



The Yukon Legislative Assembly

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HANSARD

Tuesday, December 2, 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 Penikett	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 Kimmery	Whitehorse South Centre	Minister responsible for: Justice; Government Services.
Hon. Piers McDonald	Mayo	Minister responsible for: Education; Community and Transportation Services.
Hon. Margaret Joe	Whitehorse North Centre	Minister responsible for: Health and Human Resources; Women's Directorate.

GOVERNMENT PRIVATE MEMBERS

New Democratic Party

Sam Johnston	Campbell
Norma Kassi	Old Crow
Art Webster	Klondike

OPPOSITION MEMBERS

Progressive Conservative

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

Liberal

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

at Whitehorse, Yukon
Tuesday, December 2, 1986

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

Prayers

DAILY ROUTINE

Speaker: Are there any Introduction of Visitors?
Are there any Returns or Documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. McDonald: I have for tabling a document entitled Training for the Future, Proposals for Yukon Training Strategy.

Hon. Mr. Penikett: I have for tabling the Report on Regulations.

Speaker: Reports of Committees?
Petitions?
Introduction of Bills?

INTRODUCTION OF BILLS

Bill No. 47: First Reading

Hon. Mr. Porter: I move that Bill No. 47, entitled *An Act to Amend the Brands Act, the Highways Act and the Pounds Act*, be now introduced and read a first time.

Hon. Mr. Penikett: It has been moved by the Minister of Renewable Resources that Bill No. 47, entitled *An Act to Amend the Brands Act, the Highways Act and the Pounds Act*, be now introduced and read a first time.

Motion agreed to

Speaker: Notices of Motion for the Production of Papers?
Notices of Motion?
Statements by Ministers?

MINISTERIAL STATEMENTS

Yukon Training Strategy

Hon. Mr. McDonald: Moments ago, I tabled the government's Yukon Training Strategy, and I am proud to address it now.

On entering office, the government identified training as a critical component of its drive to strengthen the Yukon economy. It was evident that the focus of a good economic development plan must be directed at the people of the region. To allow the Yukon's people to take part in this development, it was felt that a comprehensive approach to training for the benefit of the territory's residents was necessary.

This assumption was supported strongly by the Yukon's people during consultation over the government's Discussion Paper on Training. Meetings were held in September and October of this year with a wide variety of interested groups and individuals. From this valuable input, it is clear that, to the Yukon's people, training stands out as a major part of their personal growth and as a key to their continued and future success.

The Yukon Training Strategy speaks to four main principles.
⁰¹ Yukoners must be given the opportunity to make decisions regarding the direction of training and training institutions in the territory;

High standards must be maintained in all training provided in the Yukon;

Training programs must support employment requirements, both for jobs now found in the Yukon, and those that will be created through the continued diversification of the Yukon's economy; and
Job training must be accessible to all Yukon residents.

In keeping with these principles, the Training Strategy outlines a number of steps the government will be taking to strengthen what is

already a good record in the training field. First of all, steps will be taken over the next year to develop an approach to College governance that will increase community involvement. The model which will be eventually chosen must ensure that the Community Learning Centres continue to be a major component of the delivery of training in the communities.

Public school linkages to training are also to be examined in greater detail.

Training can better meet the needs of the Yukon's people if those involved in business and economic activities play a larger part in the process of identifying training needs. In response to this understanding, the government will be establishing two training institutes; these will be small groups that will meet to discuss the industry's needs in the training area, and pass on their advice to the various government branches and agencies responsible for training.

To ensure that Yukon people are aware of their options in the work-world and in education, a Career Services Program is being developed. Career counselling can also play an important part in building the self confidence of many who are unemployed and anxious about making important career decisions.

Some Yukon people face greater difficulty than others in taking advantage of training or employment opportunities. The government is committed to helping youth, women, Indian people and the disabled in meeting their potential. Steps will be taken through a review of funding for training, development of a new on-the-job training program to give a number of Yukon people that highly important first on-the-job experience, assessment of apprenticeship requirements, and review of pre-employment trades training courses now offered by Yukon College to ensure they provide students with the training our community is looking for.

Finally, I would like to note the establishment of a working group on the disabled. It is important that all Yukon people have equal opportunity to access training. For some of the territory's people, this is made difficult by a particular disability. In many cases, very small changes can successfully reduce barriers.

In conclusion, I recommend this Training Strategy to this Assembly. It is a document which sets the framework for future directions in the field of training, yet it is not cast in stone. We will be revisiting the strategy on a frequent basis to determine whether changing times demand modification to our approach. I would ask that all Members provide me with their comments, both now and as they see the need for this document to change.

It is important to note that this Strategy will be carefully reviewed once the findings of the Joint Commission on Indian Education and Training are presented to the Government, and after the spring Conference of Yukon 2000. New ideas from the Commission and the spring conference will be of great value to the ongoing growth and development of the strategy.

I trust Members will see this training strategy as an important document for the future of adult education and training in the Yukon.

Mrs. Firth: We, on this side of the House, would like to extend our congratulations to the Minister of Education for the completion of his document after consultation with the groups and individuals. I would like to have a list of the people he has consulted with.
⁰² I am sure he will not have any difficulty providing us with that list.

We see the training strategy as a positive initiative for the future of Yukoners, and we look forward to having some constructive discussions with Minister about it.

Mr. McLachlan: The Minister has enunciated a very tall order today with the release of this Ministerial Statement on the training strategy. We look forward to the area of the training strategy wherein he talks about community learning centres, because we find that not all areas are equally served in this respect. We will look forward to working with the Department of Education and providing, we hope, some valuable input on ideas in that strategy paper.

Speaker: This then brings us to Question Period. Have you any

questions?

QUESTION PERIOD

Question re: Service contracts

Mr. Phelps: As everyone in the House knows, a deadlock is developing, and it is going to continue. It has to do with the fact that the government has a policy about releasing all the consulting contracts and service contracts that are worth up to \$20 million a year, and most of them are untendered.

Yesterday, the House Leader on this side offered a compromise by way of a letter delivered to his counterpart in the government, and to the Liberal House Leader. It is dated December 1. We were told that the government would review the compromise and respond this morning.

I will address this question to the Government Leader. Why has the government refused to accept our compromise position?

Hon. Mr. Penikett: It would be an entirely novel intervention for our form of government to make policy by collective bargaining, rather than by Cabinet government. The Member opposite knows that is not the way policy is made. In fact, for an Opposition to present a government with an ultimatum that they are essentially going to block the business of the House unless we concede to their wishes is nothing short of unmitigated arrogance, Mr. Speaker.

Mr. Phelps: The arrogance coming from the other side is almost overwhelming, particularly from the Government Leader, I might add. Why is this government insisting on not giving the Opposition details about all this money that is being spent on behalf of the taxpayers of the Yukon. Why can we not have that information so that we can address some questions to you about money bills?

Hon. Mr. Penikett: I will say again, as I have been saying all this week, the Opposition is being provided with an infinitely greater amount of information than was ever provided by the Conservatives when they were in power. I find it hard to believe that the Leader of the Opposition and some of the Members opposite, who provided no information about the subject when they were in government, can make the kind of demands that they are making with straight faces.

Mr. Phelps: We have gone through *Hansard* very carefully and unfortunately the Opposition of the day did not do its work or even request that information. However, can the Government Leader tell us why he will not provide us with information quarterly? He has offered to provide us with some sketchy information on an annual basis, why will he not come down to a quarterly basis?

Hon. Mr. Penikett: We have decided that it is the most efficient and orderly way to provide this information at year-end. A list of the contracts and the amounts which is, as I have said before, time and time again, an infinitely greater amount of information than was ever provided to us when we were in Opposition. We believe the public will be well-served by the information we will provide. All the normal parliamentary means of pursuing inquiries on any of those particulars as they are available to the Leader of the Official Opposition, who is also Chairman of the Public Accounts Committee, or other parliamentary means will continue to be available.

Question re: Service contracts

Mr. Phelps: We have tried to compromise the position to make it as easy as possible for the government to provide the kind of information the taxpayers deserve. I ask the Government Leader what he is trying to hide?

Hon. Mr. Penikett: Let me ask the Leader of the Official Opposition a rhetorical question. We are trying to hide nothing. We are providing the information. If he believes this so strongly, what was his party trying to hide for six years?

Point of Order

Mr. Lang: Point of order. Is it not within the authority of the Chair that a question from this side cannot be answered by a question from the other side? Could the Government Leader please answer the question.

Speaker: There is a point of order on the floor. I find there is a point of order. Would all Members refrain from answering questions with a question. Does the Member wish to continue?

Hon. Mr. Penikett: I remain confused as to why this is so important to the Opposition when they provided none of this information, which they regard as essential for the conduct of the House, when they were in government. If they believe that sincerely and genuinely, why did they never provide the information? We are providing the information and far more than was ever provided before.

Mr. Phelps: That is the weakest kind of defence the government could possibly muster — we did not do it because he did not do it even though it was not asked for. I once again ask the Government Leader to try to answer the question: what is he trying to hide from the people of the Yukon?

Hon. Mr. Penikett: We have nothing to hide unlike obviously the Members opposite. They seem to believe that because you do not provide information, therefore, you have something to hide. They did not provide information for six years, therefore they must have lots to hide. We are providing a substantial reform under the system of providing information to the House and to the public as it operated under the previous government, and we stand by that performance.

Mr. Phelps: The government had a policy. Now they are trying to change it and to hide things. Why is the government refusing to show anyone details about contracts for less than \$5,000? Is it because they figure they can hide even more that way?

Hon. Mr. Penikett: Obviously, there are a large number of contracts of less than \$5,000. In answer to a question yesterday, I said I would take the question as notice and bring back a written answer for the explanation of that number. Again, we are providing much more information than was provided before. It is a reform. It is an improvement over the previous situation, and we are proud of that reform. The Member asked why there was a change to the policy? We had no policy, nor did the previous government, except that they would not give the information. I was asked, in a series of questions from the Member for Porter Creek East, if we would develop a policy. We considered his representation on the subject, dismissed it as impractical, then considered the policy carefully, made one and announced it at the opening of this Session.

Question re: Federal taxation data on Yukoners

Mr. McLachlan: In relation to individual tax returns, can the Minister of Finance confirm that tax data is returned to Whitehorse from Ottawa on individual taxpayers in the Yukon? In other words, are the records that are sent to Ottawa at the end of each taxation year also kept here?

Hon. Mr. Penikett: I certainly cannot confirm that. I do not know if the Member is asking if it is returned to the Department of Finance in this government, or to some local federal government office. In neither case do I have the answer. I would be pleased to enquire about it. I would be surprised if it was.

Mr. McLachlan: Two weeks ago, many Canadians were appalled to find that a disgruntled tax employee in the office in Toronto was able to take home 16 million individual tax records with him.

Can the Government Leader confirm that the same type of situation could not occur here?

Hon. Mr. Penikett: I will certainly make the appropriate enquiries to establish that there could be no possible repetition of the incident that occurred in Toronto just a few days ago.

Mr. McLachlan: If the Government Leader should determine that that could be a possibility, could he do anything about instituting or enquiring about increased security measures that would keep someone from walking home with those records from the Department of Finance?

Hon. Mr. Penikett: At this point, it is a hypothetical question, but if, upon examination, I discover there is a possibility of some abuse similar to that that occurred in Toronto, I would want to see the administration take some remedies.

Question re: Service contracts

Mr. Nordling: Yesterday, I asked the Government Leader how the \$5,000 figure was arrived at in the contract directives, which provides that service contracts equal to, or less than that amount, need not go to tender, either invitational or public. Does the Government Leader now have an answer to that question?

Hon. Mr. Kimmerly: That figure was arrived at years and years ago, under the Tory administration, and it has not changed under our administration. The rationale is that the tendering process itself is expensive in the sense of developing the tenders and going through the contract administration process. It is counter-productive to tender contracts of a very low amount. The \$5,000 figure was selected as the cut-off. That occurred many, many years ago — I believe in excess of 10 years.

Mr. Nordling: Again, my concern is that a lot of taxpayers' money can be spent in \$5,000 allotments. After this review of how the \$5,000 figure was arrived at, is the Government Leader happy with that figure?

Hon. Mr. Kimmerly: We have seen no reason to change that figure in the contract administration process. If anything, due to inflation, it would be increased rather than decreased. We are not proposing to do that.

We have not had any complaints at all about the establishment of that figure. Although there are some examples, in the long term past, of abuse, there are none in the recent past. If it *ain't* broke, why fix it?

Mr. Nordling: In light of the fact that the new policy does not allow contracts equal to or under \$5,000 to be made available to the Opposition, I would ask the Government Leader again if that figure was considered when the policy was made with respect to making these contracts public?

Hon. Mr. Penikett: I took the Member's question as notice yesterday, and he will be provided with a reply.

Question re: Service contracts

Mr. Phillips: Yesterday, I asked the Minister of Government Services a question about the percentage of service contracts under \$5,000. Can the Minister tell the House today what the ratio or percentage is for contracts under \$5,000 versus contracts over \$5,000?

Hon. Mr. Kimmerly: The figures that I gave yesterday were for all service contracts. This is under and over \$5,000. As of the last available figures that were collated at the end of period eight, it was \$9,781,000. We are proud to say that a significant increase has been achieved on the local content. On that figure, 73 percent went to local vendors, and 27 percent to non-Yukoners.

Mr. Phillips: I do not think the Minister answered my question. I did not ask how many contracts were or were not local. I asked him how many of these contracts, percentage wise, were over \$5,000 of the \$9 million? How many were under?

