



Second Session, 38th Parliament

OFFICIAL REPORT OF  
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LEGISLATIVE ASSEMBLY  
(HANSARD)

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**Afternoon Sitting**  
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THE HONOURABLE BILL BARISOFF, SPEAKER

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(Entered Confederation July 20, 1871)

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

**SECOND SESSION, 38TH PARLIAMENT**

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## CONTENTS

Tuesday, March 28, 2006  
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### Routine Proceedings

	<b>Page</b>
Introductions by Members .....	3385
Introduction and First Reading of Bills.....	3386
Tobacco Statutes (Prohibiting Tobacco Sales From Pharmacies) Amendment Act, 2006 (Bill M203) D. Cubberley	
Statements (Standing Order 25B) .....	3387
Highway of tears R. Austin	
North Vancouver Kiwanis K. Whittred	
On-line observatory in Tatla Lake C. Wyse	
2009 World Police and Fire Games H. Bloy	
B.C. Sierra Club environmental education program M. Karagianis	
Agriculture and health education V. Roddick	
Oral Questions.....	3388
Access to B.C. Ferries information C. James Hon. K. Falcon D. Chudnovsky L. Krog M. Farnworth	
Bridge and highway projects in lower mainland S. Simpson Hon. K. Falcon	
Conflict of interest and Forests Minister communications B. Simpson Hon. R. Coleman	
Copeman clinic investigation D. Cubberley Hon. G. Abbott	
Review of health care services in interior B.C. N. Macdonald Hon. G. Abbott K. Conroy	
Petitions.....	3393
S. Hawkins K. Conroy A. Horning	
Point of Privilege.....	3393
B. Simpson	
Motions without Notice .....	3393
Withdrawal of private member's bill L. Mayencourt	

Tabling Documents.....	3394
Memo from Hon. R. Coleman to Deputy Minister of Forests regarding conflict of interest, dated November 14, 2005	
Letter from Conflict-of-Interest Commissioner	
Committee of the Whole House.....	3394
Forests and Range Statutes Amendment Act, 2006 (Bill 9) ( <i>continued</i> )	
B. Simpson	
Hon. R. Coleman	
C. Evans	
Royal Assent to Bills.....	3407
Budget Measures Implementation Act, 2006 (Bill 2)	
Public Agency Accommodation Act (Bill 3)	
Agriculture and Lands Statutes Amendment Act, 2006 (Bill 4)	
Ministerial Accountability Bases Act, 2005-2006 (Bill 6)	
Employment Standards (Compassionate Care Leave) Amendment Act, 2006 (Bill 8)	
Community Services Statutes Amendment Act, 2006 (Bill 10)	
New Relationship Trust Act (Bill 11)	
Tobacco Sales (Preventing Youth Access to Tobacco) Amendment Act, 2006 (Bill 12)	
Supply Act, 2005-2006 (Supplementary Estimates No. 1) (Bill 5)	
Supply Act (No. 1), 2006 (Bill 7)	

### Proceedings in the Douglas Fir Room

Committee of Supply.....	3407
Estimates: Ministry of Education and Minister Responsible for Early Learning and Literacy ( <i>continued</i> )	
Hon. S. Bond	
J. Horgan	
D. Thorne	
D. Chudnovsky	
C. Trevena	

TUESDAY, MARCH 28, 2006

The House met at 2:03 p.m.

### Introductions by Members

**Hon. R. Thorpe:** It's a pleasure for me today to introduce a constituent from Okanagan-Westside, Mr. Cliff Schwartz. Cliff is a teacher at Glenrosa Middle School. I enjoyed a meeting with him today, and I look forward to visiting the school with Cliff in the near future. Would the House please make him feel very welcome.

**D. Chudnovsky:** I'm delighted to introduce two constituents who are visiting with us today in the Legislature. Gordon and Dorothy Inglis are longtime workers and supporters and the heart of our movement, the NDP and the CCF. We're pleased to have them here. Would the members please make them welcome.

**Hon. O. Ilich:** The World Police and Fire Games are a spectacular international sporting event held biannually, which British Columbia has the good fortune to host in 2009. It's one of the largest sporting events in the world. It's open to active and retired members of the public safety community, which includes police officers, firefighters, customs officers and corrections officers from around the world.

Today in the gallery are two people who have been key in organizing this event: Jeff Clark, a firefighter from Burnaby, and Mike Gillmore, a retired Vancouver firefighter. Would the House please join me in welcoming them.

**K. Conroy:** It gives me great pleasure today to introduce in the House Taylor Lewis, who is a former resident of West Kootenay-Boundary. He's now a student at UVic. He's studying fine arts theatre, and he's very interested in politics. I've watched him grow up since he was a young man as I worked with his mom for 20-some years. I'm just really excited to have Taylor in the House today. Please join me in making him welcome.

[1405]

**Hon. P. Bell:** Yesterday the member for Shuswap, the Minister of Health, and the member for Peace River North, the Minister of Energy and Mines, both commented on how rare it is that they have an opportunity to stand and introduce people in the House. I too, coming from Prince George North, find it only on occasion that I get to do an introduction. But today I get to do not one, not two, not three, not four, but five introductions from my riding of Prince George North. So I would ask that the House make Terry Kuzma, Bill Kordoban, Bill Stuart, Keith Anderson and Blair Mays very welcome.

**N. Macdonald:** This, too, is going to be a week for introductions for me, and I have the pleasure of intro-

ducing three very special people from the riding. The first person I would introduce on the precinct is His Worship Mayor Mark Shmigelsky. He is the mayor of the district of Invermere. I would also like to introduce His Worship Jim Ogilvie, the mayor of the city of Kimberley with over 30 years of service as mayor in Kimberley, which is exceptional.

I would also like to introduce my constituent assistant, who is here. Her name is Joy Orr, and there she is. So please join me in making all of these people feel welcome.

**V. Roddick:** Delta South constituency members of the Financial Advisors Association of Canada are in the gallery today — Melody Harris, Neil Murphy, Vincent Olford and with a tagalong from the Minister of Transportation's riding, Vince McKay. Will the House please give them a warm welcome.

**R. Chouhan:** It gives me great pleasure to introduce Natasha Tattersall, a constituent and a math teacher from Burnaby North. Please join me to make her welcome.

**D. Hayer:** It gives me great pleasure to introduce to this House my good friend Russ Burtneck, a prominent member of our community. He has done a terrific job of building a strong business and community sense in Surrey. He is an independent insurance broker, and he is a member of the Financial Advisors Association of Canada, who are here today talking to MLAs about their issues and concerns and who are also celebrating their 100-year anniversary. Would the House please make him very welcome.

**A. Dix:** I just want to recognize three members of the legislative press gallery today who have been nominated nationally for the prestigious Michener Award. They are Lindsay Kines and Jeff Rud of the *Victoria Times Colonist* and Miro Cernetig of the *Vancouver Sun*, who joins his colleague Lori Culbert. I wanted the House to recognize them for their outstanding work and for the recognition they're receiving nationally for that work.

**S. Hawkins:** I would like to make two introductions. The first one is to introduce two visitors from Alberta who are in the members' gallery. Mr. Denis Herard and his wife Rose are visiting us here this afternoon. Mr. Herard is serving his fourth term as the MLA for Calgary-Egmont, and I'm sure that he and his wife Rose will be interested in our proceedings this afternoon. A special note is that today is Denis's birthday, so I hope members will join me in extending him a very warm British Columbia welcome and birthday wishes to a fellow parliamentarian.

Secondly, I do have some visitors in the gallery from my riding in Kelowna. Mr. Ron Russell and his wife Priscilla are visiting here in Victoria, as well as Mr. Rusty Bracken. They are here with Advocis, and they're presenting their issues to MLAs. We had a very nice

lunch with them. I'd like to thank them for that, and I'd like to ask members to give them a warm welcome.

**D. Thorne:** I, too, have a constituent here today — Frank Bonvino, who is a fourth-year science teacher from Burnaby North Secondary School. Frank is an advocate for lab and shop safety. He's an active member of his bargaining committee and staff rep. For all of his hard work, I'd like the House to give him a round of applause.

**Hon. B. Penner:** In the House today are 21 grade 12 students from Mount Cheam Christian School in Chilliwack. I'm pleased to see that they're joined by at least a couple of adults, including Bill Kirkhoff and, I think, a former teacher of mine, their principal Adrian Stoutjesdyk. Would the House please make them welcome.

[1410]

**C. Evans:** Joining us in the galleries and also watching in the estimates debate is a constituent of mine, Rebecca Blair. Rebecca has been teaching for 31 years, and at one time or another in constituencies of Williams Lake, Quesnel and Burns Lake. Now she is teaching the alternate class in Creston. She is the vice-president of the Creston Valley Teachers, which is a part of the BCTF. She's come here to watch estimates and educate us all. Will the House please make her welcome.

**I. Black:** I would like the House to make welcome Mike McClenahan, who's visiting from the tri-city area. He's a businessman involved in the Advocis Association that's here to meet with us today.

More importantly, Mike is one of my co-coaches for six-year-old soccer on a Saturday morning. He has braved many cold and wet Saturday mornings, so for that I think he deserves an extra round of applause and a warm welcome.

**L. Krog:** In the precincts today is a member of one of British Columbia's most distinguished political and legal families: a former member of this House, well known to the Clerk, the hon. Alex Macdonald. Would the House please make him welcome.

**J. Yap:** Following up on the introduction by my colleague from Port Moody-Westwood, we have in the precincts today a large group of financial advisers representing Advocis. A number of members from both sides of the House met with them over the lunch hour. In particular, I would like to welcome Gary McLeod, who came all the way from Toronto to be here for the day of advocacy, as well as the chair of the Advocis B.C. political advocacy committee, Mr. Ed Jackson, for hosting those of us who were able to attend this function. Would the House please make them welcome.

**R. Fleming:** I want to introduce couple of guests who are with us today, also with the Advocis organization. They are both constituents of mine, and they travelled all the way from Victoria-Hillside to be here with

their colleagues from other parts of the province and the country. Tony Leuwen, who's a chartered financial consultant, is with us in the gallery today, as is Derek Delves, who is with Assante Wealth Management. Would the House please make them feel welcome.

**Hon. L. Reid:** We're joined today in this House by a former colleague of mine, Terri Cunningham. She, indeed, has served this caucus with distinction, and I would ask the House to please make her welcome.

### Introduction and First Reading of Bills

#### TOBACCO STATUTES (PROHIBITING TOBACCO SALES FROM PHARMACIES) AMENDMENT ACT, 2006

D. Cubberley presented a bill intituled Tobacco Statutes (Prohibiting Tobacco Sales From Pharmacies) Amendment Act, 2006.

**D. Cubberley:** I move that the bill be introduced and read a first time now.

Motion approved.

**D. Cubberley:** British Columbia once led the country in promoting tough anti-tobacco measures, especially for teens. These measures deglamorized smoking and made it much more difficult for teens to get cigarettes. The result of these measures is that B.C. now has the lowest smoking rates of any province in Canada. I think that's something that all members of this House can be very proud of.

However, the success we've had in reducing smoking rates should not lead us to complacency. We can and should do more to ensure that cigarettes never get into the hands of our youth. Members of this assembly have heard from pharmacists who have told us that selling tobacco in a health care setting is an ethical concern to them. It makes no sense to place products that cause great harm to human health right next to products that promote healthier living. This bill prohibits the sale of tobacco products in licensed pharmacies and in retail outlets which have licensed pharmacies within them.

Similar legislation already exists in Ontario, Quebec, New Brunswick, Nova Scotia, Newfoundland and Prince Edward Island. It's time for British Columbia to catch up. This is an important step and one that I hope will be part of an ongoing comprehensive effort to improve the health of British Columbians. I ask that all members review and support this bill.

Mr. Speaker, I move that the bill be placed on the orders of the day for second reading at the next sitting of the House after today.

[1415]

Bill M203, Tobacco Statutes (Prohibiting Tobacco Sales From Pharmacies) Amendment Act, 2006, intro-



duced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

**Statements  
(Standing Order 25B)**

HIGHWAY OF TEARS

**R. Austin:** Today I have the honour of acknowledging a courageous woman, Florence Naziel, who has embarked on an amazing walk to bring awareness of the atrocities that have occurred along Highway 16 between Prince Rupert and Prince George, the highway of tears. Florence Naziel is a 56-year-old grandmother who has two daughters and six sons. She left Prince Rupert on March 11. She is a member of the Frog clan from the Wet'suwet'en Nation and lives in Moricetown.

One of Florence's cousins has a daughter who is missing from Highway 16. Florence was planning to walk from Rupert to Terrace in honour of the families of the missing women, those missing from the highway of tears, and to keep awareness and concern at the forefront. Despite howling wind and snow, she then decided to walk right through to Smithers. Last Friday she passed on the banner to Matilda Wilson, who will carry on through to Prince George. Mattie is the grandmother of Ramona, whose body was found along Highway 16 in 1999.

One of my constituents, Tamara Chipman, has been missing for months, and they continue to search for her. Both Mattie and Florence will be at the community symposium about the highway of tears on March 30 and 31 in Prince George. The highway of tears symposium, initiated by the Lheidli T'enneh Nation is a grassroots, community-driven initiative.

Not only do we need a forum in Prince George, we need community forums up and down the highway to ensure full participation to address the main issues. In order to put an end to these horrendous crimes, we need to work together to strategize solutions, implement changes in policy and educate people on the many social issues that result in the abuse against our women, our youth and our children, especially young aboriginal women in our rural areas.

I would like to take this opportunity for the House to recognize Florence and Mattie as well as the families of the 34 women murdered or missing along Highway 16.

NORTH VANCOUVER KIWANIS

**K. Whittred:** I rise today to bring congratulations from this House to the Kiwanis Club of North Vancouver, who are celebrating their 85th anniversary. It was in 1921 that the North Vancouver Kiwanis Club was founded.

Kiwanis first became involved in their good work in my community by assisting with the construction of changing-room facilities at St. Patrick's beach. It was during the 1930s that they donated the very first ambu-

lance in North Vancouver, and they helped to establish what is now unheard of — a dental clinic in public schools. They helped the young suffering from polio with braces and the elderly with eyeglasses.

It was in the 1940s, however, that they acquired their first housing property, Kiwanis Village, in the Pemberton area of North Van. In the 1970s the North Vancouver Kiwanis Foundation was formed. Kiwanis Towers and Kiwanis Lynn Manor were constructed, both of which are fully utilized today, providing affordable housing to seniors.

More recently, additional homes were added by the addition of Kiwanis Carnaby Place. They have recently finalized plans for yet a fourth Kiwanis senior citizens property, this one called St. Andrew's Place.

For nearly all of their 85 years, the Kiwanians have played an important and vital role in providing seniors housing to the community. As well as housing initiatives, however, the group offers annual bursaries for North Vancouver high schools. They have contributed to the North Van Lookout Emergency shelter, and just last year they donated over \$80,000 to projects in the community, including the Lions Gate Hospital emergency project, the John Braithwaite Community Centre and the Zajac Ranch.

Congratulations to the North Van Kiwanis — 85 years of serving their community and going strong.

[1420]

ON-LINE OBSERVATORY IN TATLA LAKE

**C. Wyse:** I wish to bring a major achievement of the Tatla Lake community to the attention of the House. Tatla Lake is a small community in the Chilcotin, west of Williams Lake. The partnership of the Tatlayoko Think Tank, school district 27, Telus, CITS, PLNet, Industry Canada, North Island College and the Tatla Lake school has established an on-line observatory at the Tatla Lake school. This project is a wonderful combination of science, education and community.

The concept of the project is that a student will be able to schedule access to the on-line telescope. At the appointed time the student will connect to the telescope server via the Internet, take control of the telescope, slew it to the object of interest, image that part of the sky with a CD camera attached to the telescope, download the image to the student's home computer, study it and incorporate it into his or her lab report to be handed in for electronic mark grading.

Ron Evans of North Island College read a report about supernova 2006 that had been discovered on February 4 in the galaxy M100. Realizing the Tatla Lake On-line Observatory had images of this galaxy taken on February 11, Ron had Albert Dalbour, of North Island College, process them. Ron had captured the supernova about one week after it had been discovered.

I ask the House to recognize everyone's efforts that have provided the students of the Chilcotin with this wonderful opportunity to study the cosmos, as well as recognizing this group for being part of this astronomical discovery.

## 2009 WORLD POLICE AND FIRE GAMES

**H. Bloy:** Before we have the pleasure of hosting the Olympic and Paralympic Games in 2010, British Columbia will be home to another important athletic event with competitors arriving in our province from around the world. From July 31 to August 9, 2009, the British Columbia World Police and Fire Games will be held throughout the lower mainland. I would like to thank my colleagues for wearing the pin today in starting the advertising program on this.

Based in Burnaby with over 14,000 athletes from 70 countries, these biennial games are the second largest in the world, second only to the Summer Olympics. Just like the Olympics that'll be coming here, the economic impact will be immense. Over the ten days it is expected that the World Police and Fire Games will leave over \$75 million in the province.

Already preparations are well underway in anticipation of the thousands of active firefighters, police, customs and corrections officers who will be guests in our province in that time. In fact, one member from this House, Surrey-White Rock, has competed in the games in the past. These athletes will compete in more than 60 different competitions. Many, such as stair-climbing while wearing full protection equipment and events with police dogs, are unique to the Police and Fire Games.

My colleague has already introduced the members in the gallery, but I would like you to join with me in thanking them for their vision in bringing the games to British Columbia and to give a warm welcome for three years from now to the World Police and Fire Games.

B.C. SIERRA CLUB  
ENVIRONMENTAL EDUCATION PROGRAM

**M. Karagianis:** The Sierra Club of B.C. believes environmental education should be a lifelong experience, and so they offer elementary and secondary education programs that meet both the teachers and the students at every level and inspire students to take an active role in caring about their community. All of the Sierra Club education programs are curriculum-linked, interactive, both indoors and outdoors, focused on local ecology processes, comprehensive, and include teacher support materials.

The education team delivers 13 different programs, including climate change education, which focuses on having youth take action in their own communities about climate change; the tree team programs, temperate rainforest environmental educators that investigate temperate rainforests of Canada; interior ecosystems programs, which explore B.C.'s central and southern interior ecosystems; the Green Star, a hands-on environmental stewardship, skills and strategies program so that students can make the leap from ideas to action; and green scene, a unique program that brings together one of B.C.'s most interesting animals, the coastal grey wolf, with a critical examination of how human actions can have an impact on both the local and global environment.

[1425]

Through classroom visits, Sierra Club staff share with students key ecological concepts and information, identify stewardship actions and ideas, and lead students through a combination of games, slide shows, stories, mapping activities and hands-on exercises. Younger grades participate in station-centred, sensory-based activities, and the older grades are challenged to think critically about ideas and issues and to identify ways that they can lessen their impact on the planet. An outdoor component allows students to see their school grounds from a different perspective.

The 2004-2005 school year was a great success for the Sierra Club's programs. Over 10,000 students from all across British Columbia participated in these programs. They are wonderful initiatives for all of our constituencies.

## AGRICULTURE AND HEALTH EDUCATION

**V. Roddick:** The Naked Chef, Jamie Oliver, implemented a successful public campaign to change the way British school children eat by focusing on fresh, tasty, nutritious ingredients. Bringing this food philosophy into schools did away with hideous, unhealthy options.

In my riding of Delta South we have our own Jamie Oliver — Gerald Worobetz, a chef instructor at a Tsawwassen high school. Gerald increases his students' awareness about where their food comes from and teaches them the importance of buying local. He takes his students to our farms to show them how most food actually comes from the soil, not packages in a supermarket.

Recognizing the importance of food is essential. That is why we have a parliamentary secretary for agriculture planning, accompanied by a government MLA task force. Education is the key, starting with ActNow and the fruit and veggie pilot project in elementary schools. Knowledge will help these young people to make healthy, informed food choices that will carry through to adulthood. Even as adults it's too easy to forget the process — the people who ensure fresh and nutritious food that reaches our dinner tables every night.

I would like to thank Mr. Worobetz for his contribution to the health and education of our children and our local farming community. Next Monday, April 3, is B.C. Agriculture Day. Please, do come to the Legislature steps and the rotunda to celebrate B.C.'s best. Remember, you all have to eat to live.

**Mr. Speaker:** I was just wondering whether the Minister of Health would like to respond.

[Laughter.]

