



Second Session, 38th Parliament

OFFICIAL REPORT OF  
DEBATES OF THE  
LEGISLATIVE ASSEMBLY  
(HANSARD)

Thursday, May 11, 2006  
Afternoon Sitting  
Volume 11, Number 7

THE HONOURABLE BILL BARISOFF, SPEAKER

ISSN 0709-1281

**PROVINCE OF BRITISH COLUMBIA**  
(Entered Confederation July 20, 1871)

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

**SECOND SESSION, 38TH PARLIAMENT**

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THURSDAY, MAY 11, 2006

The House met at 2:03 p.m.

### Introductions by Members

**C. Evans:** Joining us in the gallery are four people I'd like to introduce. First is Luke Crawford of Kaslo, B.C. Luke's only mistake in judgment in his life that I know of was having the temerity to run against me in the last election. But I'd like members to forgive him — for losing, you guys can figure.

Also with Luke is Joan Phillip of the Penticton Indian Band, Peter Chataway of the Canadian Coalition for Nuclear Responsibility and Wayne Fipke, a miner and rancher from Beaverdell. The four of these folks came to meet with the Minister of Mines to discuss uranium mining, and he graciously gave them a meeting. I'd like the House to make them welcome.

**Hon. S. Hagen:** Today's a great day in Victoria. We have three classes of kids from the Comox Valley here, from three different schools. From Airport Elementary School we have 26 grade four and five students and their teacher Mrs. Kathrine Askew. We have 30 grade five students from Tsolum Elementary School with their teacher Ms. Valerie Sherriff. Also in the precincts today, from Puntledge Park Elementary School, we have 22 grade five students and their teacher Julia Staicu and principal Andrea Rowland. Would the House please join me in making them feel very welcome.

**M. Farnworth:** In the House today are some very special guests. They are Alan and Rendene Rutkowski, who are visiting us today from Edmonton. They are joined by their grandson Benjamin, who is celebrating his sixth birthday today.

I also know that Benjamin will be getting a very special birthday present. I don't think it's a pony, but in order to get that very special birthday present, he has to ask his father a skill-testing question, and he has to answer it correctly. The question is: who is Igor Gouzenko? Would the House please make the Rutkowskis most welcome.

[1405]

**A. Horning:** Visiting us today from my riding of Kelowna-Lake Country is Jim Waters. Jim represents Paragon Pharmacies and is in the capital for a pharmacy convention that starts tomorrow. Would you all please make Jim welcome.

**R. Fleming:** I want to introduce three guests who are with us today in the gallery. Van Buchanan is a constituent of mine, and with her are two friends: Robert Bosley from Bellingham, Washington, and Martyn Mann, who is from Guernsey Island in the Channel Islands. Could the House please join me in making them feel welcome.

**D. MacKay:** I would ask that members on both sides of this chamber join me in wishing the member

for Richmond Centre — the Minister of Tourism, Sport and the Arts — a very happy birthday.

**Hon. G. Abbott:** In the gallery today is an old friend of mine. When I knew him best back in the 1970s at the University of Victoria, he was Dr. Paddy Smith and taught political science. I learned a great deal from him in those days about political science and about life and about the answer to the Opposition House Leader's question being Gerta Munsinger's best friend. So that's good.

I only realized that time had been passing us both by when I heard from my son Brant that he had been a student of Paddy's at Simon Fraser University. Time does march on. But I do want to point out to all members of the House that Paddy has been doing a wonderful job as the academic coordinator for the B.C. legislative internship program.

I know that program is winding down for the members now. I'm not sure if they're relieved by that or hugely disappointed about that, but the legislative interns have done a great job for both sides of the House. I want to thank them, and I want to thank Paddy for a wonderful job in providing us that service.

**Hon. I. Chong:** Visiting us in the House today are two constituents of mine from Oak Bay, Sigrid and John Brennan. Mr. and Mrs. Brennan moved to Victoria from Ontario 16 years ago. Since then, they have both been active volunteers in the community. Mrs. Brennan's first volunteer project was back in 1994 with the Commonwealth Games. Currently, Mr. Brennan volunteers at the Monterey Centre in Oak Bay, a very well-utilized centre for seniors. I understand that they were in the building earlier today. They enjoyed lunch, and this is their very first visit to question period. I would ask the House to make them both very welcome.

**R. Fleming:** Another constituent of mine who is visiting us today is Dr. Larry Hannant. He's a professor of history at Camosun College and an adjunct professor of history at the University of Victoria. As well, Dr. Hannant is the co-creator of *Explosion on the Kettle Valley Line: The Death of Peter Verigin*. It's available on [canadianmysteries.ca](http://canadianmysteries.ca). It's a web-based project for students of Canadian history that links students to the past by having them investigate and solve past Canadian mysteries. Will the House please make Dr. Hannant feel welcome.

### Statements (Standing Order 25B)

#### NISGA'A TREATY

**G. Coons:** Treaty-making rather than litigation or confrontation is the best road to the reconciliation of the prior presence of aboriginal people in Canada with the sovereignty of the Crown. The Nisga'a treaty has historic impact in Canada and provides insights for future land claims negotiations in Canada and in other

jurisdictions. The Nisga'a treaty is often called the beacon of hope.

The Nisga'a treaty or land claims agreement is the only treaty signed in British Columbia in the 20th century, the first treaty or land claims agreement to achieve certainty without extinguishment or surrender of aboriginal rights, the first Canadian treaty to include all self-government provisions, the first treaty or land claims agreement to include a provincial Crown as a full participant since the James Bay and northern Quebec agreement in 1975, the first treaty or land claims agreement to provide certainty in respect of a first nation's rights to participate in a major commercial salmon fishery.

[1410]

The Nisga'a treaty faced unprecedented focus and length of debate here in the British Columbia Legislature. The treaty withstood 471 proposed amendments in the House of Commons, was tested at three rounds of parliamentary hearings, was exhaustively examined by the Senate of Canada, and was subjected to sustained and sometimes international media coverage for over four years. Yet the treaty as negotiated was passed into law, gaining royal assent and implementation in the spring of 2000.

The Nisga'a vision has held steadfast for over 10,000 years. In the spirit of *Sayt K'il'im Goot*, the Nisga'a Nation is a place where the *Ayuuk* language and culture are the foundation of Nisga'a identity, where language is a way of life, where striving for sustainable prosperity and self-reliance continues, where trust and understanding flow through effective communications, and where governance and services evolve to meet people's needs — one heart, one path, one nation.

Today, May 11, is the sixth anniversary of the historic signing of the Nisga'a treaty.

#### HEAD TAX ON CHINESE IMMIGRANTS

**R. Lee:** Recently the federal government has indicated that it will act in the parliament to offer an apology for the Chinese head tax.

On July 31, 1878, the B.C. Legislature unanimously passed a bill stating that: "This House is of the opinion that Chinese should not be employed upon the public works of the province." Two laws were passed in the B.C. Legislature in 1884. The first mandated that every Chinese person over the age of 14 years purchase a licence for a sum set at \$100. The second stated that it was unlawful for Chinese migrants to enter the province and that a fine of \$50 or six months imprisonment would be levied on lawbreakers. Both laws were disallowed by the federal government.

However, one year later, in 1885, the federal government passed the law to impose a head tax of \$50 on all Chinese immigrants. It was raised to \$100 in 1901 and increased to \$500 in 1904. In 1923 the federal government passed the Chinese exclusion act, which prohibited all Chinese — except diplomats, visiting businessmen and students — from entering Canada.

About 80,000 Chinese immigrants paid \$26 million during a period of 40 years, and from 1923 to 1947,

both the population and the community's morale declined. This amount of head tax collected is equivalent to the cost of constructing the Canadian Pacific Railway from Halifax to Vancouver or 13 B.C. Parliament Buildings — which cost about \$2 million to build, including all three wings, in 1915. In fact, the construction of this building was financed by the Chinese head tax.

This apology is long overdue. Finally, a government in Ottawa is making good on their word to address this wrong and black mark in Canada's history.

#### PESTICIDE REDUCTION CAMPAIGN IN MAPLE RIDGE

**M. Sather:** Today I'm pleased to speak about a local movement in my constituency called Campaign for Pesticide Reduction in Maple Ridge, or CPR. CPR was started three years ago by a local activist and longtime resident of Maple Ridge, Maria Raynolds, after her husband was poisoned by pesticides and became very ill. Maria and other supporters collected 3,600 signatures from local residents and received a letter of support signed by 54 doctors to restrict the non-essential use of pesticides in our community.

The current council in Maple Ridge have committed to drafting a bylaw that would reduce the non-essential use of pesticides in Maple Ridge. Similar bylaws have already been passed in over 100 other municipalities across Canada. The entire province of Quebec already has done this.

It is widely believed that chemical pesticides are a leading environmental cause of cancers, neurological disorders and adverse effects on reproductive health. Approximately 35 percent of all pesticides are used in cosmetic, non-essential applications. Children and pregnant women are especially vulnerable.

[1415]

The Campaign for Pesticide Reduction in Maple Ridge is supporting an amendment to the federal Pest Control Products Act that would place a moratorium on the cosmetic use of chemical pesticides in homes, in gardens and in recreational facilities such as parks and golf courses. This moratorium would be in place until scientific evidence showing that such use is safe has been presented to parliament. The proposed moratorium would take effect on Earth Day 2007. I applaud the work being done by Ms. Raynolds in my community and that of other supporters of the Campaign for Pesticide Reduction in Maple Ridge.

#### COMMUNITY AWARDS TO SURREY RCMP

**D. Hayer:** For ten years the Surrey Chamber of Commerce has recognized the best of the best on Surrey's police force. These RCMP officers, their auxiliaries, their staff members, their volunteers and their community business partners are recognized each year with great pride. These awards were begun by my Surrey Chamber team when I was the president of the



organization in '96-97. I'm proud to say that they have been continued.

These awards recognize the outstanding contribution made to the city of Surrey by those who serve and protect. Surrey has the largest detachment of RCMP officers in Canada. It has very outstanding officers within its ranks. The Police Officer of the Year Award, as nominated by their peers, was chosen from finalists Const. Nathan Menard, Cpl. Tony Porato and Sgt. Bruce Stuart, with Corporal Porato receiving the award. The Police Officer of the Year, as nominated by the community, was chosen from finalists Staff Sgt. Barry Hickman, Cpl. Tom Norton and Staff Sgt. Dave Woods, with Staff Sergeant Woods taking the honours as the winner.

Nominated for the Arnold Silzer Award were Const. Sandra Farkas and Staff Sgt. Dave Wood, with Constable Farkas winning the award. In the police municipal employee category, the finalists were Merv Bayda, Sandy Campbell and Corrine Marrelli, with Sandy Campbell as the winner. Police Volunteer of the Year was chosen from Charlie Gregor, Joyce Hill and Peter Young, with Joyce Hill being named the top volunteer.

Auxiliary Constable of the Year was chosen from Kerri Robertson, Karen Summers and Michael Ward, with Michael Ward as the winner. In the Police and Business Partnership category, the finalists were Frank Forchalk, Peter Legge and White Rock Design and Print, with Frank Forchalk receiving the award.

I would ask all members to join me in recognizing all the award-winning nominees, the finalists and the winners who have taken part in this outstanding police community. I would also like to thank our Solicitor General for his kind remarks as a keynote speaker at last night's awards.

#### MAY DAY CELEBRATIONS IN PORT COQUITLAM

**M. Farnworth:** It is a pleasure to rise in the House today and tell members about an event taking place in my constituency this week and culminating this weekend with our civic festival.

This week is the 83rd annual May Day celebrations in Port Coquitlam. It is the second-oldest continuous May Day in the province, and it's one which our community takes great pride in. It has its roots in the heritage of the pioneers who settled our area in the late 19th century. It was adapted over the years to take into account the diversity and changing times, but some things haven't changed, and that is the spirit of family and community that pervades this entire week.

From last weekend, where the 83rd May Queen, Kelsey Nickel, was crowned in Port Coquitlam along with Clinton Elliot, who will be the 2006 ambassador for Port Coquitlam, it is a remarkable achievement that a festival like this has lasted for 83 years. It is a testament to the hundreds of volunteers in our community who make this event happen.

Over the years it has changed somewhat, but as I said, many things are still the same. There's the may-

pole dancing and fun fairs and lots of activities for communities. It takes place with hundreds and hundreds of volunteers. In the '60s, two that come to mind were Harold and Mary Routley, a pioneer family in Port Coquitlam, and Glen McDonald, a longtime teacher and principal in Port Coquitlam who were instrumental in ensuring that the festival continues to this day.

My comment to members is a recommendation. If you are out in Port Coquitlam this weekend, stop by and see our May Day parade. It's the 83rd one; it's a remarkable event. Everyone in Port Coquitlam will be there, and I thank all the volunteers and wish everyone a really great weekend.

[1420]

#### CONTRIBUTIONS OF SAVAGE FAMILY

**V. Roddick:** The Fraser River delta is rich in both soil and history. The Savage family came from Ireland to Delta South in 1886. That's 120 years ago. As the family grew and multiplied, farms throughout Richmond and Delta were established. Their Jersey cattle were amongst the finest herds in Canada.

The Delta branch of the Savages progressed from a dairy farm to equipment dealership, a registered Hereford beef herd, plus extensive vegetable production for Royal City Foods, Fraser Valley Foods and Lucerne Foods, a division of Safeway.

H.R. Savage and Sons was run by son Robert and helped by son Ken while son John was the Minister of Agriculture from 1986 to 1991. Retirement in early spring of 2006 saw the end of an era for this half of the Savage family. However, the Richmond Savages are still in production, milking a total of 500 Holsteins and farming 400 acres of cranberries.

We in the province are indebted to such hard-working pioneers and their families. It's why we can claim to be the best place to live, work and play. For those of you who are wondering — and you should be interested about the land under cultivation by H.R. Savage and Sons — it has been taken up by two other Delta pioneer families, the Guichons and the Burrs, as in Raymond Burr of Perry Mason fame, who will continue producing delicious, fresh, local, safe food for our consumption, because we still have to eat to live.

Please join me in thanking H.R. Savage and Sons for their family's 120-year contribution to our wonderful province.

**L. Mayencourt:** Mr. Speaker, I seek leave to make an introduction.

Leave granted.

#### Introductions by Members

**L. Mayencourt:** We have a guest in the precinct that I would like to introduce. As many members know, the member for Kelowna-Mission is a survivor of leukemia. This weekend she will be hosting the first annual

Thanks Mom event. It's a blood donor drive that's going to happen down at Stanley Park.

Along with Mr. Roy Lanaway from the Canadian Blood Services, we will have members from the Western Hockey League champions, the Vancouver Giants — winners of 12 straight games. We will have lesser celebrities such as myself and the Premier, and of course the member for Kelowna-Mission.

We invite all members of the Legislature to join us on that day at 11 o'clock at the Vancouver Aquarium. We invite all members of the public to join us, as well, to try and save lives. So please remember Thanks Mom, Mother's Day, May 14, at 11 a.m.

### Oral Questions

#### ACUTE CARE BEDS AT KELOWNA GENERAL HOSPITAL

**K. Conroy:** Yesterday the opposition asked the Minister of Health what he was going to do to relieve the ongoing crisis at Kelowna General Hospital. Today the *Kelowna Daily Courier* printed a letter from four Kelowna physicians expressing their "grave concern about the conditions at Kelowna General."

These doctors represent a community pleading for help. Their concerns are clear, and their needs are simple. They need help. They are asking for 40 acute care beds and two more operating rooms.

How much longer do the people of the Okanagan have to wait before the minister makes a firm commitment and responds to this desperate crisis?

**Hon. G. Abbott:** As I noted in the House yesterday in question period, I had the opportunity to meet last week with the authors of the letter that was published today in the *Courier*. It was a very good meeting, a very constructive meeting.

[1425]

I think the emergency room doctors and other staff have some excellent ideas, both short-term and long-term, to try to relieve the periodic congestion that appears in Kelowna General Hospital. I'm pleased that they are working as part of the leadership team at Kelowna General Hospital to identify ways in which we can decongest Kelowna General on those occasions when that occurs.

It's unfortunate, perhaps, that the member didn't read the letter through to the end. The concluding paragraph indicates that they were very pleased with the meeting they had with me, that they are very confident that our government is going in the right direction in terms of meeting the challenges that present themselves at Kelowna General Hospital and elsewhere.

**Mr. Speaker:** Member for West Kootenay-Boundary has a supplemental.

**K. Conroy:** What the doctors are also telling this Minister of Health is that there is a crisis that needs

immediate action. Beds were closed throughout the region, but demand has only increased. There is more pressure on Kelowna General than ever before, and that pressure is wearing staff down. The doctors say workers are suffering from burnout and chronic stress because nurses, paramedics and physicians are working in continual crisis.

Is the Minister of Health prepared to tolerate continual crisis, or will he commit today new resources for Kelowna so staff can better meet the needs of patients?

**Hon. G. Abbott:** One thing we're going to do is always work constructively with the front-line health care workers, with doctors, with nurses, with administrators to in fact find constructive solutions to the challenges that face us.

The member can say: "Well, just add beds." Well, when one considers that there are currently about 125 nurse vacancies in the Interior Health Authority... Again, it goes back to this point, and it's very fundamental in this discussion. A bed is a steel frame with a mattress on it until you have a medical professional, a nurse and all the supports that the patient needs to be in that bed.

That is the difference here. We are investing hugely in training health human resources, doctors and nurses. We're investing in residential care. We're investing right across the board. We are working every day to improve outcomes in the ERs of this province — in Kelowna and elsewhere.

**Mr. Speaker:** The member for West Kootenay-Boundary has a further supplemental.

**K. Conroy:** It's not just members on this side of the House that are asking for more beds. It's the doctors; it's the physicians who are working in Kelowna General Hospital. What they've said is "hopelessness." That's what they're saying is happening in Kelowna General Hospital right now. They are "overwhelmed by a feeling of hopelessness."

This can't continue. This crisis must end. The government needs to act. The minister — yes, you have met with the doctors; you've heard their concerns directly — knows the situation is critical. Why won't he commit to resolving this crisis and ending this hopelessness?

**Hon. G. Abbott:** I don't remember the member complaining when Interior Health recently opened up 115 assisted-living units in Kelowna. I don't remember the member complaining when recently 20 new residential care beds were opened up on the fifth floor of Kelowna General Hospital. I don't remember the member complaining that we would be investing in 280 additional new residential care beds.

Let's be honest here. Kelowna General Hospital was constructed at a time when the population of Kelowna and the central Okanagan was a small fraction of what that population is today. Kelowna General is a facility that is in much need of capital investment, and I'm proud to say that we will be making that investment.

[1430]

Kelowna is one of the most rapidly growing areas in this province. It's an area where we have demographic challenges. It's an area where we will be investing judiciously, wisely and appropriately in the months and years ahead.

STAFF MORALE  
AT KELOWNA GENERAL HOSPITAL

**D. Cubberley:** I'm not getting a sense that the minister is aware of how dire the situation is at Kelowna General Hospital. It shocks me, because he did meet with the doctors in question, and they told him.

The study that was published, and we heard about yesterday, found that the number-one impact of emergency room overcrowding is rising stress among staff. The number-one impact is rising stress. Overcrowding in hospital emergency rooms creates a frenetic environment where caregivers are not able to give the care that patients deserve to the standard they're trained to. They don't like it, and they're telling you that situation is becoming endemic.

Listen to what a doctor said in the paragraph above the one that you jumped to: "...you cannot take care of the sick by making the lives of the healthy impossible by constantly requiring them to do too much with too little." That's how doctors characterize what's going on at Kelowna General Hospital.

When is the Minister of Health going to take seriously the concerns being expressed by doctors at Kelowna General? When is he going to announce that he's going to put the 40 beds in place and the operating rooms that are needed?

**Hon. G. Abbott:** I've had the pleasure of meeting with the emergency room doctors at Kelowna General Hospital. I've had a tour of the emergency department at Kelowna General Hospital. In fact, I've been to Kelowna General Hospital, I think, about three times in the last month to not only open new facilities and new improvements to the hospital — most recently a \$2 million investment in better cardiac care in Kelowna General Hospital and, before that, the adolescent psychiatric unit at Kelowna General Hospital.... There are lots of great things happening.

I can tell you that what we need to do is overcome the zero-dollar investment in new nursing spaces by that former government in the 1990s. That's the first step — a major investment in health human resources. Secondly, we need to make the capital reinvestment in Kelowna General Hospital that was sadly wanting when that government was frittering away ten years in office in this province.

**Mr. Speaker:** The member for Saanich South has a supplemental.

**D. Cubberley:** Well, perhaps if he hadn't closed 24 percent of the acute care beds in the IHA, there

wouldn't be the pressure on Kelowna General that there is today.

Code purple is not a periodic problem at this hospital. Kelowna General has code-purpled five times since Christmas — five times. People used to want to work in emergency care, but now it's becoming a workplace they want to avoid. Stress and demoralization, which is just what those doctors were talking to you about, are making it difficult to attract and retain people working in that ER room. That's what those people told you when they met with you, minister.

Must the entire system go code purple before you acknowledge the problem and act to solve it?

**Mr. Speaker:** Just a reminder, members, to direct your questions and answers through the Chair.

**Hon. G. Abbott:** The sad thing that I hear in this House is an opposition that.... While they promised on taking office to be constructive, I've yet to see that side of constructive criticism. I certainly hear the criticism; I don't hear the constructive.

I know that everyone — nurses, doctors, administrators, orderlies, hospital employees union, paramedics — is coming to the table to talk about how we can make the health care system better in British Columbia.

[1435]

All we ever hear is an attempt by this opposition to undermine public confidence in a great health care system. That's what I hear. I think it's shameful that they can't step up and offer one constructive suggestion about how to make things better. The sanctimony and the hypocrisy of being a government that cut 3,334 beds in this province and then complaining because we cut a very small fraction of that are totally, totally beyond belief.

EMERGENCY SERVICES  
IN CRESTON

**C. Evans:** I would like to offer my criticism in as constructive a manner as possible without ascribing blame and see if it works to get an answer. The doctors in Creston are giving up and have stated publicly to the community and to the IHA — I'm sure the minister knows — that they're withdrawing emergency evening services on May 15.

So without blame, simply a constructive suggestion: will the Minister of Health direct that a locum emergency physician be employed and sent to Creston to serve the Creston Valley and the 15,000 people that need emergency services until this withdrawal of service can be restored?

**Hon. G. Abbott:** I thank the hon. member for his constructive suggestion and the respectful way in which it was posed. I think that was excellent on his part, and I celebrate it.

I have not heard about this issue prior to the member's comments here. I know we had a review of issues

in the health care system immediately prior to question period, and this did not come up. But I would appreciate hearing from this member more detail on that. I, without reservation, promise that I will look into it and take steps to deal with the situation.

I thank the member for raising the issue with me.

**Mr. Speaker:** The member for Nelson-Creston has a supplemental.

**C. Evans:** You know, part of the reason why this rancour exists is because it would appear that there is a disconnect between members of the executive council and the citizens in communities. The minister says he didn't know. I was in Creston three weeks ago meeting with the IHA, who work for him, who knew; and with the doctors who are withdrawing services, who knew; and with the administration at the hospital and the town council and the regional district and the economic development commission — all of whom are engaging in doctor recruitment because there is not any effort coming out of the ministry.

It is amazing that in question period three weeks later, the minister would say to me it is news to him what every single citizen on the ground has already known. Now, my question....

Interjections.

**C. Evans:** Just hang on.

**Mr. Speaker:** Members.

**C. Evans:** My question is bound to be shorter than his answer.

**Mr. Speaker:** Continue, member.

Interjections.

**Mr. Speaker:** Members.

**C. Evans:** In the most respectful way that I can, then, my question to the Minister of Health: if you are unable to resolve this through whatever channels you have left, will you accompany me to Creston to meet the doctors on or before May 15 in order to avoid withdrawal of services?

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

I am surprised, given the attention that I've received in this Legislature in question period over the past three months — never mind the past three weeks — that the member hasn't availed himself of the opportunity to advise me of this serious situation until today. I have not heard from the member either in my office or in the Legislature, but I did thank the member for advising me of this.

Now that I know about this, I can promise him that I will look into the matter, and I will take whatever

action is appropriate to ensure that the citizens of Creston continue to receive the medical services that they absolutely deserve and require.

[1440]

#### WORKERS COMPENSATION APPEALS PROCESS

**C. Puchmayr:** On May 5 the Supreme Court of British Columbia imposed a judgment against the Workers Compensation Board board of directors citing their policy of interpretation of pension benefits for a dying worker as being patently unreasonable. This is only the tip of the iceberg of what is rapidly becoming a human tragedy, as workers plateau into the new reality of the Workers Compensation Act that was imposed in 2002.

Will the Labour Minister undertake a full independent review of the WCB appeals procedure and its relationship to the board of directors, with the goals to ensure that the process is fair and impartial?

**Hon. M. de Jong:** Thanks to the member for raising the question.

The case in question involved a judicial determination — as the member pointed out, a redetermination — of the terms "deterioration" versus "recurrence." In fact, the court did overrule the decision of the Workers Compensation Board, the board of directors. I have already commenced an examination of the.... I have just received the reasoning and am examining them.