Hon. Mr. Kimmerly: I can only take that question as notice. The civil service does not compile information in that way. I will determine if it is easy to find that number or not.

Mr. Phillips: I am sure if the Minister has the exact number, he can tell very easily how many are over or under by looking at the contracts.

For the Minister's information, the contracts we had from last year that he gave us free — no problems in the government, no problems in photocopying — from October 23 to March 24, that is five months, 712 contracts out of 981 were under \$5,000. Why is the government trying to cover up this pork-barrelling effort of theirs?

Hon. Mr. Kimmerly: It is irresponsible of a Member to make a charge of pork-barrelling. He has no shred of evidence of that. If he were a responsible Member, he would make an accusation or not. We have nothing to hide. There is no slush fund, no pork barrelling, and it is irresponsible of an Oppositon to make those completely unfounded and uncalled for slanderous remarks.

Question re: Service contracts

Mr. Lang: How did the Government Leader or the Minister of Justice come to the \$5,000 mark with respect to making information

not public for contracts under \$5,000 as opposed to over \$5,000, when you have statistics as outlined by the Member for Riverdale North?

Hon. Mr. Penikett: I have already taken that question as notice.

Mr. Lang: When the Minister of Justice considered the \$5,000 cutoff for information being provided to the public, did he not have before him the figures of the numbers of contracts that were under \$5,000, as opposed to over \$5,000?

Hon. Mr. Kimmerly: (*Indecipherable*)

Question re: Service contracts

Mr. Lang: Why can the public we represent not have access and knowledge of the contracts for under \$5,000, administered and untendered by this government?

Hon. Mr. Kimmerly: The public and the Members of the Opposition can have access to this information. If they ask us a question about it, we will answer it.

Mr. Lang: How are we going to ask him a question about a contract if we do not know he has let it?

Hon. Mr. Penikett: The Members opposite have continued to claim that somehow it was not necessary to provide the information before when they were government, because it was not necessary to debate but, suddenly, it is now.

I would like to quote from *Hansard*, October 18, 1983, when a Member of the Opposition asked the Government Leader of the day:

"Is the Government Leader aware of, and can he advise the House, what percentage, approximately, of this past summer's awarding of project money was done without a tendering process?"

The answer was: "I cannot possibly answer that question."

There are many occasions when we have asked questions of the other side and could not get answers. For the first time, we will be providing the information in an organized fashion.

Mr. Lang: Why can the Government Leader not provide to this House quarterly printouts of the untendered contracts that have been let by this government so that we, on this side, can peruse them and also permit contracts \$5,000 and under to be made public?

Hon. Mr. Penikett: We have made a policy decision on that question, and we will be sticking by it. The minute we provided information in the past, we immediately had escalating demands from the Member. First, it was quarterly. The next thing we knew it was daily. The next thing we anticipated is that he is going to be demanding all correspondence and all papers in the government.

The Member has to get it through his head that he is not dictating what goes on around here anymore. There is now a democratic government here. There are going to be more democratic decisions. We do not succumb to the dictates of . . .

Speaker: Order, please. Order. On a point of order.

Point of Order

Mr. Lang: Respectively, I look to the Chair to control the parliamentary actions of all Members of this House. It is very clearly stated under the rules that a reply to a question should be as brief as possible, relative to the question asked and should not provoke debate.

I would appreciate the Speaker's rule on this.

Speaker: I find there is no point of order; that it is just argumentative between the two sides. Any further questions?

Mr. Lang: As long as we know those are the rules, I will abide by them.

We have here in the last week two editorials: manipulation, information control. We have a government standing up and talking about open and accountable government, and they are not providing the contracts.

Point of Order

Hon. Mr. Kimmerly: Point of Order. The Member opposite is angrily making a speech, he is not asking a question and that is beyond the rules.

Mr. Lang: Could the Minister of Justice tell me what is the

difference between a \$5,001 contract as opposed to one that is \$4,999, which must be kept secret by this government unless somebody stumbles on the information in an alley?

Hon. Mr. Kimmerly: Two dollars. The government is not keeping anything a secret. If they ask for information sensibly about contracts we will provide that information and that has always been our policy.

Mr. Lang: The question has been asked every day. How many contracts to date have been administered by this government for \$5,000 and under?

Hon. Mr. Kimmerly: Everyone knows that is obviously an administrative question. There are contracts let every day, and I do not know the precise number. It is a completely useless number for anyone to know anyway. It has no policy significance at all. I will provide statistics about the number of contracts at regular periods.

Question re: Service contracts

Mr. Phelps: Will the Government Leader advise us whether they agree that the money being spent is not their money but the public's money?

Hon. Mr. Penikett: Absolutely, and it is exactly the same public that we are now serving that was living in the Yukon territory in the years when this information was not provided by the previous government.

Mr. Phelps: What has happened is that the side opposite has provided us with each and every contract, service contract and building contract ever since they have been in power. That is their practice and that was their policy. They suddenly stopped. Was it because they were so embarrassed by the \$1,400 that they spent fine tuning the Leader's speech? Is that why they stopped letting the public know about \$5,000 contracts and under?

Hon. Mr. Penikett: Absolutely not. I have noticed the quality of the Throne Speech has improved considerably since we came to office in terms of the style and grammatical correctness. The question is that we provide information that was asked by Members. The demands began escalating on the other side. We were met with a request to actually provide the information daily. We were then met with a request for a clear policy. We had time to consider the matter carefully. We made a policy recently, after considering the matter and after examining what is done in other jurisdictions in this country.

We have gone further than many jurisdictions in providing information. We certainly have gone a million miles further than was the case when the side opposite was in power, and we think the policy is a considerable improvement.

Mr. Phelps: Is it simply that the government is embarrassed about the people who are getting all of these lucrative contracts? Is that the problem?

Hon. Mr. Penikett: I believe the Leader of the Official Opposition must be guilty of what they call projection. Perhaps he is feeling deep guilt about the six or seven years of contracts opposite. We have nothing to be embarrassed about. We will making the information available, unlike the Members opposite.

Question re: Service contracts

Mr. Lang: I still have not had an answer to my question. Since we are dealing with \$20 million worth of public funds, and in good part that is not required to be publicly tendered. Never before had we had that much money. I asked the Minister of Justice very seriously why contracts under \$5,000 that are untendered are not made available to the public?

Hon. Mr. Kimmerly: We have already taken that question as notice in excess of a dozen times I believe.

Mr. Lang: How can you take it under notice when you have turned down the request that this side put to the other side, which stated as follows: "I wish to emphasize this printout must include information regarding all contracts including those valued under \$5,000". Has the government made a firm decision on the \$5,000 contracts, and can we expect a further reply on that recommendation to undo the deadlock that presently exists in the Legislature?

Hon. Mr. Penikett: The deadlock exists in the mind of the Members opposite. We are here to do government business, to

discuss government policies and programs, and we will. We will try to, even if the Members opposite do not want to.

We do not make policy under dictates from the Member opposite. Policy is made in Cabinet with a proper process. Our Cabinet agenda will be determined by us, not by the Member for Porter Creek East.

Mr. Lang: Has a definitive and final decision been made with respect to the compromise that was put forward by this side in consultation with the MLA for Faro on looking for information to be able to discuss rationally and logically the monies that have been expended by this government?

Hon. Mr. Penikett: I do agree that a rational, logical discussion by the Members opposite would be a welcome change. Let me be perfectly clear about this. We have brought in a policy at the request of the Members opposite. The policy was carefully considered. As with any policy, after a period in operation, if we decide that the policy is failing in some ways, or needs improvement, we will, of course, review it. We will review it based on our experience with that policy, as was the case when the Members opposite were in government — presumably.

Question re: Whitehorse Correctional Institute

Mr. McLachlan: This weekend, residents of Whitehorse learned that one of the inmates of the Whitehorse Correctional Institute had sort of jumped the wall, and, at least for now, appears to have made good his break.

Can the Minister explain, when a circumstance of this nature occurs, if there is an internal investigation amongst the WCI officials to discover how it has happened? What is the process?

Hon. Mr. Kimmerly: Yes. I know that after escape — even after every attempted escape — there is an internal investigation as a matter of policy.

Mr. McLachlan: Two years ago when a similar incident occurred in 1984, we were assured that it was an isolated incident. It was not about to happen again. The system was fail-safe, yet it has happened. Is the problem a shortage of personnel? Are there not enough people? What is the situation?

Hon. Mr. Kimmerly: No, there is no problem of shortage of personnel. No system in any jail anywhere in the world is absolutely fool-proof. As long as there are people locked up, there will be people escaping. It is interesting that the escape record at the Whitehorse Correctional Centre is one of the lowest in the country. One of the reasons for that is the relative lack of security and the kind of inmate who is characteristically there.

Mr. McLachlan: I have had some calls from some concerned people in the Government Leader's riding. The Minister of Health and Human Resources has recently announced putting another institution in that area. This time we may argue that it is only an isolated incident and that the inmate is not dangerous. Next time it might not be. I want to assure the Minister of Justice that perhaps it was before his time, but there are those of us in the Assembly who can remember it. There was a murder committed once in this Territory by an inmate who had escaped from the Correctional Institute.

Will the Minister undertake to inform all Members of this Legislative Assembly, and the taxpayers of the Yukon, that some measures can be, and will be, taken to see that this does not occur on a one to a year basis. Calls have come in and the concern is there.

Hon. Mr. Kimmerly: The particular inmate who escaped is not considered dangerous and was not under maximum security conditions in the jail. I am particularly concerned, especially, about persons who are under maximum security. The record of the jail for that category of inmate is excellent. Nevertheless, there will be, as there always is, an enquiry into the reasons for, and conditions of, this particular escape.

Question re: Service contracts

Mr. Nordling: The Government Leader promised an open and accountable government, and now is making information on the spending of taxpayers' money as difficult as pulling teeth. We are talking about up to \$20 million annually.

Does the Government Leader consider this new policy to be open accountable government? I would ask that the answer be short and to the point. I am not asking for a speech on what the former Conservative government did.

Hon. Mr. Penikett: That is exactly the point. We came into government with the experience of having been denied a single penny's worth of information on any of this kind of stuff. We have had time to consider the matter and introduce a major reform. In other words, we are providing most of the information that the Members would logically require for debate and that the public would be interested in for the first time.

Question re: Service contract

Mrs. Firth: The Government Leader does not do himself justice when he quotes comments that former Members of the Legislature made and does not quote the whole comment. I believe when that Member said he could not possibly answer the question, he also said that the reason was that he did not have the staff to be able to gather that kind of information very, very quickly. It was possible there were times statistics would come to the fore but, to his knowledge, we just do not keep those kinds of statistics now.

What we are talking about are 918 contracts, 712 of which were under the \$5,000 limit. Out of those contracts under \$5,000 we, as the Opposition, found one for \$1,400 to edit the Throne Speech, another one for \$4,900 to a former executive assistant of one of the Ministers.

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

Mrs. Firth: Yes, I will. We understand another contract has been awarded to that former executive assistant for under \$5,000.

Can the Government Leader deny that that is the real reason why the government is withholding that kind of information from the Opposition and the public and the media?

Hon. Mr. Penikett: I deny it absolutely and categorically.

Question re: Service contracts

Mr. Lang: Why would any contract under \$5,000 not be made available for the public to scrutinize?

Hon. Mr. Penikett: I might ask the Member opposite why all contracts of any amount previously were not available to the public to scrutinize. I guess for the fourteenth time, Members of this side have taken that question as notice and we will come back with an answer.

Mr. Lang: In view of the controversy that has obviously been brought forward with respect to this very, very important issue, and we are dealing with \$20 million of taxpayers money which in good part is not tendered through normal tendering procedures, could I ask the Government Leader why our compromise was turned down in view of the fact we met all the administrative problems outlined by the Minister of Government Services when he first answered questions last week?

Hon. Mr. Penikett: Two reasons: one, no government in the free world anywhere sets policy by collective bargaining with the opposition; and two, our experience with the hon. Member is that whatever we agree to by way of being cooperative and open and so forth is immediately met with some new escalating demand. We have found him totally unreasonable and so we have decided that we will stick by our policy which we think is reasonable and was carefully considered.

Mr. Lang: Being a reasonable man, I am prepared to make the commitment here that if the information provided as per our recommendation and compromise we put forward to the side opposite to get on with the work at hand, we are prepared to stand by this and accept this as the overall policy as far as financial reporting to this House is concerned so that we can scrutinize up to \$20 million worth of contracts that are untendered.

Hon. Mr. Penikett: I am afraid that answer is not credible. The Leader of the Official Opposition told us a few days ago that they were quite happy with the arrangement that we had before and yet the Member who has just spoken immediately escalated it to demand that we provide the information on a daily basis. I do not think we can take that comment seriously.

Question re: Service contracts

Mr. Lang: I have to correct the record because as per usual the Government Leader is playing to the camera. I will point out that it is misrepresentation. The only thing I asked for is that as the contracts were issued they send us a copy as opposed to sending them in blocks at the end of the year or at the beginning of the session. Obviously the Government Leader is making very serious misrepresentation. I would ask that in the spirit of compromise and the spirit of cooperation and in view of the commitment that has been made both privately and publicly from this side, would the Government Leader please reconsider the suggestion and the proposal that was put forward to the Members opposite in order that we can get the information that is necessary to do the work that is sitting before this House?

Hon. Mr. Penikett: I will say again that we will always be ready to consider reasonable suggestions from reasonable people. We are less likely to take suggestions from people who berate, hector and obstruct as a professional activity. Let me also say we do not make government policy by collective bargaining with the opposition. That is not done anywhere in the British Commonwealth. We will make policy by the established processes that exist in every parliamentary government we know.

