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THE HONOURABLE BILL BARISOFF, SPEAKER

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LIEUTENANT-GOVERNOR
Her Honour the Honourable Iona V. Campagnolo, CM, OBC

SECOND SESSION, 38TH PARLIAMENT

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Honourable Bill Barisoff

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THURSDAY, MAY 18, 2006

The House met at 2:05 p.m.

Introductions by Members

C. James: I have a few guests in the House to introduce today: first, Chief Vern Jacks from Tseycum First Nation, his wife Cora Jacks from Tseycum First Nation, Cheryl Bryce from Songhees First Nation, Ron Sam from Songhees First Nation and Kerrie McLean from T'sou-ke First Nation. Would the House make them welcome.

M. Karagianis: I would like to introduce a special guest in the House today as well. Yesterday in the House the members of the House heard me talk about my good friend, who is a strong, proud Gitksan woman — Trudy Spiller. She is here in the House. Please make her especially welcome.

Hon. O. Ilich: In honour of International Museum Day, I'd like to welcome two key figures from our provincial museum this afternoon. John Walton is the chair of the board of directors of the Royal B.C. Museum here in Victoria. He is here today with Pauline Rafferty, the museum's chief executive officer.

Here in B.C. we are home to 423 museums, art museums and heritage institutions that attract more than seven million visitors every year. John and Pauline are among the 2,500 staff and 8,000 volunteers across the province who work hard to make sure that B.C.'s heritage, culture and history are preserved for future generations.

As we approach the long weekend, I'd like to invite all of you here today to take some time to explore the museums in your community. They truly are our community treasures offering not only windows to the past but also insights into our cultural identity. Please welcome John Walton and Pauline Rafferty.

J. Horgan: I want to join with my colleagues from Victoria-Beacon Hill and Esquimalt-Metchosin in introducing to the House a friend in the gallery. We used to play lacrosse together 35 years ago. I can remember that between periods we used to say that I would grow up to be the member for Malahat-Juan de Fuca and Chris Tom would grow up to be the Chief of the Tsartlip Nation. Would you welcome Chris Tom.

B. Lekstrom: Joining us in the gallery today are two friends of mine — people who work very hard on behalf of the people in Peace River South and, most particularly, Dawson Creek. Joining us are John Malcolm, assistant deputy administrator of the city of Dawson Creek, as well as another good friend of mine and a person who works extremely hard to make our place a better community, His Worship Mayor Calvin Kruk. Will the House please make them welcome.

R. Austin: It is my privilege to introduce two couples in the gallery today. The first is my parents David and Jean, who arrived yesterday from Melbourne, Aus-

tralia, where they now live, enjoying their retirement. I can safely say that my parents would fall into the category of political junkies, as they not only still watch QP from Westminster every day via satellite TV but have now just figured out how to watch the proceedings in this chamber via the legislative webcast. Needless to say, they are both very excited to make their first visit here.

The second couple is Renee and Bill Mikaloff, who lived in Terrace for nearly 30 years until their recent move to Victoria. Renee is a registered forestry technician who has spent a lifetime working in the industry, promoting sustainable forestry practices in northwest B.C. Bill Mikaloff has recently retired as a power engineer at Northwest Community College. Renee and Bill have spent many years working in the environmental movement to bring greater awareness to my home community, and they are greatly missed. I ask the House to please make these guests most welcome.

[1410]

Hon. K. Falcon: Today in the gallery we are joined by 32 grade five students from Surrey Centre Elementary, along with their teacher Ms. Scarlet. I can tell you, having had the opportunity to meet with them, the calibre of questions they asked reminded me of how exceptional they are and what great leaders they're going to be in the future one day. I would ask the House to please join me in making them welcome.

D. Thorne: I have the honour today to introduce a special guest to the Legislature. It's his first visit to question period. It's my husband, Neil Edmondson. This is a man who has supported me in my community work and my political work for 39 years. He has now retired from his profession as a businessman and has nothing to do except look after me and my needs. I'd like the House to make him welcome.

K. Krueger: We have a couple of very special people with us in the precinct this afternoon, who have been a big part of the fabric of this place for quite a number of years now.

Melanie Puhallo was a right-arm assistant to Gary Collins, when he was our Minister of Finance, and then to the present Minister of Agriculture and Lands and, most recently, public affairs bureau. Then Steven Puhallo, who was a little cowboy up in Kamloops when a horse fell on him, during the dark decade.... Just when he thought nothing worse could happen, I brought him down here to be a legislative assistant. He went on to become a ministerial assistant to — you're probably going to sense how this story unfolds — Gary Collins when he was Finance Minister, and then to Graham Bruce as Minister of Labour and most recently to two other ministers of this House and very recently to Tourism, Sport and the Arts.

They've realized they're far better off in God's country than down here on the Island, so they're moving up to Kamloops together. The best thing that ever happened to Steven was Melanie. They got married.

They're going to raise a family in Kamloops. I'd like the House to give them a royal welcome and a big send-off.

M. Farnworth: It's the last day of the session. It's a pleasure, on behalf of our side, to introduce and to thank five very bright young people who are in the gallery, who have been working with us all this session. They are the interns. They're Brock McLeod, Gwyneth Jones, Karen Sawatzky, Adrian Etchell and Emily Sinclair. They've done a terrific job, and we just want to say a big thank-you to them and ask the House to do so.

R. Cantelon: In the gallery joining us today is a young man, Terry Beech, who in 1999 joined me on council. He was elected at the age of 18 to be the youngest elected official in Canada. He just recently graduated from university with outstanding honours, and he's here today with his wife Sherri. I hope today the proceedings will not deter him from a future career in politics.

D. Cubberley: In just casting my eyes around the gallery I happened to notice an old friend and colleague of mine, Paul Sam, who is a member of the Tsarflip band. I believe his wife, as well, is here with us. I'm not sure. Anyway....

Oops, forgive me, Paul.

[Laughter.]

Forgive them, Paul. They know not what they say.

He's a very committed activist in his own community and has been a candidate in provincial politics. I would like the House to join me in making him welcome.

Hon. I. Chong: This afternoon I'm honoured to make a very special introduction of a very special individual. It's never easy to say goodbye to a valued member of your team who also happens to be a very good friend.

Today is also the last day for my executive assistant, Ms. Lindsay McRae, who I first met in 2003 when she was attending the University of Victoria, and she walked into my office to volunteer. That turned into a co-op position, which led her to these buildings where she worked as an ALA. Then she worked for caucus research. She left B.C. for a while. She went to Ottawa to gain some more work experience, but in 2005, missing the coast — the beautiful coast that we have — she returned here and joined me as my executive assistant while I was Minister of Advanced Education.

[1415]

When the House rises this evening, Lindsay will be grabbing her backpack to catch a plane at nine o'clock to head off to a very much deserved one-month vacation in Asia with her fiancé Jamie. I know that Lindsay has served all members of this House particularly well as members have brought issues to her. She has treated them with courtesy and respectfulness, and has been very attentive in her work ethic.

Upon her return, though, Lindsay will not be back here. She will be re-enrolling at the University of Victo-

ria to complete her studies. Today I do ask all members to join me in welcoming her as she watches QP for the first time from the gallery and, of course, to wish her much happiness as she builds a new future with her fiancé.

V. Roddick: I had a celebration lunch today with two of the most enthusiastic supporters of life in our province, in our country, that I've met in a long time.

In the gallery — representing a branch of agriculture that produces bulbs for tulips and daffodils as well as the flowers themselves — are Chris and Elaine Gosling who, with two teenage boys, recently brought their knowledge and expertise from Lincolnshire, England, to right here in Saanich. Will the House please welcome them to beautiful British Columbia and wish them a very happy twenty-first wedding anniversary.

Hon. B. Penner: It's a distinct pleasure for me to have an opportunity to introduce you to two longtime family friends, Irwin and Leona Jansen. In fact, you could probably characterize them as my surrogate parents.

When I was considerably younger I spent a lot of time playing with their youngest son and visiting my best friend, the late Dan Jansen. My first political conversations were with Dan, and I think the first political convention I went to was with Dan.

Today his parents are here, Irwin and Leona Jansen from Harrison Hot Springs in the beautiful Fraser Valley. I would ask the House to please make them welcome.

Hon. M. de Jong: We often think of this day, the last in the session, as something akin to the last day of school. There are some people who have worked diligently within the legislative internship program, who are in fact graduating today from that six-month program. They are Corrie Delisle of UVic, Zara Rahman from UBC, Genee Murray from UVic, Matthew Watson from Simon Fraser University and Justin Cheng, a graduate of UBC.

They have toiled with much discipline and much passion. We hope that they have learned a great deal in their time here. We know that we have all profited by their diligence and hard work, and we wish them well.

R. Fleming: Joining us today are two constituents of mine. One is Adam Friesen, who is a recent graduate of the University of Victoria and has just come back from his own personal version of *The Motorcycle Diaries* tour of South America. With him is Ben Johnson, a tireless volunteer who works in my constituency office. Would the House make them feel welcome.

Hon. G. Abbott: In the gallery today is my administrative coordinator, Bert Willing, and she is here with her partner Ron Willems. Bert, to my distress, recently advised me that she was going to be retiring. Of course, other members of the House — former Health Ministers and others — will remember Bert very well. She has been just a remarkable support to a long succession of ministerial types.

I asked Bert why she was retiring young, and she said: "Well, notwithstanding my perennially youthful appearance...." She had actually been employed by the provincial government now for 35 years. So I said to Bert: "Just the fact that you joined up during W.A.C. Bennett's tenure doesn't necessarily give you licence to retire so young."

Notwithstanding that, let's wish Bert all the best and a great retirement. Thanks for all the support.

[1420]

D. Hayer: It gives me great pleasure to introduce 100 grade four students visiting the precinct from Coyote Creek Elementary School in my riding of Surrey-Tynehead. Joining them are their teachers Mr. Marcus Berndt, Mr. Kai Chin, Mr. Patrick Taylor and Ms. Laurie McQuiddy as well as many parent volunteers. Would the House make them very welcome.

Hon. L. Reid: In the galleries today are 34 grade five students from the B.C. Muslim School in my riding. They are joined today by the teacher Ms. El-khatib. I would like the House to make them extraordinarily welcome.

G. Hogg: There are four members of our caucus staff in the galleries today who work so hard, with varying degrees of success, to make us look so good. I'd like the House to please welcome Evan Howatson from research, Christina Ferancik from communications, Raechelle Louise Williams, who is our office manager, and Eliza Bates-Smith, our fabulous caucus receptionist.

D. Jarvis: You haven't introduced everyone yet. I would like to introduce two good friends of mine from the Sooke area, who are visiting the House for the first time in a long time — Gladys Engelbretson and George Penault. Accompanying them is, of course, my favourite wife Dianne.

Statements

SULLIVAN MINE ACCIDENT

N. Macdonald: Thank you, Mr. Speaker, for the latitude that you're giving me.

I just want to speak on behalf of the community of Kimberley, and I'd like to say that we very much appreciated the words of condolences that were given by the Premier and the Leader of the Opposition in the House yesterday. I know that they represent the feelings of all members here. The same expressions of condolences came from the head office of Teck Cominco and from the head of the B.C. Ambulance Service.

I also want to say, on behalf of the community, that we appreciated very much the presence in the community of the Minister of State for Mining, who's still there today, and the Minister of Health as well as all of the ministry staff.

For the community and for a wide circle of family and friends, this is and will continue to be a very difficult time as they struggle with their loss. Consideration

shown by British Columbians, thoughts and prayers are important, and it's appreciated. Thank you very much.

Statements (Standing Order 25B)

PHYSICAL PUNISHMENT OF CHILDREN AND YOUTH

S. Simpson: I'm pleased to stand today to speak about the joint statement on physical punishment of children and youth. What this joint statement tells us is that there is clear and compelling evidence that the physical punishment of children and youth plays no useful role in their upbringing and poses only risks to their development. This statement goes on to encourage parents to develop alternative and positive approaches to discipline.

This statement was developed by a national partnership of organizations and has been formally endorsed by hundreds of groups and citizens from across Canada, including the Ombudsman's office in British Columbia, the child and youth officer of British Columbia, the B.C. Association of Social Workers, B.C. Children's Hospital child protection unit and UBC's department of pediatrics.

What we know is that not only is physical punishment harmful to children, it is not effective as a discipline tool. There is no clear evidence of any benefit from the use of physical punishment on children. Further, there is strong evidence that physical punishment places children at risk of physical injury, poor mental health, impaired relationships with parents, antisocial behaviour, poor adult adjustment and tolerance of violence in adulthood.

[1425]

The joint statement recommends a number of actions, including delivery of public awareness messages to inform all Canadians that physical punishment is harmful to children's development and is ineffective as discipline. It also recommends the development of universal parenting education and provision of the same protection of children from physical assault as is given to Canadian adults and to children in a growing number of countries.

At the federal level there is a bill before the Senate to repeal section 43 of the Criminal Code, which permits corporal punishment of children. At the provincial level we can encourage changed behaviour to protect the interests of children. I will be adding my name to the list of endorsers of the joint statement, and I would urge all members of the Legislature to add their voices to this cause as well.