## Oral Questions

## ACCESS TO B.C. FERRIES INFORMATION

**C. James:** Yesterday the Transportation Minister told British Columbians to go to the federal government if they had questions on the ferries — extraordi-

nary, Mr. Speaker. I thought the British Columbia ferries belonged to British Columbians. My question is to the minister. Why should British Columbians be forced to jump through federal hoops when this government spends \$127 million of their taxpayer dollars on B.C. Ferries every year?

**Hon. K. Falcon:** Well, we know what the member's position is because in the election campaign, that member and that member's party campaigned on restoring B.C. Ferries as a Crown corporation and firing the president. That was the position of that member.

Interjection.

**Hon. K. Falcon:** Isn't that interesting, Mr. Speaker? They bang their desks, thinking that this is a wonderful idea.

[1430]

Well, what it tells me is they did not learn a single thing from the three independent reports that came out following the fast ferries fiasco, where there was a common theme. The common theme was very clear. You must separate and have independence between political interference and the ability of the Ferry Corp. to operate without political interference. That's exactly what we did. That's exactly what we'll maintain.

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

**C. James:** Well, the Transportation Minister is correct. There is a common theme, and the common theme is: no information for the public from this government.

Let's look at this government's record. The province's top polluters — no access to information. Medical Services Commission briefs — no access to information. Privatization contracts — no access to information. A ferry sinks — no access to information. Today the director of health and safety at B.C. Ferries resigned — no access to information.

So I'll ask the minister again: what possible justification could he provide for keeping British Columbians in the dark about ferries that they own?

**Hon. K. Falcon:** Well, actually, the ferries are no different than our airlines or railways. Maintenance reports, compliance reports, safety reports — all of that can be accessed through freedom of information.

But they want to harken back to another era, and the era was when they could control B.C. Ferries as a Crown corporation and interfere. What happened as a result of that was appalling. As a result of the over a billion dollars that was written off, of taxpayer dollars.... The \$463 million that just went right down the drain as a result of fast ferries deprived the corporation of the dollars they needed to invest in their fleet.

Today we've got new investment underway, the largest investment in the history of the B.C. Ferries fleet, and they're doing it with accountability, annual general meetings, audited financial statements, an in-

dependent board of directors and an independent ferry commissioner to look after the interests of the public.

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

**C. James:** The minister says he wants to harken back to another era. Let's harken back to another era. Someone once said in this House, in another era: "Open government is the hallmark of a free and democratic society." This individual also said: "Accountability enhances democracy."

The Premier made those comments when he was Leader of the Opposition. He also said that when a government does its business behind closed doors, people will invariably believe that government has something to hide. The Premier promised the most open and accountable government in Canada. Instead, he's delivered a government that appears to have a lot to hide.

Will the Transportation Minister not just admit that removing B.C. Ferries from freedom of information was a mistake, and will he today commit to restoring B.C. Ferries to the Freedom of Information Act?

**Hon. K. Falcon:** Well now, here we have a Leader of the Opposition that apparently has absolutely no memory of the 1990s. They conveniently forget that in the 1990s, when the ferries board at the time started asking some uncomfortable questions about the fast ferries.... For example: "Shouldn't we have a business plan? Should you be expanding the scope of the project without an additional expansion in the budget?" And when asked for those plans, what ringing endorsement of credibility and accountability came into place? I'll tell you. They fired the board, and they put Jack Munro, a labour hack who is an ally of those members opposite, as the chair of the board. We and the public saw \$463 million go right down the toilet.

[1435]

I'll tell you this. Under this government, what we did was that we followed three independent reports, and they all said the same thing. I feel bad that that member has not read them or chooses to ignore them, because the recommendations were all consistent: get the ferries away from political interference. We did that; we maintain that. It was the right thing to do, and we'll continue that.

Interjections.

**Mr. Speaker:** Members.

**D. Chudnovsky:** Yesterday in the House the Minister of Transportation complained that extending freedom-of-information legislation to include B.C. Ferries would be political interference. Does the minister stand by his position that putting B.C. Ferries back under FOI legislation would constitute political interference?

**Hon. K. Falcon:** Actually, I've been very clear. The member is talking about freedom of information, and

he's trying to tie that to accountability. What I'm saying to this House, and what I'll say to that member, is that there is an enormous amount of accountability in place, with an independent board with community representatives, including labour representatives. There is an independent ferry commissioner that is allowed to investigate any complaints coming forward from the public. And of course, the safety reports that the member opposite always talks about.... All of those reports are available under freedom of information through Transport Canada or the Transportation Safety Board.

I stand by the decision we made. It was the right decision then to ensure that there would not be political interference with B.C. Ferries, and there will not be with this government.

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

**D. Chudnovsky:** I think the minister does confirm his position that he thinks freedom-of-information legislation is political interference. I think that's something that the people of British Columbia will want to think about for a while.

Questions of accountability are vital to British Columbians. They pay for B.C. Ferries, and they want to be confident about their safety when it comes to B.C. Ferries. Today there's a report that the person who's responsible for health and safety at B.C. Ferries has resigned. Given the important issues and questions which are arising every day, what advice does the minister have for British Columbians who want their questions about B.C. Ferries answered in British Columbia?

**Hon. K. Falcon:** Well, the member is referring to an employee personnel matter. That's an internal personnel matter to B.C. Ferries. Naturally, if someone has a question about that, they can ask B.C. Ferries. They're the appropriate people to talk to.

I would warn the member.... The members opposite are always leaping to conclusions. This has been common in so many issues that have come before this House. Rather than allow investigations to take place where we might get some informed information that can actually inform public discussion and public opinion, the members opposite — including the critic, the Leader of the Opposition — like to make suppositions and jump to conclusions. They like to assume that maybe someone didn't just leave because there's another opportunity or he was planning to leave. We don't know that in this House, but the right person to ask would be B.C. Ferries. I'm sure the members of the media and other interested folks will have that opportunity.

**L. Krog:** Since the Minister of Transportation doesn't appreciate the subtleties of the questions that are being asked on this side of the House, my question is to the Attorney General. It's a very simple proposition. Is access to freedom of information now, in this province, political interference?

**Hon. K. Falcon:** It's almost painful to listen to these questions. It's almost painful because we have an opposition that has oh-such-a-short memory. Their nirvana of accountability was when they had control over B.C. Ferries. Apparently, that is the height of accountability — when the public hasn't got a clue what's going on with a massive overspending project at B.C. Ferries; hasn't got a clue about the terrible path they're going on, ignoring their own board, firing the board, shutting down the Public Accounts Committee when they dare to ask some questions. That's the opposition NDP's nirvana of accountability.

[1440]

But I'll tell you this much. We listened to the independent reports that actually looked at the fiasco you created and made recommendations. We actually followed those recommendations, and those recommendations were very clear and simple to understand. One of them was: make B.C. Ferries independent from political interference. We did that. We also built in accountability measures, including that independent Ferries Commissioner, including an independent board. That is where we have accountabilities.

**M. Farnworth:** All we've heard from this minister over the last few days is independence, independence, independence, and that the answers lie in Ottawa. Well, generations of political leaders in this province know that the answers don't lie in Ottawa. They lie right here at home in this province.

Freedom of information doesn't compromise independence, hon. Speaker. Freedom of information confirms political independence. So my question to the minister is this. Where in any of those recommendations does it say that freedom of information should not be implemented so that the taxpayers of British Columbia know what's going on in British Columbia in regards to B.C. Ferries?

**Hon. K. Falcon:** To the member opposite — who in fact, I believe, sat in cabinet during all the decisions made around fast ferries and who should be privy to the idea that maybe there's a better way of doing things.... I would encourage that member and the others to actually take time to read those three independent reports — Hugh Gordon, the Auditor General and Fred Wright — all of them making similar recommendations.

You know, we have airlines that fly every day, flying tens of millions of people every day in this country; railways that transport hundreds and thousands of tons of goods across this country each and every day. There are freedom-of-information abilities for the public or members of the opposition or media, if they wish, to get access to any safety reports, compliance reports, any of that information — maintenance records. They can do so.

But you know, they're no less safe. This is not something that is putting the public in any way in jeopardy. The airlines fly and operate safely every day in this country. For that member to try and imply that there are any shortcomings whatsoever, I think, does a disservice to him and this House.

**Mr. Speaker:** Member for Port Coquitlam-Burke Mountain has a supplemental.

**M. Farnworth:** What's clear is that those reports never said that freedom of information should not apply to the ferries of British Columbia.

The minister says he wanted to do things differently. Well, in 2001 he had all the answers. Now he says all the answers are in Ottawa. So if he really wants to do something different, why doesn't he commit today — again I will repeat the question — and place the Freedom of Information Act over B.C. Ferries?

**Hon. K. Falcon:** Well, as I've answered on numerous occasions, that's why there is an independent Ferries Commissioner. That's why there is the ability under Transport Canada and the Transportation Safety Board and the federal freedom-of-information act to acquire whatever information the member is talking about. I mean, the reason why we want to make sure that Ferries is arm's length from politicians is so that politicians don't have the ability to interfere. That was the lesson.... The member opposite shakes his head.

You know, it's rather remarkable to me. Surely they learned some lesson — at least a lesson — from the fast ferries situation. The biggest lesson was that you've got to get the corporation away from political interference. That's exactly what we did. It was the right thing then, and it's the right thing today.

#### BRIDGE AND HIGHWAY PROJECTS IN LOWER MAINLAND

**S. Simpson:** The Minister of Transportation likes to talk about accountability, so let's talk about that a little bit more. There's a public forum being held in Vancouver this evening on the issue of the twinning of the Port Mann Bridge and expansion of Highway 1. Participants will include mayors, councillors, academics and representatives from industry, including the trucking association and the Gateway council, as well as community interests. I understand the Minister of Transportation has been invited to participate. Will he tell us whether he'll be attending this meeting?

**Hon. K. Falcon:** No, I won't be attending, and the member should know why. I'm actually in this House, and we have a Whip who does a very good job of ensuring that we're in this House doing our duties.

[1445]

But I do know — as does the member opposite, because he was there — that we actually just held one of our community consultations in East Vancouver. It was very well attended. I understand there was a small group of protesters, who are also holding their own forum, and that's good for them. That's what a democracy is all about.

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

**S. Simpson:** Maybe the minister should check his schedule. Last time I checked, we aren't sitting in the House this evening.

Last February...

Interjections.

**Mr. Speaker:** Members. The member for Vancouver-Hastings has the floor.

**S. Simpson:** ...the minister told this House that he would "not run roughshod over public consultation." Well, there are a lot of constituents in my area who believe that's exactly what he's doing.

There is no opportunity for a meaningful discussion of the fundamentals of this plan, including whether it will work. Instead we've had these small by-invitation-only meetings and a number of open houses but no discussion on key aspects of the project itself.

Further, the minister has not fulfilled his commitment, which he made in last year's estimates, to produce a series of critical and substantive reports on congestion, environmental impact alternatives and impacts, and other initiatives related to this.

My question is: if the minister is not able to attend this meeting tonight — he's not prepared to discuss this with British Columbians directly — will he at least send a deputy or a senior official to participate in this meeting?

**Hon. K. Falcon:** You know, the member should know that the government has been hosting meetings right across the lower mainland — very publicly advertised, trying to encourage people to get out. One was held in East Vancouver just recently, as the member well knows. He took part, as did, I believe, over a hundred members of his own community and neighbourhoods who found the information to be very useful.

But you know, I think what really underlies this question is this, and I really think the members opposite should just get it off their chest. You oppose the Gateway program. We're for the Gateway program. We're building the Gateway program. Why don't you just come out and acknowledge that?

#### CONFLICT OF INTEREST AND FORESTS MINISTER COMMUNICATIONS

**B. Simpson:** Last week the Minister of Forests and Range admitted in this House that he declared a conflict with the Conflict-of-Interest Commissioner H.A.D. Oliver. The minister stated in this House that that conflict pertained only to a very small area, where a person related to him works for a company. That company is Cascadia, and the area, tree farm licence 44 in the Port Alberni region.

My question is to the Minister of Forests and Range. If that is indeed the case in this conflict that he has declared, why then are Cascadia contractors in Powell River and in Campbell River being told by ministry staff that the minister cannot speak to them because of his declared conflict?

**Hon. R. Coleman:** I don't know that they're not, because I have met with some of those contractors.

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

**B. Simpson:** Well, it seems that there is some confusion, with regard to this conflict, in the ministry staff. The minister indicated that there were letters of correspondence between himself and Mr. Oliver, between himself and the deputy minister. In one case he quoted from the letter to Mr. Oliver, and in another he stated that the second letter to his deputy minister, when Western Forest Products announced it was going to purchase Cascadia, contained more specific instructions to his deputy minister.

My question is to the Minister of Forests and Range. Will the minister table the correspondence between himself and Mr. Oliver and the correspondence between himself and his deputy minister in this House for us to see?

**Hon. R. Coleman:** The letter clarified some information with regards to it and actually didn't go into a whole lot more detail. This matter has been dealt with. It has been dealt with properly under the conflict-of-interest guidelines of this House. I have told the member that.

[1450]

I'm more than happy to share the letter with the member, frankly, because I have nothing to hide, and I am not afraid of my reputation. But when you go out and you write a letter to the Premier questioning my reputation, and when you people interfere in the possible future employment of an independent citizen of this province because a minister of this province is doing their job, that's where you're wrong, hon. member.

#### COPEMAN CLINIC INVESTIGATION

**D. Cubberley:** Concerns regarding the Copeman clinic have been raised since June 2005, concerns about selling preferential access to a family doctor; \$3,500 a year in fees gets you guaranteed unhurried access to your family doctor. The Minister of Health has said that for the past ten months he's been reviewing the clinic's operation. Fact-finding, I think, is what he called it. Eventually he interpreted the facts and drew the conclusion that Mr. Copeman was not in compliance.

Now he's referred the matter to the Medical Services Commission. All we know for sure is that now they are fact-finding. Surely after ten months, all the facts can be found in the minister's office. Why would he not share his facts, his expert advice and his interpretation with the commission, especially when Mr. Copeman is so eager to share his?

**Hon. G. Abbott:** I'm glad to share whatever facts the member wishes from me. I've never been reluctant to answer any question in this House. I've seen lots of questions over the past eight or nine months in respect

of that in this House. If the member has a question, he should ask it, and I'd be glad to answer it. This is answer period as well as question period. I'm happy to do that.

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

**D. Cubberley:** I'm sure it will not be lost on you, Mr. Speaker, that I did ask the minister a specific question, and he did not answer it.

You know, we get the impression that the minister would rather that all of this just went away. But as the chief steward of public health care, this is no time to hide your light under a bushel. The outcome of the commission's review will be precedent-setting, potentially a how-to guide for charging user fees and getting away with it. Yet no one is clear exactly what the commission has been asked to do, how they're going to be doing it or when.

It's essential that this process be open and transparent. Will the minister tell the public today whether he believes it should be an open process where people other than Mr. Copeman can interpret the facts to the commissioners?

**Hon. G. Abbott:** Again, we take the issue of the Copeman clinic very, very seriously. That is why we have spent a great deal of time around deliberations with respect to that. That is why we have referred this important matter to the Medical Services Commission for their consideration.

If the member has some implicit or other criticism with respect to the Medicare Protection Act, wherein it is found that one should refer this sort of issue to the Medical Services Commission, he should take it up with some of his former colleagues in the former NDP government, because it is the Medicare Protection Act that was passed by the former NDP government in the 1990s that guides us here.

If the member has some problem with that, then I'm glad to hear about that concern. But again, we are guided by the legislation that that former government put in place. If it's not good enough for him, then he should think about changing his colleagues.

#### REVIEW OF HEALTH CARE SERVICES IN INTERIOR B.C.

**N. Macdonald:** The mayor of the district of Sparwood has sent a letter to the Minister of Health asking for — and these are his words — "a thorough and independent review on how Interior Health is carrying out its mandate." Can the Minister of Health report to the House today on whether he will be pursuing a thorough and independent review of the Interior Health Authority?

[1455]

**Hon. G. Abbott:** I don't believe that I have received that letter yet. At least as recently as today I don't recall it, but I'll check. I may find the letter from the mayor of Sparwood remarkably persuasive, or I may not.

I will review the letter and consider the submission that the mayor makes, but I do want to say this. I think the Interior Health Authority does a great job in delivering health services to the people of the Interior Health region. I think they work hard each and every day to deliver the best services in what is very frequently a geographically challenging area. The members from the interior — I'm from the interior — all appreciate, I think, the challenges of delivering health care there. I think the Interior Health Authority works very hard to deliver that service, but I'm glad to consider the submission of the mayor and give it all the weight it deserves.

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

**N. Macdonald:** The letter is persuasive, and the letter talks about the same things that we have talked about here in the House and reinforces them.

I will give you an example. His Worship Mayor David Wilks states, "Sparwood's experience has been anything but positive over the past several years," referring to the health provision in that community. "Council believes it is indeed time to look at current practice." The mayor further points out that there have been incidents similar to the tragic death of Ms. Albo that have taken place in the East Kootenays. They just haven't been as public. He further states that seniors continue to be the ones suffering when it comes to cutbacks in services.

So again to the minister: does he agree with the residents of Sparwood that cutbacks have resulted in seniors suffering, and will he do something about it, starting with the review of the Interior Health Authority?

**Hon. G. Abbott:** I'm pleased that a copy of a letter of March 22, 2006, from the district of Sparwood and the mayor of Sparwood, David Wilks, has just been provided to me. The letter notes, among other things, for example: "There are many positive things happening in the region with the expansion of the Cranbrook hospital and the introduction of a busing service between the Elk Valley and Cranbrook to assist residents in doctor and hospital visits."

But that's so.... I mean, the mayor is recognizing....

Interjection.

**Hon. G. Abbott:** If I can continue, the mayor is recognizing that there are also positive things happening in the region. I appreciate that the mayor would like to see more, and I'm sure he would like to see it sooner. I know each and every day, I'm sure, the member opposite would support more than 45 percent of the provincial budget being devoted to health. But again, one has to work within that. I think the IHA is doing a great job, and I thank the member for his question.

**K. Conroy:** Yes, letters are coming, and in spite of things that are happening, people still have concerns in the Interior Health Authority region. I'm sure you've heard that last week hundreds of residents from the

Trail area and throughout the West Kootenay region rallied to demand action from this government. Speaker after speaker rose to tell stories depicting a health care system in crisis and to call for an independent review of the deplorable state in which seniors care is conducted throughout the West Kootenays.

Again, will the minister respect the requests of the people from the West Kootenays and commit today in this House to an independent review of the Interior Health Authority?

**Hon. G. Abbott:** I think what is unfortunate is how the members opposite go on day after day complaining about a health care system that we should be enormously proud of in this province. It's remarkable that the Health Minister from Ireland, who's also the Deputy Prime Minister from Ireland, recently spent three days in Vancouver looking at how we deliver cancer care in British Columbia, because we're a model for the world in the delivery of cancer care. We lead the world in identification of cancers, diagnosis of cancer, treatment of cancer and research of cancer.

[1500]

We have so much to be proud of, yet the members opposite every day just want to deplore the very few things that occasionally go wrong in the health care system. It's time to be proud. British Columbia's health care system is number one for a reason in Canada. It's because it's the best.

[End of question period.]

### Petitions

**S. Hawkins:** I table a petition from 1,200 students from Okanagan College regarding their tuition fees.

**K. Conroy:** I am presenting a petition from 3,932 residents of the West Kootenay–Boundary area requesting an independent inquiry as to the concerns of the health team at Kootenay–Boundary Regional Hospital in continuing care. They also request an inquiry as to the state of communications between staff and management in the entire Interior Health association region, and wish the public to be included.

**A. Horning:** I present a petition on behalf of 600 students from UBC Okanagan regarding tuition fees.

### Point of Privilege

**B. Simpson:** I stand to exercise my right to reserve a point of privilege.

### Motions without Notice

#### WITHDRAWAL OF PRIVATE MEMBER'S BILL

**L. Mayencourt:** By leave, I move that Bill M202, intituled Apology Act, be withdrawn from the order paper.

Leave granted.

Motion approved.

### Tabling Documents

**Hon. R. Coleman:** I am pleased to table a memo dated November 14, 2005, to Doug Konkin, Deputy Minister of Forests and Range and Minister Responsible for Housing, from myself with regards to conflict of interest and, in addition, to table a letter received from the Conflict-of-Interest Commissioner with regards to the same matter.

### Orders of the Day

**Hon. M. de Jong:** I call in Section A, Committee of Supply — for the information of members, continued debate on the estimates for the Ministry of Education — and in this chamber, committee stage debate on Bill 9.