Mr. Lang: The cooperative attitude that is coming from that side would lead one to believe that there is a certain amount of arrogance settling into the side opposite, and that they are beholden to nobody. Every Member of this House has the same responsibility and authority when we sit as a Legislature in regard to questioning.

What is wrong with quarterly printouts containing the following information: the name of the company — whether it is Yukon contractor, or a southern contractor; the purpose of the contract; date of issue; and the value of the contract? Why can the government not make that information available to this House and to the public. Then we can make up our minds as to whether or not the money is being wisely spent?

Hon. Mr. Penikett: It is contrary to government policy.

Mr. Lang: In view of the fact that he does not know why the \$5,000 was struck, which I find totally and absolutely incomprehensible, would the Minister reconsider that part of the decision in order that all contracts could be made public since it not his money, it is the public's reserve.

Hon. Mr. Penikett: I previously said today, and I am sorry to put you in the situation of having to answer my repeated questions repeatedly. As with any policy of the government, if after a period of time that it has been in operation we discover that our policy is not effective and does not serve the public well, then we obviously reconsider it.

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

GOVERNMENT BILLS

Bill No. 40: Second Reading

Mr. Clerk: Second reading, Bill No. 40, standing in the name of the honourable Mr. McDonald.

Hon. Mr. McDonald: I move that Bill No. 40, entitled *Gas Burning Devices Act*, be now read a second time.

Speaker: It has been moved by the Minister of Community and Transportation Services that Bill No. 40, entitled *Gas Burning Devices Act*, be now read a second time.

Hon. Mr. McDonald: The purpose of the proposed *Gas Burning Devices Act* is to establish proper control over the sale and installation of gas burning devices and equipment. The Act will also permit persons working in the gasfitting trade to be qualified under the apprenticeship trades regulations to ensure a proper degree of public safety. The Act will provide for the introduction of up-to-date testing and installation standards other than the outdated regulations now in place under the *Fire Prevention Act*. A new permit and inspection system will be established with sufficient

authority to deal effectively with installations that could seriously endanger the public.

It will recognize the national certification programs now in place whose responsibility it is to test and certify gas burning appliances and equipment. This will ensure comprehensible application in the Yukon that is consistent with all other jurisdictions in Canada.

Regulations are now being developed under this Act to control propane gas installations immediately. Authority is included to develop similar regulations for natural gas appliances when they are needed. The Act will also require persons working in the field to be qualified as gasfitters. Provision will be made for the licensing of these people and for special licensing of contractors engaged in gasfitting work.

¹⁵ Contractors will be required to employ qualified gasfitters. Gasfitting is also now being established as a trade under the Apprentice Trade Regulations, and training programs are being arranged to assist those who need upgrading in order to meet the qualifications.

Provision is being made in the regulations for temporary licences that will be valid for a two-year period for all people presently working as gasfitters. This will provide ample time to complete any upgrading training that may be required to obtain a licence.

In addition, authority and mechanisms are included to establish an appeal procedure where licensing could become an issue.

Concerns about the lack of adequate control and this government's inability to establish those controls have been instrumental in determining a need for this Act. Incorrect or poor installation practices can result in catastrophic incidences, as are evident in the number of reports of fires and explosions in the news in numerous parts of Canada over the past two years. The propane delivery vehicle accident in central British Columbia and the fire at a propane filling station in North Vancouver are recent indications of the potential problems.

Two years ago, a significant increase in the number of propane installations was made in several Yukon communities as a result of conversion from oil heating by Health and Welfare Canada in all their facilities. Other federal departments were considering similar conversions, although reduced oil prices may slow this process down.

It is felt that the addition of delivery schedules to supply these new sources will also encourage other uses of propane in those communities, adding further to the overall concerns previously expressed by those communities.

This government feels that more definitive controls are essential in the Yukon and are proposing them through this proposed Act.

Mr. Brewster: I am very concerned about where this government is going. He has three pages in here of search warrants, RCMP going into your house to check and see if your gas burner is on right. I wonder if the government really looked at the situation they are putting people in the rural areas in. I read this thing three times to try and see if I was wrong, but I cannot find it.

He is telling me that everybody who hooks up a gas stove or a hot water heater is going to have to get one of these people out of Whitehorse to come and check these things. I can imagine the people in Beaver Creek will very much appreciate this. I wonder about the little trapper who has propane lights. You are going to turn around and send an inspector out to his trapping cabin to see if he hooked the lights up right? I am not going to say much more on that now, but I am going to rest assured that when this comes into Committee of the Whole there are going to be quite a few fireworks on this one.

Mr. McLachlan: I have some concerns about the procedure for licensing or approval of the gasfitters. I want to make sure that when we are examining it in Committee of the Whole there will be no procedure whereby inability for those who are presently in the process of being upgraded is held up and, also, that no provision will delay gasfitters who may have to be imported from another jurisdiction to do a larger job. There are not a lot of qualified gasfitters in the territory at present. As the Member for Kluane has said, regulations that clamp down on those existing people — the

half dozen or so there may be — are going to make it tougher to be able to complete the work.

In the long run, as the Minister is also responsible for Education and Yukon College, I would hope that we may be able to boil into the whole procedure some more trades training for these people and get more licensed gasfitters into the rural areas and, generally, around Whitehorse.

¹⁶ **Hon. Mr. McDonald:** I find it unfortunate that the Member for Kluane is going to make what is essentially a measure, which is designed to protect the public, into an obviously a partisan issue. There is a desire, of course, to enact regulations similar to those proposed in every other jurisdiction except Prince Edward Island, all of whom have rural areas and all of whom try to apply those regulations sensibly in order to protect the public from shoddy practices. Now clearly there are varieties of acts, which are consumer oriented and are meant to protect the public safety, in place right now, which govern the activities of the building inspection branch of Community Services, and the enforcement of those acts is done sensibly, I believe. This would be no exception to that rule. There is no attempt, and there will be no intent, to make regulations that are onerous and that cannot be met by people of this territory. There is a desire on the other hand to ensure that public safety is our number one priority and our number one goal, so I would like to inform all of the Members that I am more than prepared to defend the principles of this Act in debate and also to reassure them if they have any doubts that the intent of the Act is to protect public safety, but not to provide onerous regulations beyond what is the Yukon norm.

Motion agreed to

Bill No. 73: Second Reading

Clerk: Second reading Bill No. 73 standing in the name of the hon. Mr. Kimmerly.

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

Speaker: It has been moved by the Minister of Government Services that Bill No. 73, *An Act To Amend The Legal Services Society Act*, be now read a second time.

Hon. Mr. Kimmerly: This is a very, very simple amendment but the implications of it are not quite so simple, of course. The implication is clearly to give the government a measure of control over the regulations established by the Society and the tariffs that are established by the Society. I have discussed this particular bill; which the Legislature passed before the last election and has not yet been proclaimed, with various Ministers of Justice around the country. The unanimous view, which is exactly the same as mine, is that we would be putting at risk the control that this Legislature and the government must have over public expenditure, and the bill or act cannot be proclaimed as it is without some amendment in order to achieve the control that is necessary for those who are responsible for budgeting the funds.

¹⁷ The intent here is not to interfere in the deliberations of the Society, but it does require the Society, their tariffs, regulations and policy decisions, be supervised by the Cabinet insofar as they affect the expenditure of public funds. That is what this Bill will do, and it will do nothing other than that.

There was a debate in the last sitting about the delivery of legal aid generally. I will report on that. There were various concerns raised, and I will report on the progress that has been made during the Committee stage of this Legislation.

Motion agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

We will now recess for 15 minutes.

Recess

Chairman: I call Committee of the Whole back to order. We are on the *Fourth Appropriation Act, 1986-87*.

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

Mr. Lang: I guess we can start off the debate where we left off. I would like to begin by taking the liberty of tabling a response to my letter of December 1 to Mr. Porter with respect to the question of information being provided to this House. I provided the side opposite with what I felt was a satisfactory compromise with respect to the procuring of information, as far as the Capital votes that are before us.

I tabled it yesterday afternoon, in Committee. Just for the record, I thought it should be read in so that everybody is aware of what has gone on. I am sure there will be historians who will be looking back in this debate as it is a fairly important principle, at least from this side. We believe the public record should cite all the facts as have been provided to the House.

It goes as follows:

"December 1.

"Dear Mr. Porter:

"In view of the deadlock over the availability of service contracts and consulting service agreements, the Yukon PC Caucus is proposing a compromise on how to resolve the issue and further the business of the House.

"We are prepared to accept a quarterly printout of these contracts, listing the following information:

- "1. name of company or contractor and address;
- "2. Yukon contractor or southern contractor and location;
- "3. purpose of contract;
- "4. date of issue; and
- "5. the value.

"I wish to emphasize that this printout must include information regarding all contracts, including those valued under \$5,000. We presume that this compromise will be acceptable to you and look forward to an early reply, so that we can get on with the people's business.

"Yours truly,

"Dan Lang, signed on behalf of the PC Caucus."

As I indicated yesterday, it was tabled in the House. The House Leader obviously thought it was a reasonable request because they asked for time to consider it in its entirety and totality and in the spirit of cooperation that had been extended from this side of the House.

It was with a great deal of disappointment that this side got the very short and terse reply from the House Leader this morning, and confirmed in writing this afternoon. For the record, I would like to read from it.

To Mr. Dan Lang, Opposition House Leader, on December 2, 1986, and it goes as follows:

"Dear Mr. Lang:

"Our Caucus has reviewed your proposal. No change in government policy is anticipated at this time. Should you have any questions about the policy, they should be addressed to the hon. Roger Kimmerly, Minister of Government Services."

¹⁹ That is where we find ourselves with respect to the issue at hand, and the Chair, being guided by Members of this House, is being asked to conduct a thorough review of the Capital Budget that we have before us, which are supplementaries, which, for all intents and purposes and in most cases — and I am sure the side opposite will agree with me — has been spent. We have been informed by the side opposite that we would not be able to be given the service contracts nor the consultant contracts or the names of the companies

on the printout on April 1st. If they are over \$5000, we could ask for the information unless we knew the companies that were involved and perhaps at that time we could go on a fishing trip with respect to the information.

Knowing the Government Leader and his stature as a parliamentarian, as a Member who takes a great deal of pride at being a Member of this House, and who takes a great deal of pride of the fact that he was in good part responsible for shaping the direction of the rules and privileges of the Members of this House, which I also happen to be a part of, I am sure the Government Leader would find it very difficult if information would be denied him if he were on this side of the House and if he were asking questions with respect to money that was already being spent.

That is the situation we find ourselves in. We find ourselves in a situation where we have a government that I guess can be only be said to be becoming more and more closed as far as providing information to this House other than trying to spoon feed information that they glean to be advantageous to their political aspirations today and in the future. That is not the role of the Legislature. The role of the Legislature is very clear and definitive. It is to discuss the peoples' business and interest and what is in the best interest of the public we serve.

This side submits that what is being denied this side of the House is fundamentally important to the legislative review of public expenditures made by the side opposite. This is the only forum where there is any accountability as far as the public is concerned, other than once every three to four years. I should not have to remind the side opposite and, specifically, the Government Leader of that. I should not have to remind him of his responsibility to this House. As the days go by the arrogance that is emanating from the side opposite with respect to the disdain for the functioning of this House is becoming more and more apparent. It is almost a situation where the Members of this House are dismissed out of hand because they do not represent an organization that perhaps is, or is not, affiliated with the side opposite. The arrogance dismisses us just out of hand to say we do not bargain collective agreements in the public forum. No, we do not discuss government business with the side opposite, we make policy in Cabinet.

Well then my question is: how come I got the reply from the House Leader where it said our caucus has reviewed your proposal? Obviously, it went to the caucus, not the Cabinet. I think that we have brought forward a reasonable compromise to meet the administrative problems outlined by the Minister of Justice. If you recall, in Question Period, he was very firm and very conspicuous with regard to his defense of the government about the administrative problems, the chaos, that this created in his administration.

We have met that argument in quarterly reports. The Minister of Justice, in Question Period today, indicated to all Members that he had the information at his fingertips because he referred to various tapes. We know that there is a Variance Report every month, so the Minister of Government Services has that information available immediately. He has a staff in Government Services of perhaps over 100 people. They may have enough staff to review *Hansard* back to 1983 to find the one and only time that the Government Leader's disciple, Mr. Byblow, asked about service contracts. It was the one and only time that he was denied information. If you read it in its entirety, he was never denied information. The reply was very clear, and that was that they did not have that information at that time.

It was such an important question that the Government Leader, the Leader of the Opposition, pursued that question on behalf of Mr. Byblow who now serves this government in a political executive assistant capacity. That is how important the scrutiny of the budget was to the side opposite when one, two or three of them were in opposition.

That is why we could go through budgets in 10 days. There was no real meaning to the numbers to the side opposite. This side takes an opposite view. We see our role as that of scrutinizing the expenditure of public funds to ensure that they conform with the wishes of this House. If we are not provided with that information, how can we do it? How can we do our job effectively? We could all walk out like my colleague to the left and take a break. We could

take a break, and let the Government Leader in his ever cool and calm manner rule this country on consensus by Committee. There are countries run by Committee. They do not have to be in the western world.

My job here is not to be nice to the side opposite. It is to scrutinize the action of the government.

²¹ I give credit where credit is due. I have stood up in this House and said I think that is a good idea. Getting back to the service and consulting contracts that we are talking about — which we on this side deem to be important and the side opposite has arrogantly dismissed it and said, \$5,000, we do not know how we determined the figure, but it does not matter because we do not discuss those things with the side opposite.