ETIBAKO FAMILY DEATHS IN VANCOUVER FIRE

D. Hayer: On behalf of all members of this House, I want to express our deepest condolences to the Etibako family and the Congolese community after the tragic deaths in Vancouver earlier this week. A fire at a hous-

ing complex on Monday took the life of Adella Etibako and three of her youngest children: Edita, 13; Beneditha, nine and Stephane, eight. A fourth child, 16-year-old Bolingo, is in serious condition in Vancouver General Hospital. A fifth person, who has not been identified, also perished.

The Etibako family came to Canada looking for a better life. They came to our country to escape violence and to provide the children with the opportunity to become proud and contributing citizens in a safe and welcoming society. It is that reason that makes this situation all that more tragic, as reports suggest this fire was started intentionally.

This tragic incident has also been very difficult for the tenants at Skeena Terrace. B.C. Housing is working very hard to make sure the residents of the housing development receive all the support they require and to help those tenants who have been displaced find a new place to live.

The strength of our province lies in our multiculturalism and our diverse society. It is at times such as this that all cultures must pull together to offer our support to the family and to the entire Congolese community. The Congolese community makes an enormous contribution to our society and to Canada. On Monday about 100 members of the community gathered in expression of support for the family and each other.

Hon. Speaker, I ask that you send condolences on behalf of all members of this House. Our thoughts and prayers are with the family and their close-knit community during this tragic time.

CARIBOO FRIENDSHIP CENTRE

C. Wyse: The Cariboo Friendship centre in Williams Lake has been recognized by the *Globe and Mail* as being one of the best small companies in Canada. Amongst small companies, Cariboo Friendship centre was rated first for corporate citizenship and fifth overall across Canada. The factors used in this evaluation involved how closely the goals of the organizational leaders and workers were aligned and how workplace practices and programs reinforce the employer's vision.

The Cariboo Friendship Society is a non-profit social service agency with 56 employees. It provides shelter services, early childhood programs and employment counselling for the Williams Lake area. While the executive director Margaret Ahdemar notes that providing salaries to match qualifications is a challenge, it is also important to note that the employee turnover rate is only 9 percent.

I request the House to join with me in recognizing the board of directors for their goals and the management and staff of the Cariboo Friendship centre for their ability to jointly focus on providing these services to the people of the Williams Lake area.

ACCOMPLISHMENTS OF INTERIOR HEALTH AUTHORITY

S. Hawkins: I rise today to recognize the Interior Health Authority for their accomplishments over the

past year. They received the highest score of any health region in a provincial housekeeping audit. They implemented the kids need breathing space program and were able to demonstrate a reduction in children's exposure to tobacco and thus a reduction in breathing problems and asthma incidents. In fact, Health Canada called the program an awesome undertaking, and the program has become a model of excellence and better practice.

[1430]

The ICU at KGH was recognized as a Canadian leader in improving patient care and safety, and a regional adolescent psych unit was opened last October at KGH.

Interior Health is creating an environment where staff want to work and where staff want to encourage others to come and work as well. Some \$3½ million was invested for continuing nurse education in '05-06, and 150 nursing students were hired last summer in six clinical areas.

Staff feedback forums and employee assemblies were held across the region for front-line employees to hear ideas for improvement from the people on the front line, and staff participation was used in a major construction project in the facility design of East Kootenay Regional Hospital. They received international recognition for that.

Adult day surgery programs were expanded. A pre-surgical screening program was introduced in all major hospitals, and \$8.6 million was invested to increase access to neurosurgery, general and orthopedic surgery, and to expand surgical capacity. MRI capacity increased by 28 percent over the previous year, with permanent MRIs put in Kamloops and Kelowna and a mobile MRI service added for Cranbrook, Trail and Penticton.

For patient safety they created one automated pharmacy system with quality improvement ideas from staff. That resulted in improved patient safety and a savings of \$1½ million in drug costs. Documents for emergency and OR were standardized across the region, and a picture archiving and communication system was created for 25 sites and 203 workstations, all towards creating a seamless system.

There are a lot more things I can mention, and I think it's important to also give credit to Interior Health for their accomplishments and to recognize the positive things that these hard-working people are doing in our region.

CAMPBELL RIVER SCHOOL MEAL PROGRAM

C. Trevena: One of the things that troubles me about our society is the growing disparity between the rich and the poor. This was one of the reasons I entered politics; I wanted to help create a more equal society. Here in the House, I and my colleagues on this side of the House stand and challenge ministers on that side of the House.

Others are doing their part in their own way — people who work as advocates so that those entitled to

assistance receive it, people who volunteer in food banks or people who run homeless shelters. There are those who daily do things to help their neighbours, to help the community in which they live.

One such person is Lin Kohlhofer from Campbell River. For the last five years she has run a school breakfast program at Cedar Elementary, a school breakfast program that has doubled in number. "We used to have about 12 coming," she said. "Now we get up to 30. No one is ever turned away."

Mrs. K., as she's known to the kids at the school, sees daily the reality of the statistic that one in four B.C. children is living in poverty. She's a lunch-hour supervisor at the school. She sees all the children who pass through the doors as her babies. "The little ones, they'd come up to me and say, 'Mrs. K., I'm hungry.' Others wouldn't say it, but you could see it." So she started the breakfast program and a recess snack program, which has also more than doubled in its use.

Lin also teaches cooking after school to the grade ones through sixes. That allows the kids to learn about nutrition, to learn about FoodSafe and to learn to work together. "But it also means they have something to eat after school," she said. "They might not, otherwise."

Lin's quiet commitment to her community and to her community's children has been recognized. She has recently received the British Columbia Principals and Vice-Principals Association Partnership Award. The award goes to an individual who has shown strong support for public education and created a direct benefit to students. Lin's philosophy is clear. "We all have to work together," she said, "for our kids."

KOMAGATA MARU

J. McIntyre: Next Tuesday marks the 92nd anniversary of the arrival of the steamer ship *Komagata Maru* in Vancouver. It's a cause for reflection but not celebration. The *Komagata Maru* carried 376 passengers from India who wished to come to Canada for the same reasons as millions of others before and since their journey. They came here in search of a better life, a brighter future, and to share in the blessings we all enjoy as Canadians.

Regrettably, they were denied that opportunity. For two months they were forced to sit on board the *Komagata Maru* within sight of their dreams and yet restrained by the cold hands of racism, discrimination and intolerance. Then they were turned away.

[1435]

The treatment of the passengers of the *Komagata Maru* is by any modern standard unforgivable and unacceptable. It stands as a black mark upon the sweep of British Columbia and Canada's history. But sometimes the darkest parts of our history are the most important ones to remember. The tragedy of the *Komagata Maru* reminds us of the failings of our past but also of the progress in the years since — one that embraces tolerance above intolerance, diversity above discrimination and openness above exclusion.

We are a better nation than we were when the *Komagata Maru* arrived in Vancouver in 1914. All of us in

this House are the descendants of immigrants who came here for the same reasons as the passengers of the *Komagata Maru*. As we reflect on this solemn anniversary, let us all recommit ourselves to upholding and celebrating the diversity of the Canada that we now share.

Oral Questions

GOVERNMENT HANDLING OF PORT ALBERNI FOREST LANDS

C. James: My question is to the Minister of Forests. When over 70,000 hectares of publicly managed forest lands in and around Port Alberni were removed from public hands and released to Weyerhaeuser, what specific actions did the government take to consult with the people of Port Alberni and with first nations, and what compensation do we receive as a province?

Hon. R. Coleman: Thank you, Madam.... I'm sorry, hon. Speaker. I apologize. I know I won't live that one down very quickly.

Mr. Speaker: Thank you, minister. Let's start this over again.

Hon. R. Coleman: That was a business deal that was done a few years ago with regard to some private lands that were then a TFL on Vancouver Island. The arrangements that were there, I understand, are subject to a confidential legal agreement on the arrangements that took place there.

Mr. Speaker: The Leader of the Opposition has a supplemental.

C. James: Since the minister won't tell the public the answer to that question, around what the people of Port Alberni got or what kind of consultation happened, then I'll tell the public. The answer is: there was nothing — no compensation, no consultation.

The government didn't even bother asking people what they thought about removing the land from public control. British Columbians got nothing for the removal — nothing. Perhaps the government never asked the community because it actually knew the answer.

Yesterday we brought forward a briefing note that actually showed that the then Minister of Forests completely ignored the advice of ministry staff. In light of public concerns, the briefing note was very clear. It recommended deferral. The document also assumed that there would be public compensation for any land removal.

My question, again. Government knew there was massive public opposition to this deal. The government's own staff recommended deferring the removal, and the assumption was that there would be public compensation.

Why would the government move ahead with the deal without talking to the people of the community,

without talking to the first nations, and with no compensation to the taxpayers of British Columbia?

Hon. R. Coleman: First of all, it was private land. It wasn't owned by the government of British Columbia.

Mr. Speaker: The Leader of the Opposition has a further supplemental.

[1440]

C. James: I find it extraordinary, once again, that we see the Forests Minister completely ignoring the fact that these are British Columbia resources that belong to the people of this province. We hear....

Interjections.

Mr. Speaker: Members.

C. James: We hear this, and we see this over and over again from this government. They don't listen, they don't care, and they certainly don't learn. The B.C. Liberals give special treatment to some, while other communities get shut out. While they ignored the community, they certainly gave the company their full attention. The company got the land, and they got \$32 million of our tax dollars in compensation.

Again to the Minister of Forests: why did Weyerhaeuser get more than they even asked for in the deal, and the people of this province got nothing?

Hon. R. Coleman: Let's not blur the lines. There was a 20-percent takeback that was taking place on the coast. There were discussions taking place with regards to takeback. There were other things happening in the forest sector. The portion the member was talking about earlier was private land — private land. It was contained within a TFL, but it was private land. It wasn't owned by the Crown.

For the member opposite to suggest that.... I guess she's suggesting that we should just go and expropriate all private lands in British Columbia and tell people what they can and can't do on their own property.

B. Simpson: The minister completely disregards the history of tree farm licences in this province. You did not get control over public assets unless you brought the private lands in, built a mill and gave the community benefit from the control of those public lands. That was the deal.

In 2001 this government was offered a deal by Weyerhaeuser. They were offered 25-percent takeback with no compensation, with the exception of maybe removing the private lands or some policy changes. What did this government do? They gave them the private lands out, which meant, really, that contractually they should not have the public lands. They gave them \$32 million in compensation, and they gave them all of the policy changes they wanted.

My question is to this minister again. Yes, they're private lands. They were under public control for a

reason. Port Alberni said in 1999 and 2001 that they wanted them under public control. The minister's staff said they should remain in public control. Why didn't they remain in public control?

Hon. R. Coleman: Maybe I could ask the member opposite a question. Why did the lands that you removed in the 1990s not remain in public control?

Mr. Speaker: Member for Cariboo North has a supplemental.

B. Simpson: I certainly do, and I'm very thankful to answer a question, because it will give me practice for a few years from now.

I'm glad the minister raised....

Interjections.

Mr. Speaker: Members. Members.
Continue.

B. Simpson: I'm glad the minister asked that question, because in 1999 there were private lands removed from the tree farm licence for TimberWest in compensation for public lands going into parks and protected areas. MacMillan Bloedel asked for the same thing on these same tree farm licences. They asked for the same thing in '99. And what did the people say? "Not on your life."

So what did the government do? They compensated in cash. In 2001 Weyerhaeuser came back again and said: "We want the private lands out, and as compensation, you can take back 25 percent of the allowable cut. As compensation, we might take some policy changes, and you can still have the private lands."

What did this government do? They gave them the private lands without consultation. They compensated them for the 20-percent takeback, and they gave them all the policy changes they were wanting, over and above what the company had asked for.

[1445]

Mr. Speaker: Can the member pose a question.

B. Simpson: My question to the minister is.... The very fact that he knows the tree farm licence for TimberWest was compensated for, for the removal of those private lands.... Why weren't these private land removals compensated for as well?

Hon. R. Coleman: Fortunately, today I have no grandchildren. Hopefully, soon I will, because they will be into their mid-20s before this member will ever see an opportunity to sit on this side of the House.

The former NDP Forests Minister, former NDP Premier Dan Miller, called the forest policy and the operations of that government "Soviet-style operations on the forest sector of British Columbia."

Interjection.

Hon. R. Coleman: The member can pick one out, and he can criticize one.

Interjections.

Mr. Speaker: Members.

Hon. R. Coleman: There's more to be picked out, and we could have the debate about it. It's still private lands. There was still a deal done. The member is telling the House pieces of what he thinks he understood took place at the time, but he actually has no idea what the total agreement was, because it isn't public.

Interjections.

Mr. Speaker: Members. Members.

PROTECTION OF FIRST NATIONS SACRED SITES

S. Fraser: We're hearing from local first nations who are deeply concerned about the protection of sacred sites on the lower Island. Representatives are with us here today in the gallery, and they're looking for some answers.

As a result of reduced regulations by this government, sacred archaeological sites have been put into deep jeopardy. In addition, the existing regulations on private lands have no teeth and are not adequately enforced. Yesterday my colleague from Esquimalt-Metchosin tabled a motion to deal with just that. To the Minister of Tourism, Sport and the Arts: will the minister stand here today and agree to protect these sacred sites?