[1505]

### Committee of the Whole House

#### FORESTS AND RANGE STATUTES AMENDMENT ACT, 2006 (continued)

The House in Committee of the Whole (Section B) on Bill 9; S. Hammell in the chair.

The committee met at 3:07 p.m.

On section 2 (continued).

**B. Simpson:** Just a recap, so that my question is in context. Prior to us taking a recess, the minister mentioned that in general terms, master licences to cut do not come with constraints — the normal constraints under a forest licence. They don't come with the constraints of silviculture. They don't come with the constraints with respect to fuel management. The timber can be left on the ground; therefore the normal stewardship constraints are not on there.

When we left that, the minister also then made a statement to the effect that the Ministry of Forests and Range can set conditions for the master licence to cut. So before I get into my next level of questions, I want to understand if I'm correct on that. Can the Ministry of Forests and Range set conditions upon the issuance of a master licence to cut — yes or no?

**Hon. R. Coleman:** Yes. Through cutting permits we have the right to be able to set some standards. Obviously, taking into account other things with regards to hazards and stuff, the reforestation requirements are not the same, simply because what we're trying to do is stop the trees from growing in places where they might be a hazard to power lines.

**B. Simpson:** I'm not talking about just B.C. Hydro in this case, with respect to hazards to power. I'm talking about master licences to cut in general.

The minister keeps wanting to go to B.C. Hydro. Let's go to B.C. Hydro for pure clarification. The minister indicated that he's sure that I want my constituents to have access to power. That's a given. That's not the question on the table. The question on the table is in the case of B.C. Hydro. If they're issued a master licence to cut, are they issued a master licence to cut — in one licence — for all of the areas that B.C. Hydro has power lines throughout the province, or is the master licence to cut issued to B.C. Hydro on a district-by-district basis?

**Hon. R. Coleman:** District by district.

[1510]

**B. Simpson:** Post being issued the master licence to cut, when B.C. Hydro then wants to actually operationalize that master licence to cut, do they then have to come back to the Ministry of Forests and Range in that district and give notification of where they intend to cut and for what purposes they intend to cut? Or is the master licence a given that they can just go and cut wherever they wish to?

**Hon. R. Coleman:** They have to come back and get a cutting permit in each case.

**B. Simpson:** If that's the case, where is the operational efficiency of giving them a master licence to cut if in each case they have to come in for a cut permit, when the minister had stated earlier that one of the reasons for doing this, as opposed to under the Land Act and an occupant licence to cut, was operational efficiency? I need to understand where the operational efficiencies are if I must come in, in each forest district, to get a cut permit each time I want to do something near a utility line.

**Hon. R. Coleman:** Notionally, all the work is done on the master licence to cut, and so the permit process is much more streamlined. It's much simpler, and that's the reason.

**B. Simpson:** Again, I want to use an example for illustrative purposes. So that the minister does not misunderstand why I'm using the example, it is for illustrative purposes only. It gets to the issue that I have with issuing master licences to cut to a utility.

In the Quesnel timber supply area, B.C. Hydro has various forms of lines throughout the area. Can the Ministry of Forests and Range set constraints on either the master licence to cut or the cut permit — for example, for width of clearing? Who stipulates the width of clearing that would be allowable in the cut permit under the master licence to cut?

**Hon. R. Coleman:** My understanding is that the applicant who has a master licence to cut comes in with



a permit application and the district manager puts his mind to it and approves it.

**B. Simpson:** I would imagine that in the cut permit, they would then also include such things as impacts on understorey — whether they're going to leave the understorey or take the understorey out — impacts on viewscape and impacts on the higher-level plans, LRMPs, etc., if they exist in the area. Is it a fair assumption that the district manager would have an expectation those things would be taken into consideration in the submitted cut plan?

[1515]

**Hon. R. Coleman:** This is about clearing the trees that are dangerous to the lines. The viewscape, and those applications that would be under a normal forest application, don't apply here. This is about a right-of-way that has to be cleared for safety purposes, and it's there. This is just facilitating the ability to do it under the master licence to cut.

**B. Simpson:** That's the minister's interpretation of what this is just all about. In practice, in the Quesnel forest district we have seen a practice in which B.C. Hydro has chosen to clear a swath to the soil of 1.5 tree lengths from power lines. Anybody that can do basic physics knows that when a tree falls, it doesn't necessarily take out its full length. There's a question as to whether or not the 1.5 tree lengths are required. There's a question about whether or not the entire understorey needs to be taken away when it's along a viewscape corridor that, under the land and resource management plan, was designated as an area of visual sensitivities and should be managed for visual quality. There's also a question of whether or not the LRMP was taken into consideration in this.

It's not as simple as saying that all it is, is clearing danger trees. So my question to the minister is: what right does the public have to be engaged in consultation with respect to either the master licence to cut or the cutting permit issued under it?

**Hon. R. Coleman:** What the member describes, Hydro can do under the legislation today. This master licence to cut actually gives us a bit more control. Maybe the member would like us to leave it alone and have them cut the way they're doing now.

**B. Simpson:** If that's the case — if we do have more control — then that's very good for the public. My question wasn't about whether we had control or not. My question was very explicit. What right does the public have to be engaged in consultation around master licences to cut and around cut plans under this new amended legislation?

**Hon. R. Coleman:** There is none.

**B. Simpson:** Maybe, since this was an amendment, one could have protected that right. In special circum-

stances where the LRMP stipulates that the area in which B.C. Hydro is going to operate has special requirements or has visual quality issues or whatever the case may be, the minister could have retained that right — if, indeed, this is all about B.C. Hydro.

I'll move on, Madam Chair. Next question: who realizes the financial benefit for timber harvested in the case of explicitly B.C. Hydro...? Who realizes the financial benefit of timber harvested when B.C. Hydro goes and cuts this swath of all the standing timber along the utility lines?

**Hon. R. Coleman:** I'm glad the member wants to describe this as a swath. He's decided there's going to be a certain type of forestry on the ground. That's entirely up to him.

Stumpage is paid. Government gets paid. If there's a contractor involved and they happen to take the fibre and sell it to a mill or they do a contract with B.C. Hydro, then they take the lumber, and after the stumpage is paid, they get the benefit, frankly. But that's forestry.

[1520]

**B. Simpson:** In this case, who does the assessment on the value of the timber, if the cut permit is predicated on the removal of danger trees, for example — as it is in the case of the one situation? Again, I understand that the situation today is under the old licence. I'm trying to understand the new licence and what other abilities it gives the Crown in that respect.

My question is: under this new arrangement, who will do an assessment of value? In the case, for example, where the rationale for giving the cut permit is danger-tree removal, is the assessment on the danger trees or on all of the timber? I'm being told by people on the ground that all of the timber is being removed, not just the danger trees, so how is it assessed?

**Hon. R. Coleman:** As per the appraisal manual, on decked wood we do require them to deck it if they're not going to use it. Our compliance and enforcement people are out there with regard to that. If it gets to the scales, it gets scaled.

**B. Simpson:** Thank you for that answer. Then let's move on — it's actually backwards — to prescribed purposes and prescribed circumstances. Other than B.C. Hydro, what does the government believe might be other prescribed purposes or prescribed circumstances under which a master licence to cut would be issued?

**Hon. R. Coleman:** It's basically something that is linear, across a long tract of land. It could be someone like Telus. At this point in time we don't have anybody that we anticipate would require a master licence to cut — other than Hydro and, obviously, the people who are responsible for the transmission lines, along with oil and gas.

However, in the future there may be such a case. At that time a regulation would have to be brought for-

ward through the normal processes to cabinet for a decision to approve it.

**B. Simpson:** Again, I'll admit my ignorance here. Where does it stipulate that prescribed purposes and prescribed circumstances only apply to linear circumstances?

**Hon. R. Coleman:** That's the only use that we can think of that would be prescribed for at this point in time. That's why we would change the regulation, but it's not in the legislation: linear. I suppose it could be something else on the land base that would require a master licence to cut. But we have no examples of that today. That's why the legislation allows for it to be prescribed by regulation for purposes. That's why regulation is there that it would have to go through a process to cabinet before it was ever approved.

[1525]

**B. Simpson:** When government takes something out of the act and switches it to regulation, you can say that gives you greater flexibility, if you're in government. If you're out of government, you say that it scares the living daylights out of you because it gives the other side greater flexibility.

If I understand correctly here, what is going on is that the government has said there may be other circumstances in which the government needs to use this tool called a "master licence to cut." Past practice has been that it's been a linear arrangement of some kind. Future practice, if I understand the minister correctly, doesn't necessarily mean linear, and I think that's what the minister was saying.

Let me ask a specific question. Is it possible that in the future a master licence to cut could be used to give someone who wants a lodge in a park a master licence to cut in the areas that they want trails, roads, parking lots or cabins put out from their main lodge? Could a lodge, for example, apply at some future date for a non-linear use of a master licence to cut?

**Hon. R. Coleman:** A master licence to cut is intended to be for long and linear operations that go through a number of districts and areas. If you had a park issue, it would be dealt with.... First of all, they'd have to get their park permit. Then they would have to go through a normal forest permit to be able to do what they want to do. It wouldn't even be applicable here, because we have other forms of tenure and licences for those uses on the land base.

The member may hypothetically want to build a case for something that isn't going to happen. I know that all of a sudden he's opposed to the fact that maybe government could do something by regulation, but it isn't very efficient for government to always draft legislation to add things to anything that's going to be accomplished in government. As we've drafted legislation — and as legislators on both sides of this House know — sometimes it's better to have the ability to do certain things in regulation, for efficiencies to operate

on the land base or within another department of government. That's all this does; it allows for that to take place.

It's certainly pretty clear to me what this amendment talks about, and it doesn't talk about a lodge in a park.

**Hon. S. Hagen:** I seek leave to make an introduction.

Leave granted.

### Introductions by Members

**Hon. S. Hagen:** It's just a real pleasure and delight for me this afternoon to introduce to the House Sheila and Bill Durnford, who are visiting from Langley. Sheila is the president of the B.C. Federation of Foster Parent Associations and does a fabulous job. Would the House please join me in making them welcome.

### Debate Continued

**B. Simpson:** A couple of points of clarification. First, I never said that I was opposed to the fact that government can use regulation. I simply said that when government wishes to use regulation, it causes the shivers to go down people's spines. Therefore we have to put it under significant scrutiny — hence the scrutiny today — so that the public can have comfort in that shift from an act to regulation and the flexibility that that gives to cabinet.

Secondly, we are dealing with hypothetical situations. When you use language like "prescribed purposes" and "prescribed circumstances," you have to go to hypotheticals, because you have to try and understand what possible prescribed circumstances might be. So I am dealing with the hypothetical.

[1530]

From what I heard from what the minister said, hypothetically this could be used for lodges. What the minister indicated is that there are other things that apply, but I did not hear him say that it precludes this from applying in that circumstance.

I would like to raise another hypothetical circumstance, one in which we do need to have some clarity fairly shortly here. That is: a wildland-urban interface around communities and whether or not a master licence to cut could potentially be used to resolve the issues that we have there with a tenure system that allows us to manage an area for fire, as opposed to having to go in and regrow a forest there and recreate the problem we had in the first place.

Could a prescribed purpose or a prescribed circumstance be...? If a community wished to manage its wildland-urban interface, could it ask for a master licence to cut?

**Hon. R. Coleman:** This member's actually pretty good at using hearsay and innuendo to his advantage or disadvantage, then having to have a reflection of

memory later on. The master licence to cut is for the linear-type application. For the application the member was describing, which was interface, it would be a forestry licence to cut.

**The Chair:** Minister, you have used unparliamentary language. Would you like to withdraw it? You have used unparliamentary language. Would you like to withdraw?

**Hon. R. Coleman:** Madam Chair, if I've used unparliamentary language, I do withdraw it. I don't know what you are referring to.

**The Chair:** Minister, you need to have an unqualified withdrawal.

Interjection.

**The Chair:** Using innuendo.

**Hon. R. Coleman:** Thank you, Madam Chair. I unqualifiedly withdraw.

**The Chair:** Thank you.

**Hon. R. Coleman:** I'm happy to do that, Madam Chair, but... Well, we'll leave it at that, because we'll deal with this later on.

**B. Simpson:** I don't understand, actually, what the minister's answer was on this. I would like the minister, if he could, to direct the answer explicitly. Could rural communities apply for a master licence to cut, in the event of Prince George, Williams Lake, other communities who are trying to find a way to manage that wildland-urban interface without the normal constraints of a forest licence that has free-to-grow requirements and various other things?

In my belief, the minister does understand that communities are struggling to figure out what it looks like to manage in that. My question is simply: yes or no? Could a master licence to cut, at some point, define a prescribed purpose and a prescribed circumstance as managing a wildland-urban interface?

**Hon. R. Coleman:** The ministry is working with communities now to come up with, frankly, an appropriate licence and tenure as to what the member describes. This isn't the appropriate one.

[1535]

**B. Simpson:** Thank you to the minister for that clarity of response.

We're still at a loss, then, to understand what prescribed purposes and prescribed circumstances are. If this was purely for B.C. Hydro or other utilities, then one would expect they would make it explicit because, as they've indicated in subsection (i)(A) "geophysical exploration," it is explicitly stated; "(B) development activities with well sites or pipelines" is explicitly

stated; and then "roads associated with (A) and (B)" are explicitly stated. Then all of a sudden, they go to (ii) to give this general case of prescribed purposes or prescribed circumstances. Our preference would have been anything to do with clearing under utility lines or telephone lines or whatever.

With that in mind, I have one last question on this section, and that is: all of the cutting that's done under these master licences to cut — which, it's my understanding, are not done on a comprehensive, forward-looking planning phase, a five-year or ten-year plan; they're done on a cut-permit basis — how is that rolled up into the overall allowable cut determination for the province? Is it lined up that way? Is it taken into account in the AAC determination for the province?

**Hon. R. Coleman:** It goes against the unallocated volume or supply. The main reason this is actually needed for B.C. Hydro, as much as anything, is the mountain pine beetle, because the mature trees are going to die. There's obviously a huge issue around pine beetle — as the member is aware — in his area. Basically, this goes against the unallocated cut, which we still have plenty of.

Section 2 approved.

On section 3.

**B. Simpson:** Section 3(a)(i): what would constitute a written authority from government?

**Hon. R. Coleman:** The section currently allows the cutting permit to be issued to the holder of a master licence to cut that has a written authority to occupy the area to which the master licence cut applies. The amendment expands the provision to allow cutting permits to be issued to the holder of the master licence cut for the purposes or under the circumstances set up in regulation.

Now having said that, the written authority is that they have a right-of-way that's been given to them by government — i.e., a pipeline or a power line. We're not just going to give it to somebody who doesn't have a right-of-way for the power lines. We give it to the people.... They have to prove to us that they have the written authority to be on the land.

**B. Simpson:** What's the difference, then, between a written authority from government and the enactment to occupy — just so that I'm clear on the differentiation between those two rights?

[1540]

**Hon. R. Coleman:** Basically, it's something that's issued under the enactment of legislation or a regulation or a permit that's actually issued under the provisions of legislation or the enactment of a reg.

**B. Simpson:** So if I understand this section correctly, what it does is it constrains the district manager from issuing master licences unless those circumstances apply. Just so that I understand, again, the full

ramifications of this: for the district manager, how are they notified of these enactments? If I come in and say I want a master licence to cut or a cut permit, is it just something that is communicated to them, or is there a place you can go and find out where anybody who has authorization for a master licence to cut is registered somewhere?

**Hon. R. Coleman:** The information is with Agriculture and Lands. Whoever is making the application would be required to give us the proof, and we would be able to check it against the records of government.

Section 3 approved.

On section 4.

**B. Simpson:** This is a one-word substitution. The explanatory note states it's removal of timber only, not harvesting and then removal of the harvested timber. What is the circumstance under which this change has been driven? If the minister could explain a circumstance that has caused the word "only" to be inserted here, so that we can understand this substitution.

[1545]

**Hon. R. Coleman:** It is amazing how a one-word change that's supposed to clarify something can actually confuse something. Basically, what this does is clarify that the forest licence to cut issued under subsection (2.1) authorizes only the removal of timber and not harvesting and then removal of the harvested timber.

That's a fairly interesting piece of language. What it means is that if somebody's building a road, for instance, and they drop timber and they deck it, and they don't actually.... It gives us the right, if they don't remove the timber, to get somebody to go in and get it and pay the stumpage and take it. It's the same thing with Hydro when they deck the timber. The forest licence to cut issued under this subsection would be used to authorize removal of timber that has been cut under another licence, for example to establish road access.

It's confusing in its own little way, but what it basically says is that if somebody is going to build a road and all they have is the authorization to build the road and drop the lumber and then deck it, they don't have the right to necessarily take it and sell it. This clarifies that we could go in and allow that timber to actually be sold, and we'd get the stumpage for it.

**B. Simpson:** Will this, then, have significant implications for, say, roadbuilders who.... Have they had the right in the past to deck and sell that timber? Is that why you're now putting the "only" in there?

I'll leave it at that. If the minister could clarify the operational implications of this before this amendment comes in and after the amendment is enforced, that would be helpful.

**Hon. R. Coleman:** This doesn't change a thing, I'm told. What it does is, is it just clarifies — from 95 per-

cent clarification of the right to go in and sell the decked timber to 100 percent clarification of the right to go in and sell the decked timber.

**C. Evans:** I just wanted to intervene here to say from a point of observing, I think the minister is being very honest in suggesting that he finds it very difficult to understand. I think the critic finds it very difficult to understand. Listening from the sidelines, I find it very difficult to understand.

It sounds like there were situations previously in which the Forest Service gave people permission to log but not to haul logs. So now they're going to pass a law that says they can only give permission to haul logs to rectify or to allow them to sell wood from those situations in which they previously didn't allow them to sell wood that they cut down.

[1550]

Whether or not what I just said is true, I'm telling you that's what people in the world are going to think, and I would like to suggest... I have no question. I would like to make a suggestion to the minister: if that's what we think it means and if the minister is unable to make it make more sense than that, then it is not this rule that needs to be changed. It's whatever rule exists that previously would allow loggers to log and restricted their ability to sell. Then you would not have to make this change.

I would make a suggestion to the minister that at some time when we're in recess, he ask his employees whether it might not be better not to pass part of a law that makes no sense to the people debating it. If there are anomalies — 5 percent, the minister said — that need to be fixed, they need to be fixed, allowing people who log to sell wood in the first place, and not by what looks like a ridiculous amendment.

**B. Simpson:** Since I'm not sure if there was a...?

**C. Evans:** There was no question.

**B. Simpson:** Okay, terrific. Then I'm not overstepping my bounds.

Madam Chair, the minister has indicated it's a 5-percent difference. Even though it's 5 percent — since I don't know the total volume, I don't know what 5 percent means — who then accrues the value from that? Would it be run by B.C. Timber Sales? Is that who would then take that volume and sell it, I presume, on the open market?

**Hon. R. Coleman:** This has nothing to do with volume. It has to do with clarity of language — to make the language 100 percent clear, from where it was before, by changing one word in the act at the recommendation of legislative counsel.

**B. Simpson:** I'm not sure what the minister means because, as I understand, the industry when it's talking about only the removal of timber.... Timber is measured in volume, so it is about volume. It's about giving the right to remove a volume of timber. My comment

was with respect to who accrues that volume. Is it B.C. Timber Sales?

To the minister: in the case of this volume of timber that is decked and that nobody owns, is somebody sent in to remove that volume of timber? Does the value of that volume of timber accrue to B.C. Timber Sales, or would it be given to a contractor who would then be able to go in and do it, remove it and only pay stumpage?

[1555]

**Hon. R. Coleman:** The volume goes to the Forest Service reserve, or if there's a case of a small-scale salvage allotment, it goes against that. The value and the stumpage go to general revenue.

I've asked my staff to try and give me a clear example of this so that the member could understand. I'm going to try to do this. We have a fire. We hire a contractor to go build us a tow road, as we call it in the Forest Service when we've got to get in to a fire. To get the equipment in to the fire, we build the tow road. To build the road, he has to drop a bunch of trees. He decks those trees. His contract is to get the road in. He doesn't have any right to the wood. This allows us to give a forest....

We're paying him to do a job — right? Now this gives us the right to take a forest licence and say to somebody: "You have the right under this forest licence to that decked wood only. You can now take it out and pay a stumpage for it." The nuance was that although we've done this in the past, the language wasn't clarified enough to allow us to do it in the 100-percent rate. So somebody might come along and, let's say, have a discussion with us about it.