I'm going to be a bit cautious in the responses I give now, insofar as all of the parties involved are still within the appeal period, but I can assure the member and members of the House that the decision has engaged my attention.

**Mr. Speaker:** The member for New Westminster has a supplemental.

**C. Puchmayr:** I hope I'm not hearing that the government is going to appeal this decision. I would like to say that the WCB tribunal can overrule the board of directors, but the overruling of the board of directors has to go back to the board of directors for a decision. In this case law — it's not surprising — the majority of the board of directors sided with themselves and brought the decision back to say that the decision wasn't going to be changed, forcing the appellant into a costly legal proceeding in the Supreme Court.

Will the Minister of Labour intervene to ensure that we have independence, accountability and openness in the Workers Compensation appeals procedure?

**Hon. M. de Jong:** It is that very independence of both WorkSafe — WCB — and the courts themselves that obliges me to be a bit careful in terms of the comments I make at this stage. Suffice it to say that in the reasoning that I have reviewed thus far, I am aware of

the circumstance in which — actually in a separate case, though similar — the decisions of the Workers Compensation Appeal Tribunal reverted back to the board. So that is relevant, and was relevant, in the decision handed down by the Supreme Court.

It is a complex decision, an important one, and what I want to assure the member of in the House today is that I will review it with all due diligence.

#### REVIEW OF WORKSAFE B.C. POLICIES

**M. Karagianis:** The Supreme Court of B.C. has determined that a key policy of WorkSafe B.C., a policy determined by this government, is patently unreasonable and that the board of directors' interpretation is patently unreasonable.

So I would say: given this clear indication that the judicial system disagrees with changes this government made to WCB — now WorkSafe — will the minister, in fact, agree to an independent review of all the policies this government changed in 2003?

**Hon. M. de Jong:** First of all, I hope the member can appreciate that it is the expectation of the government of British Columbia that all citizens and all agencies abide by the law, whether that is statute law originating out of this chamber or the common law as pronounced by the courts of this land.

[1445]

I am at a bit of a disadvantage insofar as, as a member of the executive council, I am limited as to what I can say pending the expiration of the appeal period. I have tried to offer the members opposite assurances that I consider the decision an important one and warranting of careful examination, and that is what the government intends to do.

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

**M. Karagianis:** While I appreciate that the specific individual case is currently in the appeal stage or can appeal, I would like to know if the minister believes that it's the duty of claimants or the Supreme Court to do the government's work in reviewing policies set by this government for WorkSafe B.C. Again, I would ask whether the minister and this government will review all of the policy changes made in 2003 to the Workers Compensation Board.

**Hon. M. de Jong:** This is probably not the place for us to engage in an exchange about the respective roles of the Legislature and the courts and independent quasi-judicial bodies.

The court was, in this case, asked to offer its interpretation of certain regulations and the manner in which those regulations were applied by an independent body. They have done so. There is an appeal period in which any of the parties involved have the option of appealing that decision. I am going to, as I should, allow for that period to expire and during that time

conduct a thorough examination of the reasons for judgment. If the member and other members have further questions, at that time I'll be in a position to offer my thoughts on what, if any, action would be appropriate.

#### IIG ALL NATIONS INSTITUTE FUNDING

**G. Robertson:** The IIG All Nations Institute is an indigenous, public post-secondary institution in Burnaby. It is also Canada's first autonomous degree-granting indigenous institute. Their mission is to provide an accredited post-secondary specialized program, skills training and research opportunities dedicated to empowering first peoples.

The Premier speaks boldly of his government's commitment to aboriginal education. However, despite being our fastest-growing public institution since 2001, despite being debt-free and operating with a balanced budget, the All Nations Institute has had its enrolment capped and its funding frozen. It's been excluded from the budget and accountability meetings the minister holds each year with all other institutions and told not to provide multi-year plans.

Can the Minister of Advanced Education explain why the All Nations Institute, which is a public post-secondary institution, is being treated like a poor cousin?

**Hon. M. Coell:** I think the member was with me when we just opened their new classrooms and new building in the Open Learning Agency building. They're doing a great job. We're working with them to see how we can help them grow in the future.

**Mr. Speaker:** Member for Vancouver-Fraserview has a supplemental.

**G. Robertson:** I think the minister missed the point of my question. The All Nations Institute does not receive an annual capital allowance or maintenance for targeted lease funding. They do not receive any capital funding. Their board of governors is appointed for two to six months at a time, rather than the typical multi-year appointments of all the other institutions.

The All Nations Institute has been tremendously successful, but it's clear that the reward for their success is to be starved of funding and to have their enrolment capped. In recent estimates debate with the minister, the minister stated that he was "anxious to have the IIG come back into the fold."

They've been marginalized for years under this government. How much longer do they have to wait?

[1450]

**Hon. M. Coell:** I think the opening of new classrooms and renovations to their institution is a commitment on our part — also a commitment on our part to work with them to help them grow. They're a new institution with a bright future.

## DEATH OF IAN BUSH IN RCMP CUSTODY

**R. Austin:** The disturbing case of the violent death of Ian Bush, a 22-year-old Houston resident, last October is once again bringing into question the timeliness of investigations into deaths that involve our police forces. Ian Bush died while in RCMP custody. He was shot in the back of the head. The only other person in the room with him was a young RCMP constable.

The B.C. Civil Liberties Association has called on the RCMP complaints commissioner to investigate but have been refused. Ian's mother has repeatedly asked the RCMP for answers to her son's death and also has been refused. When asked by the media for information, the RCMP said: "The public doesn't have a right to know anything." Even the Attorney General has publicly acknowledged that the investigation of Ian's death is fraught with procedural and perception problems.

To the Solicitor General: what action is he taking to see that the facts of Ian's tragic death are made known to Ian's family as soon as possible?

**Hon. J. Les:** As I think everyone in this House knows, there is a very deliberate process laid out that occurs when a tragedy occurs such as the one in Houston recently. That matter has been investigated by the independent detachment out of Prince George. That investigation is now being reviewed by the New Westminster police, and we all look forward to the results of those investigations.

What is unfortunate, Mr. Speaker, are the absolutely asinine comments that have been made recently by the...

**Mr. Speaker:** Minister, do you want to withdraw that comment?

**Hon. J. Les:** I withdraw, Mr. Speaker.

What is unfortunate are the completely uncalled-for comments that have been made by the federal member from the Skeena riding. I believe those are completely inappropriate, and if in any way the member opposite agrees with those comments, that is indeed shameful.

**Mr. Speaker:** The member for Skeena has a supplemental.

**R. Austin:** My question had absolutely nothing to do with any comments made by anybody else and has all to do with how a young man went from being charged with having a beer in a public place to being dead an hour later.

Perhaps the Solicitor General agrees that the public doesn't have a right to know anything. After all, I understand the internal RCMP investigation is complete and is currently being reviewed by the New Westminster police. But while the police do their investigations and reviews, the coroner is doing nothing. He's doing nothing, despite the clear wording of the act that says

that every death of a person in police custody must be the subject of an inquest.

An inquest does not determine blame; it determines facts. Yet the chief coroner for B.C. — as a matter of policy, not law — refuses to start an inquest until after all judicial options have been exhausted. In short, Ian's family is looking at months, if not years before they will find out why he died as he did.

Again to the Solicitor General: why does he allow these unconscionable delays to simply finding out why Ian died?

**Hon. J. Les:** Well, I hope it is clear to everyone in this House that what is necessary at the end of all of these processes is that we learn all of the facts clearly and accurately. At the end of the day, there must be justice obtained by everyone who is a party to these particular cases.

The member also ought to know that a coroner's process cannot proceed until all other potential judicial processes have been completed. We do not know at this point whether judicial processes may be necessary. Until we know that and until we know that those processes are complete, a coroner's process would be completely inappropriate. I'm surprised that the member opposite does not know that.

[1455]

[End of question period.]

### Petitions

**S. Fraser:** I'm honoured to be submitting a petition on behalf of hundreds of my constituents. I think there are 1,700 signatures here. They are seeking protection for the sensitive wetlands of Hamilton Marsh and the surrounding habitat — a key portion of our watershed.

### Tabling Documents

**Mr. Speaker:** Hon. members, I have the honour to present an opinion of the Conflict-of-Interest Commissioner pursuant to section 19(1) of the Members' Conflict of Interest Act.

### Petitions

**K. Conroy:** I would like to present a petition from residents throughout my constituency and into the Okanagan area, calling for a moratorium on uranium mining and/or exploration in British Columbia — over 400 signatures.

### Tabling Documents

**Hon. M. de Jong:** I have the annual report, 2005, for the Labour Relations Board.

### Orders of the Day

**Hon. M. de Jong:** In this chamber, I call private Bill Pr401. In Section A, Committee of Supply, for the in-

formation of members, continued debate on the Ministry of Health.

### Second Reading of Bills

#### PATRICIA COMMUNITY CLUB (CORPORATE RESTORATION) ACT, 2006

**M. Polak:** I move the bill be now read a second time.

The Patricia Community Club was incorporated as a society in 1922. The society was removed from the register of companies and dissolved on November 10, 1988, for failure to file annual reports.

The society continued to operate, not realizing that it had been removed from the register of companies. If a society has been dissolved for more than ten years, the only way to restore the society is by a special act of the Legislature. This legislation provides for a standard restoration and is identical to previously enacted special acts restoring societies or companies.

**Mr. Speaker:** Seeing no further speakers, the member for Langley closes debate.

**M. Polak:** I move that the bill now be read a second time.

Motion approved.

**M. Polak:** By leave, I move that the bill be referred to a Committee of the Whole House to be considered forthwith.

Leave granted.

Bill Pr401, Patricia Community Club (Corporate Restoration) Act, 2006, read a second time and ordered to proceed to a Committee of the Whole House for consideration forthwith.

### Committee of the Whole House

#### PATRICIA COMMUNITY CLUB (CORPORATE RESTORATION) ACT, 2006

The House in Committee of the Whole (Section B) on Bill Pr401; J. Nuraney in the chair.

The committee met at 3 p.m.

Sections 1 to 5 inclusive approved.

Preamble approved.

Title approved.

**M. Polak:** I move that the committee rise and report the bill complete without amendment.

Motion approved.

The committee rose at 3:02 p.m.

The House resumed; Mr. Speaker in the chair.

### Report and Third Reading of Bills

#### PATRICIA COMMUNITY CLUB (CORPORATE RESTORATION) ACT, 2006

Bill Pr401, Patricia Community Club (Corporate Restoration) Act, 2006, reported complete without amendment, read a third time and passed.

**Hon. M. de Jong:** I call private Bill Pr402.

### Second Reading of Bills

#### CHRIST FOR THE NATIONS BIBLE COLLEGE ACT

**D. Hayer:** I move that Bill Pr402 be read now for a second time.

This bill was considered by the Select Standing Committee on Private Bills on April 26, 2006, and members from both sides of the House were in attendance at the time, which provided them an opportunity to ask any questions that they may have on this bill. The bill was approved by the Private Bills Committee to proceed.

The Christ for the Nations Bible College is an interdenominational Christian Bible college located in Surrey, B.C. The Bible college was established with a view to creating an interdenominational platform to teach theology by focusing on a balanced teaching method, complete with off-campus opportunities to serve the community.

The college enjoys steady growth, expanding its student base to include students from every province and territory of Canada and international students from 41 different countries over an 18-year history. The college does not charge higher tuition fees for its international students and believes that everyone should be able to afford the program. These international students are encouraged to return to their home countries to act as leaders in their communities upon completion of their studies.

Surrey was chosen as the location for the college due to its proximity to Vancouver, its excellent climate and its growing economic sector. The Bible college operates as a non-profit society under the direction of a board of governors and without the benefit of any public funding. Operating costs are funded only partially through tuition. The balance is made up from private donors and alumni. Approximately 300 Canadian and international donors currently support the work of the college.

The college is administered by Rev. Gerald Nussbaum, who has been president of the Bible college since 2000 and who received part of his training at the affiliated Christ for the Nations institution in the United States and Jamaica. Reverend Nussbaum believes very

strongly in higher education and has toured the country with representatives from other colleges and universities, promoting post-secondary education.

[1505]

The dean of the Bible college, Dr. Ken Deeks, has been a pastor in the lower mainland since 1982 and has been dean of the college since 2001. Dr. Deeks has assisted in establishing a high level of excellence at the college by overseeing program development and building relationships with other colleges. Dr. Deeks serves as a role model for the students as he continues to study at the postgraduate level himself. This enables him to stay connected with the academic world and helps him direct the programs at the Christ for the Nations Bible College.

The Bible college presently offers a variety of diploma and certificate-level programs geared toward practical ministry training. These include programs specializing in music and worship, pastoral leadership, cross-cultural ministry and urban ministry. The Bible college also offers several Christian studies programs that emphasize personal spiritual growth.

The Christ for the Nations Bible College Act will provide the college with the authority to offer and grant theological degrees, including honorary theological degrees, either in its own right or jointly with universities or other post-secondary institutions. With a degree-granting status, the Bible college will be able to provide graduates with the credentials necessary to enter directly into practical ministry positions. In addition, degree-granting status will support the Bible college's application for accreditation by the Association for Biblical Higher Education, a body of accredited Canadian and U.S.-based theological institutions. This accreditation will, in turn, provide the Bible college with a broadly recognized credential, at the same time ensuring that the Bible college is subject to industry standards for theological education.

In addition to providing degree-granting authority, the bill will continue to keep the Christ for the Nations Bible College to stay as a not-for-profit bound by the Society Act and as set out in the governance structure of the college, including the composition, authority and obligations of the board of governors and its academic counsellor. It requires that for a period of three years degree programs will be subject to review and approval by an independent degree program advisory council to support degree quality.

Provided members of the board of governors do not contravene the act, they are exempt from personal liability for debts, obligations or acts of the Bible college. It will establish the Bible college authority in relation to financial matters, provide that the land or its improvements, owned or used by the Bible college for education purposes, are exempt from taxation and provide that, upon wind-up or dissolution, the assets of the Bible college will flow to one or more qualified donors, as defined in the Income Tax Act, with similar objectives as the college.

Mr. Speaker, the bill will support the Christ for the Nations Bible College in its effort to provide Christian

religious education and to prepare students as leaders in the community and abroad.

**Mr. Speaker:** Seeing no other speakers, the member for Surrey-Tynehead closes debate.

**D. Hayer:** I move second reading

Motion approved.

**D. Hayer:** By leave, I move the bill be referred to the Committee of the Whole House to be considered forthwith.

Bill Pr402, Christ for the Nations Bible College Act, read a second time and ordered to proceed to a Committee of the Whole House for consideration forthwith.

### Committee of the Whole House

#### CHRIST FOR THE NATIONS BIBLE COLLEGE ACT

The House in Committee of the Whole (Section B) on Bill Pr402; J. Nuraney in the chair.

The committee met at 3:09 p.m.

Sections 1 to 17 inclusive approved.

Preamble approved.

Title approved.

**D. Hayer:** I move that the committee rise and report the bill complete without amendment.

Motion approved.

The committee rose at 3:10 p.m.

The House resumed; Mr. Speaker in the chair.

### Report and Third Reading of Bills

#### CHRIST FOR THE NATIONS BIBLE COLLEGE ACT

Bill Pr402, Christ for the Nations Bible College Act, reported complete without amendment, read a third time and passed.

**Hon. W. Oppal:** I seek leave to make an introduction.

Leave granted.

### Introductions by Members

**Hon. W. Oppal:** I have the pleasure of introducing a grade six class from South Park Elementary School in



Delta. The grade seven class, I'm sure, is there as well. They're both here from south Delta. Mr. Dave Williams is a teacher for the grade six class, and Mr. Lionel Brown is the teacher for the grade seven class. I want the House to know that in the grade six class is my daughter Jasmine. So I want a rousing round of applause.

**Hon. M. de Jong:** Jasmine can take credit for having witnessed her father's shortest speech ever in this chamber.

I call, next, second reading of Bill 30.

### Second Reading of Bills

#### MISCELLANEOUS STATUTES AMENDMENT ACT (NO. 2), 2006

**Hon. W. Oppal:** I move that the bill be now read a second time.

Bill 30 amends a number of statutes. Amendments to the Balanced Budget and Ministerial Accountability Act clarify the changes needed to individual ministerial financial accountability targets and to ministers of state responsibilities after a government reorganization. Publication of a new schedule of ministerial targets will be required within 90 days of a reorganization. Specific conditions applying to the 2005-2006 fiscal year are also provided.

The Freedom of Information and Protection of Privacy Act is amended to permit limited and temporary transborder access and disclosure of personal information in those special circumstances where it is necessary for system maintenance or where an employee or service provider is travelling outside Canada and needs immediate access of information.

The amendments will also ensure transparency for those uses of personal health information contained in health information banks created under the Health Act by requiring the publishing of summaries on a public on-line directory. A number of administrative processing and housekeeping amendments are also made.

Further to the Government House Leader's statement yesterday, we will not be proceeding with section 9 of this bill. This is a section pertaining to "disclosure in relation to designated joint solution projects." As a result of this decision, we'll also not be proceeding with the consequential amendments proposed to sections 10, 17, and 58 of the bill.

Amendments to the Land Act, Land Survey Act, Land Surveyors Act, and Land Title Act will provide for the electronic deposit of survey plans in land title offices. Currently plans submitted to the Land Title and Survey Authority are required to be on paper, Mylar or other media. The authority will continue to accept the submission of hard-copy survey plans; however, permitting the electronic transfer and deposit of these records will improve access to electronic survey records and reduce costs.

[1515]

Amendments to the Oil and Gas Commission Act will exempt the commission from the Public Service

Agency, allowing for more flexibility in the hiring of staff, including the ability to offer competitive wages and innovative work schedules to attract professional employees. This amendment will contribute towards the continuous improvement within the Oil and Gas Commission, allowing it to remain a world-class regulator.

Amendments of the Personal Information Protection Act will permit the collection, use and disclosure of third-party personal information without the consent of the third party when the information is necessary to provide service, such as medical counselling or legal services, to an individual who is the source of the third-party information. Additional amendments provide that a lawyer may refuse access to personal information where the file is subject to a solicitor's lien for non-payment of legal fees.

Lastly, amendments to the Utilities Commission Act will serve to clarify the intent of the act, help foster investor confidence for independent power-producer projects in British Columbia, and diversify energy supplies through a one-decision-maker process, similar to other resource development approvals. It will also bring certainty to local governments in clarifying their jurisdiction over IPPs located on private land and that of the province for projects on Crown land.

**L. Krog:** Sometimes innocent statutes come before the House. Miscellaneous amendment statutes acts are often like that. They contain all sorts of wonderful housekeeping provisions. No one would dispute the need. They're driven by the public service. But sometimes these kinds of statutes contain things that, indeed, represent significant changes, important changes, and changes which the opposition, in doing its job, must oppose strenuously.

This particular bill contains several provisions which have managed, to my great surprise, to unite such disparate groups as the British Columbia Government and Service Employees Union, the Canadian Office and Professional Employees Union, and the Canadian Taxpayers Federation. Now, some might think that is a very unholy alliance. I would suggest it is just the opposite. It is a holy alliance of groups and organizations in our community who recognize the changes set out in the act, particularly in section 10, as being exactly what they are: changes which are potentially going to allow even further access by outside governments and organizations into British Columbia's private information.

This is a dramatic turn of events. It is not about housekeeping. It's not something just to take into account a little transitional period. This is what we refer to in the legal profession as a loophole. Indeed, it's more of a tunnel than a loophole. It is astonishing to me that the Attorney General would suggest in this House that it is simply going to allow corporations to deal with this difficult little issue. As it says: "in relation to disclosure outside Canada, the outside disclosure is necessary because the individual is temporarily travelling outside of Canada." They're weasel words.

There's no other way to put it. They allow great latitude.

Over a decade ago the NDP government brought in freedom of information and protection of privacy legislation so cutting edge, so important, so valuable that this Legislature, quite directly, was able to hire who was then regarded as the world's leading expert. He was so excited at the proposition and possibility of presiding over the implementation of such progressive legislation.

[1520]

What this bill represents today is a step backward. This is very much going back to the bad old days. The Minister of Health talks about the dismal decade. Well, with great respect, if this is the kind of legislation that will come before this House in the next few years, then people will look back and say: "This was the dismal decade." This was the decade in which the government of British Columbia, through its privatization of contracts, through the trouble it's caused at B.C. Hydro, has opened up the possibility of private information being reviewed abroad by foreign governments, particularly under the Patriot Act.

Instead of being open, transparent and accountable, this is anything but. This is an enormously retrograde step. I am surprised that we can simply suggest in this Legislature — those on the government side — that this is really a bit of housekeeping, a bit of tidying up just to make things go a little more smoothly. Let the great wheels of government roll forward without hindrance. It is anything but.

There are significant concerns around this legislation. It is about the concerns of British Columbia. It gets back to this government's handling of the whole privatization of Hydro and the Accenture deals. We know now, according to a recent poll, that 84 percent of British Columbians want a public inquiry into B.C. Hydro's Accenture deal.

It's just a good thing we haven't passed the inquiry act that was before the House — we've put that off — because, if we did and we had a public inquiry, the cabinet could keep its secret forever anyway. We at least enjoy the mercy right now of the existing Inquiry Act.

What this legislation does is allow the continuation of a process that has led to other countries' governments having access to information that shouldn't be available to them. It was a bad deal for British Columbia. This legislation simply takes us more steps down that road. It is not housekeeping. It is anything but housekeeping, as I've said.

What does the term "temporarily travelling outside Canada" mean? Does that mean we're on a three-day visit to Seattle? Does it mean a three-week jaunt to Washington? Does it mean a visit to the head of the CIA in Langley, Virginia for four weeks? I'm just trying to be a little bit funny. The fact is: you can't define it. The fact is: it isn't easily defined.

Who is the individual and how many individuals? Does this mean if we have 30 people abroad all requiring access...? It seems to me under this legislation, it

would be perfectly permissible for 30 people or 40 or 50 or 60.

When you're looking at the application of law, and you read it strictly, one of the ways of looking at it is to consider the most ridiculous scenario. The fact is, when you look at the most ridiculous scenarios, it becomes even more apparent how ridiculous the proposed amendments are. I would hope that the Attorney General, having given due consideration to the many speakers who will follow me this afternoon in this House, who are opposed to this legislation.... It is my sincere hope the Attorney General will reconsider this.

This is unnecessary. This is dangerous. It is inappropriate. It is not housekeeping. It will not advance the protection of privacy which British Columbians have come to value so much. In a technological world where information and money and wealth and everything else is sent around the globe in the punching of a few buttons at a computer terminal, we understand how easy it is for one's privacy to be taken away, for one's personal information to become available to many people who would otherwise have no access. All this legislation does is moves us down that path.

[1525]

We know that Accenture maintains lax privacy standards. Indeed, there is a wonderful letter from Gwenne Farrell, the acting president of COPE Local 378, to Mr. Elton, the chair of B.C. Hydro, which I've been provided a copy of, in which she outlines many problems. If this legislation passes, there will be further problems. It is not any answer to British Columbians to say: "This is just housekeeping."

If this were the only section of the bill, perhaps we wouldn't be here as long, but there's another section, equally dramatic and, on the face of it, just a simple bit of language. That's section 56, which changes the Utilities Commission Act — fairly innocuous. It says:

In this section, "**authorization**" means (a) a certificate of public convenience and necessity issued under section 46, (b) an exemption from the application of section 45 granted, with the advance approval of the Lieutenant Governor in Council, by the commission under section 88, and (c) an exemption from section 45 granted under section 22, only if the public utility meets the conditions prescribed by the Lieutenant Governor in Council. (3) For the purposes of subsection (2) (c), the Lieutenant Governor in Council may prescribe different conditions for different public utilities or categories of public utilities.

You know, the average British Columbian, having heard me read that, would wonder what was going on. They would wonder why the members of the opposition would be standing up here haranguing the government over this seemingly innocuous language. Well, the effect of this innocuous language is essentially to say to the municipalities and local governments of British Columbia: "When it comes to producing power, any zoning you wish to pass gets trumped." It gets trumped.

"What we're saying is that local government, notwithstanding the agreement of this government entered into a couple of years ago to respect the jurisdiction of local government, is going to get trumped by

the province's desire to encourage the production of power in various parts of the province, notwithstanding the jurisdiction of local and community governments to pass laws under the Community Charter or the Local Government Act."

How is it coming before this House? In an open, frank, clear and transparent a way? No. It's being slid in, in a miscellaneous statutes amendment act, when in fact it represents a dramatic change to the law.

Quite justifiably, the municipalities of this province are catching up. The Squamish-Lillooet regional district, having passed an emergency resolution — very concerned about this — has written to the Minister of Energy, Mines and Petroleum Resources. I want to read it into the record here today. This was passed by the Squamish-Lillooet regional district on May 2 at a special meeting.