Hon. O. Ilich: I would like to thank the member for raising this issue. This is the first that I've heard of any such activity.

This government actually respects first nations and takes seriously any concerns that they have. Archaeological sites and first nations heritage are a valuable part of who we are as a province, and we have been working with the leadership council on protocols around archaeological sites. If there are caves or graves or sites of first nations significance, we will work with the local nations, our archaeological branch and the developer to preserve them.

I would invite the member to come and talk to me about anything that he has, as soon as possible, and we'll look into it immediately.

Mr. Speaker: Member for Alberni-Qualicum has a supplemental.

S. Fraser: I do, hon. Speaker. I'm not sure that was a very comforting answer for the people that were looking for answers. I am aware of a number of sites — four in this area alone that are certainly in the press.

I'll direct my next question to the Minister of Aboriginal Relations and Reconciliation. Sacred sites are vital to first nations culture. This is supposed to be a

key part of the New Relationship, and this is a relationship that this side of the House supports.

Can the Minister of Aboriginal Relations and Reconciliation tell this House for the record, and for the gallery, what he will specifically do to secure support for first nations sacred sites in British Columbia?

Hon. T. Christensen: I thank the member for raising what is a very important issue to first nations and a very important issue to all British Columbians — that is, protection of first nations sacred sites and archaeological evidence of our collective history in this province.

[1450]

The Minister of Tourism, Sport and the Arts has indicated that there is a clear process in place. If there are specific sites that the member is aware of and has concern about, I would encourage the member to bring those forward so that those specific sites can be dealt with under the current legislative scheme, because there is protection in place.

We are working closely with the First Nations Leadership Council and first nations across the province to find out how we can move forward to ensure that we are effectively meeting the needs of first nations on a number of fronts. Part of that discussion has included discussion around archaeological sites. We will continue that discussion to make sure these sites are being adequately protected.

M. Karagianis: We've heard both ministers refer to policies and legislation currently in place that clearly is not serving the purpose. Here on the lower Island right now, today, sites are in jeopardy — sites that have great cultural value and meaning to first nations communities here.

I would ask, on behalf of those nations, whether the ministers responsible for both aboriginal relations and for culture and heritage preservation will meet with delegates from these communities.

Hon. T. Christensen: The Heritage Conservation Act has been in place for a number of years. The members across the way are well aware of the legislation. They did nothing, while they were in government, to make the changes that they now seem to think are necessary. But as I have said, we are interested in working with first nations to ensure that the legislative and regulatory scheme that we have in place to protect these sites, which we agree are valuable, is effective in doing so. We will continue that discussion with the First Nations Leadership Council and others to ensure that we do have an effective scheme in place.

Mr. Speaker: Member for Esquimalt-Metchosin has a supplemental.

M. Karagianis: I must say that's a very disappointing display of the New Relationship with aboriginal communities. References to things that happened five years ago or five weeks ago or five days ago are not an adequate answer. I am asking, through you, Mr.

Speaker, to the Premier.... I note the Premier has been standing up on behalf of the Kelowna accord. The Premier has come out very strongly about the New Relationship with aboriginal communities.

[Applause.]

Mr. Speaker: Continue, member.

M. Karagianis: Certainly, we have seen that the Premier has demonstrated a commitment to first nations communities, but I would have to ask whether the first nations communities of British Columbia have to demonstrate — like the Port Alberni members of the forest industry had to — in order to get a meeting.

I'm asking today, through to the Premier: will the ministers responsible meet with community members from the first nations today, here, after this question period occurs?

Hon. G. Campbell: To hear the opposition speak.... They clearly are not paying attention to what's taken place in the province. This province is recognized across the country for the leadership that we've taken with regard to building a New Relationship with first nations. I know this for a fact. You build that relationship not by grandstanding but by working hard with first nations day in...

Interjection.

Mr. Speaker: Member.

Hon. G. Campbell: ...and day out, week in and week out.

We have legislation to protect archaeological sites. We will work with first nations. I am sure the ministers will be glad to meet with first nations delegates, as they do every month in British Columbia. We deal with it in every ministry of the province.

[1455]

That's what the New Relationship is about. It's about saying to first nations people: "Join us in closing the educational gap, closing the health care gap, closing the economic opportunity gap, and in building the kind of future prosperity and respect and reconciliation that first nations in this province deserve."

M. Farnworth: The Premier just made a wonderful set of statements and words. But the question is really quite simple, and he didn't answer it.

We have a group in the gallery who journeyed here to this Legislature because they are concerned that their sacred sites are being damaged, destroyed and threatened. The question is quite simple: will his Minister of Aboriginal Relations and Reconciliation commit to meet with those people after question period?

Hon. T. Christensen: I would be happy to meet with people who have attended question period today. But I have to say, Mr. Speaker....

Interjections.

Mr. Speaker: Members, members.
Minister, continue.

Hon. T. Christensen: The level of engagement between first nations and ministers of the Crown and the province today is unprecedented. That dialogue is important, and I am always willing to meet with first nations. If members on the opposite side have constituents and first nations constituents who wish to meet with me at any time, or with other members of the executive council, all they need to do is try to set up that meeting. We will do our best to accommodate it.

Interjection.

Mr. Speaker: Member.

Hon. T. Christensen: But to grandstand in question period does not allow us to actually dedicate the appropriate time that these matters deserve.

Interjections.

Mr. Speaker: Members from both sides of the House, I know this is the last day, but can we listen to the questions and the answers.

MENTAL HEALTH SERVICES

C. Wyse: The Senate Committee on Social Affairs released a comprehensive report on the state of care for people with a mental illness. Sen. Michael Kirby said that he was "shocked by how fragmented our system of mental health care is and saddened by the effect of that fragmentation on persons living with a mental illness." The Senate committee recommended more resources for community-based health services and badly needed housing.

My question: can the minister please tell us when this government plans to develop a comprehensive and coordinated strategy that includes community-based services and housing so that people with mental illness receive the support and care they so desperately require?

Hon. G. Abbott: I thank the member for his question.

I'm actually very appreciative of the work that Senator Kirby and the Senate committee did in respect of mental health issues. I think they did an outstanding job. I've had the opportunity to meet with Senator Kirby a couple of times, and he is actually entirely appreciative of the work that we've done in British Columbia in leading the nation in developing support for people with mental health.

I know the member only arrived here recently, but the member may be confused, in fact, with the performance of a former government in this province. Given it's the last day, it'll go unnamed, but back in 1998 there was a former government in this province that announced a \$125 million mental health plan. Do

you know how many dollars were in reality attached to that plan, according to the Minister of Health? Zero dollars, zero cents — that's what this former government did for the mentally ill in this province.

I'm proud that we're part of a government that's leading to better services for the mentally ill in this province.

[1500]

C. Wyse: There was no province that was excluded from the statement that I put in front of this Legislature. I appreciate the minister's history lesson, and I would now like to bring it into this decade.

This government eliminated the Mental Health Advocate. They eliminated the Minister of State for Mental Health, and they eliminated the ministry's Advisory Council on Mental Health. Homelessness has doubled, and more people with mental health issues are living on our streets. In 2004-2005, \$18.1 million in Canada Mortgage and Housing Corp. was redirected into the health care system.

My question is: when will the minister commit to reducing the wait time for social housing, which now is up to five years in British Columbia?

Hon. G. Abbott: No government in the history of this province has done more to assist the mentally ill and the homeless than this government. We hear lots of criticism from across the way — not much constructive criticism.

I can tell the member this. Mental health community beds in this province are up 30 percent since we took office. Addictions treatment beds are up 19 percent over 2001. We can be remarkably proud — even the members opposite can be remarkably proud — of Seven Oaks, Iris House, South Hills, Seven Sisters, the new neuropsych centre in Kamloops. We should be proud of it, because we lead the nation in mental health issues.

KINSOL TRESTLE

J. Horgan: The Kinsol Trestle is the largest structure of its kind in North America. For the past 85 years it has been straddling the Koksilah River, but now the wood is rotting, and a fire some years ago has made it impassable and unsafe. As a result, the world-famous Trans Canada Trail is incomplete between Shawnigan Lake and Lake Cowichan. The Minister of Transportation recently, through his ministry, acknowledged liability and has committed a sum of money to demolish and remove the trestle. But people in my community are concerned that they don't want it to come down until there's a plan for it to come up.

My question to the Minister of Tourism: will she commit to come with me to the Kinsol Trestle and view it with trail advocates and with representatives from the CVRD so that a true partnership can be developed, this vital piece of our history can be preserved or maintained, and the trail can be complete? That's to the Minister of Tourism.

Hon. K. Falcon: We're going to inflict the Minister of Transportation on you, member for Malahat-Juan de Fuca. I do want to thank the member for the question. Actually, I share the concern of the community that this is a valuable treasure for the Island and, no doubt, for members of the community.

[1505]

What we were able to do as a result of a request from the regional district, who came to me at UBCM, sat down and asked if we could provide the dollars to actually safely dismantle what is, after all, a very big safety issue for the community.... In return for us making that very significant \$1.5 million commitment, they committed to start a non-profit and raise the dollars through the community to actually rebuild the trestle, which will meet the tourism needs and the needs of the entire regional district and community.

We made that commitment, and I'm pleased to say we kept our commitment. We will be investing up to \$1.5 million to see that happen.

ACCESS TO INTEGRATED LAND AND RESOURCE REGISTRY

C. Evans: Hon. Speaker, noting the time, I think this might be the last question in this session...

Interjections.

Mr. Speaker: Members.

C. Evans: ...so I hope you'll find this an especially benign and constructive kind of question. It's to the Minister of Agriculture and Lands, actually.

Interjections.

C. Evans: Could you ask my team to quit heckling, so I can get the question out?

Interjections.

Mr. Speaker: Members.
Continue, member.

C. Evans: At a recent minerals roundup in Vancouver, where investors and mining companies go to meet one another, I was introduced to the one-stop integrated land and resource registry by a member of the Ministry of Agriculture's staff.

I was standing there with the mining community, and I found this new computer program that puts grazing leases, timber rights, road permits, oil and gas permits.... Any form of tenure that a person can do is available for companies or citizens to see. A wonderful tool, so I advise it. It's a good thing. See, I told you it was benign.

I invited the person who put it on to come and present it to MLAs, because I thought this would be a wonderful system for us to help our citizens who have land use questions.

Interjections.

C. Evans: You've got all summer after this. Just hang on. The red light is on, and I'm standing here till I'm done. I'm doing the best I can.

Mr. Speaker: Continue, member.

C. Evans: Imagine our frustration when the woman came and demonstrated the system, and we attempted to get on and then found out that opposition MLAs — helping their constituents when they come in or our constituency assistants up in the north, in the Kootenays or in the Okanagan — can't get on because, lo and behold, we're not corporations. Neither, as the staff told us, are we the government.

My question is to the minister. To fix this up and have us go home with a pleasant attitude, will the minister agree to allow MLAs on both sides of the House — on behalf of the back bench over there and constituency assistants and those people who interact with citizens — the same access to the system that Cominco and Rio Tinto and members of the executive council have?

Hon. P. Bell: Noting the hour, I'll take that question on notice.

[End of question period.]

Tabling Documents

Hon. C. Taylor: Pursuant to the Financial Administration Act, I am pleased to present reports for the fiscal year-end of March 31, 2006, on all amounts borrowed by government and all amounts loaned to government bodies. These reports provide an overview of the province's borrowing activity in fiscal 2005-2006.

Petitions

K. Krueger: I rise to table a petition.

Mr. Speaker: Proceed.

[1510]

K. Krueger: It's a petition from a number of nurses at Royal Inland Hospital concerned about the issue of safe sharp devices.

Tabling Documents

Hon. W. Oppal: I have the honour to present the government of British Columbia's annual report on multiculturalism for the year 2004-2005.

Orders of the Day

Hon. M. de Jong: In this chamber I call continued committee stage debate on Bill 27, and in Section A,

Committee of Supply, for the information of members, continued estimates debate on the Ministry of Public Safety and Solicitor General.

Committee of the Whole House

TENANCY STATUTES AMENDMENT ACT, 2006 (continued)

The House in Committee of the Whole (Section B) on Bill 27; S. Hawkins in the chair.

The committee met at 3:11 p.m.

On section 80 (continued).

K. Conroy: We just want to finish with a few issues under section 80 that are related to 4.1, "Assisted or Supported Living Tenancies." In light of the time, we're going to combine some of those questions together.

One of the issues that have come up with people when we talk about it is that nowhere in this legislation is there any kind of assurance that seniors can move in a timely manner or have any kind of assurance that they can move in a timely manner if it is decided that they can no longer live in assisted living.

Is there anywhere that we've missed it, or is it going to be provided in the regulations that the health authority will be involved in the decisions that decide where the seniors might end up? The minister has said a number of times that there are assurances that they will be involved, but it's not stated anywhere. Where is it going to end up being written out that the health authority will be involved in these decisions?

Hon. R. Coleman: The member describes why there has to be a pretty integrated relationship between health and housing in British Columbia, which is part of an integrated housing strategy. Health authorities will ensure that publicly subsidized clients and assisted-living residents are assessed appropriately to determine the kind of services required to meet their needs. Residents who meet the access requirements for publicly funded residential care are transferred as soon as appropriate beds are available. Waits for residential care have been averaging one to three months provincewide.