What we're doing, while we're doing this amendment, is clarifying that by making that small change. Somebody can come in and build a road like that. They don't have the right to the wood. They don't have a forest licence to cut because they're actually operating under fire and emergency, what have you. They deck the wood. They don't have the right to it. We don't want it to sit in the bush forever. We'd like to see the wood come out and get the stumpage for it for the Crown. This allows us to give a forest licence to somebody to go get that decked lumber.

Sections 4 to 6 inclusive approved.

On section 7.

**B. Simpson:** As far as I understand in looking at this section, there are some language insertions, some changes — some of which reflect changes that the government has made to how tenures work in the province. I ask the minister and his staff's forbearance as I try to understand some of the implications of this again.

In section 7, the definition "volume of timber harvested...." If I could get a succinct understanding of why this definition needs to be changed in this manner — in particular, the insertion of the language with re-

spect to "cut control statements" and with respect to "downward adjustments." There are two bits of language that have been included in this, and I would like to have a better understanding of how they change the definition of volume of timber harvested.

[1600]

**Hon. R. Coleman:** In the definition of the volume of timber harvested, we're charging more volume to the cut control than we did in the past because we're now including grades that previously weren't charged against the cut — i.e., dry sawlogs and dry pulpwood. The downward adjustment and the volume is there. For effect, we're adjusting some of the volume on these things, in consultation with the industry.

Under the one section, section (a), "in cut control statements issued" under subsection (a) under section 7, it used to say, basically, that not in the statements issued on behalf of government to the holder of the licence. Then it had a bunch of lists underneath it. What we're saying is "the control statements issued on behalf of government," which is basically the same thing without being prescriptive in the legislation. Before, there was a list of things like the "volume of timber estimated to be wasted or damaged under the licence, under the road permits associated with the licence" — for instance, under one of the sub-subsections. We include that now in our licensing stuff with regards to, as I understand it, the cut control statements that are issued.

**B. Simpson:** The minister's last comment. I'm not sure how that that relates, then, if you look at section (c). It has those statements: "volume of timber cut under licence under road permits; volume of timber estimated to be wasted or damaged; the volume of timber cut, damaged or destroyed by the holder of the licence without authorization." Those statements are still explicit even in the amendment.

Again, under the definition, less all downward adjustments to those volumes, if I could then just get clarity: are the downward adjustments completely constrained by 2 (a) through (e), or are there other downward adjustments that can be made either by regulation or whatever?

**Hon. R. Coleman:** Yes.

**B. Simpson:** Yes to what? Is it completely constrained by the definitions in 2, or are there other circumstances in which a downward adjustment can be made that is not constrained by the definitions in 2? I had asked an either-or question.

[1605]

**Hon. R. Coleman:** Yes to the first question.

**B. Simpson:** The other question in here, then, has to do with cut control statements. If I may sort of deal with the whole section 7 here.... If I understand the cut control statements correctly, this act will also allow the volume to be ascribed to different cut control periods,

will allow the volume to go to different licences and so on. What are the implications of being able to shift this volume of timber harvested around both cut control periods and licences? Again, if I can get an illustration of that, an example, it would help to understand what the implications of this are.

**Hon. R. Coleman:** Basically, the one is to be able to credit the volume from a current cut control period to the previous period to correct an abnormal delay in billing. So if there's been a situation where somebody has cut wood, and through the delays in billing by the ministry they're into a different period of time for pricing, it allows us to make that correction so that we can be fair to the licensee and the person who's doing the harvest.

The second part is to facilitate the removal and utilization of a species, a grade of timber, that would normally not be harvested or removed during primary harvesting by a licence, but if it was removed, it could be used by another licensee. One of the examples I have is a company that bases its entire business plan on alder. This allows that licensee to get the alder from the other licensees by virtue of allowing that flexibility, as I understand it. Or, for example, a small scrub of pine on the coast where there are very small volumes, or a specific deciduous species, such as birch, in the interior....

**B. Simpson:** If I understand the minister correctly, will this address the case, for example, of woodlot owners that have decked wood and are waiting for a stumpage adjustment or can't get the wood out and then a stumpage adjustment occurs?

[1610]

As the minister is well aware, there are a lot of people who have concerns around that whole issue of having decked wood, and a stumpage adjustment occurs. Will this allow that to occur?

Say, pre- and post-April 1 of this year when the new log grades come in, if I have decked wood that I can't get in because the bans have been lifted on the road and I can't get that wood in...? Will this allow me, then, to ascribe that volume of timber harvested to a previous cut control period and get the cheaper stumpage — if it is in fact cheaper than post-April 1?

**Hon. R. Coleman:** This is only about cut control periods. It's not about stumpage. So it's only if it wasn't attributed to the proper cut control period. This would not fit your woodlot example, for instance.

**B. Simpson:** Thank you to the minister for that.

In numbered section 3 of this section it says: "For the purposes of the definition of 'volume of timber harvested' in subsection (1), the Lieutenant Governor in Council may make regulations...." This whole section is new. Is this, then, making a shift from legislation to regulations of the items ascribed underneath? Is that a definitive shift that was not there prior to this amendment being brought forward?

**Hon. R. Coleman:** This is just basically so that the cut control system is transparent. It allows us to facilitate the adjustment factors, which respects the changes of some of the grades now in the cut control volumes. This will allow timber that is currently not counted for in cut control purposes to be discounted by regulation, ensuring licensees are able to maintain current harvest levels.

[1615]

**B. Simpson:** So that I understand this again. From the perspective of the downward adjustments, if I have a mountain pine beetle salvage permit, for example, I have a certain amount of timber that I can take off of there. As the minister is well aware — because I've raised it with his deputy minister, and I'm sure he was apprised of it — we're getting lots of complaints with respect to the waste that's being left behind on the land base. Will these changes allow more of that waste to be taken as a downward adjustment to the volume harvested?

Again, in 3(a), for example, it gives the ability to make regulations with respect to grades and species. It does it with respect to the licence, whether that licence is the same or a different type or so on.

So if I'm a licensee and I have a certain volume that I'm expected to cut, I can get a certain volume of sawlogs out of that. I leave a lot more behind, again, because of mountain pine beetle and other forest health impacts. Will that downward component ultimately impact the allowable cut for the area as well? So I'm actually taking down a lot of volume, but the only part that's ascribed to the allowable cut is the volume that's assigned in this as actual timber harvested and not all of the other ones in which a downward adjustment is made.

I hope that was clear enough for an answer.

**Hon. R. Coleman:** This is allowing us to measure more, when we change the log grades on April 1. Changes on April 1 — we'll be measuring more volume. This allows us to adjust it backward to the original cut. There will still be waste surveys, and it doesn't change anything other than the fact that we will be measuring more volume.

**B. Simpson:** As I canvassed this bill with folks, one of the concerns expressed about this section was that it may allow for overharvesting to occur because of the downward adjustments that can be made. As an example, if I have a licence for 18,000 cubic metres, then because of downward adjustments for grades in species and for waste, and so on, on the ground, the concern was expressed to me that I could get 18,000 cubic metres of creamed wood. The wood left on the ground would not be assigned to my licence. That is a generalized concern out there.

[1620]

If I understand the minister correctly, he is saying that that cannot happen under this. If the minister could give me that clarity and indicate that it will not

happen, that this will not be an excuse for over-harvesting, then we can move on.

**Hon. R. Coleman:** We don't think that will happen. The things that are alluded to in the other subsection previous to this basically give us the opportunity to keep it so that the volume that the individual licensee has is not affected by us saying it's a take-or-pay type system where if you're going to leave it there, you're going to pay; if you take it, you're going to pay. But we're going to allow for adjustments based on certain grades of logs. We do the interior log grades based on that formula in the previous section.

So I hope that explanation clarifies it for the member, but the reality is that they can take volume today, and it's not charged against the cut. That's degraded certain issues, and we're saying take-or-pay. I don't know that it's so much an encouragement as much as it is an adjustment we're making so that we can adjust for the new interior log grades that come into place on April 1.

[1625]

Section 7 approved.

On section 8.

**B. Simpson:** Just a point of clarification. Where would be a circumstance 75.11(1)(b) where a different definition for timber harvesting would apply? If I could get an explanation of where a different definition might apply.

**Hon. R. Coleman:** This would be.... I'll give the member an example. In a case of what we would refer to as a super-utilization-type licence, where instead of being allowed to be taking.... You're basically being charged against a ten-centimetre top. You might be charged against an eight-centimetre top. We need to change the definition so we can make sure that we're able to handle that expectation — that above normal usage of the wood would be part of the licence.

**B. Simpson:** Some call it super-utilization. Some call it relaxed-utilization standards. If that's the case, then, if I have a mountain pine beetle salvage permit, for example, and I'm allowed a ten-centimetre top, then — if I understand what the minister is saying correctly — what's left on the ground and above that is not ascribed to the volume of timber harvested? If I could get a clarification on that point.

**Hon. R. Coleman:** This wouldn't apply to a small-scale salvager that had a ten-centimetre top. It would be somebody that we're saying.... Part of this licence is you'd go to an eight-centimetre top, and we would measure that level of harvest. The normal ten-centimetre top and other small-scale salvage is just as it is. This allows us to change a licence to take the next step up for the volume.

**B. Simpson:** Just for clarification, subsection (2) of this section has definitions in it that are replicates of subsection (3) in section 7. All these numbers. But it doesn't include....

[1630]

[H. Bloy in the chair.]

If you go to section 7; subsection (3) goes (a), (b) and (c). Section 8(2) does not prescribe grades and species under this definition. I'm wondering why that clause isn't ascribed. Is there a reason that what is effectively (3)(b) and (3)(c) are used here and not (3)(a) from the previous section?

**Hon. R. Coleman:** The reason for that is that in the previous section that we've already discussed, it's basically an overall operational position on the description, and this is a description on a case-by-case basis, which allows us to deal with the case-by-case issue.

**B. Simpson:** On a case-by-case basis, if I understand correctly, then, no downward adjustments will take into account grades and species of lumber. Is that what the minister is saying?

**Hon. R. Coleman:** If you go to subsection (1)(a), it provides the definition of "volume of timber harvested." This is so we can write that right into the definition of the individual licence. It's an individual situation whereby we're requiring that licence holder to use timber that is not normally required to be used. Therefore, we would put that into the volume description of this particular licence individually.

Sections 8 to 16 inclusive approved.

On section 17.

**B. Simpson:** On this inspection audit and assessment program, it's my understanding that staff from the Ministry of Small Business and Revenue may be required. If we want to take a few minutes of a break, that's fine by me.

**The Chair:** We'll recess for two minutes.

The committee recessed from 4:32 p.m. to 4:40 p.m.

[H. Bloy in the chair.]

On section 17 (*continued*).

**B. Simpson:** This whole part is to deal with inspections, audits and assessments. I'd like to deal with some general matters with respect to the whole section.

What is driving the inclusion of what I see as 64 clauses of regulation to be put into the Forest Act when the government has been deregulating and removing clauses? What is the driver? What is it that this entire section is trying to redress?

**Hon. R. Coleman:** Just before I get started, to my left is Harry de Vries, the manager, forest revenue operations. To my right is Joel Fairbairn, an analyst, policy and legislation branch with the Small Business and Revenue Ministry, and I neglected earlier to introduce Richard Grieve, who is with the legislative side and some other aspects of my ministry.

Basically, as we've gone through, I think, working with the Minister of Small Business and Revenue and looking at how government operates, there's one resource that does not have audit provisions. In oil and gas we have the ability, even though they're self-assessing for their revenues, to go in and do an audit of a company where we feel it might be worthwhile.

We don't have that ability in forestry. So that became something that was brought to my attention. I thought that we should, first of all — for lack of a better description — level the playing field, allow government to be able to confirm any and all revenues that are due to government if we choose to go in and audit, but we needed the powers to do so.

Although the reduction of regulatory burden is a goal of government, that reduction of regulatory burden does not mean that government may not add some obligations to meet public policy objectives. In this case government wishes to ensure that the forest industry fulfils its existing obligations to pay government. Although we don't say that there's a big problem out there, I do believe that outside the revenue branch of the Ministry of Forests and even outside our compliance and enforcement branch — which, the member is well aware, is mainly on compliance and enforcement in the field — that we do need to have the tool, if necessary, to allow some incremental regulation that might allow us to deal with the audit issue.

It's really about the ability to do in the forest sector what we're already able to do in all other resource sectors.

[1645]

**B. Simpson:** Thank you to the minister for that answer.

Now, the minister has indicated that this was brought to his attention and, as a consequence, it is being addressed now. I'm wondering whether or not part of this was also a revenue branch task force working with the Association of B.C. Forest Professionals that raised some issues with respect to professional reliance. Was that task force part of what we're seeing here with respect to assessments?

**Hon. R. Coleman:** No.

**B. Simpson:** Is that task force of the ABCFP and the revenue branch still extant, and will it therefore influence the application of this program?

**Hon. R. Coleman:** No, hon. Chair.

As the member knows, tax applications and audits in revenue branches, whether it be CCRA or the ministry branch of the revenue, aren't influenced by those types of outside influences with regards to doing au-

ditions and doing its business. On the tax side, it has to stay pretty independent.

**B. Simpson:** With respect to the minister's answer, then, on the Forest and Range Practices Act Q and A, 2005, on the ministry's own website, a question is asked from someone who writes into the website: "What happens in the situation where an appraisal is submitted, but when the logging is complete, you are at a financial loss and suspect manipulation of the appraisal data?" In this event, can the individual who's involved in this engage individuals who are defined as forest revenue officials under this act or the commissioner under this act in assisting with those circumstances as well? Again, what I want to explore is just the general case.

**Hon. R. Coleman:** Small Business and Revenue doesn't get involved in a problem with appraisal or the appraisal audits. That's Forests and Range's responsibility through the revenue branch. Their focus is on volumetric dollars with regards to whether government has received the revenues it's entitled to.

**B. Simpson:** If I understand correctly, this program has to deal with stumpage that the ministry should have derived from the volume that was assigned to a particular licence or harvested under a particular licence. The minister's response raises the question, then, of the articulation between compliance and enforcement in his ministry and the activities of, for example, a forest revenue official as defined in 142.1. So what is that?

[1650]

All the volume generated is subject to an appraisal. Based on the appraisal value, I'm understanding that this program is then going to make sure that the government got the appropriate stumpage.

But if the appraisal process itself is questionable, is that still dealt with solely within the Ministry of Forests and Range and then articulated or communicated to whatever group is going to be doing the inspections and audits? Do I understand the minister clearly on that point?

**Hon. R. Coleman:** I think so. But I'll read this to the member, and then I'll pose a question and pose an answer. Hasn't the Ministry of Forests and Range performed stumpage audits in the past? The answer is no. Stumpage audit authorities never existed. However, there was a variety of other inspections and related powers under the Forest Practices Code to support activities such as determining the amount of stumpage owed to the government.

However, these provisions did not provide for determining if the correct amount of stumpage was paid or put in place — an audit system to determine if the correct amount of stumpage was paid. There's always been, as the member knows, a fluid relationship with regard to calculation of stumpage and what have you. But there's never been an audit provision, and we felt



that Small Business and Revenue has the capacity to do the audit side. We felt that the powers had to be put in there so that they could do what they would normally do under a normal audit program for other resource-based industries. So it's not about getting into an argument about stumpage. It's basically giving the authority for the audit, which hasn't existed in the past.

**B. Simpson:** Thank you to the minister for that response. Again, stumpage is predicated on the original appraisal. If I understand, then, this program would assume that the appraisal was, in fact, correct and is auditing against the appraisal. If that's the case, then what I'm curious about is that, again, on the FRPA Q and A of 2005, a question was asked: "In a recent audit of appraisals recently approved by registered professional foresters, 60 percent passed and the rest failed. What is the ABCFP doing about this issue?" That's where the task force was mentioned as an answer.

Within the Ministry of Forests and Range, is there going to be an explicit program to make sure the appraisals are, in fact, 100 percent accurate so that this program here is operating on 100-percent accuracy other than...?

I can just see that if 40 percent of the appraisals aren't accurate and this program is going to go out and audit against inaccurate appraisals, we're setting ourselves up for a fall. We're setting ourselves up for litigation. We're setting ourselves up for all kinds of problems. If the minister could explain to me how his ministry is tidying up the appraisal system so that this program actually is operating on a significantly higher degree of accuracy.

**Hon. R. Coleman:** I don't want to get off topic. We are working on the aspect that the member describes. Maybe in estimates we can have some more discussions with regard to that part of it, simply because I don't have the staff here to answer the technical side of that question. We're dealing with this section of this act, and I think it would be more appropriate.

Obviously, we want to be as accurate as possible. The member knows that on a resource base, it's always difficult to be 100 percent accurate. That's why you would have appeal procedures within anything that you would deal with. But it is a fair statement to say that the information on what's calculated in the ministry is what the audit would be based on. They would not be deciding to go and do something against what was already in what the stumpage was calculated on, on the cut control or whatever the case may be. So they would use the evidence from revenue branch to do their audit back to see whether we were appropriately paid.

[1655]

Now, in some cases the appropriate payment may not necessarily be on volume, but mix or whether we've got somebody sending us too many 25-cent logs and not enough \$5 logs, which is the whole aspect of why we're looking at the interior log grades and the pricing now.

I think as we come through this together, we'll make sure that the checks and balances are in place as we go through it. We wouldn't do an audit, though, without having some opportunity for appeal if there was a miscalculation in the ministry.

**B. Simpson:** I take the minister's advice that we can look at some more of that appraisal system in estimates.

Again, on section 17, this new program.... Are there FTE implications with putting this program on the ground?

**Hon. R. Coleman:** If the member knew my colleague from Small Business and Revenue, he would know that he is sort of the champion of being able to find efficiencies in his existing resources. There are no new FTEs to be added with regards to this.

**B. Simpson:** I had the privilege of doing estimates with the minister and saw that influence at work.

On section 142.1(2), it states that: "This Part applies with respect to Crown timber harvested on or after the date this section comes into force."

So my understanding, then, is that there's no retroactivity on the application of this. However, within the program, there is a six-year retroactivity inside the program. Section 142.3(1) and 142.6(1) both involve that.

If I could get an explanation of why there wasn't some degree of retroactivity given here, given all of the harvesting activity and so on that we've had on the go.... Since there's a six-year allocation here, why wouldn't we have allowed this program to just take a look-see back as well as doing the work going forward?

**Hon. R. Coleman:** Mainly because retroactivity and tax law can sometimes be a bit difficult. You pass a piece of legislation, and then you show up at the door, I guess. But the retroactivity is built into the legislation so that if somebody was to.... Basically, after the legislation is passed and five years from now we chose to audit, we'd be able to go back the five years.

It was our choice, as we went through this, to try and start from a beginning point rather than trying to think that we could go retroactively with regards to this. We thought that would be somewhat problematic with our relationship with companies, industry and communities, whether it be a community forest licence, woodlot or whatever the case may be.

We think that people should adjust going forward. But to adjust going backward.... We just felt there was a sense of fairness that should be applied here — that we would take this legislation, since we're doing it, forward rather than go backward.

**B. Simpson:** On the "Officials" designation, section 142.11, the first statement is: "The revenue minister may designate a person by name or title as the commissioner." Will such a designation allow EDS to be designated as the commissioner for this program?

**Hon. R. Coleman:** No. It's a person, not an organization.

**B. Simpson:** Section (2) states that "The commissioner may designate a person by name or title as a forest revenue official," but in (3), it stipulates that "The commissioner may delegate, with or without conditions, any of the commissioner's powers, functions or duties under this Part to a person or a class of persons."

So it's my understanding that a class of persons can be a corporate entity, not an individual. Therefore, could the commissioner designate all of his responsibilities to a company like EDS?

[1700]

**Hon. R. Coleman:** This is to be consistent with all other tax statutes. This designation does allow, theoretically, what the member describes as possible. It is not the intent of the legislation to do that. But tax law — all the sections in tax law, as I understand it — have this descriptor in it in British Columbia, or something similar to that.

**B. Simpson:** Just for clarification, through to the minister, with respect to his previous comment about his compatriot finding operational efficiencies, I want to just clarify this point one step further.

[S. Hawkins in the chair.]

Again, we have a change here which does not have an intent but has the ability to. That ability, if I understand it, is that a class of persons could be EDS. Is it conceivable that the delegation of this responsibility from the commissioner to a company like PricewaterhouseCoopers or EDS could be accomplished under this act? Because then what you do is you set up the ability of a de facto third-party collection agency, which again, the government has done in other circumstances. So I'm not talking about intent. I'm talking about possibility. Does that possibility exist by this definition?