Well, I am here to tell the side opposite that they are going to discuss it with us, and they are going to discuss it a lot. We take very seriously why contracts under \$5,000 are not made available to the public we serve. Why not, when you have almost 1,000 contracts and over 700 of them are \$5,000 or less?

I do not know if it is a coverup or whatever. I do not know if it is political patronage. If the Government Leader has stood up in this side and said "we are open, we are accountable, we are the people's choice, we are here to ensure that the running of government is done effectively, it is done as openly as possible", why, in the past, were these contracts made public and now are being denied to the public?

The Leader stands up and makes total and absolute misrepresentation in this House. He says, oh, the Member for Porter Creek East asked for a policy. Check the record. You know what I asked for? I said as opposed to sending a batch of contracts on our desk at the start of the legislative proceedings, why do you not send a copy of each contract, as they are entered into, and send them over to our legislative chambers. Then, we can monitor the expenditure of money as it is expended and as the agreements are gone into and, if necessary, question why certain agreements are being entered into.

But, no, he stands up and says the Member for Porter Creek asked for a whole new policy. Is that totally accurate, when you are explaining the circumstances? You were a Member of this House when I asked that, Mr. Chairman. All the Members on this side heard the request. It was a very simple and basic request. What do we get? We get a government that stands there and says \$5,000 is so insignificant, we do not even know the reason why we drew the line there. We will take that under advisement. The policy very much heralded by the Minister of Government Services kept under close wraps to me as a Member of this House, until he came into this House and I had to ask a question to get a response. Now, if that is not arrogance, I do not know what is.

Then we find out the decision was made on October 23. It was of such irrelevance that it went to Cabinet for a decision. It was of such little importance that it went to Cabinet for a decision, but they could not communicate to me, as the critic in that area, directly in respect to the policy change. They had to stand up and make a Ministerial Statement and try to make out that it was a new policy. As he full well knows, it was a major reversal of policy.

²² Mr. Chairman, a lot of things are established in these Chambers by precedent. You can only write down so many rules, so many regulations, so much about decorum. For a year and a half, the service and consultant contracts, which are not publicly tendered, were tabled in this House. All of a sudden, we have a major reversal of policy, a major reversal under the guise of saying it is a new process, as if it had never been discussed before, to try to lead the media and everybody else in the general public astray, telling them that it was new and innovative, and it contributed to the openness and accountability of the government. When it got down to close scrutiny and questioning from this side, there was no reason for it, other than they want to deny the public the right to see how money is being spent.

Mr. Chairman, you have a Capital Budget before you. We have a number of projects that have been completed and this side of the House is being asked to give our approval. We have asked for a list of the service contracts and consultant contracts that have been issued, and we have been denied it. When you are talking about a \$900,000 contract, it is a substantial amount of money authorized

through that method, and rightfully so. I defend the government's right to utilize that particular mechanism for the purposes of contracting. I recognize the day-to-day responsibilities of government, but I also recognize the responsibility of the side opposite to make that information public upon request.

They give the argument that the previous government did not do it. We were never asked. We were asked one question in eight years. It was an enquiry of a breakdown, which the Government Leader quite frankly said he did not have the information at his fingertips. I am sure, knowing Mr. Pearson, had it been pursued, would have gotten information for the side opposite when they were in Opposition. He was always very obliging. Nobody is going to question that. He took his responsibilities in this House very very seriously — extremely seriously. He recognized one of the cornerstones of this particular institution. Information had to be provided upon request, and it had to be provided in its totality, and it had to be the truth.

If we depart from that to the point that we are denying Members of this House the right to know, then I ask: what are we doing here? What are we doing in this parliamentary chamber if we cannot expect to have the information requested presented to us. Or is this a method where we are going to be spoon-fed through Ministerial Statements and little tidbits thrown out so the newspapers can be full of the accomplishments of the Minister of Justice?

²³ Is that the intent of the side opposite? Is that the strategy of the side opposite, to say to this side because we are knowledgeable about government, we know the questions to ask, we know how a budget works, to deny them information, to deny the public's right to know? Is that the *modus operandi*? Is that what the definition now of open and accountable government is?

Is that where the government stands now, the Government Leader who will stand up and so piously say is the most open and accountable government in Canada and at the same time we know the record so far, but we see the door shutting faster and faster as far as information is concerned. Especially in this particular area, when you consider the major reversal of policy that has occurred here when the precedent had been set and those particular contracts were made available to all Members of this House and, in turn, the media and public that we serve.

Yet with the playing of words we can stand up and rationalize, and the side opposite can say to the general public, "This is a new policy, this is innovative." Why are we being denied information of money spent in May on projects that we are being asked to approve in December. Why can that information not be made available now as opposed to April? Why not? Is there something to hide? Is there something there we are not supposed to see that hopefully the media and the opposition and the public do not read, or it will be so old by the time we get a chance to scrutinize it that it will not be of any account because maybe all the actors who were involved in that particular project will be gone from the civil service? Or the consultants may have made a fortune and left town and we will not be able to question what they were doing? Is that why? Why is that information being denied to the public?

We wrote this letter, and we wrote what we felt to be a reasonable accommodation to meet the aspirations of the government to be open and accountable and serve the public that they said they were elected to serve. We wrote this particular letter to the side opposite to also meet our legitimate responsibilities, which was basically to get the information so we could question, if there were questions that arose, the various projects that the government has undertaken, in some cases without the sanction of this House, and have completed prior to asking for approval of the contract money. But what is wrong with that? What is wrong with providing to the the information to the public that is required for us to do our work? I cannot accept the dismissal, the immediate disdainful dismissal of the Government Leader saying, "We do not collective bargain, we do not answer to the general public we serve, we do not answer to the opposition, I answer to myself".

²⁴ At the same time, I get a letter that says it was discussed in Caucus. So much for the Cabinet. We have brought forward some very legitimate requests. We have the Minister of Justice who has the nerve traversing the countryside saying that he is listening to the

people and that he is going to bring a Human Rights Bill before this House. What about basic principles of the right to know, the right of political allegiance, the right of political affiliation.

We have been turned down information by the same government that purports to stand for civil rights and human rights. We have been turned down by parliamentarians and denied information that is required to do our work. At the same time, they will sit there and read their little green books and their little pamphlets and will whisper in the corner. I notice that the Minister of Community and Transportation Services is not reading a newspaper today, and that is an improvement.

How can you ask us, in all sincerity — forget party affiliation, as Chairman of this House, elected by all Members of this House accept this in your partiality to conduct people's business — to proceed with this Bill, yet the government does not have to give the information that we requested. How could you in all impartiality accept that as a given? You cannot. You cannot, I say to you.

How can the side opposite ask us to proceed with a Capital Budget of hundreds of thousands of dollars and not provide information that we request? It is a travesty. It is a major departure from any debate that has ever taken place in this House. The side opposite will say that they stand for open and accountable government. The Government Leader will say that we are dragging our feet on the budget. I recall the one time we sat here and cooperated with the Government Leader, and he criticized us as soon as we were out the door because we went through the budget too fast. The last time he criticized us because we were there for too long.

He is the parliamentarian who can appreciate this House and wants to be in the public forum and who stands up to defend the policies of his government. He is the same Government Leader who says that he will compromise, that he is prepared to listen to the people. The Minister of Justice has traversed this country of ours, the Yukon, with his Human Rights Bill, listening. That will be a debate; the government that listens. But, that is another story. We will be here a long time unless we start getting some information.

As an MLA, duly elected for Porter Creek East, I have certain responsibilities over and beyond my party affiliation. I am responsible for the people I represent in the region of my constituency. My responsibility as a legislator is to ask for information, and the government has a responsibility to respond. If any Member of this House accepted the principle of denial — and that is what it is, a reversal of policy. It is not as if it is information that has not been provided to us in the past. We are supposed to stand up and take it, because the Government Leader in his arrogance stood up and vindictively got after the side opposite and said: Nyeh, nyeh, nyeh, when you Conservatives were in power you did not provide us with the information.

That is not an excuse, when he spent how many countless hours of his staff going through the Votes and Proceedings to find that they asked once in six years. It was such an important question that they never followed it up. We are supposed to sit back and cower from the Government Leader as he stands up and pontificates to the masses. This is one guy who is not backing down. I may only be five-foot-six, but I stand my ground.

The Government Leader has a responsibility to the people of the territory. He came out with a policy that said on \$5,000 or under, the public does not have a right to know. We asked him why, and he said he had to take it under advisement. It is a Cabinet decision, so the Minister of Justice has led us to believe. That is how important it was, yet he cannot explain to the House why we cannot have that information.

I want to know why that information is not going to be made available to the public we serve.

Chairman: Order, please. Thirty minutes.

Mr. Lang: I have another 30 minutes?

Chairman: No, you have spoken for 30 minutes.

Any further general debate on capital expenditures, Community and Transportation Services?

Mr. Lang: I have a question, or is that in the orders? Are we making new rules as we move along here?

Chairman: Mr. Lang, on a question on general debate.

Mr. Lang: What is the policy on providing sanding trucks to the various camps on the highway?

Chairman: Order. The question does not pertain to general debate on this area.

Mr. Lang: It could well require a grant. I am asking for the policy. It has always been the tradition in this House that when you are in an area in general debate, it has been wide-ranging enough to be able to discuss and raise other policy areas, even if it does not directly, but indirectly, affect the budgetary situation that we are facing.

I can save it for later. I do not have any problem.

Chairman: I would prefer that. This is general debate on the Local Employment Opportunities Program.

Mr. Lang: The Auditor General's report shows that the government is moving very quickly and rapidly into financial disarray. Since LEOP is a program that is under Grants, is the recommendation for Grants going to be undertaken and referred to this program to ensure that it meets the legislative requirements of the Legislature?

Hon. Mr. McDonald: That particular question has been referred to Public Accounts.

Mr. Lang: I am sorry. I did not hear the response.

Hon. Mr. McDonald: The matter is being referred to Public Accounts.

Mr. Lang: That is not my understanding. On page 14, it is pretty clear that grants are listed separately in the appropriation act. Why is it not being done so that, in the Supplementaries, it is identified where that money has gone.

Hon. Mr. McDonald: The Supplementary is for an expenditure about to be transacted. The money cannot have gone anywhere yet, because it has not yet been spent.

I reiterate that the Report of the Auditor General is not under debate at the present time, though I understand what the Member is attempting to do. He wants to prolong debate. His real intention is to obstruct, so I will respond in light of that.

The matters that the Auditor General referred to will be turned over to the Public Accounts Committee. The Committee will make recommendations to this House.

Mrs. Firth: I want to ask the Minister of Community and Transportation Services if I called his department and asked for copies of contracts, if the civil servants would be authorized to give those copies to me? Or, if the media phoned, or the public phoned?

Hon. Mr. McDonald: I wonder if the Member could more specific in what she is asking for. Is she asking for a capital agreement between the government and a community or organization with respect to a particular construction?

Mrs. Firth: No, I am referring to contracts such as ones for specialized research, ones that could be under the \$5,000 limit and ones that could be over. Would they be authorized to give that to me?

Chairman: Order, please. We are in general debate Local Employment Opportunities Program, and there are no such contracts within this program, so I would prefer that you brought it up at a later date.

I would like to keep the discussion to the business at hand in Committee of the Whole.

Mrs. Firth: We are discussing LEOP, which is just one part of Community and Transportation Services. Is the Chairman giving me the direction that I am not at liberty to ask the Minister of Community and Transportation Services anything else about his total budget? I am of the impression that we can ask questions about the capital estimates, of which this is just part of that whole program in Community and Transportation Services. My question relates to the department in total, and it is a specific question about contracts within that department.

Hon. Mr. McDonald: I would obviously prefer that we debate capital expenditures. LEOP is a portion of capital expenditures. If the Member has a specific contract that she would like to peruse, then all she needs do is ask.

Mrs. Firth: Just for clarification, is that the department officials I could ask? I could phone the department and have access to the contracts?

Hon. Mr. McDonald: If a Member asks for a policy; if the Member has any question about a specific contract, she can pursue information about that contract with the department. The Minister of Government Services has already indicated the principles on which the information will be released. Those principles stand. ²⁷ The Member does not have to go through the *Access To Information Act* technical procedure, but if the Member has a specific question about a specific contract, I would not see any reason to worry about not being able to get access to it so long as it conforms to the principles of the *Access To Information Act*.

Mrs. Firth: Is the Minister telling me now that his civil servants have to comply with the *Access To Information Act* for requests? I was under the impression that a policy directive was given to the civil servants to indicate to them how they were to respond.

Hon. Mr. McDonald: The Member is not listening, and that is too bad. I should say that it has been indicated umpteen times in this Legislature over the past two weeks — it seems like five weeks — that the principles from which the information would be released would correspond to the principles in the *Access To Information Act*. No person in the public would have to go through the detailed procedure, through the territorial archivist in order to seek that information. I said numerous times as well, despite diatribes from various Members, that if a Member asks for information on a particular contract, I will endeavour to provide that information.

The Member has asked a number of times, even during this Session, for information as to a particular contract, and I have provided that information. I would like to say, and I hope the Member will recognize this, that I have been able to provide the information with a great deal of speed, which was something I was never treated to when I was a Member of the Opposition. I have been attempting to try to provide the information with alacrity. If the Member has a specific question on a specific contract, I will be more than happy to provide the information.

Mrs. Firth: I am not talking about the Minister's past woes as a Member of this Legislative Assembly; I am asking about my ability as a Member of the Legislature to phone his department and ask for details or particulars about a contract, whether the media can do it, or whether the public can do it. The Minister is telling me that I have the freedom to do that, the public has the freedom to do that and the media has the freedom to do that, and his department officials will respond by giving the information. Am I interpreting that correctly?