[1515]

If a client is eligible for residential care, health authorities will provide additional support service where the person is still living until there is an opening in a facility. No one who needs a higher level of care will be required to leave assisted living until alternate care arrangements have been made. If residents are not currently involved with the health authority, they can apply to the health authority's home and community care branch. The health authority will assess their care

needs and make referral for appropriate services, which may include placement in residential care facilities.

All health authorities are adding new residential care beds and assisted living or supportive housing with home support over the next two years. Tenants who can afford to do so may choose to move to the private residential care facility without assistance from the health authorities, and that's basically answered. They're not going to be moved out until there's an appropriate place for them to go. Additional services will be provided to them where they already exist, where they're already tenanted.

We have to have an integrated approach. There's no way in legislation that we can guarantee the behaviour at facilities in the private market other than what's concluded in a contract with regard to those, of course, under the residential tenancy side. There's no way.... I think there's a proportion where the transition from assisted-living type of housing to other forms of care housing and health is going to require extensive coordination. I don't know that you could legislate that coordination as much as you have to build a plan around it.

K. Conroy: I appreciate the minister's answer, but it doesn't give any comfort to the people in this province who know there won't be beds for at least two years. We are looking at folks who could potentially have a landlord who doesn't have the ability to provide the supports they need, and they could be moved out. We've seen that happening.

I'm hoping that what the minister is saying is that the Legislature, which does have the ability to legislate issues with the health authority, will ensure that the health authority will move into these situations where seniors are needing far more supports than what a private landlord can provide, and that the health authority will definitely put in place those services to seniors for the three months, if that timing is what it takes.

We can look at people in a facility who end up in convalescent care if they fall, break their hip and have to go into hospital for a number of weeks. They end up in convalescent care. When they're finished with that and could technically go back into their home, will they still have a home to go back to? We've run into seniors who haven't had a home to go back to. We are very concerned that they are still not protected by this legislation.

Is it going to be in the regulations or is it going to be somewhere that the health authority will provide the necessary supports for a senior in a facility, whether it be private or otherwise, to ensure that they get the supports they need so they can stay in that facility without contravening this legislation?

Hon. R. Coleman: The protection is in the legislation and in the agreement that's going to be put together for the tenant, and that is something they don't have today. They just have a contract that says certain

things, and that's it — nobody that they could go to appeal to for arbitration. There's no administrative process where somebody can step in, frankly, and fine people for the wrong type of behaviour with regards to the relationship. That's an improvement.

The practice now, as I understand it, is that we do provide those services while people are awaiting transition. I'm not the Minister of Health, so I don't know the details around that part of it. However, the intention here is to make sure that these things coexist so that if clients need a higher level of care, we can leave them in assisted living and provide them with additional care until alternate care arrangements can be made.

K. Conroy: Quite often that practice isn't in place, and that's what the concern is. That's why we're debating this legislation now: to ensure that it is in place and that this legislation guarantees that seniors have the assurance that if they have to move from their facility, they will get the support they need if it's temporary, and if not, if it's a long-term decision, they will get the support in place until they can move into a facility they need.

[1520]

One of the other issues that have come up with this act is around the dispute between a tenant and a landlord. As I've stated before, many seniors staying in assisted-living facilities are very competent and able to deal with their own issues. Some aren't, and some don't have advocates or families to help them.

It's our understanding that if there is a dispute, they will be dealing with that dispute through a call centre. Some seniors have expressed concerns. I know that seniors groups have expressed concern that if they have a dispute in the interior, there aren't going to be actual, living bodies in the interior taking care of this type of issue. These disputes will be dealt with through call centres. Those call centres haven't been particularly successful on some other issues in the government, so I'm wondering if that's the same process that this legislation is going to enact.

Hon. R. Coleman: That's not correct. We're adding specialized staff to deal with the issues with this thing. As this thing evolves, we will have people throughout the province in specialized staff positions, as we actually understand the levels of pressures that we would have with the number of calls or issues that would come in.

We will be adding those specialized staff as we move forward on this. As we develop the regulation, we are going to make sure these issues that the member has brought forward are going to be canvassed, as I said, consulting with the groups the member asked us to consult with earlier, and others, as we move forward to the regulatory structure around this.

The interesting thing about this is that somebody's actually bringing forward into the Residential Tenancy Act some protections for people in residential care. There's no administrative process, tribunal or other-

wise, that protects the people in residential care today. There's no way to deal with anything, other than through contract law between two parties, and we are not involved at all, frankly. That's the unfortunate circumstance that brought this forward.

There have been groups of people that have sort of kicked the tires around this over a number of years. It's probably ten years, going back, that I am familiar with, where people have tried to say: "Where could we put some tenancy protection for people who are moving into this growing cycle of residential care and assisted living in our jurisdiction?"

We're going to deal with the member's concerns in the consultative process to regulations. That's the best way I can say that. I believe that when you break entirely new ground with legislation, you break that ground, and then you work through your regulation and consultation process to get to where you deal with the issues of concern.

I will tell the member that given my experience with the other tenancy acts, I wouldn't be surprised if, as we go through this, we see some things that we need to adjust as we go forward — the aging society, what other services, whatever else may become fluid with the evolution of a piece of legislation and its regulatory process. The intent here is to create an environment where we can protect the rights of tenants in a relationship with their landlords, in residential care and long-term and those types of tenancies.

Now, having said that, we don't want anybody having to be moved out just because somebody says, "We can't service you," so there's going to have to be a relationship between us and Health with regards to those complaints. That's why we would add the additional specialized staff.

On the other side of the coin, at the same time, we need to make sure that people understand this is basically the consumer protection-type legislation for this. The continuum of care and the continuum of housing — which starts, in many cases, from homelessness right through to significant care — is a transition thing that we have to work on with the health authorities to make sure the services are there so that people transition from one to the other.

That's why we do have the provisions in here for the 30 days, the appeal process, the administrative tribunal, the administrative issue with the arbitrators and the ability for them to step in and make decisions and also levy fines, because that will bring the discipline to the package.

[1525]

For the member, it's really that as we go through our regulatory process, we're going to make sure that we design it so that someone who needs a higher level of care is maintained in a higher level of care, with assistance from health authorities, until the transition can take place. We'll build that into regulation.

K. Conroy: Again, no one is saying that this act isn't important. Everybody agrees on that issue. I think what people are concerned about is ensuring the safety

of seniors, ensuring that there's a protection for seniors under this. I think we're all agreeing with that. It's just that in the legislation, it's not clear those protections are in place.

I am hearing that he is agreeing there is going to be further consultation on this. He is agreeing the groups that are asking for more consultation, that are actively involved with assisted living and working with seniors and housing like this, will be consulted more. Regulations will spell out, in a clearer manner, what some of these issues are that we're talking about, that are going to be addressed in the regulations.

I think people will be interested in going there. I'm happy to hear the minister say that it's not written in stone. It's something that's going to be worked on, because there are a number of issues that just are not clear, and it's not written out in this legislation.

Just the issue with the Community Care and Assisted Living Act. It's our understanding that in any issue where there's a conflict, the Community Care and Assisted Living Act will prevail. For issues around safety and health, things like that, that act will prevail in all issues?

Hon. R. Coleman: The standards and practices of the Community Care and Assisted Living Act will prevail, as the member has outlined. This is about the relationship between landlord and tenant, so that prevails here. The other stuff that's in the Community Care and Assisted Living Act does continue for the standards and inspections, and that sort of stuff.

So this act does that. The Community Care and Assisted Living Act does that. I will reassure the member again. Before the break she asked me a question, and she listed off a number of groups that she thought should be consulted. We committed before the break that we would consult with them, and I'll commit again to do that.

K. Conroy: In light of that and in light of the time, I'll thank the minister for that commitment. I'm sure it'll make those groups happy, because there are a number of gaps in this legislation that need to be addressed to ensure there is proper protection for seniors in facilities like the assisted living.

Hon. R. Coleman: I think the development of regulation is a big job. It's going to take a lot of consultation. I think it's worth trying, frankly. If there are gaps, we'll look at the gaps. At the same time, let's remember that there's a yawning chasm right now, where there is nothing for protection for these people. There's nothing for the law to go in and do things with administrative penalties and that sort of thing either.

I think that when you develop a whole new structure, you're going to find that you will adjust. We'll adjust, and we'll consult on the regulations extensively as we come through that process.

[1530]

Sections 80 to 118 inclusive approved.

Title approved.

Hon. R. Coleman: I move that the committee rise and report the bill complete without amendment.

[1535]

Motion approved on the following division:

YEAS — 42

Falcon	Reid	Coell
Ilich	Chong	Christensen
Les	Richmond	Bell
van Dongen	Roddick	Hayer
Lee	Jarvis	Nuraney
Whittred	Horning	Cantelon
Thorpe	Hagen	Oppal
de Jong	Taylor	Bond
Hansen	Abbott	Penner
Neufeld	Coleman	Hogg
Sultan	Krueger	Lekstrom
Mayencourt	Polak	Hawes
Yap	Bloy	MacKay
Black	McIntyre	Rustad

NAYS — 31

S. Simpson	Evans	Fleming
Farnworth	James	Kwan
Brar	B. Simpson	Cubberley
Hammell	Thorne	Simons
Puchmayr	Gentner	Routley
Fraser	Horgan	Dix
Trevena	Bains	Robertson
Karagianis	Ralston	Krog
Austin	Chudnovsky	Chouhan
Wyse	Sather	Macdonald
	Conroy	

The committee rose at 3:37 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

TENANCY STATUTES AMENDMENT ACT, 2006

Bill 27, Tenancy Statutes Amendment Act, 2006, reported complete without amendment, read a third time on division and passed.

Hon. M. de Jong: I call committee stage debate on Bill 34.

Committee of the Whole House

REPRESENTATIVE FOR CHILDREN AND YOUTH ACT

The House in Committee of the Whole (Section B) on Bill 34; S. Hawkins in the chair.

The committee met at 3:39 p.m.

On section 1.

A. Dix: As the Attorney General will know, I highlighted this section and some of the issues related to the section yesterday as areas that we wanted to discuss. I wanted to ask the Attorney General the purpose and the reason, under the definition of "designated services" under section 1, why, under (f), "...additional services or programs that are prescribed under section 29 (2) (a)," has been added as a limitation to the scope of the new child and youth representative.

[1540]

Hon. W. Oppal: At the outset, Madam Chair, I wish to introduce Allan Seckel, Deputy Attorney General, and Cynthia Callahan-Maureen, executive director of the Ministry of Children and Family Development.

This really is a power to add. That's what it is. It's a power to add services.

A. Dix: My question is specific. The minister will be aware that under the Office for Children and Youth Act, which this provision is replacing, the functions with respect to reviewing services list a list of functions not dissimilar to the list of functions described under designated services here. But they include a provision that says: "...including but not limited to the following."

I wanted to ask the minister why he's decided to use, in this provision, the cabinet, the Lieutenant-Governor-in-Council, to limit, in fact, the representative or whether they view that, indeed, as a limitation.

Hon. W. Oppal: Under section 1(f), additional services or programs that are prescribed under 29(2) may be added. It's not a limiting section at all.

A. Dix: My question is specific around the provisions of the existing act and why these words aren't included, "...including but not limited to the following." With respect, what you have is a definition of designated services here that lists off a bunch of services and then says the Lieutenant-Governor can add — but the representative is constrained — to this list of services.

Under the present formula, the Child and Youth Officer, the act actually says — and I'm quoting from section 3(1) of that act, which is the equivalent section here: "...including but not limited to the following."

I guess my question.... Let me give an example to the hon. minister that I'm sure the Minister of Children

and Families is familiar with. There is a program called Child in the Home of a Relative program. It's a very important program of government that serves a lot of families. I guess, in that case, if you look at the list of acts that are provided and are reviewable here by the representative, which includes a whole bunch of acts but doesn't include the really important services....

I know the minister knows this. Probably every day or every other day he is in consultation with the Minister of Employment and Income Assistance about these very questions, because they're really central to the way we function.

[1545]

These are all important programs. They're a menu of programs.

I guess my concern is that I don't think the representative should have to ask the Attorney General whether they can have a look and review. In fact, as the act will say later on.... This defines how the act acts later on. They can only "support, assist, inform and advise children and their families respecting designated services."

I'd like them to be able to choose beyond the services that are designated here. I think that maybe the Attorney General understands my point now, and he'll be able to respond to it. Surely, looking at those income assistance acts, the representative should be able to say, "Well, I'd like to look at that and advise on that, even though I'm constrained here," without asking the Attorney General for his advice.

Hon. W. Oppal: First, it should be noted that we have followed the model and the recommendations of Mr. Hughes. We recognize that there may be limitations in the way that the member has described, but it is our intention to expand the scope of those services. Keep in mind that this legislation, this bill, was enacted so that we could get on with the matter and create the office. But this is not intended to be restrictive in any sense.