Whereas the province of British Columbia and the Union of B.C. Municipalities, by memorandum of understanding signed September 22, 2004, are committed to fostering cooperative intergovernmental relations, recognizing the jurisdiction and accountability of both orders of government, facilitating the responsible development of clean renewable energy sources to meet the energy needs of British Columbians, providing efficient and effective IPP review and approval processes for both orders of government; and whereas the amendments to the Utilities Commission Act proposed by Bill 30 will serve to eliminate local government involvement and engagement in IPP review and approval processes, remove jurisdiction of local government over IPPs on Crown land, remove local government from the responsible development of clean, renewable energy sources, impair cooperative intergovernmental relations; and whereas these amendments will have significant impacts for local governments throughout the province when the full scope and potential of IPPs are considered — e.g., wind, geothermal, coalbed methane and run-of-river projects; therefore, be it resolved that the province of British Columbia be requested to immediately set Bill 30 aside and return to working with UBCM to complete the commitments of the MOU on independent power projects as quickly as possible.

The most open and accountable government in Canada — that was the Premier's promise. "We'll never tear up contracts. We'll honour our deals." Well, the treatment of the Hospital Employees Union evidenced that perhaps that wasn't as full a commitment as the voters of British Columbia were led to believe.

[1530]

Today in this House, with section 56, it's pretty clear that when the provincial government has struck a deal with the Union of B.C. Municipalities, that contract really isn't worth the paper it's written on either. That commitment won't be kept.

I say through you, hon. Speaker, to the Attorney General and to this government: the opposition opposes this bill. We do not oppose the housekeeping sections where they truly are housekeeping sections. We don't oppose logical change around the filing and the land title office and things of that nature. But we do most certainly oppose further damage to the privacy

provisions and the derogation of the rights of municipal governments in this province to look after the zoning for its own citizens.

I sincerely hope the Attorney General will reconsider the government's position in this, take the advice of the opposition and withdraw the offensive provisions of this bill.

**S. Simpson:** I'm pleased to rise in the Legislature today to speak to this bill, on the purposes of Bill 30. I do plan to limit my comments in second reading to clause 56 of the bill, which the previous member spoke about.

Clause 56 of this bill.... What this essentially does, as was pointed out previously, is strip away the authority of local governments. It takes local government and says: "You no longer have a meaningful role in decisions over what goes on within your jurisdiction as it relates to independent power." That's what this says.

The member previously mentioned this, but let me read again what the interpretation of the Squamish-Lillooet regional district is on what this does. They, more than anybody at this point in time, are impacted by this decision, though it is a decision that will impact municipality after municipality, regional district after regional district across this province.

What they said is: "The amendments to the Utilities Commission Act proposed by Bill 30 will serve to eliminate local government involvement and engagement in IPP review and approval processes, remove jurisdiction of local government over IPPs on Crown land, remove local government from the responsible development of clean renewable energy sources and impair cooperative intergovernmental relations."

When we look back, you might ask: how did this come about? What is it that brought it about for the government to have made the decision to put forward what is only a draconian clause — it can't be seen as anything but — to rip away the authority and jurisdiction of local governments? Well, there is a history to this.

The history starts in January 2005. At that time the Ledcor corporation applied for a run-of-the-river project on the Ashlu river in the Squamish-Lillooet regional district. They applied for that, and they were turned down. They got a water licence, they came back, and the regional district said no. The regional district said no to that application because they had done the Sea to Sky official community plan. They had identified about a dozen water bodies and waterways that they said were much more valuable than a single use. At the top of that list was the Ashlu river.

What happens is that they say no to this. I would point out that it isn't like the Squamish-Lillooet regional district was saying no to many of these. They had agreed with and approved a half-dozen of these projects within their region. They were supporters of the principle of IPPs and run of the river, but they said in this case: "This river is much more valuable to us with other use."

[1535]

They also were very concerned that they had over 60 applications on rivers in their region, and there was

no plan for this. It was like the wild west, as somebody said to me. Every time they turned around, there was another water licence application. Nobody was looking at cumulative impacts. Nobody was considering the overall impact of this. Nobody was having a significant discussion about what the implications were river by river.

So they said no. Well, the response to them saying no to Ledcor was an aggressive approach by this government. It started with the government not approving of the Sea to Sky official community plan, which, as we understand it, has been held up in cabinet and never approved. That was a plan that outlined their position around these 12 water bodies. That was where it started.

Then what we saw was, as the regional district says, a very aggressive approach by the Ministry of Energy to try to reverse this decision, the Ledcor decision. That included a letter that was sent on November 28, 2005, by the deputy minister, Mr. Reimer. That letter was sent to the regional district. It said: "You have these water bodies that you're interested in." Well, here's the deal, hon. Speaker. The deputy minister said: "Here's the deal. We'll give some consideration to those water bodies that you are looking at, but only on these terms."

In the letter it said:

In summary, the ministry is prepared to make a recommendation to government that water reserves be placed on ten of the 12 streams identified as high priority for analysis by the SLRD board. This is in response to the SLRD board's resolution of January 31, 2005, and with a view to advancing Ledcor's Ashlu project. It is my understanding that Ledcor will be submitting a rezoning application in the near future. Should the rezoning not be approved, our recommendation regarding the water reserves will not proceed.

That's what the deputy minister told the regional district. Sounds like blackmail to me.

What else do we know about this? We know there were all kinds of increased pressures put on as that reapplication was coming back on January 30, 2006. It did come back. When I talked to people about that, there was an awful lot of concern.

We were trying to figure out: why is the government so engaged in this particular application? We looked at a whole bunch of things, not the least of which is that Ledcor and the other corporations that were around the Ledcor application had jointly given in excess of \$80,000 to the B.C. Liberals in political contributions in the last couple of years. More than \$80,000 between them they gave to the government.

So what we have is a reapplication on January 30 that is essentially no different than the application of January '05. The regional district deals with that application, and they make a decision. They're faced with a number of choices as to how to approach this decision. In what can only be called a remarkable comment made in a staff report, the staff of the regional district made the following comments as they laid out their analysis of the options and choices in front of the regional district.

Option 1 — this was the option that the regional district again reject this application by Ledcor. Staff did

warn them. What staff said is the following, and I quote from the staff report to the regional district:

It is clear from recent discussions with the provincial government representatives that the province has a strong interest in the Ashlu IPP proceeding despite expressed regional district and public opposition to the project. If the regional board decides to deny the rezoning application, there are real and significant risks that the province may take away the regional district's authority for zoning of IPPs, either through Bill 75 or through other legislation.

Now, was that prophetic or what? It went on to say:

From the SLRD perspective, any action to remove zoning authority could be seen as both unnecessary and heavy-handed, given the large number of IPP projects recently approved and built in the Sea to Sky corridor. Overall, the SLRD policies and actions have been very supportive of green energy, with five new IPP projects rezoned and constructed in the Sea to Sky corridor during '02 to '04, since implementation of zoning requirements. Rejection of a single project should not be the basis of removing zoning authority.

The staff were pretty smart. They knew what the government was going to do.

[1540]

Well, hon. Speaker, we now have this decision. The regional district stood up. They had courage, and they said: "We're going to table the Ledcor reapplication for now, and what we're going to ask the government to do...." They passed a motion in January '06 that said: "We're going to ask the province to sit down, work with us and develop a coordinated plan for how IPPs may be delivered in our region."

What does it look like? How many power projects should there be? How do we determine cumulative impact? What kind of environmental considerations should there be? What consideration should there be for recreational users? Which rivers make sense for energy and for run-of-the-river power?

They said, "We're happy to do that," and they asked the government to sit down and talk to them about a thoughtful plan. The government's response to that request is this legislation that says: "Forget it. We're just going to run roughshod right overtop of you because we can."

[S. Hammell in the chair.]

As you'll note in the comments that were in the report by staff, they mentioned Bill 75 — which you'll know, the streamlining act — and their concern about that. This is even more draconian than Bill 75 in many ways. At least if you had used the streamlining act, you would have had to have the courage to stand up and do it time and again, project by project. By doing this innocuous change to the Utilities Commission Act, you just cleanly sweep local government right out of the game. Local government has no more say in what goes on in their boundaries in regard to independent power and in regard to these projects.

Not only have you breached that, but as was pointed out earlier, this is the government that in September 2004 signed a protocol agreement with the Un-

ion of B.C. Municipalities, signed an agreement on independent power projects. You said: "We're going to work together." And what did you say in 2004 when signing this agreement? You said: "We're looking to foster cooperative intergovernmental relations. We're recognizing the jurisdiction and accountability of both orders of government. We're facilitating the responsible development of clean renewable energy sources to meet the energy needs of British Columbians and providing efficient and effective IPP review and approval processes for both orders of government."

That is what the government said in September '04, and what the government says now is: "That's off the table. It isn't worth the paper it's written on. We're ripping it up." That's because this government just isn't doing the trick. You breached your agreements with the UBCM, and you've done that and turned this over to the Utilities Commission.

So what does the Utilities Commission have to say about that? Well, the Utilities Commission pays no attention to matters other than rates and security of supply. There's no consideration for community interests.

This is a very draconian piece of legislation. It's a giveaway of power in perpetuity. It's nothing for us in this province in return for that. It runs roughshod over local government. It withdraws the commitments that were made to the Union of B.C. Municipalities. We have to ask: what are the broader implications of this in terms of other legislation in the future?

We're going to hear from local governments over the next little while. We've been hearing from them now. We can only hope that maybe, in the last moment, this government will come to its senses and say: "We at least have a scintilla of respect for local government, and we'll pull back on this and talk about a way to solve this problem in cooperation with local government." I don't have confidence in that, but maybe we'll do that.

Hon. Speaker, we'll be opposing this section, and we'll look forward to hearing how the government responds when we get to committee.

**Hon. W. Oppal:** I seek leave to make another introduction.

Leave granted.

### Introductions by Members

**Hon. W. Oppal:** In the gallery is the grade seven class from South Park Elementary School in Delta. I earlier introduced the grade six class, and their teacher is Lionel Brown. Let's make them welcome.

[1545]

### Debate Continued

**N. Macdonald:** I rise to speak against the Miscellaneous Statutes Amendment Act, also referred to as Bill 30. As the critic for local government, my opposition is going to focus on one provision in particular. It is buried within this bill, and it is section 56.

Section 56 makes amendments to the Utilities Commission, which will remove local government's ability to make decisions that are in the best interests of local residents. I raise this along with another serious objection to what is being put forward here.

First, this bill will effectively eliminate local government decision-making with respect to independent power projects on Crown land. It takes decisions about public land and removes them from the open, accountable processes that local governments have in place. It removes any consideration for those who are going to be most affected.

Removing local control on land use decisions is aimed straight at rural areas. It removes any local say on independent power projects such as those on rivers, but it also removes any local say on projects related to wind power, geothermal and coalbed methane.

Attacking rural areas in this way is fundamentally antidemocratic. This is one of the series of measures that have been put forward to remove public accountability. To even attempt to take this step shows how little regard this government has for rural people.

I'll give you an example. I attended the Association of Kootenay and Boundary Municipalities some weeks ago and stayed in Christina Lake at a bed-and-breakfast owned by a recently elected regional district director. There was an opportunity to talk with her. She just started her political career. The issue that brought her into politics was the Kettle River and the independent power project that is being proposed for the river near her house.

She opposes the project and ran on a platform of opposing the construction of a power facility on the Kettle River. People made a choice based on their interests and their values and chose to elect her to make decisions on their behalf, including a decision on the appropriateness of a power project on the Kettle River. It's a democracy. It's what you do if people are the most important thing.

When I talked with her, she was concerned. She was concerned the government might be draconian enough to use the Significant Projects Streamlining Act. For those who wouldn't be familiar with it, it is an act that this government passed before the last election, which allows government to override any decision that local government wants to make. To date they have been too embarrassed to use it — as they should be embarrassed to use it.

During estimates I had asked the Minister of Community Services directly whether she had any discussions on any project where the Significant Projects Streamlining Act may be used, because there was concern that it may be used on independent power projects. People had brought that to my attention. The Minister of Community Services assured me that she was not aware of any plans to use this legislation to override local decision-making.

What she didn't mention was that she was involved in crafting a law that is even more intrusive to local governments. The member who spoke before me explains why this is the case.

Bill 75 is embarrassing. It's embarrassing to use, because any member from that side who has been in local government knows fundamentally how offensive it is — including the Premier. So instead of going with that, they hid it.

If anyone in the public reads this section 56, they will realize that it is hidden. It is hidden in the title of this act. It is hidden in the language that is used. It allows local decision-making to be swept away not once but again and again and again forever — in perpetuity.

The minister talks about local autonomy. The Minister of Community Services talks about respecting local government. Well, I look forward to the linguistic gymnastics that the minister is going to have to do next estimates as she explains how this does not impose any limitations on government or doesn't take away any of their powers.

[1550]

It seems to me that it contradicts every value that this minister professes during estimates and in the document that she produces. It's the same set of values that the Premier frankly professes.

I served my community as a councillor and a mayor. Columbia River-Revelstoke is a series of small communities, and since I make that trip every week, I know it is far from Victoria physically. But I want to emphasize, as I have before in this House, that it is also very far from the minds of people in Victoria very often. It is an afterthought to government, and the thought that we would lose rights to make decisions around land use that will impact us and that, instead, they will be made here, I find offensive.

Earlier this year this government tried to take a land use issue important to the Kootenays away from its rightful place at the regional district, but the regional district would not have it, and the people of our area would not allow it. We will not accept someone else making our decisions. Frankly, the Minister of Community Services should be supporting local governments instead of participating in this subversion of local government.

Let's talk about another principle. It's a principle that the grade seven class would have learned first in kindergarten and probably from their parents before. It's around keeping one's word. It's around doing what you commit to do. Section 56 calls into question government commitments that were made — and made in a very public way.

The Attorney General can check with the minister that sits very close to him, because his signature is here. If you look at the current Minister of Advanced Education, his signature is on this form. The current Minister of Health — his signature is on this form. The current Minister of Energy and Mines stood up in front of members of the UBCM — and if I have that wrong, I wasn't there, so maybe the minister can tell us exactly what the big occasion was — and signed a solemn document with the president of the UBCM. When the UBCM signed, I would assume that they signed with an understanding that the document meant something, that it would not be swept away in such a sneaky fashion. It was signed in good faith by local government.

And what do we have here? We have this government stepping away from it. It shows utter contempt — I put it to this House — by this government for local government. It shows utter contempt for the century-old organization that represents local government, the Union of British Columbia Municipalities, an organization that this Premier once served as president.

Would the provincial government quietly accept the federal government taking away its powers to make decisions on its own areas of responsibilities? It would not. Yet this government has no qualms about arbitrarily removing decisions that should be properly made by local government.

I attended UBCMs from 1993 to 1996. At every one of those the present Premier, as Leader of the Opposition, came and made speeches. In each one of those speeches, he enforced again and again the autonomy of local government, the importance of that level of government. He described it as an independent level of government.

He said although it could not be changed constitutionally, when he became Premier, it would be treated that way, and I believed him. When this government or the Premier talks about certain things, like the importance of education or the importance of many other things like the environment, it doesn't sink in. I don't actually believe it. But on this one, I actually believed him. He came out of local government. He was president of local governments' representative organization. Now he turns around and is willing to break a memorandum of understanding that could not be clearer.

[1555]

Well, it's our intention to introduce an amendment to withdraw section 56 from this bill, and I challenge the Minister of Community Services to show some leadership on this issue and see that the Attorney General removes section 56, or she should not expect any statement by her or her government about respect for local government to go unchallenged.

I will vote against the principle of this bill. Section 56 is cynical and does not merit the support of any member of this House.

**B. Ralston:** I propose first to briefly address section 56. My colleagues from Vancouver-Hastings and Columbia River-Revelstoke have eloquently dealt with that section, but I think it's worth reflecting that earlier this session the Premier, in a very passionate speech, spoke of the honour of the Crown and spoke of his disappointment at an apparent breach of faith in an agreement that was solemnly concluded by all the provinces, the territories and the federal government. One can well imagine that similar feelings are passing over and through the members of the Union of B.C. Municipalities.

This particular section of this bill breaches a solemn agreement reached in 2004 and signed for the declared purpose of fostering cooperative intergovernmental relationships on precisely the topic that's addressed by section 56. One can understand and support the Premier in his disappointment, to say the least, at the

manner in which the federal government has apparently treated the Kelowna accord in the recent budget. But this agreement, concluded in September 2004, was also an intergovernmental agreement. It was an intergovernmental agreement between the representative body of the municipalities and the provincial government. As my colleague from Columbia River-Revelstoke has said, that agreement was expected to be followed and has simply been cast aside, disregarded in a very cavalier and callous manner.

One really wonders whether any of the rhetoric that accompanied the signing of this document in the run-up to the election was at all justified, and one can rightly understand the indignation of many of the members of the Union of B.C. Municipalities as they contemplate this particular piece of legislation.

As my colleague from Vancouver-Hastings has laid out, those regional districts that have applications for independent power projects are quite competent at assessing them. They're quite capable of evaluating public opinion, and they've done a fair job in reflecting, balancing the desires of the applicants and the wishes of the people they represent. That's what effective regional government is all about. That's the commitment that the Premier made, certainly in opposition, as my colleague from Columbia River-Revelstoke has stated.

It's particularly distressing, particularly disturbing and particularly cynical of this government to bring that particular section forward for that stated purpose. It breaches a solemn agreement made in September 2004 in much the same manner and much the same spirit of cooperation — although, admittedly, for a more focused purpose than the Kelowna accord was made. It is deplorable, and I would speak strongly against that particular section that's before the House at this time.

I want to turn now to the other sections that trouble me. In particular, it's section 12, which purports to speak to the storage of information outside of Canada. There are some who would have us believe that these are narrowly drawn and only for very exceptional circumstances. Obviously, that may be the ostensible purpose of the drafters of the legislation. But one has to realize the context in which this legislation comes forward.

[1600]

The most significant legislative or governmental initiative of the government in recent years in this area has been the agreement with Accenture — between B.C. Hydro and Accenture. In that context, there are before the Privacy Commissioner three outstanding complaints about the breach of the act by Accenture.

I won't go into them in any detail. One concerns the theft of personal information of employees of Accenture. There's an allegation that B.C. Hydro breached the existing act by disregarding and breaking the law that requires the information to be stored only in Canada and accessed only in Canada. Thirdly, a further complaint, a privacy complaint made by members of the union COPE 378 working at Accenture that they are routinely asked to send B.C. Hydro databases to various locations outside of Canada.

It's in that context that this legislation comes forward. In other words, the existing law, it's alleged in these complaints, is not being followed. It's certainly disputed. It's not at all clear that the present law is being followed by B.C. Hydro and Accenture.

One then brings forward and sees the ostensible legislative purpose here, I would say, in a different light. This legislation, however innocuous it may seem, is brought forward to attempt to legitimize the activity that Accenture is already engaged in, I would say. In addition, based on information that's provided to me, this legislation is naive about the technological way in which the transfer of information and databases works.

This is in a letter that's been sent to members of the Legislature. It's been sent to members on this side and that side, so it's not a document that is unknown to the minister in this particular area. It's sent by a group. They call themselves the "concerned geeks." I take it that they're people who.... They describe themselves as concerned citizens who work in the computer department of a foreign outsourcing company that handles personal data for a government enterprise.

They have concerns, and let me just express the principal concern they have. It's very well put here:

Changing the Freedom of Information and Protection of Privacy Act so that it can be accessed from or stored in the U.S. without allowing U.S. authorities to intercept it with the Patriot Act is a difficult proposition. As technical people responsible for protecting the data, we need to be clear about how we protect data outside the country.

They have a number of technical questions that they pose. In order to give the flavour of just what's being talked about here — and these will be issues that will be pursued in committee stage — I would like to share with the House some of the observations about their view of the effect of these amendments, these apparently innocuous amendments.

They ask the following questions about confidential information stored under the auspices of this act:

If an employee travels to another country temporarily, can he make remote connections with administrator access from the other country to access computer systems containing protected data? They point out that administrator access is privileged access used for technical work on computer systems. People with administrator access can do more or less what they want. They can read or copy every database on an entire server if they choose.

If an employee travels to another country temporarily, can he take protected data with him on laptops, memory sticks, disks, or backup tapes? Databases are not always as big as people think. We have a server with over 100 databases on it, containing data on thousands of people. All 100 databases can fit on a single laptop.

In a context where you have employees of a foreign-based company travelling back and forth across the Canadian-American border, what are the restrictions that this particular amendment places upon that activity, and what access do American authorities — with the vast array of post-9/11 legislation they now have at their disposal — have to that data? Indeed, if it is seized, what recourse is there to citizens here of what they would assume is protected, confidential, private information?

[1605]

They go on to ask further questions about that:

If the employee is travelling in a foreign country and he is required by that country's law to release protected data, what should he or she do? What can they do?

The letter asks whether the legislation catches this situation:

Can databases or other systems containing protected data be transferred temporarily out of the country? If the database is transferred temporary out of the country, what steps can be taken to protect the data while it's out of the country? If a database is temporarily transferred out of the country, what steps can be taken to ensure that it's deleted after it's been used?

In section 12(b), it says: (ii) in the case of disclosure outside Canada, (A) is limited to temporary access....

One wonders, given a simple, bald assertion of "temporary"... One speaks in immigration law of temporary visas, which can be of six months' duration, one year's duration, renewable. There's no clear definition here of "temporary." One might assert — if you argued the point *ad absurdum*, I suppose — that there's nothing that's really permanent, so what does temporary mean? I look to the minister to elucidate for the House what that might mean, and what is the purpose of choosing that word rather than some specific restriction. I would submit that it's precisely that ambiguity that's being sought, for precisely the purpose that I have suggested.

Also in that section, further up, there's a reference to maintenance as well. What is pointed out by the technical experts here is:

The language of the section seems to speak of or would have one infer that access is being granted for a single event. However, people are usually granted access for the time they are assigned to a project. An upgrade may take an hour. However, an upgrade project which includes all the preparation leading to the upgrade can take months. Indeed, maintenance —

which is referred to in the section, and that's one of the permitted purposes

— can go on indefinitely, for an indefinite period of time.

What this person says is:

We suspect that if the term "the minimum time necessary" is not better defined, people in foreign countries will have ongoing access to protected data. They will have ongoing access to do maintenance work or they will have ongoing access as they are assigned from one project to another.

What these people are saying with their technical knowledge, looking at the plain meaning — and doubtlessly there'll be, I hope, some attempt to justify the language of the legislation from the minister — is that the way they read it and the way they understand these very technical computer terms is that, basically, this legislation grants open access to our databases from foreign sources forever. There's no limit. The language is so porous and so ill-drafted that there are no restrictions whatsoever.

Madam Speaker, this is simply not acceptable. This is not what people want. It's not what they voted for. This is not what they're prepared to tolerate in this area. People are seeking, and want assurances about, protection of personal information that's gathered for commercial purposes and that they're obliged to hand over in order to receive certain services, but they are

very concerned and very troubled by the idea that it would be stored outside the country and that other agencies, particularly the American government, would have access to that.

I would submit that this part of the legislation is, unfortunately, a part that is so badly drafted and so badly thought through that it should, perhaps, be sent back to the legislative drafters for a complete rethink of the intended purposes of this piece of legislation.

[1610]

I would speak very strongly against this particular section. At committee stage, I hope to ask the minister to provide some answers. But, at this stage, given what my analysis is of this particular section, I'm not prepared to support it in any way.

**M. Farnworth:** It's a pleasure to rise and take my place in the debate on Bill 30.

When this bill was introduced, the opposition expressed concerns around a number of sections of this bill, particularly around freedom of information. We've seen the decision by the government to eliminate section 9, which I think was a wise decision, and is clearly a victory for privacy for the people of British Columbia.

I think it's important that we recognize why people were upset over that issue and over that section. In this day and age, with increasing use of electronic technology and the ability to access records in a way that was unimaginable ten, 20 years ago, people are rightly concerned about freedom of information, about privacy protection. Government needs to take it seriously. When questions are raised, those questions require answers.

We have questions around the privacy sections in this bill, the ones that remain — the ones that the government feels are innocuous and not a problem. Well, the public needs reassurance, and this side of the House is not prepared, at this time, to give support to this bill. There are too many outstanding questions, as my colleague the member for Surrey-Whalley articulated a few moments ago.

What happens when data leaves this country? How does it leave this country? How is it accessed? The definitions in this piece of legislation are vague. What, for example, does maintenance mean? Maintenance can go on for a very long time. In family law, maintenance can go on for a very long time. What does it mean in terms of privacy and personal information records? Those questions need to be answered, and we will be exploring them at committee stage — vigorously.

I would encourage the Attorney General to ensure that his staff have answers that can give confidence to people, that they understand what this legislation means, that we're not coming back here a year from now dealing with unintended consequences of wording in this legislation. In the meantime the privacy of individuals, the transfer of data, the effects of that transfer of data have consequences; you cannot turn back the clock.

It is crucial that in the committee stage of this debate there are answers and that the questions the opposition is putting forward — the questions being raised



by people in the field who work with technology and the transfer of information on a daily basis and who understand the technical implications of what happens and how information can be accessed and transferred — are dealt with, and that issues are answered and questions are answered.