**Hon. R. Coleman:** It is not the intention. What the member described is a theoretical possibility — right? It is not the intention of government to go there. That's all I can tell the member. In debates of legislation as we go forward, people will always try and find something that somebody might do some way down the road somewhere. We're not going to do that. That is not our intention.

If a future government chose to interpret the section and do something, I guess that would be up to a future government. This is really just to.... This delegation exists where we can designate a person as a commissioner, designate a person to be the official, designate a group of people or a class of persons — that could be all the auditors in the Ministry of Small Business and Revenue being a class of persons — to have the ability and powers to do that, like we would with a class of persons as peace officers or whatever the case. The descriptor the member uses is a theoretical possibility; it is not the intention of the legislation.

**B. Simpson:** I'm sure the people of British Columbia thought it was only theoretical when the government turned round and gave Accenture, EDS and Maximus functions — and various other third parties — because of a change in legislation that allowed a theoretical circumstance to exist that the government then acted on and actually made come into existence. So I think the question is valid, and it is my understanding that the minister has answered it: that yes, at some point, we could potentially see a third-party agency become the collector of record for this program within the forest sector.

Moving on to section 142.51: "Assessment of estimated stumpage and interest." It states: "If it appears to the commissioner, from an inspection or audit of any records from other information available, that one or more of the following has occurred...." I'm curious how the commissioner would be able to determine, under part (a), whether or not some of the Crown timber was not scaled or inaccurately scaled or not reported in the scale. What is the commissioner's capacity from the records to make a determination that something didn't happen?

[1705]

**Hon. R. Coleman:** First of all, I want to go back to the member's previous comments because I can't let that lie there. We can't do this now. We can't audit now. This is not a surprise to anybody. This is actually allowing us as Small Business and Revenue to do something that for one resource sector we can't do now. We're following the language that exists in tax law in British Columbia when we put the language in there.

So if we want to get into the whole comment that the member made about Accenture, etc., that's fine. Just so the member's clear that we're following the legislation; we're using that as an example to bring in legislation and to one resource section for the purposes of audit.

The second part of it is allowing the commissioner to estimate.... Section 142.51 allows the commissioner to estimate the total amount of stumpage owing. If the commissioner believes from an inspection or audit that the Crown timber was not properly scaled and inaccurate or incomplete information was provided or an incorrect rate was applied, then they can do an assessment.

So, basically, for instance, we have somebody that says they logged or scaled 8,000 cubic metres of fibre, but their records show that they sold 10,000 cubic metres, maybe to three different places. Obviously, what was scaled and reported for the stumpage purpose wasn't exactly the amount of timber that got scaled and sold. Therefore, that would provide an opportunity for an assessment between the 8,000 and 10,000 cubic metres. This section allows for the commissioner to estimate that.

It's a bit like an estimate sometimes on other tax laws, where you'll say that here is an assessment based on a historical perspective going back a period of time that you now owe government. It's not dissimilar to that. If the member has ever been audited by CCRA.... I've had the wonderful experience a couple of times of

going through that. Some of those calculations are, I think, much more arbitrary on the federal level, frankly, than they are on the provincial level.

**B. Simpson:** I take the minister's point that they can't audit now. I never called the audit program into question. I was just calling into question who might end up managing the audit program.

Secondly, the minister's comment that this is not a surprise to anyone would surprise some people to whom this was a surprise. In fact, under the ministry's own C and E information bulletin on the crackdown on 671 logging trucks over three days, 80 percent of the trucks inspected were fully compliant with all of the requirements. There were a few compliance notices. Over the last two years there have been minor compliance notices written, and I've had people ask me why, then, this is coming in. There are people out there who are surprised by this program appearing.

Back to the question of how the commissioner will find this out. If I'm smart enough to figure out that if I don't scale and to figure out how to bypass the scales, then I might be smart enough to figure out how to sell lumber without records. This is predicated on records. Therefore, my question to the minister is: how then does this articulate again with what's being done in C and E so that, again, we have 100-percent accuracy?

As the minister may know, when the scales are closed, sometimes logging trucks take timber to various places. You can have illegal sales of timber. If this is only going by the records, then all somebody has to do is make an adjustment and make sure they don't sell anything on the record that wasn't accurately scaled, not reported to or whatever, and you defeat the program right from the get-go.

[1710]

So what's the relationship between C and E in the Ministry of Forests and Range and this commissioner? Will there be a joint team that does this work? Or will it simply be the commissioner doing some paper audits on a system that has functional errors in it that either create an inaccurate appraisal process or allow logs to be sold that are not recorded?

**Hon. R. Coleman:** We're going to have an MOU. We're going to have an integrated approach. We're going to avoid overlap, and we're going to work together.

The descriptor the member gives is fair, I think, in any description of any audit program or management of any resource where somebody might want to cheat — whether it be on sales tax, by not recording a sales tax sale at a till in a store in British Columbia.... We know that there are always challenges on the investigative side of anybody who might want to avoid paying somebody some money, whether it be government or otherwise.

What you try and do is get the integrated approaches and try and build a system that has enough checks and balances to accomplish what your goal is — recognizing, as some of this comes along, that you may find something that requires another type of investiga-

tion. I would suggest that somebody who was taking lumber and changing and manipulating their records is starting to move into the area of commercial fraud. In commercial fraud we have applications under criminal aspects that we could go after with regards to that.

I think the important thing is to understand that this is an audit program to complement what we understand should be the revenue of the government, so we can go in and audit and make sure we're receiving the dollars we're entitled to. As we go through that, we may find adjustments as to how we do certain things to improve that system by actually putting this in place in the first place.

One of the concerns I had when I became the minister was.... Looking at this initially, I said: "We're the only resource that doesn't have an audit program with revenue in government?" I had the conversation with the minister, and I said: "Why are we treated differently? Why aren't we looking at this?" So we decided to move forward with the initiative.

I think it's going to give us some balance. I think it'll give us some checks and balances for our revenue side for government. I think it'll help us, in the long term, to maybe predict our outgoing revenue for the ministry and for the Ministry of Finance more accurately.

As we start to get a better idea of how the accounting processes that have been established, as the member knows, over the last 40 years.... As the member knows, if anybody can figure out the innuendos and the changes and the shifts and all of that stuff that exists in and around timber pricing and the revenue branch on the stumpage in my ministry.... It's pretty complex. We're trying to get to where the two will mesh and give us, frankly, some direction and assistance as the two work together.

**B. Simpson:** A couple of points that I want to make on this, then. If you take a look at section 142.6, "(2) If an assessment under section" — whatever it is — "is based on one or more events that involve wilful default or fraud by a person, the commissioner may consider" including a period, etc.

There are a number of statements in these sections about wilful acts. Again, as I indicated in FRPA's own question-and-answer, the first wilful act may have been on the part of the registered professional forester who made the initial appraisal. Will the commissioner, in the process of doing this, go right back and look at the appraisal process — if it's looking for a wilful act?

[1715]

**Hon. R. Coleman:** This provides that the commissioner, in making an assessment for stumpage, must not consider or include a period greater than six years before the date of the first notice of assessment issued for Crown timber. However, if the assessment is based on wilful default or fraud, the commissioner may consider and include any relevant period. However, if the person has filed a waiver within six months, the commissioner may consider and include any period covered by the waiver. A waiver continues in effect for six months after the person revokes the waiver in writing.

I've got two examples here that may help the member. If company X was issued a stumpage assessment in 1999 and it was then discovered in 2006 that the assessment was less than it should have been, the commissioner may not reassess company X, because it's outside the six years. If company Y was issued a stumpage assessment in 1999 and it was then discovered in 2006 that the information was intentionally reported incorrectly — therefore, fraudulently — the commissioner may reassess company Y.

**B. Simpson:** I appreciate that clarification. Part of my question, though, with respect to wilful default or fraud by a person is understanding how far back the commissioner would go in their record check — not in time, not temporally, but with respect to the types of records that will be checked.

Will, then, the commissioner or forest collections officer — for want of a better term — go and actually look at the appraisal as part of their process of looking at the documents? If they look at the appraisal, then there's a registered professional forester involved, and as the minister is well aware, then there's all the professional reliance, professional ethics and so on under the Foresters Act that comes into play.

What I'm trying to understand is.... There's a degree of professional reliance on the appraisal, because it's stamped by a professional forester. Will that professional forester, if the commissioner can actually go back and look at the appraisal, come under this act, as well, for that wilful disregard or fraud?

**Hon. R. Coleman:** I'll try now to deal with it. If it's an appraisal, with regard to the actual appraisal itself, it deals with the Ministry of Forests revenue branch and its legislation. This legislation only deals with the audit, looking at volume and dollars applied to timber — what is applied to that appraisal. This commissioner wouldn't go back to there, but this commissioner may come across a situation and then refer it back to that branch under its statute of limitations and its rules for its investigation, if it was felt that it was necessary.

**B. Simpson:** That's the clarification that I was looking at, understanding the division. Very quickly, on 142.51(4): "If an estimate is made under subsection (1), the commissioner may assess (a) the person who harvested the Crown timber, and (b) a person who acquires, has acquired, deals in or has dealt in the Crown timber harvested."

[1720]

That's going up the chain — not just to the person who harvested the timber. I'm curious. Again, why, then, if it's the person who harvested the timber who has the licence that the volume is ascribed to, would this apply to anybody who handles it post-that?

**Hon. R. Coleman:** Because the person who's harvested isn't the only person who gets the benefit and is not always necessarily the only person responsible for the scaling, they want to make sure that those who are benefiting from something actually have to be held

accountable. If there was a situation where there was a lack of knowledge, etc., with regards to the receipt of the product, then there is an appeal process and a tax law, to the minister.

**B. Simpson:** One other quick question on this, because I would be in a lot of trouble if I didn't ask it.

With the individuals that will be looking at this, would they also be able to look at holdback on stumpage? So if I'm a woodlot owner and I agree to a sale to a licensee based on the assessed stumpage on the appraisal.... The licensee then holds back that stumpage, and suppose that a large proportion of the stumpage wasn't \$25; it was two bits. And then the woodlot licensees and other small-scale salvage and others don't get that money paid back them. The licensee actually holds and keeps that money and doesn't credit it back. Would that be looked at under this program? It's a bugbear for a lot of people in the industry, and could the program examine that issue?

[1725]

**Hon. R. Coleman:** This actually did come up in the consultation process — the challenges of an audit program getting in the middle of what is a commercial relationship between two parties. That's not the intention of an audit program. That is an identifiable concern to the ministry that we've had some discussions about with the woodlot owners and other people. I don't think it's applicable here, though, because it's the audit program, and they don't go in and assess business relationships.

**B. Simpson:** Just so we can finish this. On 142.9, on page 13, the dispute goes to the Revenue Minister. Is that correct? Is that because the commissioner and all the functionaries under this are under the revenue branch? Just so I'm clear on that.

**Hon. R. Coleman:** Yes, this is how it's done on all other appeals. It goes to the Revenue Minister, who has all the power on this one — on all aspects of appeals on taxes.

Sections 17 to 19 inclusive approved.

**B. Simpson:** Noting the time, can we rise and report progress?

Motion approved.

The committee rose at 5:27 p.m.

The House resumed; Mr. Speaker in the chair.

Committee of the Whole (Section B), having reported progress, was granted leave to sit again.

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

**Mr. Speaker:** Members, the Administrator is in the precinct. If you could just stay in your seats for a few minutes, the Administrator will arrive shortly.

### Royal Assent to Bills

His Honour the Administrator entered the chamber and took his place in the chair.

[1730]

#### Clerk of the House:

Budget Measures Implementation Act, 2006  
Public Agency Accommodation Act  
Agriculture and Lands Statutes Amendment Act, 2006  
Ministerial Accountability Bases Act, 2005-2006  
Employment Standards (Compassionate Care Leave) Amendment Act, 2006  
Community Services Statutes Amendment Act, 2006  
New Relationship Trust Act  
Tobacco Sales (Preventing Youth Access to Tobacco) Amendment Act, 2006

In Her Majesty's name, His Honour the Administrator doth assent to these acts.

Supply Act, 2005-2006 (Supplementary Estimates No. 1)  
Supply Act (No. 1), 2006

In Her Majesty's name, His Honour the Administrator doth thank Her Majesty's loyal subjects, accept their benevolence and assent to these acts.

His Honour the Administrator retired from the chamber.

[1735]

[Mr. Speaker in the chair.]

**Hon. M. de Jong:** Mr. Speaker, unless the Attorney General has something else to add, I move we now adjourn.

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

Motion approved.

**Mr. Speaker:** This House stands adjourned until two o'clock tomorrow afternoon.

The House adjourned at 5:36 p.m.

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### PROCEEDINGS IN THE DOUGLAS FIR ROOM

#### Committee of Supply

ESTIMATES: MINISTRY OF EDUCATION  
AND MINISTER RESPONSIBLE FOR  
EARLY LEARNING AND LITERACY  
(continued)

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

The committee met at 3:10 p.m.

On Vote 24: ministry operations, \$5,195,667,000 (continued).

**Hon. S. Bond:** I'd like to bring closure to several of the issues that were requested by the member opposite this morning and yesterday. One of the topics was Education Advisory Council meeting dates. I'd like to read them into the record.

Meetings were held October 19, 2005; November 16, 2005; January 18, 2006; and February 15, 2006. Meetings that were not held were in September, due to the fall budget; December, due to proximity with Christmas and the agreement of members; and March, due to spring break, with the agreement of members. The next meeting will be April 19, 2006, and we'll pass that information over.

The member opposite asked about graduation program consultations and what research we did. Ministry staff researched graduation programs in Alberta, Manitoba, the Northwest Territories, Ontario, Quebec, Minnesota, California, Washington State, Germany, Western Australia and the United Kingdom.

In terms of the graduation program exam information, Ontario has a mandatory literacy exam that all students must pass in order to graduate. Students write the exam in grade ten or 11, and they may rewrite it in grade 12 if they fail it the first time. The Yukon has grade ten exams in exactly the same subject areas as British Columbia.

Alberta develops provincial achievement tests for grade nine students in the following subject areas: language arts, math, science and social studies. Schools are required to report the results to the Department of Education, but it is optional for schools to decide if they count as part of the student's course mark. That's grade nine.

Quebec has exams in some subject areas during grades ten and 11 for students going on to post-secondary, and in New Brunswick students must pass an English language proficiency assessment in grade nine or ten to graduate. This is a piece of information that I will also table, which is for an additional member who requested a summary sheet that I quoted from yesterday.

I think that covers most of the issues that were left on the table after this morning.

**A Voice:** And the binder.

**Hon. S. Bond:** Oh, I'm sorry. One final thing. The member opposite asked for school planning councils and school plans and growth plans. We've put together a number of plans, which I'm sure the member opposite will take great pride in reading. It shows some incredible progress reports, and we'd be happy to share that binder as well.

**J. Horgan:** I thank the minister and her staff for the extremely rapid turnaround yet again, for the detailed information that I and some of my colleagues requested this morning.

I'll take a moment while my colleague from Coquitlam-Maillardville is canvassing child care issues to review some of the material, particularly on the standardized testing. I'm hopeful that we'll get back to that when the member from Coquitlam concludes.

**D. Thorne:** My first few questions for the minister are about funding pertaining to early learning and literacy, a new addition to the Ministry of Education in May 2005.

The service plan identifies early learning and literacy as core business areas in the Ministry of Education. Can I please inquire as to how much funding the early learning segment receives, and how many FTEs?

**Hon. S. Bond:** The funding envelope for early learning and literacy is \$18.3 million. We currently have no additional staff complement. In fact, our staff has added this to the workload that they already have and are doing an exemplary job, as they always do.

[1515]

We do intend, though, to probably recruit, potentially, two FTEs in this area.

**D. Thorne:** I was hoping to break down the funding for early learning and for literacy. My first question was early learning, and my second question is: how much funding does the literacy segment receive, and how many FTEs? I was hoping to break down early learning and literacy.

**Hon. S. Bond:** The total amount, as I said, is \$18.361 million. Of that, public libraries received \$13.1 million, approximately — this is going to be approximate — Ready, Set, Learn, \$3.5 million; innovation grants, \$1 million; Books for Kids, \$238,000; and Raise-a-Reader, half a million dollars.

**D. Thorne:** I'm assuming that the FTEs is the same answer: zero FTEs. If not, how many for the literacy?

**Hon. S. Bond:** There are 12 FTEs that are associated with libraries, which is another specific part of my portfolio. As I suggested in the first answer, the staff that I currently have has taken on the responsibility for early learning and literacy, but we have 12 FTEs associated with libraries.

**D. Thorne:** Could the minister please tell me where this funding comes from? Is it new to the ministry, and does it come from another ministry?

**Hon. S. Bond:** When the mandate was changed for the Ministry of Education, we received \$13 million and 12 FTEs to cover the library portion.

**D. Thorne:** In last year's estimates the minister stated that \$2 million of the federal child care dollars had been earmarked for early learning. Can the minister tell me if this money was disbursed from the Minis-

try of Children and Families and spent by the Ministry of Education?

**Hon. S. Bond:** No, not yet.

**D. Thorne:** Can the minister please tell me when that is expected to happen? Is it in the 2006 budget?

**Hon. S. Bond:** We continue to have discussions about how to work through that with the Ministry of Children and Family Development, and no decisions have been made at this point.

**D. Thorne:** That's not my next question. I'm trying to think now how to address this.

Can the minister tell me if that \$2 million was included in the 2005 budget of the Ministry of Children and Families? If so, will it be transferred from 2005? Or will it be a future disbursement?

**Hon. S. Bond:** As I said, the \$2 million remains part of the budget of the Ministry of Children and Family Development, and discussion is ongoing.

**D. Thorne:** Is the Ministry of Education planning to spend other federal dollars this year than the \$2 million, if that is spent? If so, on what? And how much is planned?

[1520]

**Hon. S. Bond:** As the member opposite would know, we do not receive federal dollars directly. The discussion we're having is ongoing with the Ministry of Children and Family Development, and there are no plans around those dollars at this point in time.

**D. Thorne:** Can the minister, then, please specify which child care agreement the discussions concern? Is it the 2005 agreement or a prior agreement, in 2003 or prior to that?

**Hon. S. Bond:** Hon. Chair, with respect, the member opposite would have to canvass that with the Minister of State for Childcare, where the federal dollars actually reside.

**D. Thorne:** Does the ministry and its early learning programs...? Will it be affected by the cancellation of the 2005 agreement, or is this...? Surely, this is part of the discussion that is taking place if the dollars are indeed for future dollars, with the cancelled agreements.

**Hon. S. Bond:** Well, we're excited about an early learning strategy in the province of British Columbia. We know it's essential for children — to provide resources and support to families as they get ready to go to school. We're continuing to build a strategy. There have been no decisions about the funding that rests with the Ministry of Children and Family Development.

**D. Thorne:** The government has been holding public consultation to develop a child care action plan for British Columbia. How many of these public consultations has the Ministry of Education been involved in?

**Hon. S. Bond:** As the member opposite knows, in the fall of 2005 we had a two-pronged public consultation on early learning and child care. Actually, when the Ministry of Children and Families, with Education.... In one format there were eight community meetings, web-based consultations, five sessions with specific stakeholders and two aboriginal consultation sessions. In our part of that consultation MCFD joined us, and we managed to have consultation with 58 of 60 school boards and communities.

**D. Thorne:** Rather than take up the time today, I would at some point like to get a list of the communities and school boards that have been consulted so far. I'm wondering how many consultations were held that were separate from the Ministry of Children and Families or of Health. How many have been held so far just by Education?

**Hon. S. Bond:** The vast majority of the meetings were held jointly. That was the commitment we made. There may have been one or two where members of the MCFD team did not make it. We can confirm that.

In terms of the list for the member opposite, the most efficient way to do that is.... We managed to have meetings in 58 of 60 school boards, so I can let the member opposite know the two we didn't. All the rest would have been covered. We were not able to hold consultations in the Nisga'a school district and Stikine.

**D. Thorne:** I'm wondering when the results of the consultations will be made public.

**Hon. S. Bond:** Within the next several weeks.

**D. Thorne:** We know from the Childcare estimates held last week that MCFD has not yet released their set of consultations. In fact, the Minister of State for Childcare has continued the consultation process without public notification. Is the Minister of Education doing the same?