A. Dix: I know. I say to the Attorney General that one of the things we're trying to do — that's the job of the committee — is improve legislation and discuss it. It's our opportunity. It's a challenge, I know, and I appreciate the work of staff in preparing this legislation on what was, by legislative standards, relatively short notice. I appreciate that, and I'm sure the Attorney General will appreciate that we have a relatively short time to deal with it.

This, for us, is one of the most important questions. It's a question around independence — right? I think that Mr. Hughes is very clear about what he wanted the representative to do. This is a debate about that very question. He said that he wanted the representative to advise government about the effectiveness, responsiveness and relevance of services for children, youth and their families.

I wanted to ask the Attorney General whether he would be sympathetic or, indeed, supportive of an amendment to the definition of "designated services" that would include, after the term "for children and their families" — after the word "families" — the provi-

sion, "including but not limited to" the list that starts (a), (b), (c), (d), (e), (f).

Hon. W. Oppal: I'm sure the member understands that in the interests of bringing this bill, in relatively short order as far as a time frame is concerned, we did not have the fullness of consultation that we otherwise would like to have had. We are planning to consult. We will bring the bill back, but with the greatest of respect, it would not be feasible or practical at this stage to adhere to the amendment that the hon. member suggests.

I think that this is something that, in the fullness of time, may well be feasible to do. But keep in mind that at this stage, we have every intention of consulting after the enactment of the bill.

[1550]

A. Dix: My word, hon. Chair. I had not expected to hear the term "in the fullness of time" in the Legislature. It's a great term, and I thank the hon. Attorney General.

I guess the point of principle here around the amendment and why I think it's important.... Let's just focus in on children in the home of relatives for a second. There is another way of dealing with that, it seems to me. That would be to include the Employment and Assistance Act on the list of acts. I don't see any reason why the Attorney General would not want that act added to the list of acts that's reviewed under designated services.

We are talking about a whole bunch of children who are.... This is a critical area, I think it is fair to say. So why not, in fact, include acts like the Employment and Assistance Act and the Employment and Assistance for Persons with Disabilities Act? Why not include them on the list?

The point of principle is this, I guess, in terms of this independent officer of the Legislature. I think it's a critical question. I should say that the language I just presented to the minister isn't my language. It's the language in the existing child and youth officer act. I'm sure the Attorney General would not want to be restricting the present status of independence under this act.

That's why I had suggested using the term "including but not limited to." I think that's an important distinction. Maybe we can come at this another way, and not delay the time of the committee with amendments that the government will defeat. Maybe I can ask the minister whether he would be amenable to adding on the list of services and programs the acts appropriate to include children in the home of relatives, Child in the Home of a Relative, and other programs involving the Ministry of Employment and Income Assistance.

Hon. W. Oppal: I'm not prepared to commit myself to the alternative suggested by the hon. member without further consultation from other ministries. I'm not saying for a minute that the point isn't well taken, but I'm not prepared to do it at this stage.

I would point out, as well, that in his report Mr. Hughes in footnote seven at page 34 states: "Designated services mean services provided under the Child,

Family and Community Service Act and the Adoption Act, early childhood development and child care services, mental health services for children and youth, addiction services for children and youth, youth justice services, services for youth and young adults during transition to adulthood, and community living support provided under the Community Living Authority Act." I would suggest that's a fairly expansive definition of the issue that's been raised by the member.

A. Dix: My question, again, to the minister is — and that's why I've come back to not limiting this: who decides the limits of the representative in this case?

If you would accept my language in this case, which says "including but not limited to," then it will be the representative who will essentially be able to decide this as an independent officer of the Legislature.

If we continue with what the minister is proposing, the people who will decide are the members of the Lieutenant-Governor-in-Council. In fact, will decide the extent to which, because it does....

Section 29, which is the sister provision to this provision.... It's the Lieutenant-Governor-in-Council, the cabinet, that decides if additional services will come.

I'm wondering why the minister would not want the independence in this case to be enhanced and to be at least as good as the Child and Youth Officer. Look, we can trade quotes from the Hughes report all day, but there are numerous citations in the Hughes report that talk about the role of the representative for children and youth and the mandate that is required.

[1555]

I just want to check with the Attorney General whether he agrees, in any event, that the Child in the Home of a Relative program should be one of the designated services that applies here, and whether he will make a commitment to ensure that that program is, in fact, one of the designated services that the representative has oversight over. It's important. We're talking about a lot of children, as his colleague the Minister of Children and Families knows.

I think excluding that program that is really important from this is an important element, and I'd like to hear what the minister's view is on that particular program and provision.

Hon. W. Oppal: I'm not suggesting that what the member states here is without merit, but at this stage what we are doing and what we intend to do is follow the recommendations of Mr. Hughes. As I stated earlier, the matter will be subject to and open to a consultative process in due course, and any powers or scope of authority that the representative will have can always be addressed at that time. But, you know, at this stage it's our intention to enact this bill in an expeditious manner, keeping in mind the lateness of the hour.

A. Dix: I say to the Attorney General that we have a long time to discuss this bill — not a very long time, but a long time. As I stated to the Attorney General, the hour may be late, but this is, in fact, our only opportu-

nity in the Legislature in this session — and we don't know going forward; that will depend on the will of the government — to discuss and amend and consider this bill. So I appreciate the hour is late, but I think it's our responsibility as legislators to ask questions.

I guess the minister didn't respond to my question, and that's why I want to ask him just very specifically.... It's not to belabour the point but to get a commitment from him. What he's saying is that his position on the bill is that he will expand, in fact, the powers here or the definition of designated services as is seen appropriate. So I'm asking for his opinion there and sort of his commitment that he'll personally review the issue of these programs of the Ministry of Employment and Income Assistance so that we can act very quickly to ensure the representative has the powers that she or he might need to perform their job properly and to canvass the full range of services.

Hon. W. Oppal: We will review in the fullness of time. We've said that. At this stage it's somewhat difficult, and it would be precipitous for me to agree to the amendments or the changes sought without further consultation from other ministries.

A. Dix: I know that the minister has agreed in the fullness of time to consider this. But just specifically on those programs related to the Ministry of Employment and Income Assistance, can he give a specific commitment around those programs — and not in the fullness of time, but as we go forward between now and the next legislative session, at which we will, of course, appoint the representative — that in fact those specific subjects be dealt with.

I think the Minister of Children and Families will agree, and I want to highlight this. There are a lot of children in these circumstances. These are really important programs. As well, all kinds of issues around assistance and rates and everything else that are really important questions are part of that.

What I decided to do, I say to the minister, is not to move amendments here on this point but to canvass the issue so we don't have a disagreement on the bill, but to raise them and ask for his commitment to look specifically — we'll have a period until the representative is, in fact, appointed where we can make the review he's talking about — at those programs which are really important to me and other members of the House.

[1600]

[L. Mayencourt in the chair.]

Hon. W. Oppal: I should say that it's being done now. The review is already being done, and we will do this in a timely way. Maybe "the fullness of time" wasn't a wise choice of words. It comes from my legal background, where I lapse into these phrases from time to time.

N. Simons: Can the Attorney General tell the House if this definition of designated services includes

services provided by first nations child welfare agencies or aboriginal child welfare agencies or, in some cases, funded entirely under the auspices of the federal government?

Hon. W. Oppal: The short answer is yes.

N. Simons: Short question: where does it say that?

Hon. W. Oppal: The services that the member refers to are regulated under the Child, Family and Community Service Act.

N. Simons: There are a number of programs that are administered by first nations and aboriginal agencies that don't have anything to do with the Child, Family and Community Service Act, including cultural programs and programs designed to reacquaint young people with their heritage and traditions. Those are not, as far as I know, regulated by the CFCS Act.

Hon. W. Oppal: The services referred to by the member are not subject to the jurisdiction of the representative, so they're not a part of the legislation.

N. Simons: I would consider that something which should probably be addressed in what the Attorney General may consider in the future, only because the same people who are administering the child welfare act are also administering these programs. I would just make sure that the minister knows that this is something that should be considered while the act is being developed and perhaps amended.

Sections 1 to 5 inclusive approved.

On section 6.

A. Dix: Not to belabour the point on this particular provision, but again, I just want to bring to the attention of the minister this provision with respect to the role and function of the representative and to reiterate our concern about a slightly more expansive view of designated services that I think is consistent with what Mr. Hughes reported here. This is where the rubber meets the road of that. The Minister of Children and Family Development and I are in agreement with that.

I know this is one of these issues where we may need the representative to look slightly more broadly. There are sometimes even provisions, as the ministers will know, in directors' reviews and other reviews, where concerns around the Motor Vehicle Act and other issues are being placed, which you might not immediately view as relevant but, in fact, are extremely relevant as a practical matter in terms of the provision of children's services.

I just want to reiterate the point that I would like the minister to consider when we come back in the fall: ensuring a more expansive view of the definition of designated services.

[1605]

Hon. W. Oppal: I've taken note of the suggestion. Thank you.

N. Simons: According to the legislation as it's written, the representative can do basically three things as advocate for all designated services. It can increase the accountability of those agencies providing all designated services, yet its role in reviewing, investigating and reporting only applies to reviewable services. Can the minister explain the rationale for this limited examination of the reviewable services versus the oversight of designated services?

Hon. W. Oppal: The answer to that is: we have followed the recommendations of Mr. Hughes. That's exactly the type of services that he said ought to be reviewed.

N. Simons: I'm wondering if the Attorney General can foresee the representative being responsible for "monitoring, reviewing and auditing" designated services described under the definitions. That includes quite a number of acts, first of all, including the Adoption Act, Child Care Subsidy Act, community living act, Youth Justice Act plus a whole series of other particular programs, including early childhood development, mental health, etc., etc.

If, in fact, the representative will be responsible for monitoring, reviewing and auditing all of these services and all the services provided under all of these acts... If this is the case, can the Attorney General tell us if, perhaps, this current legislation may run the risk of creating some unnecessary duplication?

Hon. W. Oppal: I think a careful reading of Mr. Hughes's report recommendations indicates that he was quite alive to that issue. So the legislation has been crafted to take that into consideration: that there not be a duplication of services. He specifically made reference to the Children's Commission when he spoke about services being duplicated.

N. Simons: I understand that there will be careful oversight of this, and to perhaps prevent the duplication, I just think it's important. I think that's one of the stumbling blocks or the potential hazards in the road. I'm sure that isn't something that the ministry wants to create: a sense that everybody's looking over everybody else's shoulder.

The representative who's designated to investigate the performance of these various programs is also, apparently, the body responsible for advocating. So it's overseeing. It's monitoring. It's auditing. But it's also advocating for clients in the system.

I'm just wondering... For example, if a particular client is refused service from the ministry, then they go to the representative. What can we expect the representative to do in a situation like that?

Hon. W. Oppal: I think the answer to the question as set out in section 6(2)(d), wherein it states: advocate

on behalf of those eligible to receive assistance and "participate in decision processes concerning the provision of designated services."

[1610]

N. Simons: Once again, I think that will probably require some careful determination of the responsibilities, because it seems to me that it looks like a bit of a quagmire. It's just a little advance warning on that particular issue.

My final question for this section: does this mean that the representative will actually take part in the processes by which social workers assess a child's or family's needs?

Hon. W. Oppal: This subsection ensures that the representative has the necessary authority to carry out the function of helping a child and ensuring that his or her interests and rights are heard and considered in the decision-making process. That's the intent, the import, of this particular subsection.

Section 6 approved.

On section 7.

A. Dix: I want to take the opportunity.... There are several sections we could have this discussion on, but this is one that is relevant because it specifically refers to the experience of deputy representatives with respect to understanding of, or involvement in, the lives of aboriginal children and their families from British Columbia.

I've had a discussion with the Attorney General, as you know, and with my colleague the Minister of Children and Family Development on this point. I want to make the point strongly. As you know, recommendation 16 of the Hughes report stated that at least one of the representatives and/or their deputies should be of first nations ancestry. That was an important recommendation by Mr. Hughes. I appreciate, actually, that the Attorney General may be limited, and it may not have been useful to be too definitional in this legislation, with respect to that point.

I want to make the point because I'm going to be on the committee of selection, and this is going to be a question that we're going to be asking the non-aboriginal candidates for the position, in terms of their commitment to this. Certainly, we're also very optimistic that we'll have some outstanding first nations candidates as well. Just on the record — and I think it's an important part of the recommendations of the Hughes report — I want to say it's a recommendation that we support.

I want to give the government ministers, either the Attorney General or the Minister of Children and Families, an opportunity to express their support because sometimes, as the Attorney General knows, even when it's not in legislation, we in this House define legislative intent very carefully. So I'd like to just hear from the Attorney General on this point — about

knowledge of the lives of aboriginal children and their families — to be, perhaps, more expansive on the view of the government, so that we can both give direction to our committee, which is a committee of our House, and also give direction with respect to the government's intent. I have, of course, stated what the opposition's intent is.

Hon. W. Oppal: The point raised by the member is a good one. But in drafting this section and the particular reference that the member has raised here, it was the intention to follow the recommendations of Mr. Hughes. Clearly, it is our intent that the committee will adhere to what the intentions of Mr. Hughes and of the intentions of the government are — that there be an aboriginal person there. At the same time, it should be noted that the concern was that the committee's hands not be tied. There ought to be as much flexibility when it comes to choosing the appropriate person.

