts and provide it to us as we sit. We can then carry on with the budget debate that I am sure the Minister, the Chairman and I would like to get on with as long as we have been given all the information that is required to make a decision. Perhaps the Minister of Justice could answer my question. Would he be prepared to reconsider?

For the record, the Minister who has never been known to be arrogant, never known not to answer a question, shook his head, which I am assuming means negative. Maybe the Minister of Education has a comment in regard to his department. He is very pleased...

Who is guilty of murder?

Some Member: Jack Edgar.

Point of Order

Mr. Lang: Okay, I got the reply I was looking for.

Now that I have caught the Minister of Education's attention... Mr Chairman, I do not like to do this, and I know it is an offence against the rules, although I do not know what section it is, to bring in newspapers or magazines into the House during parliamentary sittings. I would appreciate it if you would take the authority that you are vested with and please ask the Minister to pay attention to what is going on. That is a point of order.

Chairman: I have to see that in the Rules before I will comply with your request.

Mr. Lang: On a point of order, could I ask the Clerk to provide me with the section. I know it is in Beauschene. I do not know what the section number is. I know the Chairman is relatively new and he sometimes looks to me, as the Dean of the House, to give some guidance to the proceedings. I submit to the Chairman, on a point of order, that it is against the rules. I recognize at times that debate is boring to other Members. It is very seldom brought to people's attention, but I do resent it if I am addressing specifically a Member of the front bench and he carries on reading a newspaper. I really do not think that is befitting of any parliamentarian in the House. Perhaps you could read the necessary rule now that it has been found and bring it to the Minister's attention. Maybe he was not aware of it.

Chairman: Is there anyone else on the point of order?

Hon. Mr. McDonald: I realize that the Member for Porter Creek East sometimes feels hurt when people do not pay attention to him, but he will also have to understand that he has been repeating himself all afternoon, has said absolutely nothing new, has asked no questions on education policy and I can assure him I am prepared to answer questions on education and have always been prepared to answer questions on education policy. The Member may forget, and I realize the Member's memory stops in May of 1985, that regularly while he was a Minister sitting in this very chair, every day at 4:30 he was reading the paper. Sometimes I could not see his face even from the upper bench in the back rows of the opposition side. I could not see his face because he was reading the paper and having a good time with his colleagues.

I am prepared to answer questions on education policy at any time. To save you the trouble, unless you want to rule on the point of order, I will put the paper down. I am always prepared to answer questions. If the Member would ask a question I would be prepared to answer it at any time at all.

Mr. Lang: On the point of order, I want to put on the record I do not recall at any time during my short tenure in this House as a Minister in the front bench ever being challenged by any Member for reading a newspaper while being addressed by any Member of the House, whether it be the government side or the opposition side. I would challenge the Member to read back in *Hansard* during the research that the Government Leader is doing to bring forward those particular statements. I want to make it clear for the record because he knows the representation being made. I am making the point because I gave him due notice he was being addressed and felt that in judgment to our side it was not befitting anybody in this House. In fact, I would say it could have been termed insolent, if one was to give it a description.

Hon. Mr. McDonald: On the same point of order, I realize this is incredibly frivolous and terribly silly. The Member was reading papers in the past. With respect to answering questions on being asked, I recall that I could ask him a question with or without a paper and he would not answer it.

I am and will be prepared to answer questions whether I have a paper or a glass of water in my hand. I am all ears and listen to every word the Member says, I am sure. I do not believe it, but I do listen.

I will be prepared to answer questions on education. Education policies? Does the Member care about education policies?

Chairman: Order.

I think we have heard enough on the point of order in debate. Referring to Beauschene's 332(2), it clearly spells out that it is in

order to quote a newspaper reflecting on proceedings in the House if the quotation is followed by a privilege motion. In other words it is quite alright for Members to have a newspaper in the House. I will ask another time. Is there any further general debate on Education, O&M?

Mr. Lang: My understanding of the rules, and I would have to double-check, was that one was not taking newspapers and that type of thing into the House for the purposes of reading. You can quote from them in general debate, but to be sitting reading a newspaper while being addressed, I really do not think does much for any of us in the House.

Under Public Schools in the area that we are discussing here in the main Budget, is there a correlation here and were there any specialized research service contracts issued in this area, either under his signature or under anybody else's within the department? If he does not have the information, would he be prepared to provide it to the House?

Hon. Mr. McDonald: Certainly. The information of that nature will be provided to the House. I believe the name of the contractor, the type of contract they entered into, et cetera, will be provided to the House.

Mr. Lang: Is it safe to say we can expect that on Monday, since we are in this area and it would help in debate?