The other area of this bill that I think needs to be dealt with — and that we need to put on the record — is around section 56, and that is local government. I served in this House as Minister of Municipal Affairs. I remember that opposition, day in, day out, going on about the importance of local government — that local government was a legitimate order of government with rights and responsibilities that needed to be respected.

Indeed, this Premier was a former head of the Union of B.C. Municipalities. We have a former president of the Federation of Canadian Municipalities sitting in this House, and other former ministers of Municipal Affairs. Every single one of them would have stood up when this type of legislation was put forward and condemned it. They would have railed against it. My colleague across the way from Chilliwack would have been at the forefront in his role as head of the Federation of Canadian Municipalities, defending the rights of local governments. He smiles because he knows that I'm correct. Absolutely, I am correct.

[1615]

The fact is that Bill 75 was one of the most odious pieces of legislation ever brought to this House because it stripped local government of their decision-making power and subverted it to the province, when this very government said that that is something that should not take place. Now we're seeing it again. In the case of zoning within lands controlled by local government, this government is saying that they don't matter. "Your views don't count. It's what we think that matters."

That is a complete repudiation of everything they said they stood for. It is a complete repudiation of everything that they have ever told local government. It makes every speech to the Union of British Columbia Municipalities, to every municipal association in this province ring hollow.

I'm surprised that this act has not been renamed the "Local government is a conceit we can no longer afford" act, because that is the effect.

Interjection.

**M. Farnworth:** Oh, and the member says: "Give us a break."

Interjection.

**M. Farnworth:** The minister wants to engage in a debate. Well, guess what? Your Premier, this government's Premier, and this government's ministers said that was wrong. Once again, here we have an example of a minister who says: "Two wrongs don't make a right." Guess what? This Premier, your Premier....

Interjection.

**M. Farnworth:** Oh, oh, oh.

**An Hon. Member:** Not a word of consultation. A hundred million.

**Deputy Speaker:** Sit down.  
Member.

**M. Farnworth:** And I am grateful to that minister for making that comment.

I would like to point out to him an article that appeared in the *Vancouver Province* during my tenure as Minister of Municipal Affairs: "Minister of Municipal Affairs Stands Up to Premier Against Cuts to Local Government." Those cuts didn't take place when I was minister and stood up for local government. Why can't that side of the House stand up for local government and say that this legislation shouldn't go ahead?

Local government is once again looking to that side of the House, to former mayors, to former heads of the Union of B.C. Municipalities, to former heads of the Federation of Canadian Municipalities to stand up for what they said they believed in. They all know that zoning is one of the basic functions of local government. With this legislation they are stripping that away. That is wrong. That is absolutely wrong.

We have a lot of questions to ask on this piece of legislation around freedom of information and privacy and around this section that strips local government of powers that they have enjoyed for over a hundred years in this province. We have a lot of questions to ask in committee stage, and we will continue to do that.

Now I will take my place and yield the floor to colleagues of mine who have similar questions and concerns.

**M. Karagianis:** To join my colleagues in talking about this miscellaneous bill.... The interesting thing about miscellaneous bills is that they may, in fact, be some of the most compelling bills that come before the House, because slyly, changes are made within miscellaneous bills that indicate huge directional changes that government is making.

If we look back to the changes made to the Lobbyists Registration Act, which were extremely profound changes, they were made within a miscellaneous bill. Here today we see again a miscellaneous bill that has a lot of housekeeping around land title changes and electronic filing and things, but two very compelling aspects of this bill have most of us today very concerned.

[1620]

I would like to talk, as well, about section 12, the disclosure to outside sources and protection of personal and private information. Actually, I'd like to talk about it within the context of other things that are going on within government, because first and foremost, there is no doubt in our minds that protection of private information is a very significant concern of citizens throughout British Columbia.

Interestingly, last fall I had a debate with the Minister of Small Business over the U.S.A. Patriot Act and protection of personal information by a company called

EDS, which does collection services. The minister and I got into a very heated debate about the Patriot Act, about our ability to control the Patriot Act and about any naive impressions we may have about stealthy activities by the U.S. government in their endeavours to close their borders to terrorism, to deal with the effects after 9/11 and the powers of the Patriot Act. I don't think we fully understand in this country.... I think we continue to think that somehow our legislation or our promise to the public that everything's going to be okay is going to protect us.

In my discussions with the minister it became very evident that we have no way of protecting our public information from that act once it leaves this country. Here we have a lot of vital information tied up with companies like Accenture, Maximus and EDS.

Let me just talk about this legislative change here within the context of some other things that government is currently undertaking. One of those is the consolidation revenue management system. Government is currently consolidating all revenue collections into the Ministry of Small Business, Revenue and Regulatory Reform. All revenue sources are going to be consolidated and funnelled through that ministry. The responsibility for that management system is going to go to EDS systems in the United States. Here we are, very quietly and stealthily, putting some new legislation in here that opens up our capacity to protect our information.

As a stand-alone item, it looks fairly innocuous. It looks fairly benign. But when you start to connect a lot of dots and say: "Wait a minute. We've now got personal information tied up with companies outside of Canada in all kinds of significant ways, and likely more to be happening — in fact, all of our revenue services for the entire province to be consolidated and handed over...."

It gives me a great amount of concern to see the language within this bill in that perspective, with what government is doing. Personal privacy and identity theft is one of the big personal alarm buttons for everybody in this province, for everybody in this country. It's a buzzword. Everything we do around how we treat our own private information is around protecting ourselves from identity theft and access to personal information. Yet here we have our very own government moving us in an entirely different direction than what all of us are being cautioned to do around our own private information.

We have government treating this in a very cavalier manner — again, within the perspective of everything that's happening within government, not just myopically within this one little statute within the entire statutes amendment act.

There's a great amount of concern that I think should be a concern to every person in British Columbia around how this government is treating our personal information and the really cavalier attitude they have about that. I'm surprised the government would try and bring this through without the kind of language protections, without the kind of sanctions that other members of this side of the House have already spoken about.

Secondly, I want to talk about the issue of section 56. Coming from local government myself, I was one of the hundreds and hundreds of local government representatives that spent several years in consultation with government over the Community Charter. A great deal of time and effort was spent to convince those of us who were skeptical of the direction government was moving in under the Community Charter that it was giving us more authority over our own affairs within municipalities, that it was giving us autonomy as a level of government and that it was freeing us up and giving us the very kind of authority that we had been asking for, for years.

[1625]

Then, of course, along came Bill 75, and we realized that government had no intention whatsoever of really honouring that autonomy. The critic for municipal affairs has spoken very eloquently on this.

That was the first shot across the bow for us — that somehow the Community Charter really had been to placate us, to falsely convince us that we had authority over our own communities and over our own land use and over our own decisions. Now we see the further thrust here, which is section 56 overriding communities' rights to determine their own destiny, their own land use and the rights, direction and vision of their own community.

One of the things that the minister responsible for this bill said in introducing it was that this would inspire investor confidence — well, guess what, folks — at the expense of local government and every citizen within every municipality here. Once again, government has clearly shown its colours. Investor confidence is more important to them than individual rights of communities and citizens over their land use. I guess it goes hand in hand with the previous section that we're objecting to here around the protection of their personal information and human rights.

It seems to me that the citizens of British Columbia are being denied yet again by this government, under cover of fancy language and a claim that this is good for people. The citizens' rights over their own privacy, over their community land use, over the future assets of this province, whether it be IPP, independent power production.... All of these paint a picture of a government who is not allowing the citizens to have their say over the destiny and future of this province.

It seems to me that fundamentally, within this is buried the worst kind of snub for citizens of British Columbia. We are not entitled to protect our own private information. We are not entitled to keep our information out of the hands of the Patriot Act. We are not entitled to have a say over our communities and how they will be run, how land will be zoned, who has the authority over us. In fact, government gives us this little false toy to play with called the Community Charter, with autonomy attached to it, and then proceeds to run roughshod over every single aspect of that.

I couldn't imagine myself supporting this bill in my wildest dreams, with any of the current rights of people that are being infringed on by this government, and

absolutely will not support this under any circumstance.

**J. Brar:** I seek leave to make introductions.

Leave granted.

### Introductions by Members

**J. Brar:** I'm pleased to introduce a class of grade four students from my riding, Surrey-Panorama Ridge. They are here this afternoon. The school is W.E. Kinvig Elementary School. They are accompanied by teachers Ms. Stacy Anderson and Ms. Christa Peterson. I'll ask all the members of the House to please make them feel welcome.

### Debate Continued

**Hon. I. Chong:** I rise today to speak on behalf of the bill that we're presently debating. I find incredible the comments that are being made by members opposite, particularly about a particular section of the bill where, they would infer, there was disrespect for local government. It was that side — the NDP of the '90s — that showed total disrespect for local governments when they ripped over \$100 million out of the pockets of municipal governments. They did that in the '90s, without consultation, without any advance notice, without any regard whatsoever.

[1630]

If they want to talk about having a working relationship with local governments, they'd better have a look in the mirror. That's exactly what happened in the '90s. They had total disrespect for local governments. We have had the best working relationship with local governments ever in the history of British Columbia. We have it now.

They want to talk about their record. Well, let's talk about their record. Let's talk about what they did. I think \$113 million is the exact number that they took out of the pockets of municipalities, when they promised they wouldn't. They did this in 1996 — right after the municipal elections had taken place. They didn't say so just before the municipal elections, but right after that, they did that.

Interestingly enough, I have some articles from 1996. In fact, one of their supporters, a mayor from Burnaby, I believe, at the time, Mayor Doug Drummond, said at that time that he was surprised the cuts were so deep. Well, he was surprised because he wasn't given any advance notice. He was surprised because he wasn't consulted. He was surprised because he didn't expect the NDP of the day would have such disregard for local government.

I'll tell you what our government has done. Our government has maintained the unconditional grants to smaller communities. In fact, last year the Premier announced and committed to doubling the small community protection grants over the next four years. This is the first year after that announcement, and that's going to start taking shape, certainly in this fiscal year.

It's already in the budget, and they should have had a look at that. We're fulfilling that commitment.

Not only that, though, we have worked with local governments to provide them with more opportunities, more resources and more ability to provide services to their local citizens. I know they don't want to hear this, but they had better listen up. Local governments around the province know exactly what they're able to expect from this government. They know they have received millions of dollars, additional dollars, to provide services to their community, because they didn't get it from the NDP of the '90s. They didn't get those additional dollars.

I'm hearing members going around the province saying we're downloading. Well, isn't that interesting? What is \$113 million ripped out of the pockets of municipal governments if not downloading? On the other hand, what we have done is increased financial resources for local governments. As I say, the doubling of the small community protection grants is one example.

We returned 100 percent of traffic fine revenues. There used to be \$10 million, and in the first year it became \$42 million. Now it's \$49 million and is expected to be \$50 million. Contrast that to the NDP.

We did not have to introduce a new community water improvement program last year, but we did — \$80 million back into communities. That's not chump change. We have provided dollars to emergency preparedness — 2004, a million dollars there; strategic wildfire protection, \$13 million there; community sprinkler protection units, \$1 million there; West Nile virus, \$9 million.

Are the members opposite saying they don't want that? Are the members opposite saying: "Turn that all back to the provincial treasury"? I don't think the local governments would say that. They are making applications. They're asking for those dollars to provide services in their communities. More money for emergency preparedness — 2005-2006, another million and a half. Fuel mitigation, \$2 million; community health promotion, \$5 million; the crystal meth funding program — something that every local community is saying they're having to deal with — \$2 million there. First time ever.

Each and every opportunity that we see that a local government is challenged with issues, faced with issues that they do not want to handle alone, what does this side do? We step up to the plate, and we provide resources to help those local governments.

Here's a big amount. Everyone talks about how important it is to diversify the economy, and we are turning around this economy — not that that side did. We are turning around the economy. There's still work to be done. But as I travel around the province, I hear people keep talking about one of the fastest-growing clean industries that they can rely upon, that they know they have an opportunity to expand: tourism. Guess what we did with UBCM: \$25 million to UBCM so they can allocate this around the province so that local governments can access those dollars.

[1635]

**Hon. R. Neufeld:** More good news.

**Hon. I. Chong:** It is more good news. So for members to stand up and talk about a relationship with local government as if they have the moral authority to pass judgment is incredible, when you think about what it is we have done, when you think about our record and all the dollars that have been returned, the maintaining of grants.

Who was it that downloaded costs on arterial highways? I don't think that was our government. Oh no, no, that happened in the '90s. That was that side of the House one more time. I remember, because I was on that side of the House in the '90s. I was there, and I stood up and spoke up for all the local governments in this Greater Victoria area.

At the time, the member for Saanich South didn't speak up, the member for Esquimalt-Metchosin didn't speak up, the member for Victoria-Hillside didn't speak up, the member for Victoria-Beacon Hill didn't speak up, nor did the member for Malahat-Juan de Fuca. That was in the '90s. So I stood up and spoke up for them and also for my own community of Oak Bay-Gordon Head.

They all agreed that that was the right thing to do. They all agreed it was the right thing to rip \$113 million out of the pocket of municipalities. The Municipal Affairs Minister of the day said: "Well, we think the municipalities can handle it. We think they've got room in their budgets to handle it." But that's not what they were saying. They were rushing to have meetings to figure out what they would do to their budgets, because it was right after a municipal election.

Hon. Speaker, what we're talking about here is a piece of legislation, a section of which clarifies and provides an amendment to an existing piece of legislation that will help ensure that there is clean and reliable power for the province. Now, if the members opposite think that we have an unlimited supply of power in this province, they better check their research again. Ask their research department to check it out, because we are importing more power. We know that we need more power in this province.

Right now we have an opportunity to work in partnership. I know that's a nasty word for members opposite. They don't like working in partnerships. They don't like having others come to the table and share risk in order to provide services to their communities. They don't want to see that. I understand that. They should say so — make it very clear they don't like partnerships.

It's different on this side of the House. We do believe that we can deliver the best services, that we can provide clean energy to our local communities, that we can do it in a responsible way, but the members opposite don't believe so.

This amendment in this particular part of the bill does provide that clarity. It means that we can proceed with a number of initiatives that will allow us to see that we're not going to have the lights turned out around British Columbia. We're not going to see our communities have to turn out the lights. If that's what those members opposite want, that's what they should say. That's what they should stand up and say: that

that's what they stand for. They stand for not enough power in this province. I hope that's not what they want to do.

You know, local governments are still in the position to exercise authority, such as building setbacks, as long as these projects meet a number of criteria. These projects, and it has been made quite clear, are going to pass some of the highest provincial and federal regulations for environmental standards. Is that not what the members want? At the end of the day, we do want to have responsible power production, and that's what we're going to ensure takes place.

A few members have mentioned the Community Charter, and you know what? We on this side of the House are absolutely proud of that piece of legislation. It took a lot of work. It brought a lot of people together, and it has been one of the most important pieces of legislation for local government. Local governments know that they are an accountable, responsible order of government. Now, that may be hard for those members opposite to understand, but that has taken place.

[1640]

In acknowledging local government, we took it a step further about a year and a half ago when we were the first province to broker a deal with the federal government to have federal gas tax revenues returned — \$635 million over five years — to this province. We were the first province to broker that, and every other province followed thereafter. You know, every other province dealt with province-to-federal-government level. What did we do? We did it differently. We brought in UBCM, local government representation, such that they are very much at the table, very much given the opportunity to direct where some of these dollars are going.

Members opposite can talk all they want about respect for local government, but their record shows something quite different. Their record shows their disrespect for local government. Their approach to local government has been, in the past, without consultation. That is not the way we have approached it. We will continue to work with local government. There are still things we will do. There are still opportunities that exist, especially with the economy turning around, with jobs being created. We want local governments to be engaged and involved, and we're going to continue to have that happen.

They have to acknowledge their record too, and they should stand on their record. If they oppose this bill, if they oppose this section, what they are saying is that they like their record better than they like ours. I will stand on our record each and every time.

**H. Lali:** I'm reminded of a fellow who was actually in this House, who was from the Liberal side. His name was Gary Farrell-Collins; I guess later it was Gary Collins. He could dish it out, but he certainly could never take it. I see those members opposite. They come into this House day in and day out, and they know how to dish it, but they have no guts to be able to take what the opposition or the people outside can throw at them.

The example was the minister of local government, who just couldn't take the heat while sitting in her office actually listening to members on this side ripping Bill 30 apart, line by line, clause by clause, because they know they're wrong. The Attorney General knows deep inside his heart. He knows it's wrong, this bill that's here before our House.

To sit here, to try to listen to the minister of local government, man, I'm reminded.... She wants to talk about how she thinks that local governments across this province don't trust the New Democratic Party, how they supposedly trust this Liberal government, how they delivered everything to them on a golden platter, when the reality is exactly the opposite. It is this Liberal government that has gutted programs that initially had been there in place supporting local governments — time after time. Off-loading policing costs are going to put hundreds of millions of dollars on the taxpayers' heads at the municipal level that this government is refusing in the future to actually pay — this government. And the minister has the nerve to stand up to try to give us a lecture.

I want to remind you, hon. Speaker, that if they think they support local government so much, where were those Liberal MLAs from the Thompson-Okanagan when the Okanagan Mainland Municipal Association conference was taking place last week? The only two members who were there full-time were the member for Columbia River-Revelstoke, who is this side's municipal affairs critic, and this MLA for Yale-Lillooet, who was there the entire three days that convention took place, and not a Liberal was to be seen.

We had the minister fly in for one hour to give her speech and then take off, because she says she can't manage her time very well. The Leader of the Opposition took time to be there a whole day, and she was there at the northern municipal conference as well, as she has been at every other conference...

Interjection.

[1645]

**H. Lali:** ...but we fail to see any of the Liberals. I'll tell you: the Minister for Employment and Income Assistance out of Kamloops wasn't there. His partner from Kamloops-North Thompson — he was never there. The Minister of Health from Shuswap wasn't there. The MLA for Kelowna-Lake Country — he wasn't there. If you look down the list, neither was the Minister of Small Business and Revenue, and that's his area. He wasn't there. The Deputy Speaker from Kelowna wasn't there.

I can understand that the Speaker, from the southern part of Penticton, is very busy, and I won't mention the Speaker. But I'm telling you: there are ten MLAs in the Okanagan Mainline Municipalities Association area. The only MLAs who were there from the area for the entire three days were the two New Democrats from this side of the House. But none of them were there, because they don't care about local government.

You should have heard what each one of those mayors and councillors and regional district reps had to say. It's contrary to what the local government minister has just said. I wanted to put that on the record, for all the sanctimony that is coming from that side of the House, to see who actually supports local government or not.

Interjections.

**Deputy Speaker:** Member. Member. Members. Just down a bit.

Interjections.

**Deputy Speaker:** Members. Members, I'll chair. Thank you.

**H. Lali:** Anytime I can get underneath the skin of the Liberals, it's a good thing, because they know I'm right.

I want to talk about the history of the Freedom of Information and Protection of Privacy Act. It was this side of the House, when we were in government, that brought in this landmark legislation, not only to make sure that the people could access the people's information.... We were the ones who brought in the Freedom of Information Act, but at the same time, we were also there to make sure that we were protecting the privacy of the individuals and their information in British Columbia.

If you look at what the Liberals have done since taking office in 2001, it's completely the reverse. There were 66 amendments to the Freedom of Information Act that the Liberals have made to make it even tighter for people in British Columbia to get access to their own information.

[S. Hawkins in the chair.]

If you look at how the sale of B.C. Rail was done and the tendering document, hundreds and hundreds of pages.... First of all, it was never released when freedom-of-information requests were made. When it was released, I think 75 to 80 percent of it was blacked out.

It just goes on, not only by delaying the amount of time that this government takes to provide information to people who make these requests. Delaying it even further is what they have done in the past, and then making it even onerous for those groups, especially those low-income groups, because of the amount of money they want to charge so that people can have access to their own information.

With this government, the reality has also been, in terms of the information.... Whether it's your medical records and medical history or information that B.C. Hydro has on its clients and customers throughout British Columbia — and in a number of other areas, but I'll use those two as an example — what you see coming from that side of the House is the privatization, the contracting-out of that information to private entities.

Namely, it's the United States, with Accenture and Maximus — Maximus with our medical records, MSP records, and Accenture with our B.C. Hydro records. I'll talk more about that in a minute.

When the safekeeping of the citizens of British Columbia's most sensitive information was at stake, the media, the people in British Columbia and this side of the House were time and time again trying to hold the government to task, to say that one day, if not today, it would come under the U.S.A. Patriot Act. Time and time again we had the Premier and Liberal cabinet ministers and MLAs get up in this House and on any podium out there outside of this House saying that that would never happen, that it's not the case and that that information would remain in Canada.

We got false assurances, false promises from that side of the House repeatedly, month after month and year after year, going on now for over half a decade. The reality is something different. We know that with Accenture itself, information on Hydro clients and people who actually work at B.C. Hydro was being stored in the United States, in Chicago.

Any of those other entities, those American entities that are now in charge, entrusted with the safekeeping of our information.... How much of that information is now being stored in the United States? We won't know. We don't know. That's what we've seen from that side of the House — false promises.

[1650]

We have before us Bill 30. There's a section 12 subsection (e.1) that is very, very problematic for the people of British Columbia. It is this section 12 subsection (e.1) which seals from the responsibility for disclosure to service providers. This is the out-of-Canada amendment.

What this government is actually going to do is to now legitimize the practice that has been going on in British Columbia for months and months and for years, which this government has been denying for years was happening. They are now going to officially allow the storage of our information and the transfer of the information — the most sensitive information of British Columbians — from this province into the hands of the Americans, where it is subject to the American Patriot Act.

This government continues to be in denial. You know, what the people who are the assistant administrators and database administrators in this country, in this province, are saying is that this is very, very dangerous. What the Attorney General, sitting over on the other side of the House.... I wonder. When he was a member of the bench, he was very strong in terms of standing up on behalf of the rights of individuals and on behalf of civil liberties in this province.

**Deputy Speaker:** Member, I would ask you to temper your comments when we speak about individual members of the Legislature. We do not impugn individual members.

**H. Lali:** Thank you, hon. Speaker. It's no intention of mine to impugn anybody. If you would have al-

lowed me to finish what I was going to say, you would know that I was not going to impugn anybody.

I would ask you, hon. Speaker: when this is brought in.... If the amendments that he is making had been really thought out by the Attorney General — he made the statement, "It's just housekeeping," and that these are not major amendments — what the impact of this is truly going to be in terms of the kind of work that he had done in his previous life before coming here to this Legislature.... I mean that in all sincerity and all honesty. If he has truly had a chance to actually think about this in detail and to figure out how much harm this is going to do to the very people he had served before coming to this Legislature and he's entrusted now to actually do while he is the Attorney General of this province....

As I was saying, the system administrators and database administrators, in terms of the changes, what they're saying is that Bill 30 would permit computer maintenance people from foreign countries like the United States to access data that is currently protected under FOIPPA. They're also saying that many people don't seem to realize that computer maintenance people control data security. I wonder if the Attorney General actually understands that.

They have a lot of power to grant access, read data or even move around entire databases. What they're saying is that one doesn't really control security if they don't control the people who control the security. Once the people doing the snooping — like the folks who administer the U.S.A. Patriot Act — have the computer maintenance people helping them, they can copy entire databases. That means that they could copy entire databases of British Columbians' records, whether it's through Maximus or through Accenture, because of it being stored in the United States.

What they say is that people also don't realize that maintenance office work often involves moving an entire database around, and databases are also often zipped up and sent off-site to troubleshoot a problem, such as is envisaged here under this act, or to do a test of the backup and recovery system. When those databases are allowed to travel out of B.C.'s jurisdiction, then British Columbia privacy protection laws do not protect them. That's where they become vulnerable to the U.S.A. Patriot Act.

[1655]

Also, they further go on to say that when you first look at sections 33.1(1)(e.1) and 33.1(1)(p), they look almost reasonable. From their perspective as database administrators, they believe that these two sections would render our provincial privacy protection almost useless, for the purposes of protecting personal data held by provincial institutions, from the Patriot Act snooping around. That includes all sorts of records, the most sensitive being, obviously, our medical and our library records, which are also a very different matter.

Anyway, I have put my concerns on the table. I hope that the government will realize the folly of their ways and withdraw this to make sure we afford more protection to the information of British Columbians

rather than opening up the floodgates to intrusion by the American Patriot Act. I'll have more to say at committee stage.

**R. Hawes:** I've been listening to this for some time. I really want to just get a couple of brief moments to respond to some of this.

Seldom have I heard such sanctimonious hypocrisy. I served in local government through the '90s under that government. I know they don't like to talk about the '90s. They speak as though it's some long-ago time in some faraway place — that it had no association with them. Well, the fact is that there are members here that served in this House through the '90s and wreaked destruction across this province.

I just want to speak about a couple of things. I recall a memorandum of understanding signed with the previous Premier Glen Clark. After cutting municipal grants, he offered a token to municipal government: "Here's a memorandum of understanding that while we're cutting the grants this year, they'll never go below this level." That lasted all of about eight or nine months, and then the grants were just slashed completely.