[1615]

Hon. L. Reid: If I might beg leave to make an introduction.

Leave granted.

Introductions by Members

Hon. L. Reid: We're joined in the gallery by 34 grade five students from the B.C. Muslim School in British Columbia. They're joined by their teacher and their principal today, and they were extraordinary guests on the front steps of this Legislature just moments ago. I would ask this House to make them incredibly welcome.

Debate Continued

A. Dix: Welcome to the students from the minister's riding. I just wanted to say to them that what we're debating here in the House, what they're watching, is a debate about a representative, to some degree, of them, of children and youth. This Legislature, this place, has decided to create an office, a representative of children and youth. Right now we're debating that, and we're putting that into law. This is something of specific interest to them, of relevance to them. I appreciate the minister responsible for Childcare and the member for Richmond East for welcoming them here.

I just want to be specific on this. It's not just the committee that's limited here, that we want to direct this to, but the representative as well. In fact, the committee doesn't appoint the deputy representatives. I just want to be clear that it's the government's strong preference and policy that either the representative or one of the deputy representatives, not just, as Mr. Hughes says.... He says: "When I say 'aboriginal' I mean not only a person of aboriginal heritage, but one with a track record of involvement in aboriginal communities, who understands aboriginal children and youth and has direct experience or at least a deep understanding of life on a reserve."

Can the Attorney General specifically tell this House whether he supports that view as Attorney General.

Hon. W. Oppal: That is the intention.

Sections 7 to 9 inclusive approved.

On section 10.

A. Dix: The enthusiasm of the Minister of Education is heartening here. Ordinarily, we would move a little more slowly here, but this is important legislation. It's one that both sides of the House want to see passed and in place. That's why we are moving quickly here. We have it in place. We want to appoint the representative, and then, collectively, the opposition and the government are going to work together to make sure that this legislation works. I think people can understand and appreciate that.

I just wanted to ask.... There is a little bit of difference here in terms of the drafting of the right to information, as compared to the right to information in the previous child and youth officer act. I'm wondering the reasons for that. The child and youth officer act. This is a little more limiting. It says here that they may collect information that "is necessary to enable the representative to exercise his or her powers or perform his or her functions or duties under the Act."

I'm wondering why this is a seemingly slightly more limited access to information than exists currently.

[1620]

Hon. W. Oppal: In fact, the section is almost a carbon copy of the section in the old act. Section 11 in the old act reads: "The child and youth officer has the right to any information that (a) is in the custody or control of a director or of a public body as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*." This section reads: "The representative has a right to any information that (a) is in the custody or control of a public body." So it would appear to be more expansive.

Section 10 approved.

On section 11.

N. Simons: I'll turn to section 11. It refers in subsection (1) to the ministry or other public body. It also talks about providing information respecting critical injury. My question to the Attorney General is: while it requires the public body or a ministry who is providing reviewable services, described as the act describes, to "provide information respecting the critical injury or death to the representative for review," what exactly is the ministry or public body required to provide in terms of this information?

Hon. W. Oppal: The words of the section are fairly clear. They make reference to the fact that for "the reviewable service at the time of, or in the year previous

to, the critical injury...the ministry or other public body must provide information respecting the critical injury or death to their representative for review." That's fairly liberal and expansive power that the representative has with respect to any critical injury or death.

N. Simons: My concern is not with the representative's power. It's to do with the public body or a ministry not having the defined or required information delineated. In fact, what I'm concerned about is that it's up to the service providers to pass on what I would see as vaguely defined information, as referred to in section 11, to the representative who then, based on that information, will determine whether or not to investigate further. It's the information that the body provides to the representative, upon which the representative will make the determination as to whether to investigate.

I'm concerned that if it's not adequately defined, this might be a little bit of a problem in terms of the independence that so many people — Joyce Preston, Cynthia Morton, Dulcie McCallum, the social workers, opposition — have all been really asking for. I'm just hoping that the minister can disabuse me of this fear that in fact this is something that could cause the independence to be questioned.

Hon. W. Oppal: This subsection, I would suggest with respect, really is pretty expansive, and it's mandatory. It states that they "must provide information." It can't be any more compelling or mandatory than that. I would have some concerns if the words were "may" and "permissive," but this is "mandatory" here.

N. Simons: I would just like to emphasize the importance of defining what that information is, because what we could see is a repeat of the situation that happened in 2002, where the independent review or the review within the ministry was conducted in such a way as to be heavily influenced by the ministry itself.

What really resulted from that was the need for an independent reviewer to decide when to investigate deaths. If they're making that decision now, based on the information provided by that ministry, we'll have a situation where they will not examine funding cuts, they will not examine bad implementation of policy, and they will not examine inappropriate development of guidelines.

[1625]

My concern is that that information.... While they must provide it, they don't have to say what that information is. Yes, it's important that they must provide information to the representative, but I believe the definition of what that information is must be clear and must reflect the independence that has been demanded by the people of British Columbia.

With that, I think my concerns about section 11 have essentially been aired.

Hon. W. Oppal: I can tell you from my legal background that once you define something in the manner

suggested by the member, you're confining it. That's exactly what will happen. You're really putting a limitation on the amount of material or evidence that a body is compelled to divulge.

This section, I can say categorically, is a wide section. It's expansive, it's mandatory, and it compels a body to provide that information. If we did it any other way, it would place a restriction. That isn't what the intention of Mr. Hughes was, and I don't think it would be the intent of anybody in this Legislature to restrict the type of evidence that may be provided.

N. Simons: Just in response, no, I think it should be on record that in fact there should be no restriction, but it should equally not be up to the service provider to decide what that information is.

As it currently is written in this act, the first step, the door that's opening the representative to review the situation, is based entirely on the information provided by that public body or ministry. I think that's something that needs to be seriously addressed, and I believe that by denying that that's a bit of a flaw in this act, we're running into a bit of a problem.

However, there are other sections that need to be canvassed, and I hope to do so.

Section 11 approved.

On section 12.

N. Simons: The reason it's important to define exactly what the review is, as well, is because section 12 allows the representative to investigate critical injury or death of a child if the representative determines that the reviewable service or the policies or practices of the ministry or any other public body, etc. may have contributed to the critical injury or death.

The decision whether or not to conduct an investigation is based entirely on the content of that review, which in itself is based entirely on the information provided by the public body or ministry.

Hon. W. Oppal: I can't imagine any more power being given to the independent person. He or she would have the power to issue subpoenas. That's a very wide power. So I don't think, with the greatest of respect, that the concerns raised by the member are really valid. I mean, you can't have any more power than the power to subpoena all the evidence that's relevant to a particular issue.

N. Simons: I am trying to express my concern. It's not about the power of the representative. It's about what the representative has to work with, and the representative only has to work with that information described vaguely as information in the act. It doesn't say you must provide all facts relating to this case.

So, in fact, if the information for the case for 2002 went through to the representative, the representative would have looked at that information and said, "Oh, it was the inappropriate application of law" — nothing

else; not all the other findings that Hughes found, that the office for children and youth found, that the coroner's inquest found subsequent to that.

My concern, once again, would be that that information should be defined and that the representative should know what information they require from the public body or ministry.

Hon. W. Oppal: I don't know if I could make myself any more clear. In this section, if the representative is not satisfied with the material that he or she receives, she has the ultimate power of subpoenaing. I don't know how much more discretion or power that a person can have.

[1630]

N. Simons: How will the representative know if they have all the information? That's not in the act. They get information. They'll decide on that information whether to conduct a review or not. Unless they automatically conduct a review or unless the information is defined....

It's not that hard to understand, hon. Chair. I'm just pointing out another area that might need a little bit of strengthening.

Section 12 approved.

On section 13.

N. Simons: Section 13 doesn't appear to allow an investigation to begin until "the completion of a criminal investigation and criminal court proceedings respecting the critical injury or death of a child." To the minister: what is meant by this?

Hon. W. Oppal: What that means is that there cannot be any concurrent investigations. If there is a criminal charge that's laid in respect to a critical injury or death, those proceedings must take place first.

The reason for that is what's called in the law the contamination principle. In other words, there might well be evidence that would be admissible or compelling by the representative, which may not be admissible in a court of law. So in the interests of an accused person's right to a fair trial, this is a standard type of common-law principle that's been codified in this act.

N. Simons: My final point, hon. Chair. I understand the principles of law, but I also understand the principle for protecting children. I believe that without careful oversight into this section, what could happen is what happened already. That is, the criminal investigation took precedence over the safety of children. The investigation wasn't commenced appropriately, and dangerous situations resulted.

I would have some serious concerns about this section if it's in fact enforced in a way that I fear it could be under this section. I'm hoping that the Attorney General takes a careful look at that provision and does some due diligence with regard to the effect this could

have on children who are in homes that are considered dangerous.

Sections 13 to 37 inclusive approved.

On section 38.

A. Dix: We've come to the end of the debate. This is the section of the bill that allows the act to come into force by regulation.

I just wanted to say, because members of this House on both sides, I think, consider this one of the most important pieces of legislation we have passed since the last election.... Passing laws, as the Attorney General knows well, is not the way in general that we solve social problems. It involves so much work after that.

For us, in terms of the fact that we've essentially created an important role for a selection committee — for a standing committee — improving child protection in British Columbia, improving services for children and youth is a fundamental priority not just for the opposition but for members of this House.

I think we have to commit ourselves — all of us in future, because all of us are going to play a role in this — to ensuring that this act marks the beginning of a new stage, a better stage for children and youth in British Columbia.

I thank the Attorney General for his responses. I thank his staff. I thank all members of this House for their support of this legislation.

Hon. W. Oppal: Further to the comments made by the hon. member, I want the House to know that the government cares about children. That's why we appointed and enlisted the services of the Hon. Ted Hughes. I thank the member for his remarks.

[1635]

Section 38 approved.

Title approved.

Hon. W. Oppal: I move that the committee rise and report the bill complete without amendment.

Motion approved.

The committee rose at 4:36 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

REPRESENTATIVE FOR CHILDREN AND YOUTH ACT

Bill 34, Representative for Children and Youth Act, reported complete without amendment, read a third time and passed.

Motions without Notice

APPOINTMENT OF SPECIAL COMMITTEE TO APPOINT A REPRESENTATIVE FOR CHILDREN AND YOUTH

Hon. M. de Jong: Flowing from the passage of the bill, now an act, I have three motions, which I've shared with the Opposition House Leader, the first of which I will summarize.

By leave, I move:

[That a Special Committee be appointed to unanimously recommend to the House the appointment of a Representative for Children and Youth and that the said Committee shall have the powers of a Select Standing Committee and in addition is empowered:

(a) to appoint of their number, one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee;

(b) to sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;

(c) to adjourn from place to place as may be convenient; and

(d) to retain such personnel as required to assist the Committee;

and shall report to the House as soon as possible, or following any adjournment, or at the next following Session, as the case may be; to deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.

The said Special Committee is to be composed of: Messrs. Rustad (Convener), Cantelon, Dix and Mmes. Polak and Thorne.]

Motion approved.

MEMBERSHIP AND POWERS OF CHILDREN AND YOUTH COMMITTEE

Hon. M. de Jong: The second motion, and again, I'll try to summarize.

[That the Select Standing Committee on Children and Youth be composed of:

Messrs. Hogg (Convener), Black, Chouhan, Dix, Krog, MacKay and Krueger and Mmes. Polak, Thorne and Whittred; and that the committee be empowered to foster greater awareness and understanding among legislators and the public of the BC child welfare system, and in particular to:

1. Be the committee that receives and reviews the annual service plan from the Representative for Children and Youth (the "Representative") that includes a statement of goals and identifies specific objectives and performance measures that will be required to exercise the powers and perform the functions and duties of the Representative during that fiscal year;

2. Be the committee to which the Representative reports, at least annually;

3. Refer to the Representative for investigation the critical injury or death of a child; and

4. Receive and consider all reports and plans, other than financial reports, delivered by the Representative (if any during the time period of these terms of reference) to the Speaker of the Legislative Assembly of British Columbia

beginning with the Second Session of the Thirty-Ninth Parliament.

In addition to the powers previously conferred upon Select Standing Committees of the House, the Select Standing Committee on Children and Youth be empowered:

(a) to appoint of their number, one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee;

(b) to sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;

(c) to adjourn from place to place as may be convenient; and

(d) to retain personnel as required to assist the Committee,

and shall report to the House as soon as possible, or following any adjournment, or at the next following Session, as the case may be; to deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.]

Motion approved.

AMENDMENT OF TERMS OF REFERENCE FOR FINANCE AND GOVERNMENT SERVICES COMMITTEE

Hon. M. de Jong: Lastly, I move, with leave:

[That the Terms of Reference for the Select Standing Committee on Finance and Government Services, as adopted on February 20, 2006 by the legislative Assembly, be amended in section 2(a) by adding "Representative for Children and Youth" after "Police Complaint Commissioner".]

Motion approved.

Committee of Supply (Section A), having reported resolution, was granted leave to sit again.

[1640]

Mr. Speaker: When shall the committee sit again?

Hon. M. de Jong: Forthwith, Mr. Speaker.

I call Committee of Supply in this chamber, Mr. Speaker.

Committee of Supply

ESTIMATES: LEGISLATION

The House in Committee of Supply (Section B); H. Bloy in the chair.