[1525]

**Hon. S. Bond:** Currently our ministries are working together. As I think the member opposite is well aware, the Minister of State for Childcare has also said that we're working together. We will be putting that information forward in the next couple of weeks. We do not continue to consult in this particular process. Having said that, I'm visiting school districts all around the province on a regular basis and having discussions about many things, much of which centres around early learning.

**D. Thorne:** I'm wondering, then, if the results of the consultation will be separate results for the Education

Ministry — separate and different, with a different end than MCFD?

**Hon. S. Bond:** We're working together to release the results in a joint and partnership kind of way.

**D. Thorne:** When we did estimates last fall, the minister had a plan for the federal dollars that we've been discussing. In fact, she even released them to the media. Her plans were — and I quote from an article in the *Vancouver Sun* in September '05 — "to develop education programs designed to enhance early childhood development. One of the possible results is the development of family learning centres." When asked about funding, the minister answered that questions of program funding have not been fully answered yet, though it seems the money will come from funding typically attached to the Ministry of State for Childcare.

It seems clear that the minister is interested in federal funding flowing from the 2005 ELCC agreement. However, now that the child care deal is dead, how will the minister fund early learning?

**Hon. S. Bond:** I said clearly at the beginning of this discussion that we continue to have a dialogue about how best to support British Columbia's families and, in particular, those youngsters that we need to place emphasis on. We're continuing to develop a strategy. I'm delighted with some of the things that are already happening in the province, and in fact, those have happened without federal dollars. There are school districts which have embraced programs. They're exciting. They're absolutely having dramatic results.

We continue to discuss with the Minister of State for Childcare the fact that we want to move together in a collaborative way, and we're going to continue to work on that. We're committed to making sure we have an excellent early learning program in this province.

**D. Thorne:** Well, with no funding flowing from Ottawa after March of 2007, I can only assume that if the Ministry of Education continues to consult with the Ministry of Children and Families for early learning within the Ministry of Education, there must be discussion of provincial dollars from the Ministry of Children and Families flowing into the Ministry of Education after 2007, or there wouldn't be ongoing discussions. I'm wondering if the minister can confirm that the discussion is going in this direction.

[R. Cantelon in the chair.]

**Hon. S. Bond:** We've said consistently — and I've said numerous times already this afternoon — that we continue to dialogue across ministries. We actually think that things work much better when we work across ministries to find joint solutions and joint proposals. In fact, there are no decisions around the funding and how or where it will flow. But there is this: there is a mutual commitment to ensure that we have

great opportunities and resources to support our families. That's the kind of joint work that we're going to continue to do.

**D. Thorne:** I'm really pleased to hear that we have that commitment to children under six, because I certainly favour that. I'm happy to know that this government intends to continue to provide resources and to increase the number of resources for the under-six-years-old group. I can only assume that with no federal dollars flowing from Ottawa after '07, we're talking about provincial dollars. I look forward to the next budget to see how well that actually happens.

[1530]

I'd like to move into my next topic now, which is more general program questions. I'm referring to the service plan on page 9, where there's reference to programs such as Success By 6 and Raise-a-Reader as programs that will improve outcomes for early learners. However, I cannot find a budget line item for either of these programs. Is the ministry in fact funding these programs?

**Hon. S. Bond:** Actually, the list that I read to the member opposite earlier included the actual Raise-a-Reader program. It's half a million dollars. We match the funding, and that is certainly a budget line. The Success By 6 program is a Ministry of Children and Family Development budget item.

**D. Thorne:** The Ready, Set, Learn program is cited throughout the service plan as an example that the ministry will improve early learning in children under six. I couldn't find a budget line for the item. The minister has reminded me that she did in fact give me that number. I'm wondering: are federal dollars expended on this program, or are these provincial dollars?

**Hon. S. Bond:** These are not federal dollars; these are provincial dollars. The Ready, Set, Learn program is amazing. We're seeing new children and parents being supported with a book and a visit to their schools. The program is growing. It's being successfully received. The number I mentioned to the member opposite was \$3.5 million.

**D. Thorne:** Can I ask how many schools are participating this year in Ready, Set, Learn, and how many participated last year?

**Hon. S. Bond:** I can give you the most recent year's numbers. A thousand schools participated — about 95 percent participation. I don't know what that number was for '04-05. We can look that up, but certainly, in '04-05 there were more than 35,000 parents or caregivers and their preschoolers who attended Ready, Set, Learn open houses across the province. Elementary schools in all 60 school districts and funded independent schools had the opportunity to participate.

At this moment in time we're seeing a thousand schools, with 95 percent participation. That is an incredible result for a relatively new program.

**D. Thorne:** Indeed it is. It's an excellent percentage.

School readiness is one of this ministry's goals. The early development indicator developed by the Human Early Learning Partnership is being used as a performance measure. How is the Ministry of Education using or planning to use the EDI?

**Hon. S. Bond:** In fact, EDI is being used not only by us and, certainly, the Ministry of Children and Family Development; it's actually being used by school districts and school boards as well. It's a tool that actually allows us to look at how we shape resources, how we make decisions about where to serve and how best to serve vulnerable children.

[1535]

The member opposite should also know that over 40,000 children have been canvassed using EDI in British Columbia. MCFD in essence purchases time for teachers so that they can complete and evaluate a child on four quadrants of learning.

In terms of early learning and how we would use EDI as a ministry, we would very much look.... As we begin to develop the theory of using family learning centres, resources available to families and communities, we would very much use the information that Dr. Hertzman has provided.

In fact, there's now a map — an atlas that's been created. It's just absolutely leading-edge information and work that's been done. We find it helpful, as school boards do, in terms of identifying the areas of the highest need and how best we might serve the students in those areas.

**D. Thorne:** I was going to ask how you were using it, but you've already given me some examples of that. I'm just wondering: do you have any other examples readily available about other kinds of programs that you are developing in the ministry to improve school readiness?

**Hon. S. Bond:** One of the things we're very concerned about is making sure that we look at what works in communities. We don't want to duplicate it. We would love to be able to replicate it when things are working very well, so one of the things that is taking our time and our interest is the fact that there are already amazing examples of parent and family centres across the province.

Let me give the member opposite just a few examples. In school district 33 in Chilliwack there's a program called Families in Motion, which is a reading program for preschoolers and their families. In school district 51, which is the Boundary school district, there are family centres, which are school-based integrated community services for children and their families. In school district 41 there are parent and family literacy centres, and I've managed to visit a number of these centres. In Okanagan-Skaha, school district 67, there are families and schools together and *Ready, Set, Go* in Coast Mountains.



There are numerous programs already in existence in this province, and we want to make sure that as we strategize and look to the future, we're capturing what best practice is. We absolutely do not want to duplicate. We would love to replicate if there's a value in doing that.

We're doing our homework. We're spending time making sure that we understand what currently exists before we look to a new strategy in the province.

**D. Thorne:** I've already asked about Success By 6, but I'm just wondering how the ministry coordinates with the community, especially smaller communities, around their initiatives with such programs as Children First and Success By 6.

They have very similar programs run through family centres — for instance, in my riding of Coquitlam-Maillardville. I know that there's the Fraser North table, and there are a number of different initiatives coming through the community table, which I used to sit on when I was councillor, actually. I was a municipal rep.

I'm just wondering: are there coordinating bodies with these programs?

**Hon. S. Bond:** On that list I left off a district that I spent a lot of time in, and I was gently reminded of it. I do want to say this, because it was an absolutely extraordinary visit. That would be Qualicum, school district 69. Their programs are phenomenal. Boy, it was an absolutely wonderful day as I saw what was already happening on the ground.

The member opposite asks a good question. How are we going to make sure that we take advantage of and utilize the connections that already exist in communities, including the member opposite's own community of Coquitlam? There are certainly very good connections already existing, and MCFD has been key in setting up some of the community planning tables.

[1540]

One of the things we heard in the consultation was the fact that people actually wanted to connect with each other to talk about how to do this. One of our goals is absolutely not to impose a one-size-fits-all, top-down model in this province, so we're anxious to learn more about what's happening on the ground to connect people together. It's interesting that in the consultation, some of my staff that were involved said that connections and networking began right at those meetings, where people wanted to talk to each other. Really, I think there are excellent opportunities in the province, but we want to make sure that we are connecting with existing resources and some of the fabulous service providers and agencies that already do this work.

I should point out to the member opposite that on the Children First committees, there are school district representatives on those committees, so there is very much a sense of connectivity. If the point the member opposite is making is that there's much good that's

happening in communities, we would agree with that, and certainly, we want to capture it, work with it and make sure that we have a very collaborative process as we look at ways to serve our children.

**D. Thorne:** I couldn't agree more with the minister. I'm sure that if negotiations and discussions continue between the Ministry of Education and the Ministry of Children and Families.... I know that the program area was split last year for the first time. That could, in fact, change at any time. I mean, everything is an experiment, and everything is a living document, and living.

I look forward to where those discussions will go in the future. I'm just wondering if any of the new programs that you are looking at focus on the learning-through-play approach as recommended by early childhood educators.

**Hon. S. Bond:** This is an easy answer, because we know that children do learn through play, so all of the programs have that at the heart of what they do. From our perspective and just in terms of the passing comment the member opposite made about mandate, one of the wonderful things is that we actually believe that learning and all of those things happens from the moment of birth, in fact. So we think that having a mandate for early learning attached to education is a very good idea.

Part of the challenge we face is to make sure that as we look at change — something that people aren't used to; it's hard to do — we're not separating out child care from early learning from early childhood development. You know, we want children to be supported and to learn. One of the valuable ways we do that, we certainly see, is through children at play.

**D. Thorne:** Going back to the service plan, there's a considerable section devoted to citizen-centred service delivery. Could the minister explain what this is?

**Hon. S. Bond:** To save time for the staff and me, can the member opposite just point out what section of the service plan she's referring to?

**D. Thorne:** I will get back to the minister, because I didn't bring my book with me, but we can do that afterwards. I'll just move on to my next question.

Another initiative that was explained in detail in the service plan is School Community Connections. The ministry's role appears to be integrating services and activities into the community and school settings. I'm wondering: could I get a little more explanation on that particular initiative? Is it being developed in coordination through MCFD? How is it being funded?

**Hon. S. Bond:** The School Community Connections project is one we're looking at in partnership with a number of organizations. Really, the goal of the School Community Connections program is to look at how we

utilize space that is currently underutilized in our schools.

The Premier announced the School Community Connections program in the spring of 2005 and provided funding of \$10 million. Those funds are being administered and managed through a partnership between the Union of B.C. Municipalities and the B.C. School Trustees Association.

[1545]

There is currently a set of guidelines and criteria for school districts and municipal governments. In essence, it's encouraging partnerships between communities and schools to find innovative things to do with extra school space. In some school districts there is a lot of school space. Others are much more challenged, but in fact this is chance to encourage partnerships between schools and communities and apply for dollars. There's a three-step process that an application goes through. I look forward to seeing some very creative results as a result of the investment of these dollars.

**D. Thorne:** Is this initiative being funded through the Premier's office or through the Ministry of Education?

**Hon. S. Bond:** The money is the money of the Ministry of Education. It's a program that we manage in terms of how that moves forward. Obviously, the Premier just thoroughly enjoys and appreciates the whole role of communities working together, and so he was a participant in that announcement in the spring of 2005. Again, there's a three-step process. You apply, and there are a number of ways of working through that.

Further to the member opposite's question about citizen-centred service delivery, indeed we do have a section — and my fantastic team has helped me with that — in the service plan that talks about citizen-centred service delivery. In fact, School Community Connections is one of the initiatives that actually helps us begin to provide the integration of services and activities, and really, it's fairly self-explanatory.

We're talking about how we better serve the people who live in British Columbia, making sure that the citizens of our province have seamless access to service. That's one of the goals of this ministry. We also collaborate and consult with other ministries to try to minimize the confusion and often difficult circumstances that people find when they deal with government.

Our ministry is going to focus on integrating our services and activities, especially into community and school settings, and that's the focus that we have on citizen-centred service delivery.

**D. Thorne:** Thank you to the minister, and I also was just sent in a copy with my copy here.

Is this initiative part of what the Minister of State for Childcare calls a hub model or a co-located service?

**Hon. S. Bond:** Well, in response to the member opposite around whether School Community Connec-

tions could be involved in hub, I would assume it could. The point of the School Community Connections program is to try to utilize what is a public asset — and that's space — that the taxpayers of this province have invested in over years. So when we have excess space we want to find the ways to best use that space.

Hubs are certainly not a new model in the province. The whole concept of bringing services together to support families in the most convenient way, both by location and by joint services being provided, is an excellent model. Right at the moment we're simply looking at an inventory of what currently is being done in the province.

[1550]

I can give the member opposite an excellent example of a school in my district. Because of declining enrolment, we actually closed 14 schools in my school district. One of the schools has turned into an absolutely fantastic place called the South Fort George community services kind of centre. It has brought together numerous organizations and service agencies, and families there can come and be served and have their needs met in that school building.

So I think all of these things work together to provide resources for families who most need them, and we want to do that in as an efficient a way as possible.

**D. Thorne:** Thank you to the minister. This initiative sounds similar to one announced in this year's Speech from the Throne that stated the government would launch a comprehensive Strong Start B.C. initiative that would open early learning centres in underutilized schools. So I'm assuming the School Community Connections initiative is the same as the Strong Start B.C. initiative addressed in the throne speech. I can't quite locate that in the service plan, but I guess my question is: is this the same?

**Hon. S. Bond:** Thank you, hon. Chair — Mr. Speaker? Sorry. Mr. Speaker popped his head in there, and that's a surprise.

**The Chair:** He did, but I'm chairing these proceedings, minister. You may direct your comments to me.

**Hon. S. Bond:** That's right — so pay attention to the Chair. I am right focused with you, hon. Chair.

In fact, Strong Start B.C. is a cabinet committee which brings together all of those ministries that need to work together to create an integrated strategy across the province. One of the initiatives that Strong Start might choose to begin is early learning centres. So that work is being done in a very collaborative way. It's really exciting to see ministries coming together and saying: "How, together, can we deliver on these kinds of services?"

The School Community Connections program is already underway. The UBCM has the dollars. They're working with the school trustees to find.... And applications, I would assume, are currently being taken. Oh,

yes, they are. We have.... Oh, this just in. In terms of applications under the Community Connections program, we have several that are in the first stage of the three-step process, which is called making connections. It's a \$5,000 grant to begin to do your planning. The building connections piece is a \$40,000 component there. We have one approved and two pending.

So that work is already underway, and that may or may not be an early learning centre. That can be anything from a literacy centre.... It can be anything that a community's imagination and a school district's agreement can come up with. This is a way to invigorate that process and make sure that resources are in place to do that.

**D. Thorne:** My next question was going to be how many early learning centres do we have now, but I guess that probably answers my question. Are there any early learning centres that are actually up and running? The ones that are — are these technically the same as a child care centre?

**Hon. S. Bond:** We don't have a number of early learning opportunities — the number of those — because at this point Strong Start B.C. doesn't have any of those types, you know, labelled Strong Start. But there are dozens of opportunities both in school districts and community opportunities across this province.

So we are currently learning from those models. We're learning about where those districts have put those kinds of programs in place. As I said, Qualicum is a perfect example of that. They have an amazing array of projects, and that has been completely community led — where there are sponsors and partnerships from every imaginable organization in the community coming together to provide those services.

As is usually the case, those great ideas were community led, and they've been there long before government thought it was a good idea. We're going to continue to learn from those models, and we're going to continue to move forward with how we supplement, enhance and begin to add to those types of programs.

[1555]

**D. Thorne:** As part of this initiative, schools will be used for community learning and activities such as child care and early childhood development. Does the ministry have any guidelines around what can and cannot be located in our public schools?

**Hon. S. Bond:** School boards would have policies concerning the use of school space, and mostly those policies would centre around what is safe and responsible to have in a public school. Certainly, one of the questions we are going to be having discussions about is: what do we do with extra space that happens to exist in some parts of the province?

I want to be clear about that. There are other districts that are challenged because they have students coming faster than they can accommodate them. We do know that those buildings are public assets, and we

want to make sure that they continue to serve people in the province well. That discussion is ongoing, but specific policies would be at the discretion of school boards.

**D. Thorne:** If a school board chose to allow corporate for-profit day care to locate in a school, what would this minister's reaction be?

**Hon. S. Bond:** Again, that would be the decision of a local school board. Today as we speak, and probably literally as we speak, there are child care facilities located in public schools across the province. That would be a decision of a local school board, and we actually encourage the fact that we would love to see families have a continuum of services provided in those facilities. I should point out that the majority of those child care centres that I'm aware of and that I have visited are societies that are non-profit.

**D. Thorne:** This is my last question. I asked if the government would approve using public dollars and public facilities for corporate for-profit child care in our public schools, and I believe that — I know the school boards are making the decisions — if the government is responsible for the Strong Start initiative and is in fact going to be making the decisions around who is going to get the funding, then the government must take a position on this and take responsibility for the programs that it administers.

That was not a question. I guess my question is: will the government do that?

**The Chair:** I think, member, the Chair would rule that that is somewhat of a hypothetical nature and not necessarily in order with the questions against estimates. That's my ruling.

**D. Thorne:** Shall I rephrase it?

**The Chair:** Yes, that might be helpful.

**D. Thorne:** Okay. All right, then; I'll re-ask my question. I stated my belief about what they should do. I'll ask: will the ministry approve using public dollars and public facilities for corporate for-profit child care?

**Hon. S. Bond:** As I've said numerous times, we have not made decisions about what the model will look like. We believe we want to provide resources to families. We know that families would best be served by a continuum of services that include child care and early learning opportunities. So we've made no decision.

**J. Horgan:** It's a pleasure to be back on my feet. Hopefully, I won't be as out of order as my friend from Maillardville, although often I am gunning for that.

[1600]

Since we broke for lunch, I've been reflecting on the magnitude of what we're doing here in terms of the minister's responsibility and the responsibility of her

staff. Then I've been thinking about school boards, about schools, about teachers and about students. I think we tend to lose sight of that as we plough through numbers and data. I want to throw out a little bit of data, though, because this was what struck me about magnitude: 570,909 students in '05-06; 31,100 teachers.

The minister said on a number of occasions to this committee and to others that the decline in enrolment has resulted in a decline in teachers, but a 4.1-percent decline in enrolment does not necessarily equate — in the public mind, in any event — with a 6.5-percent reduction in teachers.

More importantly, and we talked about this again yesterday: teacher-librarians — a 19-percent reduction; counsellors — a 9-percent reduction. Even with the \$20 million that the Ready report allowed to be infused into the classroom, we're still not at the 4.1. We're actually at a 4.9-percent reduction in teachers.

The minister's own statistics from February left the public with the knowledge that 9,000 classrooms had 30 or more students, 11,000-plus had four or more special needs students, and that didn't address the issue of averaging per district.

Again, I know that the minister is anxious to respond to these questions, but it seems to me that we're talking about, in many instances, classroom management rather than teaching. I've had anecdotal evidence. I've been around the province, as the minister has. I've got a folder full of stories, from the front, of teachers and educators with class sizes that are untenable. It's left them as managers of individuals rather than teachers.

I want to talk a little bit about labs and shops in terms of the safety issues that we need to deal with. Prior to the stripping of language from the contracts in 2002 the average class, lab or shop would be 26 students. Does the minister acknowledge that an increase of four, five or six students in a science lab with Bunsen burners and potentially harmful chemicals, or in an auto mechanics shop...? Does she think that that is in the best interest of students?

**The Chair:** Thank you, member, for serving notice.

**Hon. S. Bond:** I do think we need to go back and give the complete context when we talk about funding. The member opposite did reflect the \$20 million that was an agreement with the Vince Ready decisions. But a year prior to that, this government actually added \$150 million to the public education system.

We can continue to have a discussion about dropping enrolment and rising funding, but when you look at the demographics of our school system, every single year in this province we are losing 6,000 to 7,000 students. When the government added \$150 million to the base budget of public education, that stays with the system as enrolment continues to drop. We also know that we are adding additional dollars this year, and we will see that happen over the next couple of years.

But in answer to the member opposite's question, I would be delighted to entertain a list of classrooms —

and in particular, labs and shops — where we have, from the member opposite's perspective, an overcrowding or safety issue. I would be delighted to have my staff take that information. We will contact all of the school districts, all of the schools that are involved, because I have faith in educators and professionals making decisions about how children are placed in classrooms.

[1605]

To be candid, we continue to hear the stories of these numbers and the situations. I am absolutely committed and delighted to take every one of those classes back to the schools that made the decisions about how children are put in classrooms, and we will deal with every one of them individually. So if the member opposite has lists of labs where there are students that are facing safety issues, it's our responsibility to deal with those individually, and we're happy to do that.