As a mayor, I attended, along with dozens and dozens of mayors and councillors from around this province, an emergency meeting called in Vancouver by UBCM to talk about what we were going to do with this government that had double-crossed us so badly, this government that we could no longer live under as municipalities. What could we do? The outcome was — generally speaking — that we had to get rid of them, to make a change.

In 2001 municipalities and the people within them spoke. They spoke in huge numbers, and they dumped that government. So for them to talk about what we're doing is such sanctimonious hypocrisy that I... It's very difficult to contain yourself and to continue with parliamentary language when you think about what they did to us at that time.

There are, in this province, some provincial overrides where the province can impose itself over local zoning. This is not new. Mining permits have been issued for decades in this province, often against the wishes of municipalities. That went on under that government in the '90s. I never heard them standing up and screaming: "Let's get rid of this and honour the rights of municipalities over land use." They continued to issue mining permits against the wishes of municipalities, because sometimes it's in the provincial interest.

Through the 1990s that government made zero investment — nothing — in making our electrical grid grow. Our ability to generate power did not grow in the '90s. B.C. Hydro was robbed of every dime they could get their hands on — in fact, driven into debt — to support the deficits that were created by the operation of that previous government. Transmission lines were allowed to fall into disrepair. Much of our hydro infrastructure didn't have proper maintenance, so now we are net importers of electricity.

[1700]

We are relying on the United States to supply us with power. We have an opportunity through what

this government is doing to generate investment in hydroelectric power, green power, and private industry is stepping up to the plate in big numbers and are going to help us once again to be self-sufficient. The dream that W.A.C. Bennett had those many years ago was abdicated by that former government, and I say shame on them for allowing that to happen, but this government is acting to put us back in control of our own destiny, hydro-wise.

For them to stand up and talk about how we're overriding local government, downloading somehow on local government, I'd like to remind them of things like in the mid-'90s, a UBCM meeting where municipalities from one end of this province to the other talked about Bill 55, a massive download where they gave taxes back to CN and CP — the railroads they decry now: "CN is a terrible, terrible thing."

They gave a massive tax cut to CN and CP, but was it from the provincial coffers? No, it was directly from the revenue stream that municipalities rely upon: property taxes. They interfered in the Assessment Authority, and they took, from the pockets and the revenue stream of municipalities, millions and millions of dollars. In my own community, 5 percent of our revenue was lost at the stroke of a pen. In other municipalities, much more.

They made a deal with the railroad at the expense of municipalities and against the wishes of municipalities, an entire convention carrying signs, "55" with a big red slash through it. The Premier of the day was denigrated. For the first time in the history of UBCM, a Premier was booed at UBCM. It never happened before, but it happened with that government, because of what they did to cities, towns and regional districts throughout this province in the '90s.

Now they stand up and point to us? What sanctimonious hypocrisy! Madam Speaker, I just wanted to get that off my chest. I feel much better now. Thank you for the opportunity.

**C. Evans:** There's a great deal of noise and sound and fury here, so for the benefit of folks at home maybe I'll just try to explain briefly what it is that's going on, in case people just tuned in or for those of you who might be visiting, for whom this might make no sense whatsoever.

Sometimes, twice a year, the government comes together in this room with the opposition and they debate budgets and legislation. There is a set term of time, and sometimes legislation comes in near the end that surprises everybody, and it makes the opposition somewhat grumpy that they didn't get to consider this legislation till near the end. They stand up and attempt to tell the government, the folks in the gallery and the folks at home how they feel that the legislation ought to be rethought because it's lousy legislation.

Hon. Speaker, sometimes an even weirder thing happens than legislation with not much time to consider it, and that is a thing called a "miscellaneous" bill. If a government wants to change something on purpose, thinks it through, has the civil service prepare

legislation, they bring it in and it has a name, like the Public Service Act, the Municipal Act, or the Forest Act. Then we all debate that subject. But if they wish to change a whole bunch of small things which are the fabric of our life and not have us notice it, they don't call it the Forest Act or the Municipal Act. They call it a weird thing called a "misc" bill, a miscellaneous bill, which you don't have to worry about. There is bound to be nothing in there except a few word changes, some kind of fiddling with a law to make it better, fixing something.

[1705]

You don't have to worry that it's the last two weeks of the sitting. You don't have to worry that it's five o'clock in the afternoon, and you don't have to worry it's a miscellaneous bill, 'cause it's next to nothing. Go back to sleep. Pay no attention, hon. Speaker.

Interjections.

**Deputy Speaker:** Order, members, please.

**C. Evans:** The most amazing thing is that we find this bill offensive — and I'm about to say why — and all afternoon the government is saying: "Don't blame us. Glen Clark did the same thing."

I am announcing to British Columbia that this Premier and this government are in apprenticeship to be the next Glen Clark living in public life. Because once the government follows the rule of deciding that they can hide changing people's lives in miscellaneous legislation, bring it in the last two weeks, debate it at five o'clock, and shove it down people's throats, you will be next in public life.

I'm on my feet to save the government from itself. I am here as your friend. Remember W.A.C. Bennett?

Interjection.

**C. Evans:** You want me to be quiet? I'm trying to reach the people in Kelowna.

Remember W.A.C. Bennett? He understood. W.A.C. Bennett understood that in spite of his genius and in spite of the genius of his cabinet ministers, he was bound to do something stupid once in a while. We all do. Then he applied what he called sober second thought. It was such a good idea that they stole it, and they said that's the function of the senate in Ottawa.

Sober second thought is what the government could do right now to save itself from handing my side a club with which to go out and beat them on the head for the next three years. This is the dumbest thing you could do. I am being your best friend.

**Deputy Speaker:** Through the Chair, hon. member.

**C. Evans:** This is the dumbest thing a hypothetical government could do.

**Deputy Speaker:** And temper your language, member.

**C. Evans:** That's right, hon. Chair.

There are two sections of this bill that I want to draw attention to. My colleagues have talked lots about freedom of information. I can't, for the life of me, think why you would want to scare all those folks who (1) believe in Canada, and (2) believe in the rights and privileges of citizens and privacy. Be that as it may, there are two other parts of the bill I'd like to speak of and those are section 56 and section 50.

Speaking quickly, the section of the bill that has not been discussed as yet is a fairly innocuous section that says that all of the workers of the Oil and Gas Commission — that's 155 workers of the Oil and Gas Commission — will be denied the protections of the Public Service Act.

Imagine if the government came in with a bill that said: "We're going to deny the privileges of the Public Service Act to the Forest Service, or the Ministry of Health." We're going to go back to the bad old days before there was a Public Service Act, back to the days in Canada before there was a professional public service. The Conservatives win; they can throw out all the Liberal employees. The Liberals win; they throw out all the Conservative employees. No provisions for merit. No provisions for not hiring your brother-in-law.

If you think this is rhetorical, I'm going to read you the purposes of the act, because the Public Service Act is intended to "(a) facilitate the provision of service to the public in a manner that is responsive to changing public requirements"— in other words, to hire good people that will serve the public; and to "(b) recruit and develop a well qualified and efficient public service that is representative of the diversity of the people of British Columbia."

Why would we want to take the Oil and Gas Commission and not hire people who are representative of the diversity of British Columbia? What does this really mean? What kind of people do we intend to employ? Why is it that oil and gas should be treated differently than trees or fish? Why don't we deny the Ministry of Agriculture the provisions of the Public Service Act? What's going on in the miscellaneous bill at five o'clock in the afternoon with nobody watching? We're going to take 155 people and deny them the privileges of the Public Service Act?

[1710]

"(c) Encourage the training and development of employees" — do we want 155 workers who can't get trained? — and "(d) encourage creativity and initiative among employees." Are we afraid of creativity and initiative in oil and gas, unlike every other sector of life here in British Columbia? And why? Is it because creativity might mean thinking for yourself, figuring out what's going on and talking about it? Or last, the purpose of the act is to "(e) promote harmonious relations of the government and employees."

What are we trying to invent — trauma? We want unharmonious...? I know the government, in an hour, is going to stand up.... Some of you guys don't understand I'm doing you a favour. You're going to stand up and vote to remove harmonious relations from 155 of your own employees. You wouldn't do it if you



thought it over, hon. Speaker. No reasonable government would do it if they thought it over.

A mistake happened. They woke up one day, a gremlin walked in here and stuck this thing in this bill. They didn't mean it, and they need to institute sober second thought, or that government will be whacked with that stick for the next three years.

The next section of the bill that I want to talk about is the one that is going to remove from municipal government the right to zone power projects in the region. For those people who might not understand, we will, if we pass this bill today, tell municipalities and regional districts out amongst the province that when we wish to put a dam or some other kind of power project in their territory — green power, brown power, blue power, some kind of power in their territory — they don't get an opinion. That's not just a theoretical subject. I'm sure, for the people watching it, that it makes no sense, but it makes huge sense in Christina Lake.

I didn't understand this idea, so I went to go and see, on the ground, because it's so different when it's not written in words but you're actually walking on the land. When you stop thinking in a colonial way like, "I can run this province from a pretty room on a rock 20 miles offshore," and you start thinking, "I'd best go out and actually see what's out there and how the people feel about it," you go to Christina Lake. There is what they call an "independent power project," a green project — groovy, environmental; this is so cool — in the Cascade Canyon, in Christina Lake, on the Kettle River.

It's a lovely idea, and here it sounds good. But if you go and look, there's a trail, and it leaves from the road, right in the middle of a village — a village where the sawmill was closed; a village where the only thing they've got going for them is tourism; a village where the Trans Canada Trail is running right down the side of the road. There's a trail, and you walk up the trail, and there is the canyon with the Kettle River in it. The river has eaten the canyon down somewhat, and there's a steep drop, and the river runs through riffles in there. It is so gorgeous, hon. Speaker, that young people — people younger than us — go there and get married. They have their pictures taken there. It's part of their fabric of life. Parents take little kids there. Tourists come from all over the world and visit there. There's a place you sign your name. People from all over the world sign their name to look at the gorgeous nature of the canyon there, and it's all they've got going for them, because the sawmill's gone.

The IPP, the green power — the groovy little idea that this is now going to say, "You can, in a colonial fashion, impose on those people, from this room" — intends to scoop up 50 percent of the July flow, put it in a big pipe and run it down the road. Then — get this, hon. Speaker — they're going to put it through a power plant on the edge of the village swimming hole and the edge of the golf course.

I don't actually think.... This is not, like, socialism against capitalism. This is community against colonialism — this debate. The chamber of commerce in Christina Lake debated this four times and opposed it four

times. The regional district opposes it. The regional district director opposes it. The community that I went to and met with opposes it. The recreation council opposes it.

[1715]

If the government today takes away the right from the people of Christina Lake to say no, then we can, just like England used to do to their colonial empire all over the world, sit in London and say: "We decided to build a power plant in India somewhere because it's good for us." That's exactly the relationship this town will have to Christina Lake and all the Christina Lakes in future.

I'm not kidding. Sure, British Columbia needs power. I loved building — loved — the Keenleyside Dam. I loved building the Brilliant Dam, and I'm begging the government to work together to build the Waneta Dam. I want to build power. But all three of those projects are done in conjunction with and sharing with the community.

This legislation will take away any bargaining power from the community forever. We're not talking like big-time destruction of species here. We're talking about wrecking something beautiful, something in your heart, something which is a value for the community. If they decide that the community wants to wreck it, then what are they going to trade it for? They would like to trade it for a cut of the ownership or for some cash, but this legislation takes away their bargaining power.

They could never say yes. If you guys pass.... If the government was, theoretically — and I know they're coming to their senses — to mistakenly pass this bill, they'd take away the bargaining power with which a community will ever say yes. All they will ever hear in future is no. This is contrary to the interests of the government.

I was at a meeting the other day with the mining industry and first nations. I was listening to representative speakers from international mining communities, and they said: "You know what we've discovered? A mine nowhere in the world ever makes money if it is imposed on the indigenous people who live there." We are elevating the struggle of industry with indigenous people to Victoria and every rural community in British Columbia if we pass this legislation, and that is not the wish of members opposite. They do not wish to be in a fight with me and all my sisters and brothers and every rural community in the province for the next three years.

Hon. Speaker, you might have noticed no one on the other side is making eye contact with me for the last 15 minutes. That means that some part....

**Deputy Speaker:** Member, we don't make references to individual members on either side of the House.

**C. Evans:** Okay, I won't make reference to whether or not anybody is paying any attention, but it feels to me, hon. Speaker....

Interjections.

**Deputy Speaker:** Order, members, please. Continue, member.

**C. Evans:** I will take my seat, hon. Speaker. I just wanted to say it feels to me that at this moment in our history — to the people in Fort St. John, to the people who work at the Oil and Gas Commission and to rural communities all over British Columbia — it matters more out there than it does in here. It matters more out on the land than it does in this gorgeous building. Here, it is a theoretical idea. Out there, they are using the power of the fountain pen to steal from people any say they might have over the land base in which they live.

**Deputy Speaker:** Member.

**C. Evans:** The word "steal" is offensive? I withdraw the word "steal."

To borrow forever from the people out there any power that they might have ever had or wished they had over the land base in which they live. I beg you: do not give me the partisan political club of this law with which.... I beg them, hon. Speaker, not to give me this club with which to attack them, because while I might love the fight, it will be bad for communities, bad for land, bad for the people of Christina Lake. It will turn community values into partisanship, and we will all lose.

**C. Wyse:** I would request leave from the House to introduce a guest.

Leave granted.

### Introductions by Members

**C. Wyse:** It is indeed one of the benefits of being elected in office.

An individual that I had gone through university with a very, very long time ago rediscovered me through this office here. With great pleasure I would ask the House to welcome Dr. Lyle Olsen, who is presently with Selkirk College. Make him welcome.

[1720]

### Debate Continued

**Hon. R. Neufeld:** I certainly am pleased to stand and support Bill 30 in its entirety. I've listened closely to what some of the members have said about Bill 30 and certain sections of it. I can understand some of the new members who just arrived here and may not have studied history a bit about what their party did in the 1990s, but I do have a little trouble with the Opposition House Leader — the member for Port Coquitlam-Burke Mountain — the member for Nanaimo, the member for Yale-Lillooet and the member for Nelson-Creston, who just spoke in regards to this bill.

It's interesting to listen to the rhetoric that comes today from a group of people who actually were in a

government that acted absolutely unbelievably when it came to citizens' rights during the 1990s. I want to say that, and I want to underline that with.... The bill does two things, and I'm going to speak to the two sections that are involved in my ministry.

One of them is the IPPs and having a single decision-maker. There is a single decision-maker for mining in British Columbia, there is a single decision-maker for oil and gas in British Columbia, there is a single decision-maker for forestry in British Columbia, and lo and behold, B.C. Hydro, in the Hydro act, is a single decision-maker. They don't have to abide by local zoning — none of those.

There is consultation, at least from this side of the House, with those communities. There will be consultation. This has actually been in place for as long as we can go back and review. So for ten years four of those members — all, I think, had a stint in cabinet.... Not one of them, not one.... Okay, maybe somebody didn't — right?

Interjection.

**Hon. R. Neufeld:** You didn't? I'm sorry about that.

**L. Krog:** I rise on a point of personal privilege. I didn't have the pleasure to serve in cabinet. I lost to the famous member Paul Reitsma in 1996, a happy member of the Liberal caucus, the member might recall.

**Hon. R. Neufeld:** I'm so sorry that he wasn't in cabinet, but in any event, the other ones had an opportunity to be in cabinet. You know, it's amazing how short memories are. I recall that government deciding that they were going to build natural gas-fired plants on Vancouver Island to fire some mythical aluminum industry with natural gas. You know what they did? Those members were in cabinet when this took place, those three I mentioned. The other one was in government as a backbencher waiting to move up in the ranks. They had lots of changes.

What they did was unheard of. They said the B.C. Utilities Commission doesn't apply. In fact, the Minister of Energy and Mines for the day wrote a letter to B.C. Hydro and said: "You don't have to go to the B.C. Utilities Commission. You actually have direction to go right to Vancouver Island, build a natural gas pipeline from British Columbia to the U.S., then back to Vancouver Island to provide natural gas for huge gas-fired plants."

This is a group that's chastising us because we're not talking to local government. They never had one word of conversation with those communities that they decided they were going to put those natural gas plants in and generate electricity for some mythical aluminum industry. They never had the audacity to even talk to them. What they did was write a letter and say: "Eliminate all that. Don't talk to a soul."

I find it pretty hard to sit here — I've been here since 1991, as long as some of those folks have — and

to listen to the rhetoric that comes out of those members who were here before.

[1725]

I can understand the newer members. They haven't read history. But they should read history a little bit on this issue, because it's unbelievable.

The same as the member who spoke earlier, it's hard for me to understand how they can actually stand there and say the things that they're saying. I appreciate what our Minister for Community Services said. She is bang on.

We have worked with the UBCM, communities and organizations across the province to deal with them in a fair way. She brought out very well the fact that the NDP had an MOU with the UBCM that they wouldn't cut conditional grants. Then what did they cut? How many dollars? It's \$113 million. Boom! Just like that — shortly after signing a memorandum of understanding.

Well, I want to tell you that we actually entered into a memorandum of understanding with the UBCM in 2004. We had a number of meetings with that group, and in March of this last year our deputies from Community Services and my deputy actually informed that committee that we had received probably all the information we could from the committee and we would review it and go forward from there. At least we had the guts to tell them.

You know, it brings me to.... I can hardly.... When I listen to the member for Nelson-Creston — and I have listened to him many times in this House, from 1991 forward — he can get very passionate and forgets maybe some of the things that he said. Because he said that we brought a bill in at the last minute, and that at five o'clock we're jamming it down somebody's throat.

This House works a lot differently today since this government came into place, since Gary Farrell-Collins was our House Leader and actually revamped into the new century how this place works. There is a timetable. In fact, I recall the House Leader for the opposition getting up and saying: "It's a good thing. We should maintain that kind of thing with a fixed calendar."

I used to sit in this House, sometimes all night long, on many occasions when that NDP was in government and they were jamming stuff through like you wouldn't believe. It was done by exhaustion. I can remember sitting here for more than one full night, going into the next night. I can remember legislation being tabled the last day — we thought we were leaving — and then debated until we did it by exhaustion. We forced people to actually stand up and vote on it before anybody — us, as opposition at that time, but the public — had a bit of an opportunity to even have any input.

Then to listen to that member stand up in this House and talk about jamming something through.... We brought it through in an orderly fashion, in an agreed-to fashion, as the official opposition House Leader said we did. Then to have that member stand and say we've done those kinds of things....

I listened to that member talk about process, but through estimates ask me to totally eliminate a process so he could get something through in his constituency.

It works one way in that end of the House and another way in this end of the House.

Madam Speaker, you can't hardly believe some of the things that they say. In fact, it is amazing some of the things that they say. The member for Nelson-Creston actually reminded me — I'd almost forgotten — about building a plant in India. Well, you know who did that? You know who built a...? When we were running short on electricity in British Columbia in the 1990s and importing it, you know what the NDP did? They did another little letter to B.C. Hydro saying, "We want you to go to Pakistan and build a natural gas-fired plant in Pakistan" — interesting approach to actually generating electricity in the province, for folks in the province to use. They actually instructed the Crown to go over there.

In fact, when you talk about dealings, they were a little untoward in that whole deal. We all know what took place there. I'm not going to put that on the record again, but it's very true.

[1730]

**An Hon. Member:** Costs millions of dollars.

**Hon. R. Neufeld:** It costs millions of dollars to the ratepayers in the province, those that use electricity in the province. They're having a heck of a time actually accessing that generation in India. In fact, that generation in India didn't start generating for about five years after it was built, so it's interesting that members from that side of the House who were in government talk about process and tell us that we haven't done process. It's absolutely unbelievable.

I appreciate that they're looking for something to hang their hat on. I can understand that. I've been here through this whole session too. I can fully understand, and the Opposition House Leader, I think, agrees with me. They'd like to have something to hang their hat on coming out of this session. But you know what? We are doing nothing that is already there.

If B.C. Hydro were building those plants, they would be built, without any local zoning. If it was a mine, oil and gas, or forestry, it would move ahead. It would all move ahead with consultation from this side of the House, but I know there would be no consultation from that side of the House.

I want to talk briefly about the other part of the act that the member for Nelson-Creston brought forward, and that's the Oil and Gas Commission Act. You know, it's interesting. We've had discussions, or the Oil and Gas Commission has had discussions, with the employees for well over a year about this. They actually want it, interestingly enough. The employees will still be covered by a union, BCGEU. In fact, the BCGEU has been in on these discussions. They have been in on these discussions.

Actually, member, you should have maybe shortened some of your other guys up a bit, because I've been wanting to get up....

**Deputy Speaker:** Through the Chair, minister.

**Hon. R. Neufeld:** What we're trying to do is actually facilitate full employment at the Oil and Gas Commission — not part employment. The problem is: we've finally got such a booming economy in British Columbia that it's getting hard to get people. That's what happens when you have a government that actually invites industry to come in and provide jobs. I know that some people opposite don't think industry provides any jobs. We tend to think a little bit differently.

All that part of the act does is allow the commission to actually work with the people that work at the commission, very likely to pay higher wages, to look at different time frames for when they can work, to be a little bit more accessible. This isn't about hiring brothers-in-law, cousins and all that kind of stuff. That may have happened on the other side of the House, but it certainly is not happening with this member from this side of the House. We are trying to make a system work. We want a full complement of people instead of just a part complement of people at the Oil and Gas Commission.

I look forward to the debate in committee stage, where we can actually deal with some of these issues in an in-depth way and move it forward for the betterment of all of British Columbia so that all British Columbians can enjoy all the benefits that we have in the province. Thank you very much for the ability to stand up and support fully all of Bill 30.

**C. Puchmayr:** Well, I rise in opposition of this bill, and I have some grave concerns with it. The other side seems to always throw a lot of different issues on the table, but they get away from the actual focus of what this bill does. There are some glaring, glaring concerns that people of British Columbia should have on this bill.

One of the specifics of the bill with respect to privacy and information, and it has been alluded to over and over again, is about how the Freedom of Information Act applies to this. I recall that this government put on a conference in February 2005 with respect to electronics and the e-community in this new society. One of the guest speakers was the president of the American Civil Liberties association.

When they were asked about whether we should be concerned about our information crossing the border with respect to privacy, the comments were: "Be afraid. Be damn afraid." That's coming from the American....

**Deputy Speaker:** Member, please.

**C. Puchmayr:** Excuse me. I was just making a quote.

**Deputy Speaker:** If you're quoting, that kind of language is not used in a quote.

[1735]

**C. Puchmayr:** I will only use that term when I speak of hydroelectric projects from here on.

People who are in a country that is seeing the effects of the Patriot Act and seeing the effects of the lack of transparency in that act are warning us here in Canada, in British Columbia, to be concerned, and rightly so. We should be concerned. We should be very concerned, and we should be extremely concerned.

One of the issues I have with this bill, as well, is with the part about local autonomy. Not only are we jeopardizing our sovereignty and our rights of information and that right to retain that information in this country, we are also losing the right as a local government to have some autonomy on issues of very important significance in our community.

You look at it at first blush, and you think about... Generating electricity is a good thing. I know that the minister spoke about us importing power. Yes, we do import power. We import power at night, when the prices of power are extremely low. We import it from other producers in North America. We're on that same grid.

What we do is allow our hydroelectric dams to fill. Then, during the day, when power is at a maximum, we export it and make money from that export. It's a very positive way of generating revenue for this province, and it has been. It has generated enormous revenue for this province.

One of the things we also need to look at with this bill is just by virtue of the guise that it's good to have different alternative power sources. Nobody disputes that, but how do you take those alternative power sources and force a municipality or a community to take on a project that may not be consistent with what the wishes or goals of the community are? They may be inconsistent with the official community plan. They're projects that municipalities will not be able to have the same rights with respect to negotiating with the developers so that they can get amenities for the community.

The government often talks about the past, but when you think about what kind of impact this can have on communities from here on into the future.... We're talking about hundreds of communities, maybe thousands of communities, and we're talking about 46 members on the other side making a decision that is going to affect four million British Columbians from here on into the future. To do this in this manner is very alarming to me.

I was involved for nine years in local government. I was involved during the '90s, when our community in New Westminster came forward and said: "We need to change the Municipal Act. We need to work with the government to change the act." We worked through many different ministers on both sides, the opposition and the government, and we also worked with two different governments in developing a local government act.

One of the things I wanted to call it was the municipal authority management act, MAMA, because it has grass roots. It affects everybody. Municipal government is sort of the first line of government. It's closest to the people, because it's the people that know what their communities want, what their communities desire.

This bill takes away from that. It takes the motherhood away from that community, and it passes it over to a multinational in a foreign country that can come in and ride roughshod over the little bit of waterfront that you have left in your community. They can take away the development plans of that community and impose a hydroelectric or a type of river project that will have incredible effects and impacts on your community for years and years to come.