Hon. Mr. McDonald: I do not know whether there will be a Monday at the end of the fiscal year, but perhaps the Member would like to ask the Minister of Government Services when blanket requests for service contracts will be satisfied.

Mr. Lang: In view of the fact they are not prepared to provide that information, perhaps the Minister of Education could tell me how he expects anybody in the public or Members within this House to know what service contracts are being issued if they are not going out for public tender? How would one apply to the department for a service contract or, at least, knowledge of what was going on within the distribution of service contracts?

Hon. Mr. McDonald: Thanks to the government's new policy, the members of the public will know at the end of the fiscal year all contracts, including those contracts the Member has mentioned. For the first time ever, the people will know all the contracts that have been undertaken by the government, in accordance with the first-time ever policy of this government at the end of the fiscal year.

Mr. Lang: Piers McDonald, private citizen, is a special researcher, and there is a contract within the Department of Education. He has just arrived here. Now, how is he going to know that a contract in his specific area of expertise is available, if it is not tendered publicly?

Is this a case of having the right political affiliation, or what are we dealing with? This is public money. How does one apply for these so that the best, most competent person gets to apply for the contract and can vie with other people for the contracts and the right selection can be made in the best interests of the general public that we serve?

Hon. Mr. McDonald: The Member is now asking for a list of contracts that would be service contracts before they are entered into so that the people can apply for them. The contractor comes to the territory and can do research into what is available. If the person wants to know general trends, for the first time ever, the Member can read the list of contracts that are issued by the government under the brand new, first-ever government policy on the issuances of service contracts and would be able to detect trends that may occur.

That is the policy as the Government Services Minister enunciated it. It is a first-time ever policy. It will provide a complete list, over a certain dollar amount, for anybody to read.

Mr. Phelps: Thank you for recognizing me. I want to let you know how pleased I am to enter into this debate.

I am concerned with what I am hearing here. Part of it is the illogical nature of the argument that we are hearing from the side opposite. The Minister of Education just said that for the first time ever the government has a policy with regard to the production of service contracts and consulting service agreements as per the Ministerial Statement made by the Minister of Public Services a day

or two ago.

That is not correct. That is not true at all. The government, when it first got into office, was asked, in writing, for all service contracts and consulting service agreements up to the time in question of the sitting of the Session. They complied. That was their policy: open government. We obtained a number of service contracts and consulting service agreements. Again, in the fall of last year, we asked and we got them. That was the government's policy.

It did not really seem to be any effort at all. We got them very easily. We did not hear anything about it costing very much, and I do not recall any delay to the Session because of us obtaining those documents. In fact, we used our resources to comb through and see what we needed, and we asked a few questions about the documents. We got all those documents pursuant to a precedent that was established by this government.

As Members of the side opposite know, my first Session in recent years was in the summer of 1985 and the second one in the fall. I was very pleased to see the precedent reinforced last spring. That was the government's policy. We were very pleased. We went through the material that was given to us. If I remember correctly, there was not much more than a few hours to spend on questions involving some of those documents. The rest of the work was done by us: the cataloguing, the figuring out of whatever material we needed from them was done by us, not by the government side. It was a simple matter of us getting an extra copy of each of the copies that was photocopied already by the government. That was the policy.

Consider this: if there had been a change in government over the summer, and the Members on the side opposite were now on this side, and we were over there, and we changed the policy, the precedent that had been set by the Penikett government, all hell would break loose. There is no question about that. I can just see the petulant footstamping that would have occurred.

If we had dared stand up and try to defend the absurd position that is being taken by the Cabinet of the Government of the Yukon Territory right now, if we had dared suggest that the paper cost bothered us, or if we had dared to say that if we give you these then we will have to give you that, I think that the roof would probably have disappeared, exploded.

That is not the issue. All these silly, frivolous arguments that we get from the Members opposite. It is very simple. The side opposite set the precedent. It was a policy, a policy by their actions. It was reinforced three times. We are talking about some \$10 million to \$20 million of money belonging to the people of the territory. If there is cause for concern about too much of that money going outside, then now is the time for us to examine it and try to stop that practice, particularly if it is an illness that has been developed without the knowledge of the very scholarly gentlemen opposite, who do not have time for detail. Would it not be nice to have it brought to their attention that there is too much leakage outside.

If there is patronage, heaven forbid, and we are not saying there is because how the heck would we know, and the side opposite did not know about it because they are so busy concerning themselves with what is happening in Ottawa and what bills might or might not be passed there, they simply do not have time to attend to details in the administrative part of the government. If that is the case, what a wonderful service we can provide them in a timely fashion by going through these contracts. As they are photocopied, they could set one copy aside, bundle them up and send them to us just before we go into Session. What a wonderful service we are willing to provide for the Members opposite.