Hon. Mr. McDonald: The question is repeated and the answer is the same answer I gave before. I can understand what the Member is doing, she is joining the Member for Porter Creek East in obstruction. Fair enough. The Member for Porter Creek East wanted to move into O&M and talk about sanding trucks and those sorts of things that are guaranteed to delay debate. It is pure obstruction; I understand that. The information that the Member requested will be delivered as I stated it would be.

Mr. Lang: With respect to the Capital Budget in 1986/87, the Minister of Transportation and Community Services took a great deal of delight in saying that he had one of the largest budgets in the government. I am referring to the Community and Transportation portion of his capital requirements and his ministerial responsibilities. The total authority that was granted to the Minister of Community and Transportation Services was \$38,122,000. Going along the route that you would like us to go, the only request is for more money for one program for \$3 million. Could the Minister tell me if his capital requirements are such that he is not going to require any supplementaries in the Spring with respect to page 10, the vote authority was granted to him during the last Capital Budget debate?

Hon. Mr. McDonald: Our understanding is that a supplementary is not required regarding projections into the future. That is something in the budgeting cycle that is done regularly, and it is indicated that for all other programs, no extra requests are needed to fulfill the requirements of the budget that was passed in the Legislature this time last fall.

Mr. Lang: I am going to look, with a great deal of interest, at the budget that is going to be tabled in the spring. Obviously, we

voted too much money, because the Minister is telling me that he is right on with the allocation of dollars and the supplementaries that are required, and he will be reporting back to this House, as trying as it is, that his budget is balanced. We are going to be looking forward to that. In past years, in scrutinizing the budget, there were supplementaries, not just requests for more money to align departments. I am just making the point that the information is scanty, and we are having a late sitting of the House. We find that surprising.

Mr. Phelps: I would like to get back into the most interesting issue, and that is that we cannot get information upon which to exercise our prerogatives as Members and vote. I am rather curious by the about-face that the government has suddenly come up with. They had a situation where they had set a clear precedent. They gave the Opposition and the public access to all of their consulting and service contracts. We had the opportunity to go through them and check for inaccuracies. For example, we were able to bring forward that 72.5 percent of the contracts let over a five month period were for less than \$5,000. The public is very interested in that.

²⁸ This government wants to hide 72.5 percent of the contracts given out — sweep them under the rug so the people will not ask questions about them. It is interesting that the most embarrassing questions asked in the last Session had to do with some of the smallest contracts, the \$1,400 for example for rewriting work that ought to have been done in the Executive Council Office and by staff who are on full-time. I recall an editorial about that item. I suppose it is very embarrassing.

What has happened? Everything that this government does brings us closer and closer to life in Manitoba. Now we have a new principal secretary and all of a sudden we have a policy for more secrecy and more closed government. It seems to emanate from the Government of Manitoba. This is not Yukon government. When they need somebody with skills, they go to their friends in Manitoba and bring up the people because nobody here, I guess, has their confidence. They bring the top man from the Premier of Manitoba's government up here and what is one of the first things that happens? Somebody wants to know how much he is being paid. How much are the taxpayers paying this whiz kid? May we have a copy of the contract?

There was a lot of sputtering and stuttering, and they were not going to tell the people of the Yukon that they had actually hired this fellow until somebody happened to stumble upon it and bring it forward — most embarrassing for the government. Then finally, after a long delay, this open government finally came forward and stammered \$52,000. Any fringe benefits? No answer. Can we have a copy of the contract? Well no, you have to go through the *Access To Information Act*. Why? Why? What is the government hiding. It is an obvious question to be raised. They were asked; they will not give the contract out. They are forcing the media, not us, in this case. They are going to make getting any kind of information upon which a critical analysis can be made impossible. I guess that is how they do it in Manitoba. They came to us with the Manitoba proposed human rights bill and told us that is where they got all that good stuff, the 36 pages of drivel that were tabled in this House last Fall. They are sticking with the Manitoba principles, come hell or high water, because that is how they do it in Manitoba. Come to the Yukon and change it. Let us make the Yukon like San Francisco. ²⁹ Why not? We do not like the way it is, but we choose to stay here and change it rather than move it to a place that is more in keeping with our lifestyle and our standards.

I feel that this kind of secrecy is uncalled for. We asked for these contracts. We got these contracts. They never did. You can go through *Hansard*, as our researchers have. They did not make those requests, but they are bitter, thin-skinned. Thin-skinned seems to be the quality that we often hear in the remarks that the Government Leader used. We want information. That is all. We do not want to sit here and hear about the past, the ancient wrongs and the whines of Members opposite. We would simply like to have the material that they were giving to us until they felt they had something to hide, until suddenly they got the new commissar from Manitoba. I bet the telephone expenses for advice from Manitoba, up until

recently, must have been mindboggling. We should get a hold of those. They get their human rights stuff from there; they get their most important Order-in-Council appointees from there.

To hide and hide and hide again, close the door on the opportunity for the public to know how their money is being spent. I do not know how they can possibly make any kind of convincing argument to the public at all about this arrogant change. I cannot imagine a Yukoner listening to the kind of weak argumentation that we have heard, listen to the rhetoric about the past, listening to a partial excerpt from *Hansard* being read, dated 1983.

Our complaint has to do with the fact that, in this Assembly, a policy was displayed. If we change that policy, we would come under the same kind of criticism that we are delving out, but I can tell you we would not change that policy.

So we sit and listen to the Government Leader. Let us talk about the numbers you spent on that same position. We will get into that. We will get those answers: the dollars that you have spent for the same position you are speaking of.

³¹ We remember the misrepresentations that he made back then. This is not the first time we have had to deal with that. We are going to continue to expose this new style of government to the public because we are concerned about what is happening here. We are concerned about the double standard. We are concerned about people who say one thing, yet do another. We are concerned about manipulation. We are concerned about false consultation. We are concerned with what is to occur with human rights in the territory. The Manitoba way is to go out and talk consultation, not listen to anybody, come back with the same principles and try to trick them a little bit.

We are concerned with all those things, and we intend to bring the point home. We intend to do this only because we sincerely believe that no right-thinking Yukoner can go along with this coverup. No right-minded person really believes that a government ought to be arrogant enough to act as though it is their money, and they are doing a favour to let us know how any of it is spent. This, I guess, is the Manitoba way. We will run this territory as they do it in Manitoba, line by line, item by item, policy by policy, thought by thought, resolution by resolution.

We are rather interested in how many of these contracts find their way to Manitoba. That would be rather interesting. We will have to check that out because a lot of them have so far, and we know that. We also suspect a lot of them are right now. We will be asking those questions, and we will be ferreting some of this information out. We do not think that the Yukon people voted for the Government of Manitoba in the last election. I do not think they voted for human rights fiasco that we have now or for fundamental changes in their lifestyles. I guess the government figures that if you like San Francisco, it is just a short plane hop away.

Then we look at the capital expenditures in Community and Transportation Services. I find it difficult to believe that there is anything they want to hide, but then I suppose that reasonable doubt could be easily erased. It is just a very reasonable doubt to suspect that there must be some wrongdoing or something to hide when we cannot get information on behalf of the taxpayer of the Yukon.

³² When you cannot get the facts and figures so you can assure your constituents that this government was not just giving out contracts to friends without tender, and, no, this government was not really going directly to Manitoba directly to get all this work done; no, this government really was not looked upon very fondly by consultants in Toronto, Victoria and Vancouver as a great source of income for them, that they were really genuine about some of the things that they said about open government, that they would not suddenly lose heart, and knee jerk run and hide when they had already established a practice by precedent in the Legislature.

All these things we would like to be able to reassure Yukoners and bright-minded people about. Apparently we are not to be given that opportunity, and it is a shame. It is a shame that we apparently are going to suffer more government and more inspectors and more search and seizure and inconvenience of government when the burden is already far too great. It is a shame when we cannot even fight back in a modest way by examining the methods by which this huge government is being forced upon the people of the Yukon and

being able to examine whether if the government is wrong, at least they are technically doing it in the correct manner. That is a shame.

It is a shame that there has to be innuendo and a reasonable doubt in the hearts of Yukoners as to whether or not such things as patronage are afloat and adrift in this ocean of government spending.

We would love to see a situation occur when we can get on with the business of the House in a workmanlike fashion. We would love to see the situation develop in such a way so that we could, in good conscience, vote monies to this government, because we would be able to perform our duties as watchdogs and be able to reassure the public that we have no reasonable doubts about the way in which all these almost discretionary things are being expended. We would like to be able to find ourselves in that position, as we were this time last year, and as we were early on in the Spring Session, but we cannot. We simply cannot. The government will not give us the information. They will not let the people know how they are spending the money.

³³ They want to give us 28 or 27 percent of the contracts, I guess, at their leisure, and 72.5 percent of the contracts, oh no, people cannot see how that is spent; that might prove embarrassing. The unfortunate thing is that if we were starting from square one and day one, they might even have an argument. "This has never been done before in the House." It was never asked for before. Of course, that is the logic of the Government Leader. They set the precedent. Yukoners have a right to expect that the expenditure of their monies is being scrutinized for the kinds of things that raise these doubts. They have a right to be able to call up and say, "You know, we hear there are some contracts in such-and-such a department, and we are hearing some pretty bad things about these contracts." The answer: "Well, we have got them all here and we do not see anything wrong."

You know, the government is publishing a list quarterly and all the contracts are going to be on that list. They said that they do not want to have to be in a position to hide 72 percent, or to let out little, tiny contracts so that their friends do not have to face public scrutiny; they do not take that position at all. We would love to be able to say that. It would be a joy to go back to the practice established ever since I have been sitting in the Legislature as Leader of the Official Opposition.

Sure, analyzing the raw material takes a bit of work but, once again, we have good reason to question the way in which the side opposite uses statistics. We feel, on this side, that we have the right to look at these figures and draw our own conclusions. We do not need the side opposite to be our schoolmarm, our editors. We do not need our thoughts manipulated anymore than does the public of Yukon. Heaven knows, they have been subjected to a lot of that from the Minister of Justice and Government Services.

It is only \$3 million here, \$4 million there, \$7 million there; what the heck, it is not much money. I suppose people do not care if it is going out in hidden ways and quiet ways, untendered, to friends of the people in power, friends not necessarily in Yukon. I suppose that those kinds of concerns do not cross many people's minds, or do they? I think that once the people in the streets of Whitehorse, in the streets of Carcross, and the streets of Haines Junction and Dawson City realize what is going on here, they are going to have one question in their minds. They are not going to understand all the fancy arguments and the rhetoric from the other side.

³⁴ They are going to have one question in their minds: what are they trying to hide? What kind of dirt is going under the carpet now? To say you can ask any questions when you cannot have the contracts, the names and the people evades the issue in an evasive manner. If the side opposite has nothing to hide, then why will they not give us the documents like they did in the past?. If this is not the Manitoba way, if there is not a strange coincidence in the fact that now the chief *honcho* is here from Manitoba, hiding his contract, then why the sudden reversal? Did this new person come along and start seeing things he did not like and he did not want the public to see? That is a valid question when we cannot have the material. It is very easy to put that at rest; just give us the contracts as you have in the past, as per your policy, your precedent and the practice that is established in this Legislature and ought not to be changed.

Now, you can say, well, we were just too stupid to realize what we were doing. We find that most acceptable. We will overlook that if you just go back to it. Once you establish a practice in this Legislature, you cannot expect to change it that easily. You cannot expect Members who act as the watchdog of the people of Yukon to forego their obligation to those people. That obligation is to insist that you go back to the established practice. I have already said that we only want the practice as it was exercised and established by this government.

We have already said that we would compromise, even, and take a step back from that, as per the letter of our House Leader, dated December 1. We do not understand why Manitoba has this huge influence on people who were elected by Yukoners to govern Yukoners. We do not understand that. We have not had one solitary good reason for changing the established practice, established by the Members opposite.

³⁵ We have said that we would not change the practice. That is a promise. You can bet that if we were sitting over there, if there had been an election this summer, and we changed the practice, there would be all hell to pay. Talk about double standards, trying to justify something on ancient history, one quote in volumes of *Hansard* back in 1983. I bet it cost the taxpayers a good penny to get that quote out. We probably could have gotten a lot of contracts out of the expenditure of those monies.

Here is a government that can spend tons of money on a propaganda campaign, tons of it. It can have controversial ads blaring over the radio of the Yukon at the taxpayers' expense. It can have hundreds of these propaganda pamphlets put together to serve their own end before there is a policy that is accepted by the people of the Yukon on human rights. The people of the Yukon must feel really stupid because they do not understand, "we are great people, we are wonderful and no one has moral standards but us". The insult to the integrity, to the goodwill, to the tolerance of Yukoners, unprecedentedly, with this human rights fiasco, carried on and reinforced with this new methodology to hide 72.5 percent of the contracts that they can sneak out under \$5,000, 72.5 percent of the service and consulting contracts.

Yet, is the principle evoked here that we have nothing but contempt for the people of the Yukon, that they will not understand it, that we can double talk them, we can double talk our way around almost anything, we can get away with murder". Is that the position that the government is taking? Are they really trying to say that Yukoners are so small-minded that they will agree with the Government Leader and say that what happened in 1983 is justification for closing the doors on open government. I do not think that people in the Yukon are that small-minded or that gullible. I hope they are not. Deep in my heart, I know they are not.