I speak vigorously against Bill 30. I was very pleased to see the comments of the Privacy Commissioner with respect to the sections that were removed. I will now sit to allow another member to speak on this bill, and I will strongly urge the other side, especially those ones who were in local government....

[1740]

I think the Minister of Economic Development is on record of giving more independence.... The Peace River South member from the other side is on record, as well, as saying that local government needs the autonomy. I hope he's in this House to stand up for our side and for the people of British Columbia so that this bill is defeated.

[Mr. Speaker in the chair.]

**G. Gentner:** I rise against this Bill 30.

I heard the Minister of Community Services speak earlier about the great attributes of the government relative to its relationship with urban communities and neighbourhoods. There was great promise years ago over the so-called Community Charter, but once it got going — after the promise by the Premier — of course, it became nothing else but a watered-down local government act. It didn't fulfil the promise which the government had said it would.

We also saw from this government the big stick called Bill 75. We saw the Streamside Protection Act totally gutted. It downloaded responsibility on the local government through the riparian act. We heard the minister talk about the West Nile virus and how the government is now responding to the needs of local government. Well, the West Nile virus has always been a provincial responsibility. That is another example of how this government decides the best interest is to download responsibility onto local government.

To try and be very brief on section 56, relative to municipal government, I have to bring into the argument the discussion on the IPPs. The implications of this bill go well beyond that of IPPs — the run of the rivers. It sets a precedent for all independent power production. Where are we going to be with cogeneration? Where is it going to go? Are we going to see more lack of consultation in the need to expedite a program and an agenda by a government that is primarily looking after its avaricious friends?

This bill basically scorns the authority of local government. It deplores local authority. Its lamentable attitude to communities is just that. There is no consultation here with the wishes of local government. The minister talked about: "Well, we have to develop a pol-

icy that turns on the lights." Well, at the expense of what? At the expense of consultation. We will turn out the lights in 2009, because in 2009 this Legislature will.... For some on that side, the party will certainly be over.

I want to move very quickly on to the other implications of this legislation's attitude towards local government, and that's the implications to even the GVRD. If we are going to allow the expediting of cogeneration units, within the lower mainland, for example.... This has such a draconian impact on all legislation, not only that of zoning, but that of all regulatory authority.

In the effort to expedite the will of independent power producers, namely that of co-gen, where will this put that authority of the Greater Vancouver Regional District — primarily that of its ability to monitor air quality production, air quality standards — relative to the production and release of pollutants from independent power producers, namely that from industrial activities, burning fossil fuels?

This is the direction this government is going. We know that we're going to see, because of this legislation, the possibility of common pollutants to increase: sulphur dioxides, nitrogen dioxide, carbon monoxides, ground-level ozone, suspended particulates.

[1745]

We know that the member from up the valley, Chilliwack — now the Minister of Environment — was so adamant in his opposition to Sumas 2, it was laudable. It was a wonderful thing. But where are we going now with this legislation? All those efforts are for naught because of a legislation here that's driven in the best interests of, again, avaricious friends. The member for Vancouver-Hastings pointed out the huge campaign contributions made to the party opposite.

I want to talk, too, about section 33. The promise that the government opposite made about the wonderful things privatization was to bring and that there was no fear about globalization....

I do have to quickly quote the Hon. Minister of Energy and Mines, who last fall during estimates was asked about Accenture moving call centres and jobs out of the province. His response was that all work done for B.C. Hydro must be done within British Columbia. The member for Delta North questioned him again and asked the question: "Does Hydro have a business plan regarding customer service after the full transfer to Accenture of all customer services," information technology, procurement services, etc.?

The minister responded:

No. Hydro expects that business will carry on as it has over the last three years... That's one of the reasons why Hydro... said that it would be in the best interests that they outsource some of these services.... Any of that kind of work will actually be done in the province.... All too often what happens is call centres end up in Newfoundland or some place in eastern Canada instead of British Columbia, and we were adamant that those jobs would stay in British Columbia, employing British Columbians.

The minister went on to say:

The company — namely, Accenture

— is a B.C.-based company with its headquarters in Vancouver, and we can apply the B.C.-based rules that apply to the company.

Therefore, why change the rules with Bill 33? We're changing it so Accenture can move its documents and, indirectly, move jobs out of the province, stateside — outsource work south of the 49th.

Why are they doing this, hon. Speaker? Because the whole concept of the deal, the first P3 deal this government ever made.... They didn't think long-term. They had no idea where they were heading in this new frontier. They didn't have a clue. The promise is broken. This government has sold out. It's selling out our resources, it's selling out our sovereignty, and it's selling out our privacies.

The minister this year during question period stated — and it was only last month: "I'm happy to tell the member that, actually, the Freedom of Information and Privacy Act applies to Accenture Business Services." Yet schedules 2 and 3 of the Freedom of Information Act outline public bodies to which the act applies. It applies to B.C. Hydro, B.C. Hydro Transmission Corp.; Crown corporations are all on the list. However, Accenture is not on that list. That's a big oops.

The minister was wrong. What this bill should be called is the damage control act for Accenture, for that is what this section's all about. Accenture has some special treatment, because it is not a public body. It can take information where it wants, how it wants, when it wants. It's another pitfall in the P3 agreement.

Hon. Speaker, the gong's going to go off very soon, I see. I have a little memo here from my hon. friend.

[1750]

We have seen recently the breaches of security with Accenture, with their employee records. The question then was: who was liable? Was it Hydro? Was it the minister? Who is accountable? Well, with lost information into a foreign land, the question will once arise: who is accountable there? We certainly know it will not be this absentee government. The U.S.A. Patriot Act permits U.S. authorities to access personal information of British Columbians, and that is through outsourcing of public services in the control of U.S.-linked private sector service providers.

We value privacy in British Columbia. All British Columbians value their privacy. They are worried that their privacy, in the new era of globalization, will be gone. Disclosure of sensitive personal information can lead to discrimination against people. The people who are interpreting are outside these borders. They have political reasons that may very well tell people to turn back at customs or immigration.

Does British Columbia's personal information flowing across the border into the United States enjoy the same standards for protection as in British Columbia? We have come to expect that here, but we're not going to see that.

I want to draw the Attorney General's attention to section 30 of the Freedom of Information and Protection of Privacy Act, and I will close with this, hon. Speaker. The head of a public body must protect personal information in the custody or under the control

of the public body by making reasonable security arrangements against such risks as access, disclosure or disposal.

Instead of section 33.1, the government of B.C. should amend the Freedom of Information and Protection of Privacy Act to the following: "Prohibit personal information in the custody or under the control of a public body from being temporarily or permanently sent outside of Canada for management, storage or safekeeping and from being accessed outside of Canada."

Hon. Speaker, I will oppose this bill because British Columbians uphold their privacy rights, and they will be here. They will be here in three years, and they will be pointing the finger at the Attorney General and asking him why — asking this government why — they have dismantled our fundamental rights.

**Mr. Speaker:** Seeing no further speakers, Attorney General closes debate.

**Hon. W. Oppal:** I move second reading of Bill 30.

[1755-1800]

Second reading of Bill 30 approved on the following division:

YEAS — 39

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

NAYS — 24

S. Simpson	Evans	Fleming
Farnworth	Kwan	Brar
Cubberley	Hammell	Puchmayr
Gentner	Routley	Fraser
Lali	Dix	Bains
Karagianis	Ralston	Krog
Austin	Chouhan	Wyse
Sather	Macdonald	Conroy

**Hon. W. Oppal:** I move that the bill be referred to a Committee of the Whole House to be considered at the next sitting after today.

Bill 30, Miscellaneous Statutes Amendment Act (No. 2), 2006, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

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

**Hon. M. de Jong:** Safe journey to all members. See you on Monday. I move the House do now adjourn.

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

Motion approved.

**Mr. Speaker:** This House stands adjourned until 10 a.m. Monday.

The House adjourned at 6:02 p.m.

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## PROCEEDINGS IN THE DOUGLAS FIR ROOM

### Committee of Supply

ESTIMATES: MINISTRY OF HEALTH  
(continued)

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

The committee met at 3:02 p.m.

On Vote 35: ministry operations, \$11,767,963,000 (continued).

**D. Cubberley:** I believe we left off with a question, so I'll wait.

**Hon. G. Abbott:** Though there is no provincial protocol in respect of referrals and admissions to hospice from hospital, we understand that health authorities have, in many cases, local processes and protocols around the referral of patients from hospitals to hospice. Those would vary, obviously, with circumstance.

We have referrals not only from hospitals. There are referrals from homes, like residential homes, and from residential care facilities.

[1505]

Where the person referred meets the admission criteria for admission to hospice, he or she would be determined. These are the criteria that are typically used by health authorities to see if a person is suitable for hospice admission: first, the patient and/or family has agreed to referral to the hospice service; second, if the patient is under 19, it is expected that he or she would be carefully screened as to the appropriateness of the service in the specific hospice setting and

whether or not referral to Canuck Place might better meet their needs; third, a patient is in the final weeks or months of his or her illness; and fourth, the patient requires symptom management by professional staff and there is an ability within the hospice to provide this level of care. That's generally the provincial overview with respect to that.

The member also asked, as I recall, about Rotary Hospice House in Prince George. Rotary Hospice House is a five-bed hospice in Prince George run by a non-profit agency, the Prince George Hospice Society. We're advised that the hospice receives a lump sum grant from Northern Health to cover 40 percent of its operational budget. There's currently no contractual relationship between NHA and the hospice, although it's been under negotiation for some time. So at this time NHA does not control the admission process to the hospice.

**D. Cubberley:** I thank the minister for that. I had the opportunity, actually, to visit the hospice in Prince George and to do a tour. It's a very, very good facility — highly motivated staff. They work very hard to secure the funding they have, which is only a portion, as you've acknowledged, of the funding it takes to operate it. But they did bring to my attention the fact that the lack of a referral protocol, specifically from the hospital, limits the use of the beds, so they are often-times at less than half the utilization they could have. They know there are circumstances in the hospital where hospice would be the appropriate place for people to be, but they have had difficulty getting to a point where there is a protocol in the hospital to refer to hospice at an appropriate point. I really just want to leave that with you, and perhaps that could be looked into.

I see that I have friends with me currently. As the chief cat herder I think that if we left the palliative care questions for a moment and went to questions from individual MLAs, that would probably work best from our point of view. So if that's all right, I will defer to the member for North Coast, who will take approximately ten minutes.

**G. Coons:** Thank you, minister and staff, for being here. I just have a few questions — local questions and, again, dealing with Acropolis Manor. Thank you very much for your letter and acknowledgment of the 1,300-signature petition. I realize that Northern Health has the flexibility and the tools and that the ministry is willing to work directly with Northern Health and so should locals, but we still are meeting and having difficulties. We're getting....

I have a letter here. This 70-year-old woman is looking after a 96-year-old, and she just doesn't feel that that's the right thing and that that should be on her shoulders. She's becoming frailer, and she would survive well in long-term care.

The people we're looking at are in situations that.... There's a wait-list of about six to ten. There are rooms available, and we realize there are challenges in opening those rooms, but the resources that we could get

into the community for a short-term time until Acropolis is built are major for our community, especially for the seniors. I'm just wondering: what options do the seniors have in our community to get some of the beds open in Acropolis?

[1510]

**Hon. G. Abbott:** I can get the member some response to his question.

We don't really know what the flow of questions is here. We're trying to make the adjustments from the Cedar Room with the right personnel with the answers. We'll add to this answer here shortly.

Just to return briefly to the previous question about the Rotary Hospice House in Prince George. The information we have from the CEO at Northern Health, Malcolm Maxwell, is that the hospice usually runs at about 75 percent occupancy, but he will be looking further into the concern that was raised with respect to underutilization at the facility to see if there are, in fact, opportunities to see more patients, currently at Prince George Regional Hospital, being served in the hospice setting. That will be something we'll be working on.

In terms of the latter question, in terms of Acropolis Manor in Prince Rupert, it's our understanding that Acropolis Manor remains open, but it is planned for replacement. The reason that it is planned for replacement is that the building has some functional issues, limiting the provision of care to seniors with complex care needs.

Among those issues are resident rooms that are 25 percent smaller than the standard for high-level residential care; doors into resident rooms that are too small to move beds through; washrooms in the facility that were not designed for people with multiple disabilities, posing injury risk for both residents and staff; the lack of a second-floor nursing station, making that part of the building inappropriate to safely care for long-term care residents; and elevators that are not large enough for stretchers. There is a process underway. Northern Health, for example, is developing architectural drawings for the new facility and intends to issue a construction tender for a new facility by the summer.

I may have a bit more information coming here on that, but perhaps the member has other questions in respect to this.

**G. Coons:** Thank you, and we'll take that on notice. I apologize for perhaps being around the realm of topics.

The second one I'd like to talk about is.... Again, thank you for the response to the North Coast Improvement Society, about the audiology clinic that they wanted to try and get some funding for through the Sound Start.

It's a wonderful initiative with support from everybody, including Northern Health, which is prepared to commit the space and actually commit some of their 0.5 FTE in clinical and clerical support, and the professional services. But they need some equipment. We did ask for some response, or they asked for some response, about how they can access funding to Sound Start — how it's distributed; if any funds have been

distributed, where they would be; if there was a waiting list for the North Coast Improvement Society.

[1515]

**Hon. G. Abbott:** The Sound Start program is an excellent screening program. I think the program the member is referring to is the new neonatal screening program for babies to determine early on in the course of their lives whether they have any hearing impairment. That program has been funded through the health authorities.

Among the funding was \$200 million to be shared among the health authorities for equipment for the audiology screening purposes. I think we'd encourage the member to consult with Northern Health on whether the clinic has made the appropriate requests and overtures to Northern Health to get their share of the equipment. We know it's a good program, and we know there are dollars to backstop it both on the operational and the equipment side. Hopefully that information is useful to the member.

**G. Coons:** We'll follow up on that. Thank you very much.

The last thing I'd like to bring up is that we did have discussions earlier about the unfortunate incident with Leon Haldane and having to go from Prince Rupert to Prince George. The minister suggested in one of his letters that there was a travel assistance program available. But from Prince Rupert that's only VIA Rail, which is, you know, a 15-hour trip again to Prince George. Then the minister also indicated that the rural travel assistance program, Northern Health Connections, was coming into play. The minister, I know, is aware that the traditional route for north coast residents has been north and south and not east and west. There are no flights going from Prince George to Prince Rupert, and vice versa.

[1520]

The Northern Health Connections is a bus that is going to take people to services that are not available in Prince Rupert — perhaps to Prince George, which may be a ten-hour ride on a bus, to access services. It may be an MRI; it may be physio, as was presented in the press releases. It's going to be going twice weekly. I think those in not the best of health, as says the press release....

I just don't think it's appropriate for quality health care in the north to hop on a bus for ten or 12 hours, depending on how many stops it's going to have, to travel to Prince George, to stay for two or three days at your own expense — meals, accommodation, transportation to where you need to go — and then to get back to Prince Rupert on the bus when you are not in the best of health. I think that's inappropriate, as do a lot of residents in the area. Taking a ten hour-plus bus ride to get some health services, spending an awful lot of money and then coming back on that is not appropriate.

I would just like the minister to comment on that. As my colleague from Nelson-Creston invited him on a trip, I would be pleased to go on the maiden voyage of



the bus with the minister — on that ten hour-plus ride — and spend a couple of days in Prince George and return. I would like some comments and his thoughts about that, please.

**Hon. G. Abbott:** I'd be very happy to do that. The ministry and the government have recognized some of the challenges of access to medical services in remote areas, and they have done it through a number of Health Connections programs. By far the largest of the programs is the \$4 million that goes to the Northern Health Authority; \$1 million goes to Interior; \$500,000 to Vancouver Coastal; and \$500,000 to Vancouver Island Health Authority.

Among the kinds of things that are done under the travel connections program and the Northern Health Connections program are short-distance routes to run once a week from a number of locations — Valemont-McBride to Prince George, Burns Lake-Prince George, Houston-Terrace-Smithers and so on — and long-distance routes that run twice a week — for example, Fort Nelson to Grand Prairie, Prince Rupert to Prince George, etc.

Now, I appreciate that the member is advocating for more, but I do wish to point out to him in the first instance that it is \$4 million and one program more than existed before Northern Health Connections was put in place. There was nothing in place before that to assist those in rural communities to access that program.

I think we've come some distance to providing better care. I suppose it is tempting to compare it, for example, to flying everyone down to Vancouver for that service from everywhere in the province — and perhaps the member would want to advocate that. He can. I'm sure he'd want to cost it out first and understand what other sacrifices we would have to make in order to do that.

I think the Northern Health Authority is trying to make the best possible use of the \$4 million that they have at their disposal. I'm looking forward to seeing how it works, and I hope that the consequence of it is that people get the care they need as close to home as they can. Again, I think this is trying to build on a program that has not had funds in the past and to make it work better for British Columbians.

**G. Coons:** Before I pass it on to my colleague from Vancouver-Fairview, I'd like to say thank you very much, minister. That's one thing I also agree with: it's very challenging. That's why on the north coast we've been advocating that we need to be in our own region — not with Prince George, you know. It's such a geographically diverse, challenging region. Perhaps we need the resources in the area for the Charlottes, Prince Rupert and the villages, and perhaps we'd even invite Kitimat and Terrace into the picture. But I'd like to pass it on now to my colleague.

[1525]

**G. Robertson:** A question about naturopaths and access-schedule preparations. There's a decade of outstanding issues considering naturopathic doctors' ac-

cess to certain scheduled drugs. This issue has been resolved with midwives and nurses, but it has not been resolved for NDs. Can the minister explain if his government is moving forward on resolving this issue, and if not, why not?

**Hon. G. Abbott:** I won't give the definitive answer now, because we're kind of moving from place to place. We actually have a ministry official who works very closely on these things. He will be, as we speak, rushing down here to try to share his knowledge of this particular file with us.

What I'll do is advise the member at this point that a process is underway with the naturopaths and the college of naturopathy around that important issue. It's a scope-of-practice issue, as the member knows, and it's an important one. I've had an opportunity to meet with naturopaths to discuss the point.

We will be finding out as we go along here. We'll gather that information, and I'll provide the member with that information as soon as I have it. Because we're moving quickly from point to point, I don't want to have long gaps here. If that's all right with the member, I will get back to him shortly here when the information comes in.

**S. Fraser:** I have a few issues. I'll be as quick as possible, being mindful of the time here.

I received a letter from Francis Frank. He is in a leadership role with the Nuu-chah-nulth first nations on the west coast of Vancouver Island — so just switching gears here a little bit. There was a woman from the Toquaht Nation who broke her elbow. She went to the Tofino General Hospital and spent two days, needing surgery — she shattered her elbow — before they could even find a bed that could take her and deal with that. So she stayed....

They're very careful here. There's nothing but accolades for the doctors and nursing staff of the Tofino General Hospital. But two days waiting in pain to get somewhere.... Francis Frank asked me to raise this issue and just let you know that he did not feel that that was appropriate. Considering that Tofino is the only hospital for not just Tofino and Ucluelet but the five Nuu-chah-nulth first nations of the area.... In any one day in August there are probably 20,000 tourists also — basically, the equivalent of a city the size of Port Alberni any day in the summer. If you could comment, please.

**Hon. G. Abbott:** I thank the member for raising this important question. The issue of a patient from a community hospital setting who needs the services of a tertiary centre or regional centre for a more complex injury than I guess they could deal with at Tofino hospital is a very important one. VIHA is not a part of B.C. Bedline. VIHA has its own internal network for dealing with those issues, and normally, it works very well.

The situation that confronted the member's constituent is clearly an unfortunate one. We would appreciate the member providing to me whatever detail

he has in respect of this case, and we will raise it with the CEO at VIHA. We always strive to give timely service to those that we serve. If the facts are as the member represents them around a two-day wait for the transfer, then that is an unacceptably long wait for that procedure.

[1530]

If the member could furnish me with whatever facts, information and correspondence we have on that, I'd be very pleased to take it up with the CEO of the health authority, and we'll look at ways of ensuring that a situation like that does not occur again.

**S. Fraser:** I will forward that information. I'll just get you a copy that I haven't scribbled on. I could have raised it earlier, but we were waiting for estimates. I thought that would be the most timely manner to deal with that.

Switching gears a little bit for the same area.... I've raised this with your office and with your staff and they have been very helpful — and yourself — but there's an issue around dementia and palliative care on the west coast. There has been a plan on the books to deal with a few beds for long-term care, palliative care, and it hasn't come to fruition.

There've been two patients now who had to stay at home, where there was no ability to cope with that by the family, waiting for a spot in Port Alberni, which was the closest place for a bed. Just recently with Midori.... She was in the hospital in Tofino, waiting for an appropriate facility. In some cases, it's to spend the last while of their life.

The correspondence I got back from the minister doesn't seem to jive with what I am hearing on the ground. That is: even if there were a space available in Port Alberni for these people on the west coast, they cannot get access because they do not get sign-off from a local doctor. They require a local doctor to sign-off, and that means local Port Alberni.

On the west coast, two hours away, their doctors — even though they're willing to do to it, and they'll sign anything to get them into a facility — have to be in proximate distance to the facility in Port Alberni. The doctors in Port Alberni are not taking any new patients. It's a problem, a real problem, and I've confirmed that with VIHA.

If the minister could please look into this. It's becoming a problem. These are two incidents since I first raised it. I'll wait for a comment, and then I've got one more.

**Hon. G. Abbott:** I thank the member for raising this issue. This is, I think, a troubling issue when we don't see the kind of cooperation that one would expect for folks who are at the end of life not to have that opportunity. So there's a couple of things that are going on that are relevant here.

[J. Nuraney in the chair.]

We had a good discussion earlier today with the opposition Health critic about palliative care and some

of the shifts that are occurring in society and in communities around end-of-life care and, in particular, the quite remarkable expansion of palliative care and of interest in furnishing palliative care. We're coming a long way.

It may well be that at some point the solution for Tofino is to have some facility themselves. I don't know whether there's interest in that community around that point or not. I'm sure if there is, it's something that we'd want to encourage. We're seeing more and more communities expressing an interest in having those palliative care facilities right in the community, rather than having to travel out for that point.

[1535]

The other area that we're working on, because it is disappointing to hear stories like that about Tofino and Port Alberni and the absence of cooperation around that.... We do have a discussion going on with the B.C. Medical Association about this. We do have a discussion going on with the College of Physicians and Surgeons about this. We have a new agreement in place with the B.C. Medical Association that is intended to further resource and encourage that end-of-life care by physicians. I do hope that the new agreement will help, but there does need to be a willingness on the part of the doctors themselves to do it.

That's kind of where it sits, and I do appreciate the member raising this because this is the kind of thing that I think we would like very much to see resolved. It is unfortunate that when people reach end of life, they don't have that opportunity to have the benefit of palliative care.

Acute care beds are not a satisfactory place to die, from the perspective of most British Columbians who have been asked about this. We find palliative a much more appropriate setting for those difficult end-of-life issues, so we're very sympathetic to the issues the member is raising here, and we will be continuing our discussions with the authorities from the BCMA and the college on this point.

**S. Fraser:** Thanks to the minister for that. I will be corresponding with you further.

By hook and crook we were able to make sure that most of these individuals were placed, but it wouldn't have happened if there wasn't a lot of work done behind the scenes.

My last question is again referring to palliative care. I'm heartened by what the minister has said, and I guess I'm looking for the minister's help here. In Port Alberni there has been a huge effort from the community itself, from all levels and sectors of the community, to bring about the creation of a house about three years ago called Ty Watson house. It has five or six spaces or rooms designed specifically for quality-of-life, end-of-life care. It's a beautiful house. It was donated. There's a lot of in-kind here.

Fountains have been built in-kind. Elevators provided in-kind. There's cutlery in the drawers. There's a wonderful place. There's a view. There are balconies. It is a perfect quality-of-life, end-of-life care facility — not designed for seniors with dementia, maybe. We're talk-

ing about another.... This plays a different role in the community, and it is not being funded. The only thing it's missing is funding. We're not getting any funding to open the doors. There are people who need this facility, and they are not getting it. They are not spending the last days of life in quality care.

This facility is sitting there with everything ready to roll and every piece of the community supporting it and providing for it, and the only thing missing is government assistance to staff it, and it's not happening. I've run into a roadblock or a brick wall here. I need the minister's help.

[1540]

**Hon. G. Abbott:** I'll try to report briefly here on Ty Watson house and, also, on the naturopathic application of medicine issue that was raised earlier.

With respect to the Ty Watson house, I gather the concern has been around the cost of the approach that is utilized there, but I gather the discussion continues between the Vancouver Island Health Authority and Ty Watson house around that. I'll look forward to the continuing discussion that will occur on that issue, and I hope that they can resolve whatever differences they have that have prevented the ongoing operation of that facility. We don't have a huge amount of detail in respect of that, but we do know there are still some differences of opinion between Vancouver Island Health Authority and Ty Watson house on how that service is being offered.

On naturopathic medicine. This has been an issue for a long time, as the member knows. In the late 1990s there was an extensive scope-of-practice review that was undertaken by the then Health Professions Council. That council made numerous recommendations for an appropriate scope of practice and reserved actions in a 2001 report called *Safe Choices*, which the member may be familiar with.