**J. Horgan:** Well, it's the minister's ministry that has collected the data. She has, by her own admission, 9,000 classes with 30 or more students. I'm happy to cross-reference with her staff the information I have with the information that was collected on her behalf, but it seems to me that the evidence is there. It's been there for a number of months now.

I would have hoped — and I suggested this yesterday — that if it were the highest priority of the government, then we would have been working on this cooperatively over the past six weeks. When the dispute ended in the fall, it was ended with the expectation that action would be taken.

We had a discussion yesterday about the round table. The minister made it very clear that there are differing views at the table. I understand that; I can appreciate that. But the challenge the public laid down for us as legislators was to respond to these issues in an effective manner. We're not going to pass them on to school boards. We're not going to pass it on to administrators. We're going to deal with it at the highest level, and that's right here.

Again I ask the minister: will she commit today to make class size and class composition issues the high-priority for her for the rest of this school year?

**Hon. S. Bond:** I appreciate the opportunity to reiterate for the member opposite the fact that we said clearly that class size and composition are key discussion issues. Most importantly, we're going to continue to focus first and foremost on putting students at the centre of that. Let me just read one of the resolutions that came from the B.C. Confederation of Parent Advisory Councils — in the year 2000, in fact. Let's hear about one of the other voices that actually have something to say about how we deal with children in the province: "...BCCPAC express to the Ministry of Education, BCPSEA and BCSTA parents' concerns that strictly limiting class sizes in the B.C. teachers' collective agreement for intermediate and, particularly, secondary schools will cause undue hardships to students and compromise their education."

I can go on. There are lists of voices that have brought their concerns to the table, and unlike the member opposite, there are numerous views on this subject. The round table is actually discovering what those views are. We are hearing that trustees have an opinion; that parents have an opinion; that superintendents, principals and — yes — the B.C. Teachers Federation have a view.

That's why this is a complex issue. It is much more challenging than the member opposite would suggest here today.

**D. Chudnovsky:** Chairperson, good afternoon to you and to the minister and to her staff. It's great to be here to talk about our schools and education.

The minister commented a few minutes ago, in quoting from a letter from the BCCPAC, that strictly limiting class sizes, according to that group, in the collective agreement would be counterproductive. But the minister understands, of course — does she not? — that the class size language in the collective agreement that was stripped out of that collective agreement by this government didn't strictly limit class sizes at all. There was flexibility in that contract, was there not?

**Hon. S. Bond:** Actually, the information that has been provided as a result of that came expressly because parents had experienced some challenges with their students being sent to other schools. They had to.... The member opposite may not like that fact, but that actually occurred in British Columbia, where siblings were not able to be in the same school. There were a number of circumstances.

My point is simply this. There are different views of how best to approach meeting the needs of students in this province. It absolutely requires a discussion of class size and composition, but there are different perspectives on how those goals can be met.

**D. Chudnovsky:** The minister's point of view on this question is well known, and I take it very seriously. I disagree with some of what she has to say and agree with other parts of what she has to say. That wasn't my question.

[1610]

My question was about what was in the collective agreement. By the way, it wasn't the teachers' collective agreement. It was a collective agreement between the teachers and their employers. My question was whether, in fact, there was flexibility as opposed to strictly limiting class sizes, which is the quotation she read. Is the minister aware that there was flexibility in that collective agreement to take account of special circumstances of students in schools across the province?

**Hon. S. Bond:** We are aware of the 60 collective agreements that were in place. I would ask the member opposite: is it flexible when you have to tell a student that they're number 31 and cannot be in a classroom? Is it flexible when your child has to attend another

school? The reality is that those were some of the situations parents faced.

Let's be clear that the quote the minister actually read is from parents in this province — in fact, the organization that represents thousands of parents.

**D. Chudnovsky:** I'm quite aware of where the quotation came from and referred to it in my question to the minister.

The minister should be aware that there was flexibility in the collective agreement with respect to class size because the excellent staff member sitting to her left is the one that negotiated that flexibility on behalf of BCPSEA with the excellent MLA, at whom the minister is looking.

In the year 2000 there were negotiations between BCPSEA and the British Columbia Teachers Federation, and BCPSEA, on behalf of school boards, brought the issue of flexibility with respect to class size in the collective agreement to the table. There were very productive and very friendly discussions and negotiations between the parties, and at the end of the day, the parties agreed to flexibility as opposed to strictly limiting class sizes in the collective agreement.

My point is that when we look at those tools and methodologies for taking care of the issue of class size and competition, as the minister states, we should be clear about the realities of what was and what now is.

**The Chair:** If I may, to the member: as you pointed out, that was the year 2000. I would like to remind both sides that Vote 24 is on the 2006 allocation.

Interjection.

**The Chair:** I hope sooner.

**J. Horgan:** I would like to carry on with my remarks with respect to class size and class composition. I did suggest to the minister that I did step out briefly when she was making her introductory remarks yesterday. I was hopeful when I reviewed the *Blues* that I would find she had said that one of her highest priorities would be resolving this fundamental issue that was brought to the public's attention very graphically last October, and that is that there is a perception, certainly, and a reality in many, many classrooms — at least 9,000 of them, by the minister's admission — of excessive class sizes.

I made reference to labs and shops as examples. I have heard those who are apologizing for the statistics say: "Well, it is the band class. Everyone knows you need at least five saxophone players to make a decent band." But I don't believe that is the challenge. I think the challenge is for the government of British Columbia, and I offer on behalf of the official opposition every level of cooperation possible to put this at the top of the list for the minister to address.

As we opened estimates, we talked about various interesting initiatives that the government has prepared. We talked about healthy living, healthy eating, getting junk food out of schools. We all agree on that

stuff. The reason we do is because it is the right thing to do.

Where we seem to disagree is on what is the most fundamental concern for parents, for teachers, for administrators and for school trustees. The minister will recall that over half of the school districts in British Columbia corresponded with the province last fall, urging a resolution to this issue. Mr. Ready did a very good job for all of us by finding that first \$20 million. My question to the minister is: where are we going to get the rest of the money to finish the job?

**Hon. S. Bond:** First of all, the member opposite should go back to the comments I've made, and we should talk about what is our highest priority. Our highest priority is actually to serve students in the best way possible. Perhaps the member opposite who is bringing forward the view of the official opposition might want to go speak to the Leader of the Official Opposition, who actually has a distinguished career as a school trustee in this province.

[1615]

When the Leader of the Opposition was a school trustee.... I know the member opposite doesn't like this quote and brings that to my attention every time I use it, but there is a person who actually spent time working in the public education system. The Leader of the Opposition's comment was that children don't come in class-size packages. There are some problems out there.... I paraphrase, and I will be happy to bring in the exact wording so that I can be very careful with that, but the point is well taken.

We care about the way students are served in this province. You know, I believe that when those decisions get to be made closer to the classroom and, indeed, at the round table.... I've heard from teachers and teacher reps who are there that they don't get to have consistent input into that decision-making, and that concerns me.

But I can assure you of this. I spoke to a teacher, too, and I actually visit classrooms as well. I had a teacher express it best. I said this to the member opposite yesterday, but I understand you need it repeated today. The fact of the matter is that I had a teacher say to me: "I can manage 30 students in my class, depending upon the children who are in that class" — and also the teacher with the skill set that is in front of them — "but I can have a class of 24 and it can be really hard to come to school the next day."

All we're saying is this: we need a process that allows for there to be decision-making based on what's best for our students in combination with what's best about our teachers. Your leader said: "Children do not come in class-size packages." You may want to discuss that with her before you bring the view of the official opposition.

**J. Horgan:** If the Leader of the Official Opposition didn't have confidence in me, I wouldn't be standing here talking to you — would I, through the Chair?

However, I do want to continue on....

**Hon. S. Bond:** You don't like the quote — do you?

**J. Horgan:** I'm happy with the quote, hon. Chair, because life isn't that simple. But blind rejection of the premise that we have a problem isn't going to solve it. That's the issue.

The minister had her opening remarks yesterday, and she didn't make one reference to this profoundly important issue. So here we are. We're having a discussion. I have some colleagues here that are going to join me in that discussion. We're going to spend the rest of the day talking about it. The easy solution for the minister in this instance would be to stand in her place, acknowledge that it's the number-one issue facing the government and ask the opposition to help, and we'll roll up our sleeves.

With that, I give the floor to my colleague from North Island.

**C. Trevena:** I'm going to continue with my colleague from Malahat—Juan de Fuca's questions about class size and class composition. It is an issue that is of concern to many people. Obviously, there are many different opinions on what class size and class composition relate to. Like the minister, I have a rural constituency, and so the pressures and the needs are very different.

I just wanted to bring the minister's attention to one class which I think is not too unusual. This class is at Discovery Passage School in Campbell River, where the teacher has two children with cerebral palsy, one with attention deficit disorder, another with ADHD, one who has a psychiatric educational assessment — they are 38th on the list for the assessment, so they need somebody to read and write for them — another child with a grade-one level of reading, one with an organic brain injury, five 1701 special needs students, and the likelihood of two more Korean students coming in. District 72 has an agreement to have children come in from Korea. There are 29 children in this class.

I would like to ask the minister how this reflects on the government's commitments for composition.

**Hon. S. Bond:** We would be delighted to take that information and go and have a discussion. Actually, we did that this morning with the class that was brought to our attention by the member opposite. I'm absolutely happy to take that information and go back and ask why a class would be put together with the makeup that the member opposite suggests.

[1620]

Let's go through the example. One of the things that class size information now allows us to do is to actually ask schools and school districts why a particular class has been constructed in a particular way. We have a very fruitful example here, when the member opposite gave us a class this morning.

We want to check those classes as well as anyone else, and when we hear concerns about the number of children and how those children are placed in a class, we're going to be checking on them individually. The

class that was given to us this morning.... We contacted the district and the school and talked about this particular class that the member opposite brought to our attention.

The class was structured purposefully by the professionals in the school. This is the member opposite's case. In this school there is also a full grade four class and a full grade five class. There are grades four and five students — I'm not going to name the teacher's class — that were grouped for instruction. There are six grade five students in this class, and four of them have special needs. One of these students has Down syndrome and is accompanied by a full-time attendant. All four of the students leave the class every morning to be taught by a specialist in special education.

There are 17 grade four students in this classroom. None of these students are designated students with special needs. Some require learning assistance and are part of a pull-out program where they go to a learning assistance teacher. At other times the learning assistance teacher comes in the class to work.

Is this a challenging class? Yes, it is. But there are three teachers and a full-time teacher's assistant working together to help the 23 students in the class that the member opposite brought to our attention. In fact, it's not as simple as standing and quoting a list of numbers. These are children with individual and specific needs.

As surprising as it might seem to the members opposite, there are professionals who sit and discuss and sort out how best to serve the needs of those children. So, like this example, I'd be delighted to take the member opposite's information, and we'll go back and ask the school what rationale was used to place those children in that classroom.

**C. Trevena:** I'm delighted that the minister will take this information. I'd like to ask the minister, if we were to collate information like this for every school, whether the minister will go and check on the composition, makeup, and be able to report to the individual MLAs on this.

**Hon. S. Bond:** Well, we're happy to check on classes where people have significant concerns. But I know this. I have visited dozens of schools and classrooms around this province, and I have confidence and a faith in the fact that we have professionals and educators who actually work together to make decisions.

It's very easy to stand up and quote numbers. But the responsibility of schools and school educators and teachers working together is to look at what the member opposite's Leader of the Opposition has suggested — that children don't come in class-size packages — and assess the children, the students, the teachers that are there, the support services. Very often we hear the numbers quoted without the actual resources that are attached with teaching assistants as well.

While we're on that subject matter, when we talk about the issues that have actually been brought to the table, we know clearly, if we can now finish the

thought around what the Leader of the Opposition did comment about in terms of class size.... Here is the final part of the quote: "No one disagrees that smaller classes are good for kids, but putting kids into classes based straight on numbers and not on other educational or social reasons.... I don't think that's good for kids."

**J. Horgan:** I have at no time suggested that these are easy solutions. I don't believe the Leader of the Official Opposition has any hesitation in reinforcing that quote — anytime, any place, anywhere — and I'll back her right to the hilt.

The challenge is that, by her own admission, the government has 9,000 classrooms in excess of 30 students. We have all acknowledged; the Leader of the Official Opposition's just been quoted as acknowledging.... Everyone understands that smaller class sizes lead to better outcomes. So if that is the case, if we all agree on that premise, why don't we work toward that?

**Hon. S. Bond:** Let's look at the numbers too. Let's look at the facts — the 9,000 classes. We're not pretending for one minute that class size or composition is an easy subject matter. The member opposite knows clearly that I've said that consistently.

[1625]

Let's look at how many of those classes have 31 or 32 students in them. The vast majority have 31 or 32 students in them. The vast majority have 31 or 32 students in them. What happens on the other end of the spectrum because of those decisions made at the school level? We have 14,853 classes with 20 or fewer students in them. We have 64,590 classes with 32 or fewer — in fact, 96 percent. The member opposite can quote the number of 9,000 classes, but 96 percent of the classes in this province are below 32.

Now, when we look at a class that has 31 or 32 students in it, we believe that educators make that decision based on the students, the teachers and the resources that are available. In fact, it might actually allow there to be a smaller class where we have specific needs that are in some way greater or different. That's what flexibility is about.

**C. Trevena:** It's a very difficult thing. We're bandying around statistics and figures and what it all means. Nobody is questioning how difficult it is.

[V. Roddick in the chair.]

As I mentioned at the beginning of my statements, like the minister, I represent a rural constituency. As a rural constituency, there are many other pressures. One of them is the fact that we have blended classes.

I would like to ask the minister. In all the local papers the ministry put out advertisements about facts on class sizes, which did have statistics. So I would like to come back to the statistics. For instance, in school district 84 the advertisement talks about how many chil-

dren are in kindergarten, how many in a one-to-three class, how many in a four-to-seven class and how many in the eight-to-12 class.

I think what is possibly somewhat misleading in these statistics is that many of these classes are blended. There may be only a few kids in the grade four class — maybe two or three. You've got, maybe, many more in another class.

I would like to ask the minister — about school district 84, which is the west coast of Vancouver Island — how the ministry will be dealing with issues of these blended classes. I would like to cite what the teachers have to do. For instance, there's one teacher who is teaching math eight to ten, math 11 to 12, physics 11 to 12, biology 11 to 12, chemistry 12, science eight to nine, science ten to 12, foods four to seven, foods 11 to 12 and an intermediate class of four to seven.

**Hon. S. Bond:** The situation that the member opposite describes is not new in education. I do indeed live in a rural riding, and in some of the very rural parts of my community, teachers do numerous things. That's one of the challenges of small schools in rural and remote communities.

One of the things we're doing about that is looking at increasing opportunities for our students through virtual and other types of technology. Yes, there are challenges with connecting some of those communities. We know that it is a challenge to find teaching resources, and teachers often do multiple types of responsibilities in rural and remote communities.

[1630]

**C. Trevena:** I'm not sure that the minister actually did answer my question of how this was going to be dealt with, apart from that it is a challenge for a rural community and a rural community school.

I'd like to expand a little bit on this, if I might. One of the issues is that it is a small school district. There are 430 students, which is why I believe that the statistics quoted in the advertisement are somewhat misleading, because it is such a small district. One of the issues is that a high proportion of students in the district have English-skills-development designation. In fact, it's about 39.5 percent, which obviously adds to the pressure of the teachers. So again, I'd like to ask the minister how these issues are being addressed in the present system.

**Hon. S. Bond:** I'm not sure what else I can say to the member opposite. I mean, the fact of the matter is that small and rural communities face challenges with teaching opportunities, with finding teachers, often with recruiting and retaining them. I have small communities in my riding, and there are times when you can't offer English literature. Either you don't have enough students, or you can't find teachers to do some of the senior math. Those are challenges that have existed since I was a school board chair, and that was a long time ago.

One of the things we do is provide — for example, to the member opposite's district, which is school dis-

trict 84... If you look at per-pupil funding, some of the challenges that rural and remote communities face are reflected in the per-pupil funding. The average per-pupil funding is \$7,000-and-some. The per-pupil funding amount for this member's school district is \$13,414 per student, and what that allows is for smaller class sizes and various unique challenges. So the per-pupil funding amount for the member opposite's district is almost double that of most districts in this province.

**C. Trevena:** I think it's a little difficult to sort of put a price tag on these things. There is obviously more money going because of the English skills development. There is money going because it is a rural school.

I think that the minister has raised an interesting point, and there are some schools where grade 12 math isn't being taught, or grade 12 science, for whatever reason — largely because the act of getting the teachers there or having enough students to make the class go.... However, as I have raised with the minister in the previous debate, this is a concern for parents because parents are working in a town, and....

Let's use the example of school district 85. We have parents who work in Port Hardy and expect their children to get the full-quality education that any other child would get — based in Port Hardy because that's where the parents live and work. And yet there are issues about access to all the classes. I'd like to ask the minister how she will be resolving — apart from citing figures of how much per-pupil spending there is — the issue of providing education to all our kids at the same level.

**Hon. S. Bond:** I really appreciate the question. I would be really hopeful that some point the members opposite would actually endorse some of the thinking about how we levelled the playing field in the province of British Columbia. I live in northern B.C.; I was born and raised there. I very much care about equity and how we deal with that across this province.

One of the things that matters is that we created a rural strategy that will talk about the very kinds of things that will level the playing field. Whether we like it or not, we know that we have to utilize technology. The member opposite, the Education critic, earlier talked about the value of face-to-face education. We absolutely agree with that, but there are also opportunities for students that are being lost because we don't have a critical mass of students in small communities like the member opposite's.

One of the things we're doing — and it's exciting news, and yet, you know, there seems to be reluctance about this on the opposite side of the House as well — is looking at a virtual school. Yes, I recognize the issues of connectivity, and we're also, as a government, working on that because we know there are communities, especially aboriginal communities, that need additional resources in terms of technology.

[1635]

We're trying to put together a strategy that will alleviate some of the member opposite's concerns — that will actually address the decades-old issues of



resourcing, retaining, recruiting, having small student numbers.

In my own riding, in school district 57 in Prince George, for example, the students in McBride Secondary School did not have an opportunity to have English lit, and that was a course that a number of students wanted. We were able to connect McBride Secondary School, Kelly Road Secondary School and Prince George Secondary School, three different classrooms in three different physical locations — one that is two hours away from the others — and connect those students together. Using support staff and teachers in those particular sites, those students for the first time are getting a chance to take English literature. Should they have that opportunity? Absolutely, and we're working aggressively to find ways to close those gaps for rural and northern and remote students.

**C. Trevena:** I welcome the minister's explanation. I think it is very important that we do have to level the playing field, and there's clearly an understanding of trying to make sure that students can get equal access to teaching.

However, talking with professionals who have looked at and studied Internet learning and using it as a tool for teaching, they have made it very clear that it is almost as labour-intensive if not as labour-intensive as direct classroom teaching. We still need to make sure that there's a classroom teacher there. You still need some face time. You still need somebody who can look after the children with special needs. It doesn't address some other issues that are there, some of the other challenging issues.

I think that looking at Internet connectivity is one way of addressing the problem, but it doesn't also address the problem of issues such as science. If a school doesn't have a full science curriculum, it doesn't address that. Again, these are issues that I raised at the last estimates debate around school district 85 and science.

I would like to ask the minister.... I know we're going back to the issue of quoting numbers, but I really am very concerned about the high number of students in many classes. I know that each class has its special examples, but I mean.... I have a number of examples where you have a high school math class of more than 30, where you have English classes with well over 30 and including special needs children and ESD. I think the minister really hasn't explained properly how these issues are going to be addressed on each individual school basis, without getting us to provide her with each individual classroom composition.

**Hon. S. Bond:** You know, the member opposite continues to refer to.... Particularly in her district, there are, as I understand, 400-and-some students. If there are massive numbers of large classes.... The member opposite has also just talked about the number of small classes. You know, what we actually need to do is get the information, and let's get down to the nub of what the issue is. It's simply not acceptable to continue to stand up and talk about massive numbers of large

classes and challenging situations without actually bringing that data to the table.

We'd be delighted to go and look and sort out what the issues are and how classes have been put together in that school district, but let's be clear. I mean, we have in this province thousands of classes that are less than 20 students. In fact, we also have classes — 96 percent of them have either 32 or less students. There are decisions made at schools every day as to how to best serve students in classrooms. But, again, if the member opposite has lists of math classes that are over 32, I would be delighted to have you give them to me.