I do not really think that the vast majority of Yukoners are fooled by what is happening with the human rights thing either. Of course, we would dearly love to have all the contracts with regard to the promo of the propaganda campaign. Once we get those, we would like to have all the contracts, all of them, or at least a compromise position, which was presented by the House Leader. They can give us a list, once every three months, of the pertinent data.

³⁶ The pertinent data is clearly set forth in that letter. What we want is a printout, that is all, with the 1) name of company, contractor and address; 2) Yukon contractor or southern contractor and location; 3) Purpose of the contract; 4) Date of issue; and, last but not least, value.

I think that any right-thinking person would agree that this is public money and this information is a minimal requirement if it is being asked for, and we are asking for it. The fact that the Opposition before never asked the previous government is an argument that does not wash at all. I personally could not care less. We are talking about now and talking about the future. One of the NDP phrases is "we are forward looking, forward looking and forward looking" until they get into a jam, and then they keep backwards looking and backing into almost every obstacle that one could throw into their path. They go back to prehistoric times, they are fellow dinosaurs if they could find some way of using that to prevent us from getting to the truth of the matter, and that is all we want.

I do not like the statistics I get from Mr. Kimmerly. I do not like most of the things he says I want to examine them for myself. I find that the statements do not reflect what is happening, and I find that to be a grave concern to have to check and have to follow-up and follow-up and follow-up. But we will do that. We do not like it one little bit.

The Member for Porter Creek East, in case you had not heard, just whispered in my ear and he had a very interesting thing to say, which I had forgotten and I thank him very much for it. He reminded me of something I had lost sight of. Apparently the figure of 72.5 percent and the numbers did not emanate from the mouth of the Minister of Government Services or from any of the Members opposite at all. I had forgotten that. Where did it come from? Oh yes, it came from the research of the Member for Riverdale North, and I think we all owe him a vote of thanks for getting some facts out that are pertinent to the issue at hand. I would like to take this opportunity to commend not only the Member for Porter Creek East for reminding me of this oversight, but to applaud, personally at least, the good work of the Member for Riverdale North.

³⁷ A compromise position has been delivered. It has been turned down out-of-hand. This is not an attempt to run government from this side, or to deal in all the kinds of things that the Government Leader has been talking about. This is a defense of a practice that has been established in the Legislature, of a policy and procedural precedent that has been set. This is a defense on behalf of the Legislative Assembly and of all Members present, a defense of their right to know, their right to have the facts upon which to base their decisions and their arguments, and it is the defense of the people of Yukon. The foundation of the argument is a defense of the average citizen to know what this government is doing with their money.

Chairman: We will now recess for 15 minutes.

Recess

³⁸ **Chairman:** The Committee of the Whole will now come to order.

Hon. Mr. McDonald: If there are any questions on LEOP, I would be pleased to answer them.

Mrs. Firth: I want to talk about public accountability of the LEOP. This is one area where the government has decided that they are going to dispense funds with a Selection Committee on it who are going to make decisions about who is going to get the funding. I listen closely when the Government Leader talks about public accountability. I have talked about public confidence, and we have all talked about trustworthiness of the public, integrity of politicians, and how governments have to earn that public confidence.

Yet we have a situation where we have asked the government for some information, and the information has been denied us. We have had criticism from the government that we never offer any constructive ideas or positive solutions or alternatives. Yet, we were very cooperative and offered to them an alternative solution to the impasse in the form of a letter requesting that this information be provided to us on a quarterly basis. I want to give just a couple of examples as to why we feel, as an opposition, that we have to be very specific when we ask for our information.

We asked eight months ago about a \$4,900 document that had been prepared by a person for this government. The Government Leader kept telling us that soon they would make a decision and soon we would know what the public position was. He kept referring to the word "soon". Well, soon came along this session, and we asked about the document, and we found that eight months later, the government still had not made a decision on it or utilized the information. They had, however, spent the money, which we had never been asked to approve or authorize.

Then, we have a budget that is presented for \$114,000,000, the largest budget that has ever been presented in the Yukon Territory. ³⁹ We ask for information in addition to what is in the budget because of the sparseness of what is in the information, as is supported by the Auditor General's Report on any other matter. We are told that this information is readily accessible and we asked the Government Leader, in the form of a letter, for the information, and

he again tells us soon we will have this information. Well we have part of it. We have the information for Community and Transportation Services and Education, but we do not have any of the other information which is, as of yesterday, a week since we had asked for it. All along we have been led to believe that that information is all ready just to pull from the files of the civil servants.

I would like to know what we are to say about this government when constituents and the general public come up to us and say "We have heard about these contracts, we have heard about this person getting a job and this company doing this work, could you find out about it for us." Are you, Mr. Chairman, supposed to go back to your constituents in Dawson City and say well I am sorry that contract is for under \$5,000 so the government does not have to tell us who got it or where it was spent?

As a Member of this Legislature I do not feel we should have to go out and say that. I do not even think it is democratic. This government, for some reason, as it does in the LEOP, feels they have some divine right to take public money and spend it where they see fit and not be accountable to anybody as to where it has been spent. Then we come to the contracts under \$5,000.

I would like to know how much money we are talking about here, because we have been given a range of between \$12 million and \$20 million dollars that is spent on contracts. Just from the contracts that we have had as an opposition from the previous policy that the government had where they provided us with copies of the contracts, we have found that 712 out of 981 contracts — that is 72 percent — were contracts that were under \$5,000. Contracts that did not go to tender, contracts that not all of the public in the Yukon had access to, but contracts that this government was allowed to dispense at their own whims and at their own desires.

Then for the government to come into this Legislature and to tell us, the public and the media, that, no, we do not have to be accountable for that, it is not right. We, as an opposition, have a responsibility to ferret out why the government will not supply that information to us.

40 If the government will not willingly come forward with the information, what other conclusions are we, as an Opposition, are the media, is the public, expected to arrive at other than that there are some contracts, individuals, companies, something that the government does not want to discuss openly in public. I will not even say they are trying to hide something. Maybe they are trying to hide something. There is something happening there that this government does not want to discuss in the public.

The government has a responsibility to make that information public and to come forward and discuss it openly and to be accountable for it.

Does the Minister of Health and Human Resources know how many contracts go out every day in her department for under \$5,000? I am sure there are many of them. I do not know how many of them go outside of the Yukon or how many stay in the Yukon. I would like to know if the Minister knows. The Minister is responsible for that huge budget, yet I bet she does not have any idea how many contracts in her department are for under \$5,000, and where the money is being spent.

This opens a government up to abuses. It opens the government up to have people in one area spending money, perhaps giving the same individual contracts that the other Members of the Cabinet do not even know about. Those are the kinds of things we, as an Opposition, have a responsibility to find out. It is a protection for the Members of the government. It is a protection for the integrity of the Legislature, and it is a responsibility that all MLAs have.

I, too, am very concerned about what I call the Manitoba influence, as the Leader of the Official Opposition has mentioned this afternoon. I had a phone conversation with the new principal secretary, at which time he was unclear as to the policy of this government regarding making public contracts. The next thing we knew was that this government had a new policy regarding making contracts public. What other conclusion are we to arrive at other than, for some reason, the new principal secretary — who is some political wizard from the Manitoba NDP Pawley government — must have come here and said, what is going on? What are you fellows doing giving out information? No, what horror. You cannot

do that. Do you know what you are doing? Probably thought, what a bunch of naive people. You do not give out information to the public like that, so that the Opposition can investigate it, can ask questions about \$5,000 contracts that you are giving out. No, you do not do that kind of thing.

After one question on Monday, the first sitting day of this Session, from the Opposition in Question Period to the Minister of Government Services about contracts and, all of a sudden, the government comes in with a Ministerial Statement and a brand new policy about their contracts.

41 I am sure that if we ask the Government Leader, he would say soon, soon we will have the information. We wrote a letter to the Minister of Government Services requesting information on November 5, almost three weeks before the House sat. This big policy was supposed to have been in place by then, but the government did not even extend the courtesy to the opposition to respond to the letter and say they have a new policy, that they were going to announce it in the Legislature. They could have done that, but they did not. They just sat on it, trying to figure out what the policy was going to be. They were probably being told by their new principal secretary that they had to reassess the policy because they were so naive and so out of touch with other governments across Canada that do not do this kind of thing.

All the time, they were professing to be the most open government in North America or the western world, or the western free world, as the Government Leader keeps quoting; the most open, accountable, honest, forthright government. Yet, we say that we would like copies of — not the contracts; we are prepared to compromise; we will take a copy of — a computerized list with the names of the companies and the terms that have been laid out in our letter, and we will make the request of the Minister. I cannot understand, as a Member of this Legislative Assembly, and I am sure you, Mr. Chairman, find it somewhat puzzling as well, how the government thinks they have the liberty to issue to the public, whomever they chose, a contract in the amount of \$5,000 without ever having to be accountable for the money.

The Government Leader also goes on at great length about the Public Accounts Committee and all the avenues to keep check on him. The report of the Auditor General does not give the government an absolutely squeaky clean bill of health, as some would allude to. There are some shortcomings. There are some areas that need to be brushed up on. There are some problems. I would have thought that in light of that kind of information the Government Leader would be more than willing to say look, maybe we have been hasty in making this policy; maybe this policy does not even suit the Yukon; maybe it suits Manitoba, but maybe it does not even suit the Yukon. Yukoners are more inquisitive, they want to know, they want answers to their questions, they want open, honest answers. Maybe it does not suit the Yukon, maybe we should reassess it, but, no, they come back with all kinds of excuses about the cost, the personnel, the money for photocopying and all kinds of weak, flimsy excuses.

Then, the worst offence of all is that the Government Leader gets up day after day when he is asked questions, never gives a direct answer to his question, and proceeds to go on at great length about how the previous government never made this information available.

42 Am I supposed to give the impression to the public that this government is doing something great and wonderful for the public and for the Opposition, that the previous government never gave this information? Well, the Government Leader got up and sputtered on about his research project, and what did the research project reveal? It revealed one instance in *Hansard* over the past I-do-not-know-how-many-years where one of the Members of the Opposition of the day asked for a percentage of contracts — a percentage, not even for a specific contract. I did my own research project, and I could not find any instances where the Opposition of the day asked for a contract. So because that happened, we are not supposed to ask for them either. That is the way this government thinks, "Because we did not do it when we were in Opposition you should not be doing it either; because we did not get that information from you we should not give it to you either." That is

not the way it works.

There are many different circumstances in the Yukon now with the makeup of the Legislature and the makeup of the individuals who are in the Legislature and those who are in Opposition who have been in government and who ask questions and know which questions to ask. The government should receive it in a positive way and in a way that could protect all Members of the Legislature from accusations being made about the expenditure of funds, because the perception of the public is that we all approve these expenditures of funds. We do not. We, as the Opposition, do not, if we do not have access to any of the information as to where the money is going.

Now the Minister of Government Services and the Government Leader say, "Oh well, you can ask. If you hear about any contracts that go out, you can come and ask us and we will give you the information." That is a good way for the government to give advice to the Opposition, because "I had to go around and do it this way because I never had the sense to come into the Legislature and ask, you should have to do it the same way" so the Member for Porter Creek East has to get out in the alley and ask his friends what they are hearing, and, "That is the way I had to do it, so that is the way you should have to do it".

For one who espouses open and responsible and accountable government, I do not think that that is consistent with that kind of attitude.

We are asking for something that is not unreasonable. The public would not perceive it to be unreasonable, and the government has a responsibility to provide us with that information. We are being asked to look at additional public funds to the capital budget of 1986/87, which was quite a large amount — well over \$80 million. We are going to be asked to approve another capital budget of \$114 million. In order to do that, we have to have some access to the information that is going into these funds being spent. We have to know where the money is going.

⁴³ The Minister of Community and Transportation Services pleads with us to ask questions about the Local Employment Opportunity Program. We asked questions about the LEOP. We found out it was a way for three Ministers of the government to hand out \$3 million. They sit on a selection committee and they make the decisions. Now they have found out another way to hand out money. I would like to know how much we are talking about. How much money does 712 contracts under \$5,000 represent? I would like the Minister of Government Services to find out that information for us. Are we talking about another \$1 million, or another \$1.5 million, or \$2 million that this government had the ability to go out and spend in \$5,000 contracts to give to whomever they want to give to without having to be accountable in this Legislature for it.

We are starting to talk about a lot of money: \$3 million, another \$2 million; \$5 million dollars that the government can just go and give away. I remember how outraged the Government Leader used to be, when he was the Leader of the Opposition, at the former government when he felt they were spending money without being accountable. He was outraged. He got up and he gave great lectures in this Legislature about democracy and anti-democratic actions and how we supported our friends and it was all Conservatives getting contracts. He had no shreds of evidence, as the Minister of Justice is always talking about. There were not any shreds of evidence that the Leader of the Opposition used to come into the House with every day and present to the government of the day. He used to just stand up and make the accusations, and he would make them, and make them, and make them. That is exactly what we are doing.

If there is nothing to hide, and if there are no problems, and they are not giving contracts to all their friends, and all the accusations that the Government Leader of the day used to make, why can they not come forward and give us the information? Why can they not prove us wrong?

We can arrive at only one or two conclusions. We always have two options. They either do not know, because none of them talk to each other or know what is going on in their departments, or they do know and they do not want us to find it out. So, they are intentionally withholding the information.

Mr. Brewster: As probably the elder man, there are several

questions I would like to ask. To me, \$5,000 is a lot of money. I do not suppose I have ever had \$5,000 sitting in my pocket in my life. It bothers me that we could let all these contracts under \$5,000. The thing that bothers me more than anyone else is how do the people in the rural areas know these contracts are up? I do not see anyone bothering to listen. They probably do not really care what the people in the rural areas think. How does anybody know, if they are not being advertised or published or anything? How does anybody know that this money is being handed out? How do these people in Beaver Creek know, if they wanted to bid on them? I will give them an example of this, and the Minister of Justice will jump up and say that I am picking on his favourite correctional camp in Haines Junction.