I understand the B.C. Naturopathic Association strongly disagreed with the recommendations of that report. They wanted the shift in scope of practice to be much more in their direction than was recommended by the council. Again, there are always.... There's nothing more delightful than a good scope-of-practice debate between the respective colleges and associations that exist in this province. They are always fascinating.

The discussion then continued. In August 2004 there was a lengthy discussion between the ministry and the B.C. Naturopathic Association. A decision was made to retain a consultant that would look at the important issues around scope of practice and hopefully bring about some resolution of that.

The consultant's report, which is also known as the Ritter report, entitled *Naturopathic Scope of Practice Gap Analysis*, was submitted to the Ministry of Health by the BCNA back in December of 2004. The Ritter report is what we are still working from in terms of the request for expansion of scope of practice by the BCNA.

A reserved actions regulation is still pending. That reserved actions regulation, I must acknowledge, is the object of some tension with other colleges and associa-

tions. Not everyone agrees with this expansion, particularly those in what one might call the conventional medicine area. They are very resistant to it — quite opposed to it and vigorously so. There may be an opportunity to move on the schedule one drug prescribing authority. It is a matter that is still under discussion.

It is a difficult one because getting a consensus among colleges and associations with respect to appropriate scope-of-practice adjustments tends to be, I would say — and I don't want to overstate it — approximately as elusive as obtaining a comprehensive Mideast peace solution. It is somewhere in that general area. It's very difficult, but that's not to say that the naturopaths are not well justified in what they're putting forward. It's just a challenging area of public policy.

**G. Robertson:** Thanks to the minister for that summary of the situation. I'm encouraged that access to certain scheduled drugs is being considered. I hope it's being meaningfully considered and in a timely fashion as well. I know the naturopaths are eager to know of their status in these terms.

[1545]

I want to just move on to lab privileges, as well, which obviously fold into this whole area of concern. The medical laboratories in B.C. are publicly funded, privately owned, and yet access to them by health professionals other than MDs is controlled by the College of Physicians. As primary caregivers, the naturopathic doctors must access laboratory facilities — licensed laboratories — outside of B.C. They are using labs in Alberta and the United States where their lab access and lab privileges are honoured. Can the minister explain why the access to B.C. labs is controlled by the College of Physicians and not by the Ministry of Health?

**Hon. G. Abbott:** To be concise about it, neither the College of Physicians and Surgeons nor the B.C. Medical Association control access to the labs. My understanding is that it goes back, again, to the issue of scope of practice. Access to labs for the purposes of securing those tests is, again, a scope-of-practice issue and is one of the issues being considered as we consider the other aspects of those scope-of-practice issues for naturopaths.

Currently MDs, dentists, midwives and nurse practitioners are the ones who are able to order tests through the licensed labs. Naturopaths are not, but should we proceed with an adjustment in the regulation, it may move from being a reserved action, which prevents them, to permitting them. It's one of those issues in the scope-of-practice area that's under consideration right now.

**G. Robertson:** Just to be clear on differentiating here. The scope of practice for naturopathic doctors is under review. Is the access to scheduled drugs and lab privileges directly tied to a scope-of-practice review? Is

it possible for the current status of those to change without a complete change of scope for the naturopaths? Is it possible to have those privileges and that access without the scope being completely changed?

**Hon. G. Abbott:** The answer is no. There is no easy way around it. It is part of the scope-of-practice package and apparently can't be broken out as a one-off.

[1550]

**G. Robertson:** Can the minister give a time line or some sense of the timing involved in the scope-of-practice review and when the naturopaths can expect to know their status?

**Hon. G. Abbott:** It is always difficult to put a precise time line around a living thing. The discussions continue. All of the pushes and pulls in respect of these adjustments to scope of practice continue, so it is pretty much impossible for me to put a time line on it. I would love to. Believe me, I would love to.

Scope-of-practice adjustment issues are probably the least favourite area I have in this area of public policy. I love most of them. This one is sometimes less than fascinating. But we are working on these issues, and I know the naturopaths have been remarkably patient as we've gone now through — what...? The journey has been at least since 1999, so there's been lots of push-and-pull and lots of discussion and supporting and opposing and so on, and all of that still continues. It's difficult to put a good time line on it, much as I would like to.

**S. Fraser:** I'm just going to finish off. Thank you to the minister on his comments about Ty Watson House. Just for the minister's edification, there are no meaningful discussions happening around Ty Watson House and the health authority. This facility has been ready, has been produced and created — all the capital costs, everything — by the community, by all sectors of the community, and it's been sitting there ready to go for years now. It's just a circular argument. "Well, it's a little too expensive." Or: "It's not..."

It represents, in an unprecedented way, a community, the city of Port Alberni, coming together from all sides to help deal with a critical need that's not being dealt with by the health authority right now in the community. This is a unique facility in that sense, and the cost benefit to the community, the province and the health authority is certainly recognized by Port Alberni.

I will be bringing this back. Right now — and over the last two years, with this facility being ready — there have been people dying without the quality of care that they should have had. That gap's not being filled and deserves to be filled, and you'll be hearing more from me. Thank you very much.

**Hon. G. Abbott:** I appreciate the member raising the issue again. We will add this to the list of issues we'll be discussing with the Vancouver Island Health Authority, and I appreciate the reassuring note from

the member that just like next year's salmon run, he'll be back again if this issue is not resolved. So thank you for that.

**J. Brar:** The completion dates for construction of the Surrey Memorial Hospital emergency room as well as for the new ambulatory care centre. At this point in time the completion dates are 2010 and 2009, respectively. Can the minister provide more specific information on that — whether it will be the later part of 2010 and 2009 or the early part of 2010 and 2009?

[1555]

**Hon. G. Abbott:** The Surrey Memorial Hospital expansion, of course, is a very important project for Surrey and for British Columbia. It is one of the largest and busiest hospitals in the province, and one that is very much in need of expansion, both the ER and the ambulatory out-patient capacity, and of the addition, as well, of a primary care centre — all very important elements to the Surrey Memorial Hospital area. It would, though, be difficult at this point to put a more precise time line around the implementation and the construction and completion of those elements. I think the ballpark numbers that the member raised in his question are probably as good as we're going to get right now.

There's some final consideration being given to site issues, and once those are resolved by Fraser Health... There's already some planning work underway, but there will obviously be intensification of that planning work, so I think '09-10 is probably about as precise as we're going to get right now.

**J. Brar:** The minister did mention about the location of the ambulatory care centre. When can we know about that decision? Does the minister know at this point in time when that decision will be made as to what location it's going to be built on?

**Hon. G. Abbott:** We're hoping a decision will be made by the end of June.

**J. Brar:** Minister, the Surrey Memorial Hospital emergency room at this point in time has the capacity to serve 55,000 people per year. In fact, as per the numbers given by the South Fraser health authority, it is serving 75,000 people per year, which is roughly about 40 percent over capacity. In addition, over 300 patients, according to the health authority, go back from the ER room every month without seeing a doctor.

I do appreciate the steps the minister is taking at this point in time for expansion of the ER, as well as for the new ambulatory care centre, but Surrey receives about a thousand new people every month, which is close to over 10,000 people every year. So as per the completion dates at this point in time, we have to wait almost four more years for the expansion of the ER, which means 40,000 more people.

The ER room, at this point in time, is now over capacity by 40 percent. It is the busiest emergency room

in the country. Having said that and keeping in mind the undercapacity of the ER room at this point in time and the 40,000 more people coming in the next four years, would the minister consider fast-tracking the completion of the construction of both of these projects?

[1600]

[D. Hayer in the chair.]

**Hon. G. Abbott:** The member quite rightly points out some of the challenges that exist in Surrey Memorial Hospital. Surrey Memorial Hospital was built, I think, for a population of about 50,000. Of course, Surrey is one of the fastest-growing municipalities in British Columbia and one of the fastest-growing in Canada. Surrey Memorial has been for some time one of the busiest emergency rooms in the province and, indeed, in Canada, so there are some challenges there.

The business of moving from where we are today through to 2009 or 2010, when all of the pieces are in place, is a long and complex one. It's complex because, for example, we need to make some closures and major changes around the extended care unit before the emergency room can be tripled in size. This is a very important part of the project here, because the emergency room is undersized for the demands that flow through that ER.

As often happens in these large remediation, expansion projects, one has to wait on some pieces while other pieces are being moved and reconfigured and all that. It does get to be quite a complex and challenging project. This one will be. It is a very large project — well over \$200 million — and there are lots of pieces to it. So we are looking at how we can fast-track these things. In some senses, the project is fast-tracked.

The recognition of the problems in ER, for example, were the reason why we have undertaken the minor treatment unit at Surrey Memorial Hospital. The minor treatment unit sees the diversion of, I think, just over 40 percent of the more minor treatment issues out of the ER and into the minor treatment unit, and it's worked very well. According to our statistics, the Surrey Memorial Hospital handles close to 65,000 visits, and the number of visits is expected to grow. The population is growing, the population is aging, and one would expect that there would be continuing pressure there. Of the 65,000 visits, close to 42 percent are patients with lower levels of acuity who could be treated outside a full emergency unit — hence, the minor treatment unit.

This high volume of low-acuity patients contributes to the congestion problem in ER. That's part of the issue here. I expect some of it may be residents of Surrey who don't have, for example, a regular family physician they access. Or it may be a reflection of the aging demographic. In any event, we are going to try to move this forward as quickly as we can. We do appreciate the growing pressures on the facility, owing simply to the growing population and the aging population there.

There is much work to be done, and I know now the decision has been made to move ahead with a \$200 million-plus project. We'll start to see, as finalization of the site in late June is completed, more and more work undertaken.

**J. Brar:** A couple of comments to the minister. Correct me if I'm wrong. I understand the rationale provided by you about those puzzles and the different pieces to put together and the planning part of it. I do understand, and I appreciate that. But my understanding is: when, during the middle of the election, the Premier made the announcement to fast-track the study about the crisis at Surrey Memorial Hospital, the dates were set by the Premier, not by the study or the planning process, as to when we start the construction. That was the announcement which was made during the middle of the election in May.

[1605]

The second thing I want to mention is that I do want to challenge the numbers by the minister, which is 65,000 patients per year. My information is from the Surrey Memorial Hospital Foundation and their report, which states 75,000 people per year; 300 people go back every month without seeing a doctor; and 55,000-people capacity at this point in time. But I hear 65,000, so I would like to know where that number comes from, because the Surrey Memorial foundation report mentions 70,000 people and 300 people going back every month.

**Hon. G. Abbott:** The member is correct. The number that I quoted was actually from fiscal '04-05. The most updated number we have is 72,130, so the member is correct — it's actually over 72,000. I apologize for that confusion.

In terms of the time lines, the time lines that have been undertaken here are ambitious; the time lines are aggressive. If, for example, you compare it with MSA Hospital — some of the early work was done back in 2001, and I think we're looking at about 2008 for completion — for Surrey Memorial Hospital to move from announcement in 2005 to completion of at least portions of it in 2009 is a very aggressive time line, and it is a fast-track time line.

**D. Cubberley:** I'd like to go back for a little while, if we can, to palliative care and try to pick up where I left off, although interestingly, one of the diversions to this point was some other questions on palliative care. I'm actually very pleased to see that discussion occurring, because it's important and relevant. I've heard the minister acknowledge that, and I appreciate that.

One of the things that I want to chat a little bit about is the potential for a more integrated 24-7 program of access to palliative care resources and advice, which I'm sure the minister will agree is an important goal for the health care system. Ensuring that families have access to informed palliative care nursing is a vital link in achieving what the hospice providers and palliative care people call "a good death," as contrasted with one where the patient and the family endure

needless suffering and confusion and a sense of loss of control throughout the dying process.

The health care system — and I'm not trying to be controversial here; I think it's just a statement of fact — isn't currently set up to bring the knowledge or resources directly to the families who are providing care in this situation. There is obviously a need for new tools to be developed.

One of those tools is the idea of a web-based central registry of palliative care resources, community by community, which I understand has been proposed by the Lois Fish Palliative Society. I know through contact with them that the ministry has been engaged in developing a memorandum of agreement to launch that service and that a lot of preparatory work has been done. It's been largely, I believe, privately funded on assembling an inventory of resources on a community-specific basis.

My question would be: what stage is that project at, and at what point will the ministry actually ink the memorandum of agreement so that the website can come to life? Is there a specific problem which is yet to be addressed that is preventing that from occurring, and when do we think it will happen?

[1610]

**Hon. G. Abbott:** I've had the opportunity to meet with Gary Fish, who, of course, is the proponent of the Lois Fish palliative care information website, which is, I think, a wonderful idea and one that is salutary in a whole range of ways for the reasons that the member has articulated.

I'm advised that discussions continue with Mr. Fish in respect of remaining issues around the website and the information line, and that those discussions are going on through B.C. NurseLine. I understand the issue is around mitigation of potential risks, in that we understand that Mr. Fish seeks certain autonomy with respect to what's contained on the website but also wishes to have the ministerial sign-off and endorsement on what's on the site, yet we wouldn't necessarily have that ministerial oversight. I know that everyone is trying to work through to a successful conclusion to those discussions, and I hope that will be possible in the near future.

**D. Cubberley:** I thank the minister for that response. I certainly would urge that we work very hard to try to make this happen, because it is part of a solution to the problem that individuals have, I guess because there is so little social discussion of the actual fact of dealing with giving care in a situation where it is going to terminate in the end of a person's life. It's not something which tends to be thought about or discussed until the precipitating incident occurs. Then it's a struggle for individuals to find their way towards appropriate resources.

I know both from personal experience and from what I have heard from others that it makes a lot of difference if certain resources are made available to a caregiver who is struggling with this, and it certainly

makes a difference in the way that the person who has to die experiences the latter part of his or her life. So I do hope that a resolve can be found.

[1615]

I think it's intuitively an idea that has a tremendous amount of appeal and will be a credit to the society bringing it forward and will enable all of the care providers and palliative care resources that are out there — the hospices — to come to wider attention and to emerge as resources within communities. I think that it will be valuable in any community, but it will be especially valuable for people in outlying and remote communities, to be able to find a way to get to a portal where they can see where the nearest resources reside.

I will take from the minister's comments that the ministry is committed to trying to find a resolve and to moving the thing forward. I would urge that that continue, and as quickly as possible.

I want to pass on to something else, to which at one level, I think, one reaction might be, "This is in someone else's area," but actually it isn't, I don't believe — at least, rightly looked at. I think it's something which is within the realm of the Ministry of Health.

I just want to give a bit of context. The day-to-day demands of palliative care fall heavily upon families, especially spouses, who are often ill-equipped to deal with the challenges they suddenly face. That's, in part, due to what I was talking about before, which is our social reluctance to actually discuss the issue surrounding the death of a loved one, which is both personal and social, and the fact that until there's an actual diagnosis of terminal illness, that discussion doesn't come out of the closet, for lack of a better way of putting it.

I'm not being critical, but the health care system in a general sense and the hospital system in particular have a lot of evolving to do in order to overcome gaps in the provision of palliative care. Again, that's not being critical; I think it's just a matter of fact.

Some of the gaps arise.... They're actually social or economic in nature, especially to do with accommodating and responding to the needs of the dying while the spouse maintains and retains the option of productive employment. Recently the Legislature here in B.C. amended provincial law to allow employees to withdraw from work for mandated periods in which they could receive federally supported caregiver benefits.

This is a fantastic thing, and it's something which has been in existence for a while now, but the fact is that there is very little takeup. The specific lever in this case involves job protection during the period when benefits are obtained federally, so the caregiver has the option of returning to employment once they are through the difficult period of dying. There are, to date, very few instances of this option being exercised. We've taken a big step forward in B.C. in enabling the person applying for a federal benefit to retain employment.

There is a significant problem, and that is that virtually nobody knows the program exists. They don't know the pathway to the benefit if it does exist. It sim-

ply doesn't come to people's attention in the normal course of what they're doing. It's a benefit which you would need to know about in order to optimize the use of it; you would need to know about it early on.

I guess my question is: because there is this option — we've created the possibility, and federal funding is in place — has the ministry considered or would the ministry consider a project of some kind to increase the visibility of this option and bring it to the attention of people? Now, in part, it's the kind of thing which, if you had the electronic portal to allow people access to the resources, might be something which is immediately made transparent within the website, which would be a very useful place for it to be. It would also be a very useful thing if it could be put into a very simple statement with the steps to be taken for all palliative care providers to have to make available to people who are in this circumstance.

It's a very open-ended and soft question. It could be argued that the regulatory change is in another ministry's bailiwick, but the fact is that in palliative care, the primary care provider is often someone at home rather than someone employed by the health care system. This is something that could enable us to better manage palliative care within the community.

[1620]

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

Just to follow up a final point around Mr. Fish and the website. The last meeting with Mr. Fish was on May 1. He was asked to establish a clinical advisory committee, which I think he's considering. We're working with Romaine Gallagher at UBC and the B.C. Hospice Care Association to try to develop that clinical advisory committee. Hopefully, that would be an appropriate resolution to some of the issues that have stood in our way of completing this to date.

Gary has also been invited to be part of the end-of-life working group which we have. So hopefully, both of those things will assist us in a constructive resolution of the remaining issues around the Lois Fish website. In terms of the comments the member makes around palliative care issues, I don't think, from the sounds of things, we have a great deal of disagreement on these issues. We are seeing a societal shift around a lot of these issues and a societal shift in a positive direction.

One of the documents — it's not a document; it's a book — that I found most useful or most inspiring in recent months in my reading has been a book called *Prescription for Excellence* by Dr. Michael Rachlis. Dr. Rachlis articulates some very thoughtful positions in respect of end-of-life issues, around the role of representation agreements and advanced care directives and all of those tools which can be used to support decision-making at end of life.

I know Dr. Rachlis has quite a profound disagreement with the P3 approach to health care facilities, so I will probably regret bringing up his name here. With that exception, I would say that not only does Dr. Rachlis have a disagreement with the direction of our government but probably with many governments in

the western world, including that of Tony Blair in Great Britain. Nonetheless, I think that his *Prescription for Excellence* is an excellent book. It is a remarkably fine guide and actually a pretty inspiring piece of work around those end-of-life issues that we've been discussing here.

In terms of the support to the spouses of those who are palliative and going through that end-of-life experience, I'm not the expert here, particularly around the federal supports. I think it is probably.... I don't know the detail on that. I understand that the legislation has been relatively recently passed and proclaimed and all that, so we're just now really beginning to start to let people know, through the Ministry of Health website, more about that. I understand we'll be adding more information on how that program can be accessed. So I think the member's point is a good one, and we'll be doing more of that.

**D. Cubberley:** I just want to reassure the minister I will never criticize him or penalize him for indicating that amount of breadth in his reading material. Michael is a very engaging and provocative person who studies health care, is passionate about health care and knows a tremendous amount about health care. I will concur with your comments and leave it there.

I did want to urge, because the federal program around the benefit, the access to the money, came into being. There was this requirement for an agreement — I don't know if it was a hard agreement or soft agreement — with provincial ministers that we would collectively bring in this alteration that would allow people job security in the event that they chose to exercise this option.

It has a certain complexity to it, all of this. Anything that involves an application to another level of government in Ottawa in order to obtain a benefit here — there can be a series of steps that are quite difficult for individuals to do. There has been very little takeup in the federal program to this point, in part because this protection wasn't in place, but also in part because the federal government is really not bringing awareness to people that the program is there.

[1625]

This is a very good step, but it needs to be brought to people's attention. I think that's more what it's about. It's facilitating the application, in some way, bringing the knowledge to people and then giving them a sense of how you would do it, who you would contact. I don't think it's very complicated. It's more a question of focusing attention on the fact it's there. I appreciate the minister's indication of a willingness to contemplate that.

I'm going to stop shortly, but I wanted to raise one thing that passed through my mind, listening to the member for Alberni-Qualicum talking about palliative care and wanting to see resources invested from the health authority into it.

I believe the minister referenced this in Prince George. The Northern Health Authority does put something in the order of 40 percent of the costs into

the local hospice. Might it not be worthwhile looking at something that might be across health authorities that would be in the nature of a template, for lack of a better term, for how we might look to invest some resources in a local hospice society to enable its existence? Could it not have some relationship — if there were a funding formula — to the number of foregone acute-care-bed days in a hospital as a result of moving patients into a hospice?

If one were thinking about the number of beds that are occupied by patients dying in hospital for lack of a better option, fund according to whatever level it went to and fund in relation to the number of those bed days that might be freed up by investing in that facility. That would obviously have some relation to its bed capacity.

It's just a thought. You don't have to respond to it at this point, but I wanted you to think about that.

**Hon. G. Abbott:** Just a point of clarification from the discussion around the joint federal-provincial support for the spouses of those in end-of-life experience. Our piece of that statute, I'm told, passed in March, so it's very new for the province. We don't need to revisit that. Again, I agree we need to make it very clear how people can access that on our website and other promotional material, and we'll do that — including B.C. NurseLine. That can often be a good source for advice there.

I also appreciate the member's constructive comment in relation to potential funding formulas around palliative care. I'm not sure that we'll be able to articulate a sort of one-size-fits-all that would work, but I do think it is something we need to be thinking about. As the importance and cultural appreciation, societal appreciation, of palliative care grows, I think we do need to be thinking about the kinds of suggestions that the member has made.

**M. Sather:** I want to ask the minister some questions about an area that I've talked to him before about, which he knows the residents of my communities in Maple Ridge and Pitt Meadows have a great deal of concern about. That's the lack of quality of the food that's served at Ridge Meadows Hospital and the attendant care centres.

[1630]

I know the minister has ordered an audit of food services across British Columbia hospitals and care centres, looking at things like patient satisfaction and nutritional quality. Food safety, I believe, is included in that. I wanted to ask the minister, first of all, with regard to the patient satisfaction portion, when is that report due to be completed?

**Hon. G. Abbott:** The member laid out the processes around this and the content of the audits correctly in the preamble to his question, so I won't repeat that.

There's work being done on this at two levels. There is a comprehensive, across-the-province auditing process that is being led by the Provincial Health Services Authority. That audit will be based on an audit

tool which was developed last fall through extensive consultation with nutritionists and clinicians and so on to ensure that we're asking the right things and that we get meaningful feedback through this auditing process. We went to request for proposals in February of 2006 for the auditor of record for this.

This is the first time that a comprehensive provincial audit will have been done, but it is notable that all Fraser Health Authority sites routinely survey customer satisfaction with food services. We're advised immediate feedback forms are on site, and a formal quarterly survey process is in place.

The latest survey took place in November 2005, and indicates an 83.4 percent satisfaction rate across 24 sites. Burnaby Hospital received a 93.5 percent satisfaction rate, which was the highest among acute care sites. The Felburn Care Centre was the highest long-term care facility at 96.9 percent. I don't have here the lower sites, or perhaps I do.

Much work has been done to date to improve services at Ridge Meadows Hospital. These improvements have been shared with staff, physicians, residents, MLAs, media and the seniors group. Fraser Health has also placed full-page ads in the *Maple Ridge News*, *Maple Ridge Times* on March 25 to provide the community with facts about the prepared food system.

Some of the improvements that have been undertaken. The new and improved 28-day menu includes food items from several new suppliers. Many of these were chosen because they were popular with residents and patients in other settings, and the increased selection allows for much more variety in choice. So hopefully that goes some measure to the concerns the member has raised.

The way both boiled and scrambled eggs are prepared was changed, so that the texture is more appealing and the results are more consistent. These changes have been well received by patients and residents. There is increased availability of fresh fruit based on residents' feedback. Glad to hear that, given we have an emphasis on that generally in the province. At breakfast the food service worker prepares toast directly in the manor for the residents.

[1635]

Dietitian time has been increased, and a food service supervisor has been added so that diet changes are done in a timely manner and the dietitian can provide more consultation for residents. A number of new items have been added to the menu with unpopular choices removed — always a wise strategy for those who are trying to appeal to a bigger audience. Tracking all concerns to ensure appropriate follow-up and to facilitate our seeing any patterns that may exist.

This is the most recent update we have on Fraser Health. It does appear that they've heard the concern and are trying to remediate it. I'm sure the member has had his ear to the ground much more recently and may have additional advice for me.

**M. Sather:** When the minister announced the audit, the patient satisfaction portion was to "report back this



spring." That was the term used. I take it from the minister's comments that that portion is not coming back this spring. Can the minister give us an idea if we are looking at the fall or next year? When would it be?

**Hon. G. Abbott:** So we're clear, the customer satisfaction or patient satisfaction surveys are done quarterly by Fraser Health. The numbers I gave you reflect the most recent survey that was undertaken. Since November 2005 there will have been another customer survey in respect of how they're doing. I don't have that detail here, though, but presumably we will have heard or will be hearing soon about the most recent customer survey that's being done there.

In terms of the broader audit, I think that was always expected to be later in 2006, and mid to late is the expression that is being used around deployment of the comprehensive audit and survey.