Instead of them plowing through this detail and expending monies, is it not nice that we are willing to catalogue and editorialize about the contents of this mass of paper?

Surely, the arguments are simply fatuous. I would be embarrassed to make those arguments; I would be embarrassed to be saying that this is a new policy because there is one that exists and a precedent has been set. Boy-oh-boy if you were on this side now, having set that policy *de facto*, then the place would be awash in tears if that practice were changed. Now, I invite the Ministers opposite, instead of wasting their valuable time going through what happened

before they set the policy last summer about providing us with these contracts, perhaps they should spend their valuable time, a portion at least of their valuable time, considering exactly what it is that they are doing.

I do not think any reasonable thinking person in the Yukon would buy the statement that all of a sudden you stop delivering these things in a timely fashion and you have not changed your policy. I do not think any reasonable Yukoner would conclude anything, but the argument that photocopying the documents cost too much when it is just an extra copy. I do not think that any rational Yukoner would, for a minute, believe that your policy said anything about requiring adding onto your existing policy and providing this side with every piece of paper that emanates from the grey walls and grey offices of the grey bureaucracy.

That was not your policy. We are concerned about your change. I hope you understand. We are hearing that you have a policy, and now you have purported to have changed it. We applaud the policy that you set earlier. We thought it was great — the government, not you, and I would like to thank Mrs. Firth for catching me up before I incur your wrath on this delicate issue. That is a mistake I try not to make, and it certainly was not done to disparage the Members opposite.

Most of us have not been in this House nearly as long as the two veterans, Mr. Lang and Mr. Penikett. I think the research ought to be directed rather at the time that was spent by Members on this side asking questions that related to all that documentation that you have given us under your new policy, or existing policy before it was changed. Was there any waste of time in the House? No. There was no waste of time in the House. By the fact that we did not go on for days about what we saw as patronage should surely bring relief to a good many Yukoners. The fact that we did not go on at too great a length about the massive amounts of money that is going south on consulting services, and the like, again ought to bring relief to a good many Yukoners, because they know that we peruse the documents and ask the questions that we thought were vital to the interests, not only of the taxpayers, but to the government itself to be run efficiently.

I am simply going to end on this note. I do not see the arguments of the other side with merit. I do not see any merit to them whatsoever. I certainly must say that I can understand why a great many people have got to be suspicious when a government suddenly changes its policy as this one has been changed.

I think that do as you would be done by ought to apply, and we keep hearing that that principle is one that the Government Leader wants to live or die by. I am sure that he could understand how he would feel if he were suddenly placed over here and we were the ones to issue the Ministerial Statement, Speech from the Throne, but a different throne.

Simply saying that it is really too much bother for us to provide this information as we have in the past. We will give you a list up to 12 months old, and we really think that to spend our time photocopying — heaven forbid that the bureaucrats should do any work for the Members in this House. We were sort of just an appendage to the bureaucracy. I think that is the way the NDP government would wish it.

I had hoped that, after their years in Opposition, the Members opposite would attach a certain amount of importance to the work done by MLAs and really feel that it is not the bureaucracy that runs the government. I am rather saddened that that does not appear to be the case.

Hon. Mr. Penikett: Mr. Chairman, with tongue in cheek, I move that you report progress on Bill No. 18, entitled *Fourth Appropriation Act, 1986/87*.

Motion agreed to

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

Chairman: It has been moved by the hon. Government House Leader that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes Chair

Speaker: I will now call the House to order.

May the House have the report from the Chairman of the Committee of the Whole.

Mr. Webster: The Committee of the Whole has considered Bill No. 18, *Fourth Appropriation Act, 1986/87*, and directed me to report progress on same.

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

Some Members: Agreed.

Speaker: I shall declare the report carried.

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. Monday next.

The House adjourned at 5:26 p.m.

The following documents were tabled in the House on November 27, 1986:

86-3-62

Summary of Capital Projects for Community and Transportation Services and for Department of Education (McDonald)

86-3-63

Government of Yukon, Public Accounts 1985/86 (Penikett)

86-3-64

Annual Report, 1986, of Asia Pacific Foundation of Canada, and other material from the Foundation (Penikett)

86-3-65

Young Offenders Facility Planning Statement of Philosophy, January 1986 (Joe)

86-3-66

Yukon Medical Council Annual Report for the year ending July 31, 1986 (Kimmerly)

86-3-67

Proposed Regulations under Bill No. 77, *Lottery Licensing Act* (Kimmerly)