"An initial bid was put out for three contractors. That was all. Nobody bothered to find out if there were any more, and they are all friends of mine. I am not scared to say they got a deal that they should not have gotten. One contractor out there is a little like me. He got into a fight about that. He raised a lot of trouble. He got the contract. He was not even in on the bids, and if he had not stood up and fought for himself, if he had not found that out, he never would have gotten that. He bought the same license as the other. There is an example of the government's invitational bids.

The government would give us the terms of reference, so that people would know how to bid for these, and how people get in on these invitational bids, that would be fine. I never see anything in the paper. I know of a number of cases in that area where they did not bother. One case was with a native band where they brought a backhoe in to use. I asked the fellow why he did not use the native band, and he said they did not know they had one. They could not have cared less. They have their own and they figure out in the office here, and that is it.

I made a phone call to National Parks, because they publish every month every contract that is issued to the Parks. It is published every month with the name of every person who got the bid and the names of who were second lowest and on down. I realize they are a small department compared to this government and that this government could not go that far. I would not expect that. But, I was also informed that the policy of the federal government is that the minute a contract is signed by the Minister, it is public property. That means that anybody should be able to get that contract. We certainly are not doing that here.

I know I have a serious problem, and I am likely to lose all my hair because I worry a little at my age. I have lived and have been respected by the native bands and people all over, and I sometimes wonder what I am doing. Maybe I am out of touch with the world because I grew up in a different world, a world where when someone was told something, it meant something. That was one of the reasons I came to the Yukon. As a young boy, people would say to me, this is the way this is going to be, or that horse is going to die tomorrow but we will sell it to you. I knew what the person was talking about. I must be in the wrong business because I am out of step.

I have to say honestly that I have not had anyone say that I am out of step. They all say that I am in step, keep it up, there is something wrong with what is going on. When I am walking down to my hotel room, people come up to me that I do not even know and tell me to keep up the way I am going. No one agrees that I am out of step.

I think that this House had better look at this. I have a very sincere wish. This is taxpayers' money. I worked hard for my money. Everybody in this Legislature has worked hard for theirs. It is being spent, and we have a right to know what it is being spent on.

⁴⁴ I have a real problem with these contracts. We got them out last year. There seemed to be no trouble; they all came. I do not ask a great number of questions in here, but when I started asking questions I went out into the back there and here is a young lady just going through and taking all our contracts and I asked our staff what was going on. The Renewable Resources sent down a person to get copies of the contracts. They did not even have them. They did not have their own contracts and this can be verified right in there; they spent half a day. I thought I was helping the Minister

over there. Of course, that is an interesting paper he has there, he is not too interested.

Anyway it is quite apparent they do not even know what is in half of these contracts.

Mr. Lang: I rise once again with respect to the issue at hand and the obvious lackadaisical approach by the side opposite. The disdainful approach that is being taken with respect to the very legitimate concerns that are being raised by this side. I never ever knew that the *Whitehorse Star* is as popular a newspaper as I do today. I think perhaps the Member for Kluane has perhaps put it better than anybody in this House, in view of the fact that when he came to this country he did not have any legislation; a man's word was his bond. As he knows, and I know, we are beyond that, regrettably. We are to the point now where there is legislation keeping people in check, making people responsible, ensuring that a bargain is a bargain, a deal is a deal, and I want to make a couple of observations that I was thinking as people were speaking.

We have had the latest start of any Session to my knowledge, especially in view of the amount of work that is being asked for us to consider. When you take a look at the issues that we have before us, we have the largest capital budget that has ever been tabled in Yukon. The largest. Over \$100 million put forward to the Yukon from the Canadian taxpayer. It is interesting, over \$100 million negotiated with the Government of Canada, and in good part, if not in total, because of the work and the effort put into it by one Mr. Erik Nielsen, who the Minister of Community and Transportation did everything he could to downgrade approximately two or three days ago. Never in this House, by the side opposite, has there ever been any mention of the effort and commitment that was put forward by our Member of Parliament. You know why, Mr. Chairman, because he is a Conservative. He is a Conservative, and it is not to their political advantage.

« We have an opening of the Legislature on November 24, and we really only effectively started to go to work on the Thursday of last week. With the opening of the session, the requirement of tabling documents, the requirements of the procedures of the House, the reasons for it to ensure that there is proper and full debate of public disclosure.

Here we are, all of us with families, all of us with friends, some of us from different social circles, but all people who have been committed to the Yukon for many years. Here we are, where the government has brought forward legislation day after day, controversial legislation that they were asking us to respond to almost instantaneously. It is no secret there was some discussion whether or not we would be having second reading on human rights today, a bill that has been the most controversial bill ever discussed in this Legislature — controversial because of the actions of the government, in good part.

The Minister of Renewable Resources tabled an amendment to the *Pounds Act* again, a major piece of legislation that is going to affect lots and lots of people, one way or the other. I am sure he will come to us and say we want second reading tomorrow.

We recognize they want to ramrod this stuff through the House, so-called open disclosure, so-called full public debate, the so-called policy of the Government Leader where the practice is that we should table the legislation and let a year go by with respect to the debate on a particular subject. We are going to push this through. What else are we facing?

It has not even been reported in the media. One of the most major decisions the government can make. They put on the Order Paper a motion to do away with medicare premiums. How many of the public know that? Nobody. That is irrelevant. It is only \$2.5 million, \$3 million — to this government, chickenfeed. On top of that, the public really does not have a right to know anyways, because we will slide that through, probably in a night sitting as a Government Motion, when the media are doing some other work, and the public is examining something else.

The side opposite is asking us to consider some very major pieces of legislation, financially, socially and politically. They are going to affect every person in the Yukon Territory. This is so-called open and accountable government. It is so open and accountable that some Members have disdainfully left the House, because they really

do not think that it is in their best interest to enter into debate. « It is beneath their dignity. It is beneath their dignity to listen to the Opposition and talk about the foundation of the parliamentary system and the importance of information being provided to this side so we can adequately discuss the expenditures of the Government of Yukon.

They are probably up there writing another Ministerial Statement about open and accountable government in concert with the man from Manitoba whose service contract nobody, including the CBC, could get. They cannot find out why this guy took a \$10,000 drop in pay to come to the Yukon Territory from Manitoba. Why? Is there a golden parachute? That is a good question. That is a real good question.

I want to have a nice Christmas. If there is adequate disclosure and adequate reasons for why we should support the government in certain areas, I am prepared to in order to expedite business. But, a climate has developed in this House, and do you know why, Mr. Chairman? The side opposite has come to us and said, "This is open and accountable government". What have they had over the past year and a half? Over the last year and a half, they have provided us with all contracts that had not been tendered by the government for our perusal and scrutiny.

A major reversal of policy took place, Mr. Chairman, because we raised issues out of that. We raised why public money was being spent in certain quarters. Now, the Minister of Justice and the Government Leader stand up and say, "We have a new process; we will spoon-feed you the information and some we will deny you." I say to the side opposite, "You have a responsibility. You have a responsibility to provide this side with the information that we request when it comes to public expenditures." How can any government stand up with any credibility and tell us that it is not our right to know about contracts that are \$5,000 and under unless you go through the *Access to Information Act*, and the Minister of Justice peruses it in the final instance and decides whether or not you can have it.

That is open and accountable government? We have seen a major change, a major reversal in the day-to-day operation of this government. We have seen Members of the front bench show disdain, absolute disrespect, Mr. Chairman, toward all Members of this House. It is becoming more and more and more evident that it is a tragedy to all Members of this House, and a tragedy to the people of the territory. There is a climate being developed due to the lack of information and the manipulation of information that is making everybody on this side of the House very very mistrustful of any action of this government.

« We have seen the performance of public consultation. We have witnessed all the so-called public utterances of how they were going listen to the public. We have a bill to show us the results of what hundreds of thousands of dollars of public consultation has brought us. It is probably going to bring us to one of the most acrimonious debates that this Legislature has ever faced. The Government Leader can take a great deal of pride in his leadership, and his ability to ensure that we meet the acceptable standards of the people of the territory. He is the one who can go home at Christmas and face his family.

We talk about manipulation of information. I want to read into the record an editorial from November 25:

"Manipulation — The Yukon Government has thrown out the traditional format for Capital Budgets and we sure as heck don't like it." I could not agree more. "Essentially, the budget is now just a listing of overall program expenditures by the branch or area of each department, rather than a project-by-project breakdown of how your money is to be spent. Of course, one can still tell what the major projects are, especially if one starts out with some knowledge of past government announcements. Schools, for example, are identified by expenditure. For example, Yukon College gets \$12 million, but no longer does this budget tell which new buildings of the campus the \$12 million goes into.

"From a journalistic point of view, this has made it much more difficult for us to tell you how your money is being spent. Certainly, Finance Department officials were on hand in the pre-budget lock-up with the details, but much more of the time was

used this time around extracting basic information on the major projects, eating up the time that would traditionally be used for getting into the niceties of the budget and some other details.

"It appears to be another step in this government's campaign to throttle the flow of information to the news media. The government protests it is not secretive, but with a couple of welcome exceptions, it carefully manages how and when information gets out for its best advantage. Thus, many of the projects implied, or even listed, in minimal detail in this budget will be announced in a burst of fanfare at some future point by the Minister of that area.

"Rather than screen the projects as they are announced and ignoring reannouncements, we will end up reporting on more such announcements simply because they have new detail, thus the government gets double or triple the publicity. Media manipulation at its machiavellian best.

"The Conservatives have a valid point when they warn that they are asking questions in the Legislature to get the missing information will extend this Session's length."

When asked about the trimmed budget document, one government official said, "It would have to be a foot thick to provide all the details. That is gross exaggeration, but even that, it would be cheaper by far than the several extra days paid for the sitting of the Legislature."

No Member on this side wrote that. No one expressed that. Nobody was involved in writing this. This was written by people who sit up there and watch the conduct of this House day after day. These people are getting tired of being manipulated by this government, manipulated and being spoon-fed like they are really stupid.

"We are getting tired of it. I am getting tired of it. For the Government Leader to stand up and say the reason that they will not give us the contracts is because the previous government did not provide them, how can I honestly stand up and defend the Government Leader when he was the opposition leader and he never asked for the information? He never made it an issue. He never made it an issue because it was beneath his dignity.

It was beneath the station of the Government Leader at that time to ask questions like that. He might rock the boat. There might be someone on the other side of the issue who might be opposed to raising the question. What did we do at that time? We went through budgets in 10 days to two weeks, three weeks at the most. There were millions and millions of dollars. I was a Minister at that time, and sometimes, I never even got a question. One day, I think, we approved \$8 million and were never even asked a question.

That is not responsible opposition. Neither is it responsible government. The Government Leader, who is even now going on a witch hunt through the votes and proceedings in his nice vindictive manner, says that the Conservatives did not provide the information to me.

The Government Leader talks about the previous Conservative government. The media did take us to task at times, and rightfully so. I happen to have been a part of that administration, one of the very few left. I do not deny that some things were done wrong. I will not argue that. It is part of being the government, a part of making decisions. When decisions are made, there are those who are for and against those decisions. When decisions are made, the majority prevails and decides if it is right or wrong. I do not ever recall scathing editorials about the lack of information being made available to either the media or to the general public.

On November 26, we have "information control". That is a very pertinent heading. I would like to read this one into the record, so that when the Government Leader reads the votes and proceedings tonight, since he is not participating, he can have the opportunity to really analyze what his government is doing: "It is not very often that we pursue the same editorial topic two days running. After our exasperating experience this Tuesday, we are going to another run at the Yukon government for its incredible information mismanagement. Trying to ferret out basic details to back up our coverage of the government's capital budget, our stories telling you what your government is doing with your money, has proved worse than pulling teeth.

"Never in the combined experience of our staff of reporters has it

been so difficult to get simple elementary details out of a government.

⁵⁰ "In some countries this government's information control would not just be scandalous it would be patently illegal.

"The problem began, of course, with a budget that is more sparse in detail than usual. We criticized that on Tuesday. On Tuesday we tried to get extra details. Take questions on the Supplementary Capital Budget, that is money that was spent this year, that is the budget we are dealing with right now, this is money that has already been spent. Normally it takes only a quick call to the finance department, but not any more. They say they have been ordered not to answer any questions but to refer us to the government chief flak-catcher, i.e. Cabinet Press Secretary.

"The problem is that he is not available. Whoever heard of a PR officer who is not available." — but he collects his cheque just the same, Mr. Chairman.

"Two hours pass. Our deadline is getting near. Next, a threatening phonecall from us and the flak-catcher finally gets a call back and says he will help out. Instead of getting finance to help us he simply has another PR officer in the overworked, underbudgeted Public Affairs Bureau call us. He does not have the answers to those or other questions so he takes notes. Despite a valiant effort on that bureau's part it is just too bloody late.

"Over at Economic Development, a series of routine background questions. Questions that officials would literally, if the general public called, get referred to the Deputy Minister. There is no need to waste the Deputy Minister's time on that stuff, of course, but with this government we have learned that anything is possible.

"Two days later, two days later, forty-eight hours, the Deputy Minister still had not had time in his admittedly hectic schedule to return our calls. There were other examples to us too of our openly NDP government blatantly violating its own policy of selected officials to answer factual questions.

Support your supposed policy, guys, or admit your trend to paranoia and secrecy."