**M. Sather:** The part of the audit that was through patient satisfaction did refer to spring at the time but...

Anyway, if we move on to the nutritional audit which, when this announcement came out, was to report back by the end of 2007. I wanted to ask the minister why it would take that long — which is almost two years — to report back on the nutritional quality of the food?

[1640]

**Hon. G. Abbott:** There are three elements to the RFP for the audit. One is safe food handling, the second is food service satisfaction, and the third is nutritional adequacy.

In terms of the member's question about why 2007 for the nutritional adequacy, the answer is fairly simple and straightforward: nutritional adequacy assessments will start in 2007 in order to allow health authorities to adjust their menus to the new Canada food guide standards, which have just been released. They are being released this month, in May of 2006, so that's the reason for the holdup on the Canada food guide standards.

**L. Mayencourt:** I have two areas that I want to canvass the minister on. The first is to do with the ten-year capital plan. The Ministry of Finance has laid out a ten-year capital plan for all of the ministries. I would ask the minister if he could tell me who oversees it. Is it a function of cabinet or Treasury Board, or is it done through the ministry?

**Hon. G. Abbott:** It is Treasury Board, based on the advice of the ministry.

**L. Mayencourt:** The next question that I have is: who establishes what goes into the ten-year plan? In other words, who gets to set the priorities for that? Specifically, is it the Ministry of Health, or is it the various health authorities?

**Hon. G. Abbott:** The ten-year capital plan is new. This is something that has not been done before in British Columbia, nor are we aware of another jurisdiction

in Canada that has undertaken the ambitious ten-year capital planning that we have here.

The Ministry of Health sets out the vision and the expectations around what it is we're attempting to meet through the ten-year capital plan. Obviously, we're asking the health authorities — who deliver those health care services, by and large — to advise us around the condition and needs of facilities — equipment needs, IT needs, all of the range of capital needs. Those projections are reviewed by the ministry, who then will take them to Treasury Board for Treasury Board's consideration.

**L. Mayencourt:** I would like to echo the importance of having a ten-year plan. As the minister has noted, this is new to our jurisdiction, and I expect it will take some time to get it going. I'd like to kind of know how that whole operation is going to be working.

A specific question that I have: has either Vancouver Coastal Health Authority or Providence Health Care submitted any capital request — in particular, for the legacy project?

**Hon. G. Abbott:** Yes and yes.

**L. Mayencourt:** Could the minister please tell us for which project that is? Just give us kind of the scope of the project and how much it will cost, and that would be a good start.

[1645]

**Hon. G. Abbott:** I do have to be very cautious in terms of what we can state at this point in time. It would be entirely unproductive either to set expectations or to confound expectations, because the discussions still continue around the projects.

In the case of the redevelopment of St. Paul's, we did have some discussion of that earlier today, particularly around the hopes that the members had reflected about public consultative processes around that. I think it would be fair to say from a capital project perspective that while everyone recognizes that St. Paul's is an aging infrastructure and that doing nothing is not an option, the discussion around what the redevelopment plan should be is still very much under discussion. It would be premature to speculate on costs, and it would be premature to speculate on exactly where Vancouver Coastal, Providence and the ministry may land in terms of where the different pieces of a redevelopment project at St. Paul's might land.

**L. Mayencourt:** Perhaps I could approach it from a more theoretical point of view. What does a new hospital cost, minister?

**Hon. G. Abbott:** That would depend on the size of the hospital and the kinds of things that were done in it.

**L. Mayencourt:** In the case of St. Paul's at its current location, two years ago Providence Health Care sub-

mitted a proposal to redevelop the site on Burrard Street, and that proposal pegged redevelopment somewhere under \$100 million. That redevelopment would have included a new emergency ward, which is desperately needed; an expanded psychiatric ward, which is also very, very important to the people in my community; a centre for aging, which is a research facility that would tie in with some of the great researchers that already are at St. Paul's; plus a long-term care facility to replace the St. Vincent's long-term care facility. That was, I think in the words of the CEO of Providence Health Care, Carl Roy, "an amalgamation of Providence Health Care's services throughout Vancouver Coastal."

I wonder if the minister could comment on the difference between the somewhere-around-\$100 million that they put forward a couple years ago and what a hospital the size of St. Paul's would cost to replace.

[1650]

**Hon. G. Abbott:** Again, I wouldn't speculate on what the redevelopment of St. Paul's will cost. It will certainly be a very substantial figure, but until there is a resolution around exactly what form and direction the redevelopment will take, in terms of all the different component pieces that are now part of the hospital at St. Paul's and related facilities, it would be difficult and perhaps inappropriate to speculate on that.

Hospitals are very expensive infrastructure. The MSA Hospital in Abbotsford, for example, is about \$355 million with their 300 beds and the construction and equipment and so on. I understand that to take occupancy of the Jimmy Pattison Pavilion at VGH was about \$60 million. Certainly, we're talking about something far in excess of \$100 million. Exactly what that would be will depend, of course, on the finalization of how the different components will be put into place.

**L. Mayencourt:** I wonder if the minister could give me an idea of what his capital projects budget will be over the next.... Well, it's going to be difficult for him to say for the next ten years, but you know, we have a three-year roll-in plan right now, so if we could get the annual budget for capital projects that would be funded through the Ministry of Health for the next three years.

**Hon. G. Abbott:** From the Ministry of Health budget for '06-07, \$418 million; '07-08, \$494 million; '08-09, \$478 million; for a total of \$1.39 billion through '08-09. There are, of course, other capital infusions that come into that mix, including the 40 percent that is derived through the regional hospital districts.

**L. Mayencourt:** Has there been a presentation to...? The minister said that basically when somebody has a plan, they would come to the ministry and they would make a presentation to the ministry, and then it would go to Treasury Board and then back to cabinet. Have there been any presentations to the ministry with respect to the legacy project?

[1655]

What I'm saying is: has there been a comparative presentation on the legacy project for redevelopment at St. Paul's on Burrard Street or St. Paul's at a new location in the False Creek flats to the ministry or to the Treasury Board or to cabinet? If so, when did they occur?

**Hon. G. Abbott:** The Vancouver Coastal Health Authority board is still completing its due diligence in respect of redevelopment plans. The business case is not yet complete and would not be the subject of the perusal of Treasury Board or cabinet until that business case is completed and signed off by Vancouver Coastal Health.

**L. Mayencourt:** Just for the information of members, recently the minister and I met with the Save St. Paul's Coalition. We had some discussions around the Providence Health Care legacy project. I believe that it's been canvassed a little bit here, as the minister has indicated.

One of the problems that I and members of my community and, apparently, other members have is the lack of involvement of the community — i.e., the people that live around St. Paul's — in discussions around what kind of health care system they want and what kind of health care they need and how they're going to participate in any potential change in that.

I would just encourage the minister to stress to Providence Health Care that in terms of public consultation, they are not doing a very good job. That's most distressing to myself and to over 10,000 residents of Vancouver-Burrard. I would just ask that the minister please encourage them to open up that process and make sure that the people who live in the neighbourhood — the 90,000 people who live around St. Paul's — do have a say in what that hospital should look like and where it should be.

I have another question. I'm delighted that nothing has happened just yet. On April 27 the Premier, in response to some questions, made the following comment: "We're investing in a new hospital in Surrey. We're investing in a new hospital in Vancouver. We're investing in a new emergency ward in Kelowna, and we're investing in a new emergency ward in Prince George." Could the minister tell me which hospital he was referring to in Vancouver?

**Hon. G. Abbott:** We understand the Premier to be referring to the Pattison Pavilion at Vancouver General Hospital.

**L. Mayencourt:** That's very reassuring.

Recently I had some discussions around Pharmacare and more specifically around Alzheimer's drugs. We talked at length about Aricept and some others. Just a few weeks ago the Premier announced a grant to UBC health sciences, to Dr. Pat McGeer, to work on the issues of curing Alzheimer's disease. I keep running into this problem where we've made a

statement that we want to deal with Alzheimer's and we want to look after people, but we can't get them the drug because it's not as good as it should be apparently.

[1700]

I understand there is a therapeutics initiative, and that's where the drug companies make their presentation. Can you tell me: who is the therapeutics initiative, and who do they answer to? Who do they report to?

**Hon. G. Abbott:** The drug companies do not present to the therapeutics initiative. The therapeutics initiative is an independent organization. It's a centre of excellence at UBC, as part of the faculty of medicine there. The therapeutics initiative has been used to date to do the clinical testing around drug reviews.

The model that is inherent in the therapeutics initiative has now been adapted for a pan-Canadian approach to testing the efficacy of new drugs in what is called the common drug review, or CDR. Rather than B.C. and Alberta and Saskatchewan all independently doing their testing and evaluation of drugs, it's now done through a common drug review. It looks at both new drugs and new applications of existing drugs. I guess that's the answer to the question. The member can follow up for further information.

**M. Sather:** I wanted to finish with the minister the discussion about rethermalized food, and maybe we can get at some of the reasons why this is actually happening.

It's said by the Fraser Health Authority that this is supposed to be a cost-effective method. Well, in Maple Ridge-Pitt Meadows it's certainly not. One estimation has it that they're saving about 13 cents per patient per day — if anything. Another reason is that it's supposed to be about food safety, and yet there's no suggestion — no proof by the minister — that the food was ever unsafe at Ridge Meadows Hospital. It's supposed to be about nutrition, and yet we're going to wait two years for a nutritional study. And we have no information that the food was ever not of nutritional value.

The minister has talked about 1995, as he's not averse to doing, and about the NDP having brought in rethermalized food. That was actually a cook-chill system at Lions Gate Hospital that was cancelled after three weeks because of opposition to it.

The minister talks about patient satisfaction and how the FHA is working to improve that. I know they're putting dinners on for seniors every couple of months or so. But I want to read to the minister comments I got just three weeks ago, after the FHA is supposedly working very hard at improving the situation.

[1705]

This is from a constituent whose mother is in a care facility. She says:

The vegetables are still cooked to death. Peas are shrivelled. Broccoli is still brown around edges. The vegetables are still soft and mushy. The new and improved meatballs are larger but are tough. The instant frozen mashed potatoes are served in a rounded scoop, and the

texture is stiff. The cheddar perogies are doughy, raw-looking and tough. The beef stew has about three tablespoons of meat in it and tends to be dry around the edges. The beef patty is tough and tasteless, and the beef gravy is poured from a jug. Chicken breast cut up is rubbery, and the poultry gravy is poured from a jug. As for the fresh green salad, mom may receive a few a month. Grapes are served maybe once a week. I haven't seen an orange for several weeks. Our family doctor is not satisfied with the food that my mother is getting.

I would like to ask the minister to really come clean about what's going on with rethermalized food. This is not about quality. This is not about service. This is clearly about an agenda that this government has to give over as many as possible of the publicly delivered services in our public facilities to the private sector. I'd ask the minister if he would just come clean on this. We could stop this charade, and he could admit to what this is really all about.

**Hon. G. Abbott:** I didn't realize that we would be returning to food services here. We've kind of moved on, but I'm delighted to receive this question at ten past five on Thursday afternoon with the passion and vigour with which it's presented.

We've been relatively calm and all that in our discussions in estimates so far, so it's good that the member has brought some renewed passion around food to this discussion. Invariably, I always go for it whenever someone gets passionate. I feel like I have to get passionate in return and point out to the member that in fact it was the former NDP government that brought about this nefarious revolution in food packaging at health authorities in British Columbia.

In fact, the first work that was done on rethermalization in hospitals was done back in 1996 at the north shore hospital for rethermalization of food. I know we can all lament the fact that since then, this insidious rethermalization has taken off. Now airlines are doing it, and even some restaurants are doing it. We see rethermalization at a number of levels and at a number of locations.

The issue of rethermalization is not around saving money. There might be some savings in terms of not having to reinvest capital in the equipment to produce food, but apart from that I don't think there's a significant saving.

Really, the question is: does one have a far superior product when it is not rethermalized than one would have if it is rethermalized? If it was as easy as saying that we're going to ban rethermalization, and we'll never have another complaint about hospital food again, I'd be tempted to do it. Then this member would never have to get up in this Legislature and go at me again about rethermalized food.

[1710]

It sounds trite, but I think the first complaint about hospital food came the day the first hospital was ever opened. I'm sure Florence Nightingale, as she patiently did her work, received plenty of complaints about the food that was being generated in the hospitals in the 1890s. This is a challenge.

Again I apologize. We thought we were done here.

When we talked about the changes that Fraser Health was making at Maple Ridge around the new 28-day menu — trying to identify the foods that people enjoyed and emphasizing them; finding out the foods that people didn't like and getting rid of them, changing the way in which the eggs are prepared so that they're more appealing and results are more consistent; increased availability of fresh fruit.... They were steps in the right direction.

If there's more fresh fruit advisable, then great. I'm glad to do that. Fresh fruit should be an important part of everybody's diet, but it's not always possible in a hospital setting. Often the nutritionists are setting out a specific plan around the particular needs of the patient.

I won't repeat all of the things that Fraser Health is doing in respect of this. It's already on the record in estimates earlier here. It's always fascinating to be the minister and the leader in an area of public policy where things are never perfect. I've got a hunch that in food preparation, particularly, they are never going to be perfect.

Should we be striving for continuous improvement in this area? Absolutely, and I do think Fraser Health is doing that. I salute Fraser Health for actually having the guts to go out and do quarterly customer satisfaction surveys to see what's working, what's not working and then, based on those survey results, make adjustments to the menu and to the way in which things are prepared.

I think all of these things are an indication that, in fact, Fraser Health is trying to respond to these concerns. Again, I know there may be lots of room for improvement, and there might be days when there's even more room for improvement than one might like. Nevertheless, hopefully, we're on the track to producing some better results.

[H. Bloy in the chair.]

**D. Routley:** My question to the minister is in regards to emergency room ratios, nurses to patients in Cowichan District Hospital. According to the emergency room staff that I've spoken to, their feeling is that the average patient load per nurse in the ER in Cowichan District Hospital is more than double that of Victoria and Nanaimo. I'm wondering if there is any possibility of funds being committed to improve the situation in Cowichan District ER.

**Hon. G. Abbott:** We don't have details with respect to Cowichan hospital specifically. I recollect that there have been some improvements and changes in recent months as VIHA attempted to address some of the issues at Cowichan hospital.

[1715]

I can say this generally about the issue of nurse staffing at hospitals in British Columbia. There has been lots of good work done in recent months between the B.C. Nurses Union and the Ministry of Health in respect of staffing level issues.

Staffing level issues are very important, given the demographic of nurses. The average age now being in the early 50s, a lot of them are contemplating retirement in the next five to ten years. It's important to ensure that we don't have excessive burnout among nurses as a consequence of some of the challenges in staffing. We know that with the shortage of nurses that we have — and while we're educating more nurses, and more are coming on stream every year — we still have a challenge with nurse vacancies in all of the health authorities. I'm sure Cowichan hospital would be no exception.

We are working with BCNU around those staffing levels, particularly in emergency rooms, which are often difficult-to-fill positions. We've done a good deal of work with the BCNU. Some of that is represented in the provisions of the collective agreement that was recently ratified by the nurses union. They include a premium payment for work on nights and weekends in hospitals. It also includes a financial recognition for those who work in emergency rooms, reflecting the special skills that emergency room nurses require.

We are also working with the B.C. Nurses Union to build a workload measurement tool and to determine appropriate staffing levels. Some work has been commissioned with the Michael Smith Foundation for Health Research to build on that and try to ensure that we use the best current scientific methodology to determine in fact what optimal staff measurements would be and workload measurements would be.

Health authorities reported that in emergency rooms, \$3.7 million of the funding mentioned above was used for ER specialty education for 442 nurses in '04-05 and '05-06. So that's a bit of the background. I'm glad, though, to commit to passing along some site-specific information to the member around Cowichan hospital, because I know there have been issues there. Again, I apologize for this, but my recollection is that there have been some adjustments made appropriately. I'll send the member those details if that's appropriate to him.

**D. Routley:** Thank you to the minister. I agree that there were some measures taken to mitigate the issues in Cowichan, but some of the core issues remain with the nurses and their concern for their professional ethics and some of the challenges. I'd encourage the minister to take a look at it, and I thank him for that interest.

I will not take any more time than one more question from the critic's time, but before I ask that question I would encourage the minister to also look at.... Before I identify the area, I would commend VIHA for their efforts in tackling these difficult issues. They are doing everything they can with the resources they have, and doing by and large a good job of that. But I would encourage the minister that detox and mental health issues in the Cowichan region represent a service gap in VIHA services, and that should be looked at.

The question I have, though, is around palliative and end-of-life care. We have a very active hospice

society in the Cowichan Valley that is accomplishing good service to a great number of people. They have long-term volunteers and multi-generational participation in that group. They are a wonderful group, but they need support. I wonder what the minister has in plans or what VIHA might have planned to augment or support the work of the hospice society and others doing that work.

[1720]

**Hon. G. Abbott:** The member's question is a very good one, and I think it's interesting. I don't want to use the word "disproportionate," because that kind of connotes that it wasn't a good discussion. It was a very good discussion around palliative care issues in these estimates, and a lot of attention was paid to that area. I'm pleased the member has representations with respect to the provision of palliative care services in his constituency as well.

I think, as has been reflected in our discussion earlier in these estimates, we need to work with all of the health authorities to really build on a move among the hospice movement and community-based hospice services to do much more support in that area. I'd be more than pleased to entertain a submission from the member or the hospice societies in the areas that he represents. VIHA, I know, is interested in building the hospice capacity across the VIHA area, and I know that in other health authorities, that interest is there as well. We really are seeing something of a very important shift in terms of wanting to build that capacity, and I'm glad.

You know, we have built that capacity by a fair amount here over the last four years, but we've got a long ways to go in terms of meeting the need. The numbers are still pretty small in relation to the number of people that die here in the province. I think that annually, about 23,000 people die in British Columbia. We have in the neighbourhood of 150 funded hospice beds right now, so I think we've got a long ways to go.

The Health critic, I think, made a suggestion earlier, which is an interesting one, of trying to think of how we can develop some supports that would be a common base across the province, including in the member's area. We've got some good food for thought from those discussions, and the benefit of those discussions will extend to the Cowichan area as well as to other areas of VIHA and the province.

**D. Cubberley:** A couple more questions about a....

Interjection.

**D. Cubberley:** Ah, a sense of relief.

A couple more questions. In this case, this is unusual for me. I'm not a doctor, and I'm not expert, but like all of us who are involved in politics, we're approached by people with their issues. I have spent some time being briefed — quite a bit of briefing — by people who suffer from Lyme disease, which I'm sure

the deputy minister is aware of. Perhaps the minister as well.

This is a very curious one, and I've tried to inform myself enough to be able to articulate properly the question that I want to ask. The two people that I spent time with had a common pattern. They were both Lyme disease sufferers. They were both misdiagnosed initially in terms of symptoms and were not led to tests.

Without getting into the why of it, they persisted and found doctors who were willing to test them and then had the standard test, which I think is known as ELISA. There's a double-test system. They had the ELISA test, and in each case the ELISA gave them a negative result. They had the follow-up test, a secondary test, which is called western blot, and in those cases the western blot didn't show Lyme disease either.

For whatever reason, they persisted in trying to explore whether they did have Lyme disease, and both of them ultimately were tested by.... There's a laboratory in California that does a different kind of test. Both were diagnosed with Lyme disease.

[1725]

Once diagnosed, they were put on courses of treatment by doctors who are strongly opinionated about what course of treatment is required. Both found immediate relief. One of them got to discover that they had Lyme disease sooner and wound up with no abiding disabilities as a result of it. One of them lived with it longer and now has some permanent disabilities as a result of it.

This was difficult to get my head around, but as I've read a little further on it and got into the International Lyme and Associated Diseases Society's material on it, there's a very strong pattern. This is a tick-borne illness. A multisystem illness is how doctors refer to it. But it's baffling because it mimics many other kinds of disease. So the symptomology is not a single consistent pattern.

Let me just give you a comment from Steven Phillips on the diagnostic laboratory test. He's a doctor, and he's the president of this society. He says: "There's no single reliable diagnostic laboratory test. The common two-tiered blood test cannot be solely relied upon for diagnosis. The initial ELISA screening test can give up to 50-percent false-negative results, and just as disheartening, many laboratories interpret the second western blot test by highly restrictive Center for Disease Control criteria that miss many cases."

This is the problem. There is a problem not only with the test but with doctors understanding the symptoms that they're being presented with and leading them to the test. My question is: is the ministry aware of this problem? And has any thought been given, or would thought be given, to some kind of collaborative peer effort to develop practical diagnostic and treatment protocols for a disease that is frequently missed currently?

**Hon. G. Abbott:** We were impressed by the preamble to the question, and Dr. Ballem says that we can perhaps award you with a provisional...

**D. Cubberley:** Marcus Welby award.

**Hon. G. Abbott:** ...Marcus Welby award. Yes.

Lyme disease is obviously a serious problem for those who are afflicted with it. It is still a relatively unusual occurrence in the province. Notwithstanding it being unusual, it is nevertheless an enormously serious problem for those who encounter it.

It tends to be geographic in location. I guess that's almost a truism. In areas like Kamloops, for example, it would be more common to find an incidence of Lyme disease than in other corners of the province.

The possibility of misdiagnosis is there for all of the reasons that the member very accurately represented. It is a challenging disease. It often shows up either among infectious disease specialists who will identify it or rheumatologists. I guess some of the symptoms present as rheumatological issues.

[1730]

The B.C. Centre for Disease Control is doing some active work around surveillance for Lyme disease and trying to detect patterns in presentation of Lyme disease. We'd be very pleased to take up the issue with BCCDC and with PHSA to see if any additional constructive steps can be taken. Certainly, we'd welcome any additional information the member had around incidence and that sort of thing to base those discussions on.

**D. Cubberley:** I'm getting very close, Mr. Chairman.

I thank the minister for those comments.

I guess the seriousness of it, from what I understand about the disease, is partly that it is difficult to see the symptoms because the patterns aren't common in all cases. This doctor suggests that patients are often misdiagnosed as having other serious illnesses such as lupus; multiple sclerosis; rheumatoid arthritis, which is the one that you brought up; and psychiatric disorders like attention deficit syndrome.

As it advances — and it can happen quite rapidly, I believe — people can become disoriented. This was one of the stories I heard. A high-functioning individual rapidly became dysfunctional, and the direction was to look for a psychiatric disorder, which he didn't have. He had an infectious disease.

The point the doctor makes in here — and he's a specialist in this area — is that the course of treatment needs to be individualized. One of the other things I heard was that there are standardized.... Where it's actually diagnosed, the treatment tends to be two to four weeks of antibiotics, and there's very strong evidence from this community that the one-size-fits-all approach doesn't work, that it doesn't catch it. If the disease is advanced, the course of treatment may have to be very long and much more intense. There also is a syndrome with related diseases that may not respond to the principal form of antibiotic.

I would just urge that there be some contact with the society in British Columbia. I haven't got its full name, but if you input "Lyme disease British Columbia," it will come up. It is advocating on behalf of the disease.

I'll just give the minister a moment to respond to that if he wishes, and then I believe we are at the witching hour.

**Hon. G. Abbott:** I thank the member for his comments and submission with respect to Lyme disease.

We appreciate the suggestion the member made, and if he or clinicians or others have some suggestions with respect to how we could move forward to better management of Lyme disease, that would be much appreciated. We do have infectious disease specialists, of course, in the province, and if there are ways that we can inform best practices around Lyme disease in that area, we would very much welcome that submission and would be pleased to take them forward.

**D. Cubberley:** That brings me to the end of the questions that I have and that we have on this side of the House.

I just wanted to say, before we close, thank you for the response and for the work of staff in helping to inform the discussion. It's not an easy process to go through, but it's an interesting process to go through. Part of me wishes — don't take it the wrong way — that we had more time, because there are many more questions that I would enjoy asking. But thank you very much.

[1735]

Vote 35: ministry operations, \$11,767,963,000 — approved.

**Hon. G. Abbott:** Before I move the committee rise and report completion of the estimates, I do want to say thank you to all of the staff from the Ministry of Health who have worked so hard for lo these many months to prepare for this period. I thank them for their continuing capable and professional efforts.

I want to thank the opposition Health critic, all of the members from both sides of the House who have submitted their very thoughtful and constructive comments in respect of this.

I've enjoyed the process very much. I've long been regarded as something of a freak for actually enjoying estimates, whether I was on the opposition side or the government side. I think it's a tremendously useful process and one of the best processes in our legislative calendar.

Again, I want to thank all of those who've submitted not only their difficult questions but also their constructive suggestions about how we might improve the health care system we are blessed with in this province.

I move the committee rise, report completion of the estimates of the Ministry of Health and ask leave to sit again.

Motion approved.

**The Chair:** Committee A will now stand adjourned.

The committee rose at 5:36 p.m.

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Published by British Columbia Hansard Services, and printed under the authority of the Speaker by the Queen's Printer, Victoria. Rates: single issue, \$2.85; per calendar year, mailed daily, \$298. GST extra. Agent: Crown Publications Inc., 521 Fort St., Victoria, B.C. V8W 1E7. Telephone: (250) 386-4636. Fax: 386-0221.

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