The committee met at 4:41 p.m.

Vote 1: Legislation, \$50,589,000 — approved.

ESTIMATES: OFFICERS OF THE LEGISLATURE

Vote 2: Auditor General, \$8,565,000 — approved.

Vote 3: Conflict-of-Interest Commissioner, \$322,000 — approved.

Vote 4: Elections B.C., \$9,485,000 — approved.

Vote 5: Information and Privacy Commissioner, \$2,503,000 — approved.

Vote 6: Merit Commissioner, \$783,000 — approved.

Vote 7: Ombudsman, \$3,736,000 — approved.

Vote 8: Police Complaint Commissioner, \$1,434,000 — approved.

Hon. M. de Jong: Hon. Chair, I move that the committee rise and report resolution.

Motion approved.

The committee rose at 4:44 p.m.

The House resumed; Mr. Speaker in the chair.

Committee of Supply (Section B) reported resolutions.

Mr. Speaker: When shall the reports be considered?

Hon. M. de Jong: Forthwith, Mr. Speaker.

Hon. C. Taylor: I move that the reports of resolutions from the Committee of Supply on March 9, 20, 23, 27, 30; April 3, 4, 6, 24, 26; May 1, 3, 4, 10, 11, 16, 17 and 18 be now received, taken as read and agreed to.

[1645]

Motion approved.

Hon. C. Taylor: I move that there be granted from and out of the consolidated revenue fund the sum of \$27,730,177,000. This sum includes that authorized to be paid under section 1 of the Supply Act (No. 1), 2006, and is granted to Her Majesty towards defraying the charges and expenses of the public service of the province for the fiscal year ending March 31, 2007.

Motion approved.

Hon. C. Taylor: I also move that there be granted from and out of the consolidated revenue fund the sum of \$1,616,778,000. This sum includes that authorized to be paid under section 2 of the Supply Act (No. 1), 2006, and is granted to Her Majesty towards defraying the capital, loans, investments and other financing requirements of the province for the fiscal year ending March 31, 2007.

Motion approved.

Introduction and First Reading of Bills

SUPPLY ACT, 2006-2007

Hon. C. Taylor presented a message from Her Honour the Lieutenant-Governor: a bill intituled Supply Act, 2006-2007.

Hon. C. Taylor: I move that the bill be introduced and read a first time now.

Motion approved.

Hon. C. Taylor: Mr. Speaker, this supply bill is introduced to provide supply for the operation of government programs for the 2006-2007 fiscal year. The amount requested is that resolved by the Committee of Supply after consideration of the main estimates. The House has already received, taken as read and agreed to the report of resolutions from the Committee of Supply and, in addition, has resolved that there be granted from and out of the consolidated revenue fund the necessary funds towards defraying the charges and expenses of the public service of the province for the fiscal year ending March 31, 2007.

Mr. Speaker, it is the intention of the government to proceed with all stages of the supply bill this day.

Mr. Speaker: Hon. members, I would ask you to remain in your seats while the bill is being circulated.

Members, in keeping with the practice of this House, the final supply bill will be permitted to advance through all stages in one sitting.

Bill 35, Supply Act, 2006-2007, introduced, read a first time and ordered to proceed to second reading forthwith.

Second Reading of Bills

SUPPLY ACT, 2006-2007

Hon. C. Taylor: I move that the bill now be read a second time.

Motion approved.

Hon. C. Taylor: I move that the bill be now referred to a Committee of the Whole House for consideration forthwith.

Bill 35, Supply Act, 2006-2007, read a second time and ordered to proceed to a Committee of the Whole House for consideration forthwith.

Committee of the Whole House

SUPPLY ACT, 2006-2007

The House in Committee of the Whole (Section B) on Bill 35; H. Bloy in the chair.

The committee met at 4:49 p.m.

Sections 1 to 3 inclusive approved.

Schedules 1 and 2 approved.

Preamble approved.

Title approved.

Hon. C. Taylor: I move that the committee rise and report the bill complete without amendment.

Motion approved.

The committee rose at 4:50 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

SUPPLY ACT, 2006-2007

Bill 35, Supply Act, 2006-2007, reported complete without amendment, read a third time and passed.

Mr. Speaker: Hon. members, Her Honour is in the precincts, so if you'd just remain in your seats, she'll be arriving any moment.

Royal Assent to Bills

Her Honour the Lieutenant-Governor entered the chamber and took her place in the chair.

Hon. I. Campagnolo (Lieutenant-Governor): Pray be seated.

Clerk of the House:

Apology Act

Securities Amendment Act, 2006

Employment and Income Assistance Statutes Amendment Act, 2006

Provincial Symbols and Honours Amendment Act, 2006

Resort Timber Administration Act

Safety Standards Amendment Act, 2006

Supplements Repeal Act

Tenancy Statutes Amendment Act, 2006

Park (Conservancy Enabling) Amendment Act, 2006

Health Statutes Amendment Act, 2006

Miscellaneous Statutes Amendment Act (No. 2), 2006
Public Safety and Solicitor General Statutes Amendment Act, 2006

Education (Learning Enhancement) Statutes Amendment Act, 2006

Representative for Children and Youth Act

Patricia Community Club (Corporate Restoration) Act, 2006

Christ for the Nations Bible College Act

In Her Majesty's name, Her Honour the Lieutenant-Governor doth assent to these acts.

Supply Act, 2006-2007

In Her Majesty's name, Her Honour the Lieutenant-Governor doth thank Her Majesty's loyal subjects, accepts their benevolence and assents to this act.

Hon. I. Campagnolo (Lieutenant-Governor): Both sides of the House have continued your work towards civility. I would like to congratulate you. I believe you're setting a pattern for the country, and I think you have made all British Columbians very pleased indeed. Good luck to you all till we meet again.

Her Honour the Lieutenant-Governor retired from the chamber.

[Mr. Speaker in the chair.]

Mr. Speaker: Hon. members, just before we adjourn, I think that on behalf of all of us, I'd like to thank the Clerks, the legislative comptroller, Computer Systems, Hansard Services, Human Resources, the legislative dining room, the Legislative Library and the Sergeant-at-Arms.

[1655]

The fact that we'll be gone for some time.... Your work is probably just beginning in your constituencies, because we've been here for some four months, and I'm sure that there's a lot of work that has piled up in all constituencies throughout the province.

I wish you all well. Travel carefully. Be back together with your families.

Hon. M. de Jong: Mr. Speaker, I move that the House at its rising do stand adjourned until it appears to the satisfaction of the Speaker, after consultation with the government, that the public interest requires that the House shall meet or until the Speaker may be advised by the government that it is desired to pro-rogue the second session of the 38th parliament of the province of British Columbia. The Speaker may give notice that he is so satisfied or has been so advised, and thereupon the House shall meet at the time stated in such notice and, as the case may be, may transact its business as if it had been duly adjourned to that time and date. And moreover, in the event of the Speaker being unable to act owing to illness or other cause, the Deputy Speaker shall act in his stead for the purpose of this order.

Good health, safe travels, best wishes, *à la prochaine fois*, until we meet again.

Hon. M. de Jong moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned.

The House adjourned at 4:57 p.m.

PROCEEDINGS IN THE DOUGLAS FIR ROOM

Committee of Supply

ESTIMATES: MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL (continued)

The House in Committee of Supply (Section A); J. Nuraney in the chair.

The committee met at 3:16 p.m.

On Vote 37: ministry operations, \$523,967,000 (continued).

M. Sather: There was an agreement between the Attorney General's ministry, then responsible for Corrections in 1993, with the council in Maple Ridge that if there were going to be any increases in the number of inmates at Fraser Regional Correctional Centre or the Alouette correctional facility, there would be consultation with the communities and the council. Since that time Fraser Regional has gone from 300 to 400 inmates, and I understand that there are going to be 32 more beds in trailers at the Alouette regional facility for women. I was wanting to ask the Solicitor General if the policy has changed, then, about consultation and what is happening in that regard.

Hon. J. Les: I appreciate the question from the member opposite. I am told that the commitment made back in 1993 was very specific in nature and that it had to do with the proposed construction of a youth detention centre, which ultimately was never built. That consultation commitment, however, as was also pointed out at that time, was not binding on any future projects that might be considered.

However, I am very happy to tell the member today that our policy and position is that we want to continuously engage with and consult with communities where we have our various institutions. If any significant changes were to be proposed for the Maple Ridge area or for the specific institution in question, then obviously we would engage in consultation.

I'm happy to say, as well, that I met fairly recently with the mayor of Maple Ridge and one of his councillors and discussed issues of mutual interest with respect to the facility in that community. I've made a commitment to them personally that I hope to continue the dialogue between the provincial government and the municipality.

M. Sather: One more question to the Solicitor General.

Another issue that's come up with regard to Fraser Regional Correctional Centre has to do with the discharge of inmates once they're finished their sentence.

Ken Stewart, who is liaison from council to the facility, has said that the old policy was that inmates, when they were discharged, would get a one-way bus ticket to their hometown. Now they are taken down to the bus depot in Maple Ridge, and that's where they are left. I know the mayor of Maple Ridge has also expressed a lot of his concerns that these inmates are ending up in Maple Ridge after their sentence rather than returning to their home communities.

I wanted to ask the Solicitor General: what is being done with regard to that issue in my community?

[1520]

Hon. J. Les: The member is correct. The current policy is to take the recently released inmates to the bus station so that they can get on the bus. Now, I have heard from Councillor Stewart — and, indeed, from the mayor as well — that this is creating some problems in the community. Clearly, those are problems that we want to resolve. I have committed, most recently to Councillor Stewart, and I'm prepared today to commit to working together with the community to resolve that issue as well.

B. Ralston: I have several questions that concern the enforcement of the Prevention of Cruelty to Animals Act, which is the responsibility of the minister's ministry. First, if I might begin, the SPCA enforces the act on behalf of the government. I don't think it's a formal act of delegation, but they do enforce and administer the act.

I have received representations — and I'm sure members on the government side have received representation — that the compensation to the society for carrying out the duties on behalf of the government, of enforcing the act, is inadequate. Has the minister taken a position, or is he prepared to share his views as to whether or not he's prepared to consider responding to this request and expanding the amount of cash that is directed to the SPCA to enforce the Prevention of Cruelty to Animals Act?

Hon. J. Les: I hate to disappoint the member opposite, but the operation of the act in question does not actually fall under this ministry. It falls under the Ministry of Agriculture and Lands. The only aspect of it that we have anything to do with in this ministry is the appointment of special constables. That is the entire involvement of my ministry in the operations of the SPCA.

B. Ralston: Well, perhaps I've been misinformed as to the jurisdictional difference, but are members of the SPCA delegated as special constables in order to enforce the act? That's my understanding — that that's the mechanism that enables the SPCA.... Certainly, the view in the community and in the province is that the SPCA is delegated to enforce the Prevention of Cruelty to Animals Act.

[1525]

Hon. J. Les: It's actually under section 9 of the Police Act that we draw our ability from to appoint these

special constables in the case of the SPCA. The Prevention of Cruelty to Animals Act contains no provisions for the Ministry of Agriculture to appoint these special constables. One of the roles we fulfil is to ensure that these special constables are appropriately trained when they are appointed, and that there's an appropriate process in place in the case of any complaints.

B. Ralston: I apologize, then, to the minister for proceeding with the wrong act. Just so that we're clear, this section of the Police Act falls within the jurisdiction of the Solicitor General, and SPCA bodies are delegated under the terms of this section under the Police Act to carry out the enforcement of the Prevention of Cruelty to Animals Act — is that correct?

Hon. J. Les: I might not have been clear in my original answer. The powers to investigate are, in fact, found in the Prevention of Cruelty to Animals Act, but the additional powers those officers need to obtain search warrants, for example, flow from section 9 of the Police Act.

B. Ralston: Then I am correct in saying that enforcement of the act — in the sense of entering onto property, with or without a warrant, to seize animals, take custody of animals, proceed to court and make recommendations to Crown counsel — is a jurisdiction that falls under your jurisdiction as minister.

Hon. J. Les: Again, hopefully, I can be clear about this. Their mandate flows from the act which the member has referred to — the Prevention of Cruelty to Animals Act. What they apply for under section 9 of the Police Act is peace officer status, which allows them access to the courts to gain enforcement powers that may be necessary in terms of seizing animals, etc.

B. Ralston: I suppose the unusual feature of the way in which the enforcement of this act is arranged is that it gives to a society what are basically the usual powers attributed to agents of the state, such as police officers.

What appears clear, and I'm sure members on both sides of the House have received complaints about it, is the lack of an independent mechanism to deal with or investigate complaints about the manner in which the act is being enforced by, in particular, the SPCA.

I've received some representations from a number of groups. I won't go into specific cases here, because I don't have the time to, but would the minister consider establishing a consultative committee to engage stakeholder groups in evaluating how the enforcement of the Prevention of Cruelty to Animals Act could be improved and reformed?

[1530]

[The bells were rung.]

Hon. J. Les: Just briefly, as I see the bells are ringing, the powers of these special constables that flow

from section 9 of the Police Act are, in fact, investigated by my ministry when complaints arise. Any other matters that arise from their duties as laid out in the Prevention of Cruelty to Animals Act are in the purview of the Ministry of Agriculture.