In my time in public office, as short as it has been, I have never ever seen where one of the newspapers has for two days running made major scathing editorial reports on the government, and this is the first time I can recall that it has been done. The Government Leader would dismiss it out of hand because it is below his dignity and below the government's dignity to even read the newspaper, or read the editorial.

Some people say they are reading the newspaper, but I think they are looking at the pictures. We are dealing with a very serious issue here and it fundamentally goes back to the underlying tones and the underlying reasons under these editorials. That is why we are asking these questions.

We are asking the question of the government: is this House strictly here to be made a mockery of? Is that the way we are going to create this forum, in the vision of the Government Leader as he attentively is upstairs watching TV?

⁵¹ Is that what the Chairman wants to see? The total and absolute disintegration of the parliamentary system? Where when a Member on this side asks a Minister on that side a question, he arrogantly starts to read a newspaper? Is that the kind of climate we want in this House? Is that that attitude that should be exhibited by that side to Her Majesty's Loyal Opposition? Is that what we are going to have to look forward to?

Here we have one of the latest sittings of the House. I know that side wants to get out. They would love to get out tomorrow, and they are bringing forward some of the most controversial legislation. Why? I am sure, in their calculations, in their political aspirations, they look and say, oh, Jim McLachlan, Danny Lang, they will want to get out prior to Christmas. We can push this stuff through with a little bit of political flak, and we will get on to our business. That is the intent of the government. It is not the intent to see fair play or public debate. It is to try to ramrod legislation that is going to have an adverse effect on the people of the territory and give as little information as possible to Members on this side to be able to debate the issues at hand. We do not have the staff that the Government of Yukon has. We have two people in the area of research.

The Minister of Justice is probably up writing another Ministerial Statement. The Minister of Justice has the audacity to tell me that it is too much administrative responsibility to run off 1,000 copies of contracts. Yet, here we are. We have all these documents. They have been running them off. The Yukon Training Strategy, one that is to their benefit. They can find lots of photocopiers, but when this side asks where it is, we have the Minister of Justice trying to manipulate and spoon-feed the Opposition and the media and the public. That is what we have. We have a manipulative government that is sitting there and saying, "The people are really stupid, and we really can give it to them."

I do not accept that. The Minister of Government Services, to whom we have to refer all our questions, who cannot even be bothered to be in the House, tells us, "I have not enough staff." I just did a rough calculation. In 1985-86, he had 124 staff. In 1986-87, he has 164. They have so much government that they do not have enough buildings for it.

People cannot find them. People in my riding phone me and ask, "Where did that department disappear to?" I found out the other day that the M&R building is now part of the government's fleet. More money. Well, who cares? Hundreds of thousands of dollars and we ask for a pittance, a \$1,000 worth of photocopying for the public to see and for us to go through and analyze. The Minister of Justice says, "I will do the calculating for you; I will distribute the information for you." This is the same Minister who answered my colleague from Riverdale North who asked what the split was between \$5,000 under and over, and what did he do? He had the statistics to talk about 75 or 72 percent local, as opposed to 28 percent from outside. The last three or four years is about same, percentage-wise.

Where is the Minister of Justice? The Minister of Justice can manipulate any figure he wants. I have never, ever, in my days of public life, seen anything so manipulative.

⁵² The government is not manipulating me. The Minister is not just manipulating me or the Member for Riverdale South. He is manipulating and stage managing the public, the public we represent, the public that they have forgotten about, the public that they disdainfully ignore. This is the government that went ahead with the receiving home at 501 Taylor Street despite all the concerns of the property owners. Who cares if their values go down? Who cares? It is not our fault. We have lots of money.

This is the government that pontificates about being open and accountable. This is the government that is so open and accountable that when we phone we cannot talk to them. Everyone has seen the criticisms written in various articles in the newspapers. He even had Max Greenwood crying the other day because he could not get through to Tony. Tony had to talk to Jim Beebe. Jim wanted to know what the story was. We heard the response on the radio, but that is typical. We are above all this. We are here to discuss strictly Mr. Penikett's policy and visions for the territory. What visions?

There is a political agenda that has not been spelled out. Well, in part excuse me, it has been spelled out by the Minister of Justice. In respect to the contract at hand, what else are we supposed to think? I hear pork barrel politics. What else are we supposed to think? We have a LEOP where three political Ministers...

The Chairman said I have two minutes. I will take another shot at this because I have lots of time, and the side opposite does, too. I just hope they have cancelled their vacations.

The government tried to tell us that there was not going to be any politics involved in the financing of the LEOP. The Government Leader who is really non-political, he only spends about three hours a week on a Committee. That seems strange that there is no politics involved. It is a totally fair distribution of money because Tony said it is okay. Tony had a tantrum and got his way.

We are concerned of the politicization of the contracting. We are very, very concerned, or we would not be raising it as a major issue. We do not understand why we are being denied accountability of public funds. Why can we not have information on contracts under \$5,000? Why do we have to learn about it in the alley? If the government wants to deal with innuendos, we will. We will bring it up and ask for a contract to be given to someone. Is that what you want? Is that what the side opposite wants, that we deal off the

street?

This side wants to be responsible. This side wants to have the information. I do not think there is any reason why this side cannot be provided with information to have a rational debate on the subject. In their wisdom, they are denying it. We offered to compromise, and where were they? What is wrong with quarterly reporting? What is wrong with giving us information on contracts under \$5,000?

⁵³ I say to the side opposite, "Re-evaluate your position. Have a look at what you are doing and come back to this House and be responsible as you are elected to do instead of being like a puppet being operated out of Manitoba."

Hon. Mr. McDonald: It is my pleasure to be able to speak for a short time this afternoon. I realize that the Members opposite have attempted, quite successfully, to monopolize discussion in order that the conduct of the House could not be undertaken and the very good programs could not be undertaken on behalf of the public. I will undertake it as a personal venture, for my own part, to ensure that the information as to what has happened here does get out to the public. I will make sure I do travel into the Kluane riding and do travel into the city ridings and into Hootalinqua and into Porter Creek. I certainly would be prepared to hold meetings in Porter Creek, Riverdale North, Riverdale South and Carcross.

Some Members: Oh, oh.

Hon. Mr. McDonald: The Members are being characteristically rude while I am attempting to speak. I will certainly make it very clear that the Members have expressed some serious reservations and concerns about the Local Employment Opportunities Program and have made it very clear as well that they are unable to disguise their dislike for the program. Certainly all groups in the territory will be made perfectly aware of that.

I know the Member for Porter Creek East, in his ranting and raving, sometimes lets slip his true beliefs about various programs, as does the Member for Hootalinqua. In the flight of rhetoric sometimes true beliefs do escape their lips and it is going to be a revelation — well maybe not particularly unexpected revelation, but a revelation nevertheless that the Members in the Conservative Opposition have very serious reservations about the LEOP.

The Members have made it very difficult to get the funding passed, and it appears that they are quite prepared to stall the work of the House in order not to let this funding pass the House. I will take it upon myself, starting tonight, to communicate with all these groups and with the community councils and with registered organizations around the territory that Dan Lang, Willard Phelps, Bill Brewster — well Doug Phillips has not said anything, but I will give him the chance tomorrow — and certainly Bea Firth are opposed to an expenditure promoting the Local Employment Opportunities Program.

Mrs. Firth: On a point of order. The Member is directing allegations about the feelings of the Members on this side of the House which are not true. None of the Members that the Member has mentioned have stood up and said they were opposed to the LEOP. We have said we were opposed to the way the money is being distributed and that is a far different thing. I think the Member should be accurate in his accusations and his threats of information that he is going to disseminate about Members of this Legislature. If I see information out of this House saying that Bea Firth is against the LEOP, the Minister is going to find himself in big trouble.

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Point of Order

Chairman: On a point of order.

Hon. Mr. McDonald: I wish when Members opposite use points of order as extremely rude interventions in public debate, when they are not prepared to wait and give Members their turn at discussion because they are, by character, unable to act in a civil manner. I wish, Mr. Chairman, you do rule early in the point of order when there is clearly no point of order.

Mr. Lang: I would like to make a couple of points with respect to the relevancy of the point of order. If there is misrepresentation being made, it is against the rules, by any Member, to make misrepresentation to this House, and it is our responsibility — and

that of any Member of this House — to point out if that is being done.

I want to support my colleague from Riverdale South a little further with respect to this. There is no reason that he cannot proceed with the program in question. He has vote authority already. He is asking for an increase in that vote authority. If that were the case, if his representation was correct, why did he go ahead and spend \$92,000 on the Yukon Hall renovations? He did not have vote authority in the last Capital Budget.

To use that as an excuse to hold up a program is not only misrepresentation, it is a flagrant disregard for the actual legal authority that is vested with him as his ministerial responsibility as a Minister of this government. For him to stand up and threaten Members of this side with holding up funds to communities if we do not bow to his and his government's wishes, is something that should not even have been said in these chambers.

If he is going to go out and do that, then I want to assure the Member opposite, I will be with my colleague, the Member for Riverdale South, with respect to really raising this as an issue. If the government feels they can blackmail us, then they feel they can blackmail the public.

Hon. Mr. Porter: On the point of order, I did not know that speeches were allowed with respect to responding to a point of order.

I think that the appropriate thing at this particular point is that there has been enough debate heard on the point of order, and that the logical course of action should be, with respect, to viewing a response to the point of order and a ruling. What the Member is doing is trying to drag this House down into a personal debate and attack between Members of the House. I do not think that anybody in his right mind should tolerate that.

Mr. Phillips: I think there is a point of order here, and I would like to remind you, Mr. Chairman, that the Member across the floor dragged my name into it and I have not even spoken on the issue. It is misrepresenting my views. I have not even spoken.

Mr. Brewster: The allegations he made against me are completely false. I challenge him to go outside this House and make them.

Chairman: I think we have an argument here on the allegation of facts. There is no point of order. Continue general debate.

Mr. McLachlan: I do not have a lot of questions to ask on LEOP. That is only because my particular riding has no unemployment. We find it kind of difficult to get working on the programs. In debate over this whole issue, I find it very disconcerting to get deadlocked in a situation like this and going nowhere. I do have one or two suggestions that I would like both sides of the House to listen to.

It will mean that the Member for Porter Creek East will have to withdraw his suggestion about providing extra paper and the photocopy machine because that will not be required. It will mean that the Minister of Government Services will not have to bother about the time to do time consuming listing. That will not be required either.

It is this. This government spends a lot of money on supply of particular type of form from a supplier called Moore Business Forms in Vancouver. The forms are designed specifically for a purpose and a destination for each of the forms to go to.

It will mean that the Tories will be waiting 30 or 40 days, however long it takes to come up with a form. That may be acceptable if a solution can be reached. What is wrong with simply adding two more forms to the service order that is typed? One could be blue. One could be red. When the secretary, one of the 164 members of the Government Services staff, runs the work order through the typewriter and types the form — the only one who is involved at this point — she simply types up the service order specifying the pertinent data. Then she pulls it out of the machine and it goes for the Minister's signature; she pulls the last two forms and sends the red one to the Liberals and the blue one to the Conservatives.

It may very well be that in accordance with what the Member for Kluane has said that the federal level that these people use for

contractual obligations beyond which they then go to public tender is not a reasonable figure to use in this case. For the illumination of the Members of the Legislative Assembly it is \$2,000, I believe. It may very well be that the instructions to this secretary is that she pulls the forms that are \$2,000 or less. It may have to be an issue for the Members on my right to consider. This solution does not take any extra staff. It does not take any extra photocopying, and it does not take any extra paper. She simply pulls the two forms and sends them to the parties who are interested in this issue within the interoffice mail. It is completed.

It may be that \$2,000 is a figure that can be considered. In any event, I want to suggest that to continue the debate along the lines that we have been going for the last three or four days is not getting anywhere. As one Member said, there are family members here who have other considerations here within the next three weeks that we would very much like to get home for. I want to throw that out for the House to consider. We may not be able to have an answer within five minutes or today, but, at least, can we not look at a compromise solution. It serves the interests of both and would allow us to get on with the business of the House.

Hon. Mr. Porter: With respect to this afternoon's debate, I feel that I have an obligation to rise and speak to it, because I think that if the House continues in this particular vein of very acrimonious debate, I sense that we are breaking down the level of debate in this House to standards that, I do not think, are acceptable in the public's mind. I would caution the Members opposite that the institution is not created so that we can come here and play theatre at our own whim. I think that the institution was created for a very important purpose, and that is to serve the people of the Yukon.

I think, Mr. Chairman, that this afternoon we have a very deviant form as to what the institution means. I would ask the Members opposite to review the course that they have taken. I personally do not believe in their strategy. We never believed it when we were in opposition. We always thought that the proper way to go about the business would be in a civilized manner and to be able to address the issues that are on the table, and not address the personalities, not to break the debate down as to Members from one side of the House calling on other Member and have that as the substantive part of the debate. Surely that is not what parliamentary governments are all about.

With respect to this issue, we are headed in that direction. I think that all of us, individually, have to look at this question seriously and ask ourselves if we are doing ourselves or our constituents, or the people of the Yukon any good with respect to continuation of debate of this nature. I would suggest, Mr. Chairman, that it is not the best interest of anybody to continue in this vein.

In view of the time, I move that you report progress on Bill No. 18.

Motion agreed to

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will call the House to order. May we have a report from the Chairman of 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 declare that the report has 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

tomorrow.

The House adjourned at 5:28 p.m.

The following Sessional Papers were tabled in the Legislature on December 2, 1986.

86-3-73
Yukon Training Strategy (McDonald)

86-3-74