**C. Trevena:** Madam Chair, before I proceed, I'm not quite sure about the etiquette of this. I have some information which is on my computer screen on class sizes. I'm not sure whether I'm allowed to read this from my computer screen. Otherwise, I can print it and read.

[1640]

**The Chair:** I understand you're not allowed to do that. That has been quite clear in the House, and the same rules apply here as in the House — it's BlackBerry or computer — during these questions.

**C. Trevena:** Thank you very much for the clarification, Madam Chair. I will go and make sure I have it on a piece of paper on my BlackBerry in a couple moments. I would like to clarify....

**The Chair:** I'm sorry. You can't use your BlackBerry either.

**C. Trevena:** All right. Okay. I'll get it printed on a piece of paper. Thank you, Madam Chair. I just wanted to clarify that.

I would also like to clarify with the minister.... I think there's some confusion. There are three school districts in my constituency. We have school district 72, which is Campbell River and Sayward. We have school district 84, which is the west coast, and school district 85, which is Port Hardy, Port McNeill and the islands. I'd just like to clarify that for the minister. I will return in a moment.

**D. Chudnovsky:** I wanted to talk for a bit and get some clarification about some of the figures that were being used last night in estimates around additional teachers. The minister will recall that there was a discussion with my colleague from Malahat-Juan de Fuca about figures that the minister introduced with respect to additional teachers. We talked about whether there were new teachers or additional teachers.

I wanted to go back to that, because I've done some checking. My understanding from the 1530s is that from September 30, 2004, to September 30, 2005, there were 432.14 full-time-equivalent additional teaching positions. Does that information sound correct?

**Hon. S. Bond:** The number that we were reflecting last night.... I made it clear at the time that it was ap-

proximate, because I didn't have the information in front of me. We asked school districts to report back to us in terms of the resources that they had utilized with the \$150 million increase.

[1645]

The report we received showed that B.C. school districts had budgeted for 1,600 additional full-time-equivalent staff, including 630 teachers. That would be the head count. The number that the member opposite reflects is 402, I understand, which would be the FTE count. But this data was collected directly from school districts. The number is 630. That would be the head count. The number the member opposite gave us is FTE.

**D. Chudnovsky:** There's no suggestion here that we were getting the wrong numbers or being misled or anything like that. I'm seeking clarification to understand better the situation in schools. Frankly, the desire for clarification came from the gross number of 1,200 that the minister gave, which didn't sound right to me in terms of FTEs.

So what I'm attempting to do, in the last question and the next couple, is to just nail down, for my own interest and needs, the FTEs. Let me suggest to the minister that — and again, hopefully she can check that — in the October 2005 to January 2006 period, which followed immediately and was the second period that the minister was talking about last night, my understanding is that 547 FTE teaching positions were filled. Does that square with the minister's information?

**Hon. S. Bond:** Well, we're closer on this one. The actual number is 551 full-time-equivalents. But let's remember now, if we're going to compare those numbers and look at actual people in the system, this is FTE, which means that the head count would be higher. So we have 630 when you use head count in the first period of time, and we're comparing that to 551 FTEs in this particular period of time.

**D. Chudnovsky:** So if we talk about FTEs for a second, which is the figure that is important for the purposes of these questions, then my understanding would be that in the September '04 to September '05 period we've agreed — 432. October 2005 to January 2006 — well, we're still not 100 percent together, but we're pretty darn close. My figure is 547 FTEs and the minister's figure is 551 FTEs for a total FTE teacher increase in that 18 months of 980, give or take. Mine would be 979; the minister's would be 983, I think. But am I correct? Is my math correct?

**Hon. S. Bond:** We're close. The number that we have is 983 — the FTE. Or, as you said, give or take, so we want to make sure we give. It's 983. But the key factor is to remember that that is full-time-equivalents, but actually, many more people than that because of the head count.

**D. Chudnovsky:** The minister can be assured that I will never forget the difference between FTE and the

number of people. There may be some in the House who forget the distinction between the two, but I won't. Just to be clear as well, the minister may have been in a conversation with her staff when I said my number is 979. Hers is 983. Let's make it 980, give or take. I'm satisfied with the numbers at this point.

Is it the case that the 547 — or 551, depending on which set of figures we use — will be reduced in the coming school year because it will be spent over the full year as opposed to part of the year?

[1650]

**Hon. S. Bond:** Certainly, the member opposite knows the system well and knows that, indeed, because it is actually going to be spread over a year.... We know that school districts will make decisions about that based on the priorities that they always set. Having said that, we will certainly be indicating in budget letters that our expectation would be that school districts would consider amongst their first priorities the issues of class size and composition, and with that, of course, comes the focus on additional staffing.

**D. Chudnovsky:** Thanks to the minister for that.

I wonder if we could talk just for a minute or two about the minister's characterization or description of professional decisions that are made at the school level which result, certainly, in particular configurations in particular classrooms and particular class sizes. Would the minister not agree that the main context in which those decisions are made is the resources available from the province to do the work that school districts have? And so there is a range within which those decisions, what the minister has described as professional decisions, are made.

Lots of advice on that one.

**Hon. S. Bond:** Normally, I just give my own answer, so that ends up being a challenge.

To the member opposite: that is certainly a piece of the context, but let's also look at the whole picture of that context now. We have declining enrolment, and again, this year we will see about 7,000 students move out of the system.

Back to the member opposite's original supposition about whether or not there would be a decreasing number of staff, we also have 7,000 fewer students. That would be the numbers that have been given to us by school boards. So we have declining enrolment, but we do have additional resources going to the school system at the same time for that decision-making. When we look at per-pupil funding, it is at the highest level ever. Again, absolutely, the financial part of the discussion is certainly one that plays a major role in those decisions.

I also know that school districts — of their own choice, and looking at the prioritization of their funds over the last number of years — have very much focused on things like specific reductions in class sizes to, in particular, inner-city school classrooms — for example, in my school district.

I think there is a combination of factors, but the member opposite is correct that financially that is one of the key components.

**D. Chudnovsky:** It is the case that decisions made, as the minister described them, by professionals in a school are made in the context of a staffing allocation that comes to schools. The professionals in the school don't get to decide on their own how big the staff is going to be in that school.

**Hon. S. Bond:** Actually, that's right. The member opposite is correct. That's exactly why, despite the fact that there is enormous anxiety, we want to talk about a proposal that is called student-centred leadership. In fact, we would like to see not the staffing allocated; we'd like to see a discussion about how resources are allocated to very much allow the kind of discussion that the member opposite is eventually going to get to in his line of questioning.

[1655]

We know that there are teachers.... And it has been expressed at the round table that there is a concern about the consistency of involvement in teachers in that decision-making. We've heard exactly the same story from parents and other partners in the system. So rather than have a one-size-fits-all system where resources are allocated automatically through staffing, we'd like to explore the possibility of actually giving the resources to that school to make the decision closer and allow for a more legitimate — in our view — attempt at having that educational dialogue.

**D. Chudnovsky:** Well, we'll get to school-based budgeting, site-based management and student-centred — whatever-it's-called-this-week — eventually. I'm sure we'll have a very useful and productive discussion about that. But I want to stick with what the minister described as professional decisions at the school level with respect to class sizes and composition.

I think that the minister — and thanks to her for her acknowledgment that a group of professionals at the school level.... It's not within their ability to decide how many staff are going to be at school. There's a staff allocation that typically comes from the school district, and it's within that context that what the minister describes as professional decisions are made.

So let's go back to some of the information that the minister gave us before. She was talking about classes of 31 and 32 and describing a situation that my colleague from Malahat-Juan de Fuca brought to her this morning. The minister said that professionals made decisions about the allocation of students to classes and about the size of classes.

But it is the case, and I'm sure the minister will agree, that those professional decisions were made within the context of the resources allocated to the school. For instance, those professionals couldn't have decided that each of the classes would have 22 students in it and that there would be no more than two or three students with low-incidence special needs in any one

of those classes. That would have been impossible — wouldn't it have?

**Hon. S. Bond:** First of all, I want to go back to the comments. I'm sure I look forward to a discussion about actually having school-based decision-making, or decisions made closer to classrooms. I look forward to that. The fact of the matter is that there are districts who are already doing that in this province, and they've done it very well.

That happens in British Columbia — in fact, quite close to my back yard. I'm not going to question an answer that the professionals in the school district gave to us when we asked specifically about how that class was constructed. We were reassured that there was a rationale, that there had been discussion and that the class was purposefully designed. That's the language that was given to us.

I've heard this, as I said to the member opposite, consistently at the round table. Teacher representatives there continue to say that it is not consistent across the province that teachers actually have participation in the process that designs classes. We think we should do something about that. Teachers should be involved in that decision-making, and that's why we're going to explore a new model in the province.

**D. Chudnovsky:** That was an interesting and useful introduction to a discussion that, with respect, we're not yet having. As I said before, I very much look forward to having that discussion over time with the minister, and I'm sure my colleague does as well. The question was much more specific, and it related to the space for the decisions that professionals make.

The minister, I'm sure, is not suggesting to us that those professionals, about whom she has spoken this afternoon, in the school and classroom that my colleague brought to her attention this morning.... The minister, surely, is not suggesting that if they could have, those professionals wouldn't have arranged for smaller classes for those students. Surely, she doesn't expect us to believe that they chose to have bigger classes over smaller classes because they wanted them.

[1700]

**Hon. S. Bond:** What I would like the member opposite to know that we believe is that when a group of people comes and puts together a classroom, with professionals making those decisions, and there are three teachers and a full-time teacher's assistant working together — we make that clear — to help 23 students succeed in school.... That probably had some significant thought about how and why that was done.

**D. Chudnovsky:** Do I take it that the minister is suggesting to us that the optimum learning situation for those students is three teachers and a learning assistant? Is it her position that that's the optimum learning situation for those students?

**Hon. S. Bond:** The member opposite has made my point very well. I don't think it's the government of British Columbia or the people sitting in Victoria that are best positioned to make that decision. What I'm saying to the member opposite this afternoon is that after an inquiry about a particular class, we asked a legitimate and thoughtful question about why those children had been placed in a classroom. A rationale was provided to us by the professionals to whom we entrust our children every day in this province. They are in the best position for making those decisions.

**D. Chudnovsky:** I note that the minister had the opportunity, but wouldn't take the opportunity, to suggest that that's the optimum learning situation for those students. I think that I want to thank the minister for not having taken the opportunity to do that, because we all know that that would not have been as good and as appropriate an answer as the one that she gave.

[H. Bloy in the chair.]

I wonder if we could move to the issue of class size and class composition in general. I'd like to ask the minister if she still believes, as she did in the fall... In October I recall both her and the Premier saying that they believed that there was a problem, a challenge, an issue of class size and composition in our schools that needed to be dealt with. I'm wondering whether that's still the case for the minister.

**Hon. S. Bond:** Both the Premier and I have said clearly that we are absolutely committed to having a discussion about class size and composition, because they are critical components of a discussion about any child's and student's education. To be absolutely precise about what the Premier and I said — and I want to be very clear about this — we said that we would consider options, that we would look at a number of opportunities and that we would continue to have a dialogue about this very important issue.

**D. Chudnovsky:** Could the minister point out in the budget estimates for this coming fiscal year where the important issues, problems and challenges of class and composition are dealt with?

**Hon. S. Bond:** As we went through and canvassed this issue with the member opposite last evening — not this member opposite, but the Education critic — the lift to the public education budget was \$98 million for this year. There's over \$400 million being added to the system over the next three years.

In fact, we had \$150 million added to the system last year, that at a time when enrolment continued to drop. This year alone we anticipate 7,000 students and a total of about 30,000 fewer students over the next number of years. We would anticipate that school districts will deal with the issues, as we suggest in their budget letters, focusing on issues of class size and composition.

**D. Chudnovsky:** Does the minister have a sense or a prediction or a projection or an expectation as to the changes that we will seek in the system this year to deal with the issues that she and the Premier have characterized as being very, very important — that is, class size and composition?

**Hon. S. Bond:** To the member opposite, I wish I could stand here and tell you what that answer is. One of the challenges that we face, as I explained earlier also, is the fact that there is not a universal view of that, either at the round table or with various partners in the education system. There are differing views about how to ensure that we serve students well in this province, so that continues to be an issue.

[1705]

We've certainly heard conversations about the effectiveness of the round table. One of the reasons that the round-table meetings are challenging is because not everyone agrees with everyone in that room, and that's to be expected. We had parents in this province come to the government in 2000 — to the previous government, I would assume, because it was 2000 — and suggest that rigid class size numbers were something that were causing challenges for students. Those are the kinds of diverse views we have at the round table.

To answer the member opposite's question: I don't have the answer, because we haven't come to a consensus or even been able to share all of the opinions at the round table that are necessary to understand the issue.

**D. Chudnovsky:** The minister will be aware that the government precipitated a crisis in the schools in the fall that was, to a great extent, based on these issues, which the minister and the Premier eventually agreed were important issues in the schools — that is, class size and composition. For four years all the Ministers of Education and the Premier had denied that that was in fact the problem in our schools. But eventually the minister came to the realization — and she's to be thanked and congratulated for that — that, in fact, class size and composition were important issues and problems in the schools of the province.

There was a disruption precipitated in the province because it took that long for the minister, the government, to come to that realization. We're fearful — and I think that thousands of parents and students and community people are fearful — that the government may yet precipitate another crisis in the schools if we aren't very, very specific sometime soon about what the solutions to the problems that the minister has identified are.

So I would ask the minister whether the minister has the same fear and concern about possible additional disruption to this system if we don't find specific and clear answers to the problems that she herself has identified.

**Hon. S. Bond:** I continue to be optimistic that the best thing we can do is continue to dialogue with people who have diverse opinions. I know the member

opposite, because of a well-respected background and a particular set of views, carries one of those voices to this table and to this House today. But, in fact, there are other views on this issue.

Our goal and our hope, shared by all of the partners, is that we actually can find a resolution that will keep children in schools. I respectfully disagree with the member opposite about the characterization of the issues that took place in the fall. One of the things that this government has said clearly is that we believe that education is an essential service. We believe it is essential, and all of us regret the fact that our students were not in classrooms. To be candid, it was surprising to us that teachers would choose to participate in illegal job action in this province.

Was that a surprise? Yes, it was. But we're committed to trying to find a solution, and I will continue to repeat this as many times as necessary. There is more than one view, and while I appreciate the members opposite bringing one particular view to the table and views of others who may share that.... Even the Leader of the Opposition has, and I will continue to remind people of that as well, because, quite frankly, that needs to be addressed. There is a belief there about class size, and we have to figure out how we move forward and make sure that we hear all of the partner groups, not simply one.

**D. Chudnovsky:** I just want to comment first that the point of view that I bring to this discussion is the point of view of the people of Vancouver-Kensington, who have consistently, over and over again, said to me over the last months that they are tremendously concerned about problems of class size and composition in the schools of Vancouver-Kensington. Those are the voices that I represent here.

As late as this weekend I had discussions with parents and community members in my constituency who are very, very concerned about this issue and frightened about the consequences of not finding a resolution to these issues, which the minister herself has indicated are real issues. So, those are the voices that I bring to this House.

[1710]

I wonder whether the minister could tell us a little bit about what process the minister expects to use in.... If there comes to be a consensus in the discussions that she has described, what process will be used to implement that consensus? And if there doesn't come to be a consensus in the discussions that she has described, what process will be used to bring resolution to the problems that she has talked about?

**Hon. S. Bond:** We're going to continue to have dialogue at the round table. That's a key component of this discussion. As the member opposite knows, the round table's role is to provide advice to government. Should we be in the position of doing that, the round table will make those recommendations.

I want to be clear about what the commitment we made was. We made a commitment to consider op-

tions, and certainly, various partners at the table are continuing to provide us with various options. Not all of them are related to a rigid class size number.

**D. Chudnovsky:** There might be a debate for another time and another place about what the commitments were, but I want to pursue the question that I asked just a little bit, if I may.

The minister has described what would happen if there is an outcome at the round table that might lead to government action. What if there isn't consensus at the round table? What if the differing voices that the minister has told us about aren't able to come to agreement? What process then?

**Hon. S. Bond:** I'm not going to speculate about not coming to resolution. One of the things I am going to continue to do is continue to work hard to hear from a variety of people around the province. That includes the round-table members.

**C. Trevena:** I'll continue with where I left off before I had problems accessing some information.

I'd like to ask the minister.... We were talking earlier about the different school districts in my constituencies and the needs therein. We've been talking about the different class sizes. Some have blended classes because they are small school districts with schools that are under pressure because they are rural schools. In the city of Campbell River we have large class sizes, and it's a separate school district, just to clarify for the minister.

I'd like to ask the minister — bearing in mind what the minister was saying earlier about every student being different and everything having a reason — whether she can possibly provide the information to me, if not today, within the foreseeable future about the reason for a grade ten English class — three classes, one of which has 29 and two have 30 students. One of the classes has six special needs students. That's at Timberline. We have a principles maths class at Timberline — grade 12 with 33 students and three classes in grade 11 with 30, 30 and 32 students.

At Carihi, the other high school in the city, we have two math ten classes with 33 and 34 students. We have socials classes with the minimum 31 students where there are four special needs and three ESD students. That is reflected in another class with 31 students. At Carihi we also have a principles math 12 class with 36 students.

To continue, at École Phoenix Middle School — I won't give you all the classes — one of the classes is English eight, where there are 30 students, five with special needs and four ESD or ESL, and another math eight class where.... There are six actual classes with 30 or more students, and one has six special needs and two English skills development or English as a second language. These are just highlights of some of the classes.

I'd like to ask, while understanding that every child is different and everybody is being listened to, how

these students are supposed to get a good-quality education?

[1715]

**Hon. S. Bond:** We'd be happy to do that work, but I'd like to suggest to the member opposite that if the member opposite has significant concerns about the creation of classes in her particular school district, I'm wondering if the member opposite has sat down with the board of trustees that's responsible for creating classes in the school district. I'd also like to ask if the member opposite has checked to see if there are additional supports or resources provided in any of those classrooms, because very typically there would be additional resources. There would be teaching assistants.

Once again, it's important to provide the whole context, but the first port of call for discussions like this should actually be with the school district. If the member opposite has significant concerns, she should make an appointment, sit down with the chair of the board and say: "Here's a list of classrooms that I'm concerned about. Could you explain for me how they got to be this size?"

**C. Trevena:** With all due respect, I was asking the questions as I understood that this was our chance to ask questions. I have obviously talked with the school trustees about various issues and the school superintendent.

I was asking, having talked to the minister.... We had been talking and discussing the issue of class composition and class size, and the minister had, as I understood it, indicated to me that if I brought issues of class composition and class size to the minister, the minister would look at these issues for specific schools. That was the reason why I cited these. Of course, I would like to explain to the minister that, like with everyone else, I, too, listen to all sides.

**Hon. S. Bond:** I'm happy to take the list of classes. I'm simply pointing out that in essence we want to make sure that when anecdotal comments are made, there is an appropriate context for those.

In fact, we'd be happy to take the list, particularly if the member opposite has the indication on that list of additional resources that are provided in that classroom, in terms of additional support staff and whether

or not students are pulled out of classrooms. That would be a very helpful context. Really, in discussions with trustees, that would certainly be a way of getting that information.

**C. Trevena:** I thank the minister for that and will continue to provide her with information on class composition and class size when I have this information given to me by people who are working in the school system.

**J. Horgan:** I just want to advise the minister and her staff that tomorrow I'd like to canvass repurposing and consultations that are underway in that area. I'd like to have a brief discussion.

My colleague from Vancouver-Mount Pleasant would like to discuss, again, inner-city parents groups and the issues they've raised that are not being heard at the round table. We have some questions around aboriginal funding, some questions around, specifically, school district 82, Terrace and Kitimat — some challenges there that we want to canvass.

My colleague from Vancouver-Fairview wants to discuss skills training programs in schools, and we have some community school issues from Surrey-Whalley.

With that, I ask that the committee rise, report progress and ask leave to sit again.

**Hon. S. Bond:** I do want to correct the name of a facility that I named. I named it incorrectly. I would rather just correct it so the people didn't.... I called it the south Fort George family planning thing, I think. The actual facility in Prince George is called the South Fort George Family Resource Centre. I just want to make sure that I have the accurate description on the record. Thank you, member opposite.

**The Chair:** Member, could you repeat the motion?

**J. Horgan:** Thank you — I will — and I thank the member for correcting the record.

With that, I ask that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 5:19 p.m.

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