The member has suggested that it may be worthwhile to review that entire matter, and I certainly would be open to doing that at some point in time.

The Chair: We will call a recess until after the division is completed.

The committee recessed from 3:31 p.m. to 3:40 p.m.

[J. Nuraney in the chair.]

On Vote 37 (*continued*).

G. Gentner: A couple of quick questions on the British Columbia Lottery Corp., if I may. I believe it's called a facility development commission. Could the minister report how much money is in that? If he can confirm that it's a surplus of winnings that were not claimed.

Hon. J. Les: In fact, there is no special account with money in it. The 3 percent that the member refers to is paid out to the facility owners with the understanding that those moneys are to be used to upgrade their facilities.

G. Gentner: Could the minister explain to us how much was paid out last year to the casinos.

Hon. J. Les: On an annual basis that would amount to a payment of about \$30 million. But to put that into context, that contrasts to an investment that's been made to date in the casino industry in British Columbia of about \$1 billion.

G. Gentner: Does the commission have a set criterion about how they decide to disburse this money, and to whom?

[1545]

Hon. J. Les: There are very straightforward guidelines laid out as to how this money can be invested. What the facility operators do is forward their plans for improvements to their facilities to the Lottery Corp., and if the improvements that are proposed qualify, the money is released — but not before.

G. Gentner: Unfortunately, with the time constraints I'll have to pursue that at another time maybe with the minister. It's an interesting bundle of money — \$30 million being disbursed to casinos.

I want to talk briefly about some allegations made in a newspaper relative to the salaries and expenses of the CEO and president of the B.C. Lottery Corp. Could the minister at this time tell this House: what is the

total salary as of March 31, 2006, and on top of it, what were the expenses?

[H. Bloy in the chair.]

Hon. J. Les: I'll answer the member's question in this way, and I hope it's satisfactory. The base annual salary of the president and CEO is \$275,000 a year. Then there is a performance bonus which can be paid, which can be up to 45 percent, and that is if the individual in question meets the performance targets as set out by the board of the B.C. Lottery Corp.

In the fiscal year that I'm looking at here, which was probably a year earlier than the member asked about, the performance bonus was \$64,779. In addition to that, there was \$64,105.60 in vacation payout. There were expenses, as well, that were incurred by the individual in question.

G. Gentner: I'm, of course, reading from a news article that stated that the total salary package was \$435,000. I'm assuming, looking at 45 percent bonuses.... That was for last year, and I'm assuming that this total package is the same this year as last year.

[1550]

Hon. J. Les: The terms and conditions that apply with respect to the president and CEO have not changed, so one would expect, of course, that the base salary is there; that's the \$275,000. Then there's the performance bonus, and in recent years that has fluctuated. I think I just quoted the member that it had been in fact some 45 percent — yeah, 45 percent. In a very recent year it was 30 percent. So that floats around a little bit. Again, that depends on the performance of the corporation.

G. Gentner: Regarding the business trip to Africa in November 2004, could the minister confirm that the total flights cost \$3,000?

Hon. J. Les: I don't have the precise figure here, but staff tell me that is roughly correct.

G. Gentner: Did that include the trip to see the wildlife in the area? And did it also include the country club expenses — the pair of gloves at the Shelbourne Country Club?

Hon. J. Les: The expenses in question are related to a networking day put on by the conference that the president and CEO attended. This is, I'm told, an integral part of the conference where people from around the world interact and network with one another. I'm sure the member is familiar with that type of event and the benefits that can flow from that.

G. Gentner: I have one last question. I wish I had more. Let me begin this with: of course, there are many conferences in the world to seek out. I have a question.... There was a conference at Reykjavik, Iceland.

Firstly, did members of the B.C. Lottery Corp. and/or the CEO attend? And do we have the total costs of which? Secondly, if any member did attend this, why would we be attending a gaming seminar on interactive gaming?

Hon. J. Les: In fact, at the conference in Reykjavik, Iceland, I'm told we had two technical people who attended. This was a conference put on by the World Lottery Association. These folks in Reykjavik are apparently the suppliers of the equipment that we use here in British Columbia, so I think, again, it's rather appropriate that we attended those kinds of events so that we can stay current with emerging trends and types of equipment.

[1555]

C. Trevena: I'm very glad there is clearly money in the system, because I wanted to ask the minister about the cost of local policing. I know he received some time ago, earlier this year, a letter from the administrative officer of Alert Bay, who's very concerned about the downloading of costs of policing for that community. It's a small community, about half of whom are first nations living on reserve.

I've also had the issue raised by the village of Zeballos, which is the smallest municipality with just about 200 people, who are also very concerned about the downloading of policing costs. And finally, Port Hardy — which is just on the border of where the policing costs are going to be downloaded. They are just below the 5,000 figure and are very concerned about exceeding the 5,000 figure and having to pay increased policing costs.

I wanted to ask the minister what assistance he is able to provide these small communities in paying for the policing costs when they have a very small tax base.

Hon. J. Les: I appreciate the question. I'm sure, as the member realizes, this will be an ongoing discussion for the next number of months. I will be meeting very soon with representatives from the UBCM. I believe they're bringing to that meeting a number of small-community representatives from around the province.

As the member is probably aware, most communities across British Columbia pay for policing and have done so for many, many years. Communities that are upwards of 15,000 population pay 90 percent of their policing costs if they are RCMP-policed. Those that are between 5,000 and 15,000 population pay 70 percent of their policing costs. Those communities, of course, that have their own police forces pay 100 percent of their policing costs.

We have this anomaly, and have had for many years, where communities between zero and 5,000 population pay nothing and make no contribution towards policing. Clearly, that is being recognized as an anomalous and inequitable situation. We have proposed, going back to 2002 or 2003, I believe, that we need to develop a formula whereby these communities begin to contribute towards policing.

Now, the member mentions the community of Port Hardy. I've seen numerous times where communities exceed the threshold of 5,000 population, and suddenly, they have been faced with going from zero to 70 percent of their policing costs. I'm sure with the census being a current activity this week that the community of Port Hardy has got its fingers crossed that hopefully their population won't have grown too much.

We have worked with small communities. We've worked with the UBCM. We currently have a proposal that I think is as equitable as it's possible to be. Clearly, this will represent some additional cost to these small communities. We have tried to ameliorate that. We're talking about a 50-percent contribution. In other words: not 100, not 90, not 70 but a 50-percent contribution. A 50-percent contribution that is based 50 percent on population and 50 percent on assessment.

Again, that recognizes that there are a variety of situations across the province. There are some of these small communities that have very high assessments, and others that have very low assessments but reasonable populations. We'll be engaging in that consultation over the next several weeks and several months, in fact.

I think it's also important to recognize that as these communities begin to contribute towards policing costs they will then also be eligible to share in the pool of money that is generated from traffic fine revenues. Now, I'll say very quickly: that doesn't compensate — nowhere near. I think in a global sense it's about 8 percent of the policing costs that they will recover in that way. Also, of course, they will more legitimately be able to engage in discussions around how their particular communities are policed. I think that when you pay, you also have a right to say.

I'm looking forward to the discussion. I think the proposal that we have before them now is as fair and equitable as it's possible to be.

[1600]

G. Robertson: I would like to ask a question of the minister about search and rescue here in B.C. Search and rescue is no doubt playing a critical role in terms of public safety in many, many communities around the province where wilderness is so abundant and people's propensity to push their limits gets them into trouble. We are blessed with incredible volunteers in our search and rescue forces around the province, but it has been brought to my attention that these search and rescue outfits are not funded in the same way as volunteer fire departments or auxiliary Coast Guard units. There is inadequate funding and unpredictable capital for equipment replacement and the costs of search and rescue units continuing to operate and be well equipped to do the job that they need to do for public safety.

Beyond this, specifically for volunteers, I have been told that volunteers have a very difficult time with life insurance. Their premiums can be as high as four times what typical life insurance costs would be because of the search and rescue work that they do. Because of the

fact they fly unscheduled helicopter flights, they're denied life insurance by some carriers, and the cost of it is significantly higher.

I have a constituent in particular who is now faced with a situation where his insurance is so prohibitively expensive, he's looking at not being involved in search and rescue anymore. He's a long-time volunteer, very experienced, and critical for his search and rescue's unit.

So I would like to hear from the minister the government's commitment to appropriately fund search and rescue for their capital needs and to put them on a par with other volunteer organizations around the province working in public safety, as well as the needs of the volunteers so they can stay with the good work they're doing without having to sacrifice more or actually have to stop doing search and rescue.

Hon. J. Les: First of all let me say that the search and rescue volunteers across the province are very highly regarded. They perform a great service. I remember from my municipal experience often dealing with the local search and rescue. Usually there'd be a grant application or two that they would submit, and that process continues. These people are volunteers. Their capital requirements are often met through grants. What we do through government is provide them with training opportunities. Now, again, these are not lucrative opportunities. The volunteers provide their time at no cost; we provide the training opportunity at no cost to them.

[1605]

In terms of the reimbursement they get when they're called out to various emergencies, I know that there are ongoing discussions for an adjustment of rates. That discussion is not yet complete. Hopefully, it will be in the next month or two. That will be of some assistance to search and rescue units.

The matter of life insurance that the member raises, I'm sure, is significant. It's not something that we have been engaged in. I'm not saying that we shouldn't be, but heretofore, we have not been involved in that discussion. We'll see if there's an appetite on behalf of search and rescue units to somehow involve us. I'm not sure we can make any commitments, but I do think it is necessary that we indicate strongly that we value search and rescue volunteers in our communities. They are extremely important to the safety of communities.

The Chair: Member for Nelson-Creston, and noting the hour....

C. Evans: Noting the hour, I have one hour and 15 minutes' worth of questions, which I will reduce to one question with a 30-second introduction. I expect a 30-second answer, and then we might fit two questions. Never mind all the....

My question is about the provincial fire commissioner. The minister knows exactly what I think; I know what the minister thinks. We've had all the philosophical conversations about how to do it. I would like to know what the FTE count in Victoria and

around rural British Columbia will be when the reorganization is finished.

Hon. J. Les: When the reorganization is complete, there will be the same number of FTEs that were there up to now, and that is 25. It is proposed that 16 of those will be located in Victoria, and nine will be located in nine different locations around the province.

The member will recall that we discussed this a few months ago. I said then, and I'll say again today, that we're actually further dispersing these people around the province. They will be more widely dispersed than they were before. They will be backed up by beefed-up resources in Victoria, and the 1-800 line, for example, is now in operation.

I met just the other day with a number of fire departments in 100 Mile House, and the fire commissioner was there, as well, in the territory of the member for Cariboo South. I think we had a very good discussion with those members, and I sensed a lot of satisfaction in terms of the direction in which the fire commissioner's office is moving.

C. Wyse: I'm cognizant of the time. I do appreciate the opportunity to recognize the minister for the efforts of what he's done on behalf of 100 Mile. Communities like 100 Mile are losing services because they do not have the \$2 million line of credit as required for some contracts. Likewise, other contracts are simply on an annual basis, which limits continuity of service and staff retention.

My question to the minister is: how are those policies beneficial and helpful for providing for services to smaller communities found in rural British Columbia?

Hon. J. Les: We're all at a loss as to what exactly the question referred to. I need some context or something.

C. Wyse: For services that are required, various organizations — boys and girls clubs, women's centres, items of that nature — in making application for providing services.... In some cases the contracts for the gaming funds require an establishment of a \$2 million line of credit, and in other cases the funding that is provided is only on an annual basis. That leads to difficulty for retention of staff as well as for continuity of services. I'm requesting an explanation on how those two policies are beneficial for smaller communities found in rural B.C.

[1610]

Hon. J. Les: I sense that the members opposite want to wrap up fairly quickly, so I will simply say this. In the administration of those gaming funds, we always need to be sure that there's appropriate accountability. There are certain things that all of these groups need to accomplish to maintain their access to the grants on a multi-year basis.

We're moving towards a regime where those who report without any problems at all can, in fact, achieve a three-year approval. Those who are having difficulty

reporting back, of course, will not be able to get that kind of grant certainty. We're working very closely with charities and other groups across the province to give them the maximum amount of certainty, because I know it is important, as the member rightly points out. But I think the taxpayer does expect us to maintain a certain level of accountability so that the funds are spent appropriately, for the purposes designated. At the end of the day, I think we have that responsibility.

Vote 37: ministry operations, \$523,967,000 — approved.

Vote 38: Emergency Program Act, \$15,634,000 — approved.

J. Brar: I would just like to take the opportunity to say thank you to the minister and all the staff members for their input into the estimates debate. I appreciate

that. But keeping in mind the limits in time because the estimates debate was at the end, we couldn't get to all the questions we were thinking.

I would just like to put it on the record, and through the Chair to the minister, that we will have the opportunity for briefings from different departments — particularly, I would like to say, one from the coroner's office, and gaming and police. We have some more questions, if we can get that in the coming few months.

Having said that, once again, thank you to everyone. I move that the committee rise and report resolution and completion of the Ministry of Public Safety and Solicitor General and ask leave to sit again.

Motion approved.

The committee rose at 4:13 p.m.

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