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THE HONOURABLE BILL BARISOFF, SPEAKER

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

SECOND SESSION, 38TH PARLIAMENT

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Honourable Bill Barisoff

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TUESDAY, APRIL 25, 2006

The House met at 2:03 p.m.

Introductions by Members

Hon. G. Campbell: Earlier today members of the Legislature joined as we had a ceremony to honour the 90 Holocaust survivors who mark Holocaust Memorial Day here in British Columbia. On this day we remember the six million victims of the Holocaust between 1933 and 1945.

It's hard for us to fully comprehend the horror that stands in such stark contrast to what we have lived through here in Canada and what we aspire to as right and just and human. The Holocaust was a violation of the kind of world we all wish for and we all work for today. There are enduring and painful lessons that we must continue to learn from that Holocaust and the stories of those who survived.

[1405]

It is our humble honour here in the Legislature to be joined in this House today by 50 survivors: Boris Borodow, Holocaust survivor; Rachel Sheryaev, Holocaust survivor; Robert Rubinfeld, Holocaust survivor; Jack Chivo, Holocaust survivor; Marion Chivo, Holocaust survivor; Rita Akselrod, Holocaust survivor; Ben Akselrod, Holocaust survivor; Mariette Doduck, Holocaust survivor; Inge Manes, Holocaust survivor; Esfira Golger, Holocaust survivor; Anna Maria Alpar, Holocaust survivor; Vladimir Hopner, Holocaust survivor; Katy Hughes, Holocaust survivor; Lillian Boraks Nemetz, Holocaust survivor; Malka Pishanitskaya, Holocaust survivor; David Schaffer, Holocaust survivor; Sidi Schaffer, Holocaust survivor; Louise Sorensen, Holocaust survivor; Joseph Polinsky, Holocaust survivor; Alla Polinski, Holocaust survivor; Rose Jordon, Holocaust survivor; Margaret Fraeme, Holocaust survivor; Jack Fraeme, Holocaust survivor; Izzy Fraeme, Holocaust survivor; Lola Apfelbaum, Holocaust survivor; Frances Hoyd, Holocaust survivor; Pola Hister, Holocaust survivor; George Wertman, Holocaust survivor; Frida Wertman, Holocaust survivor; Shalom Lichtman, Holocaust survivor; Mary Knopp, Holocaust survivor; Mark Elster, Holocaust survivor; Saul Cohn, Holocaust survivor; Elizabeth Stern, Holocaust survivor; Bernice Neuwirth, Holocaust survivor; Myer Grinshpan, Holocaust survivor; Nikki Basuk, Holocaust survivor; Bob Boekbinder, Holocaust survivor; Peter Gary, Holocaust survivor; Steffi Porzacanski, Holocaust survivor; Horst Rothfels, Holocaust survivor; Gerald Stanford, Holocaust survivor; Leo Vogel, Holocaust survivor; Henry Theilheimer, Holocaust survivor; Avi Deston, Holocaust survivor; Benji and Katerina Gorodnitsky, Holocaust survivors; Carl Charles, Holocaust survivor; Joe Radman, Holocaust survivor; and Rita Shapiro, Holocaust survivor.

We are all touched by the Holocaust. It leaves an indelible mark on all of us and on the history of humankind in the world. Today in this House we're joined by the Minister of Tourism, Sport and the Arts.

Her mother, Paula Verhoeven, is a Holocaust survivor from Holland.

Together we grieve for the suffering that all of you have endured. We're humbled by your courage, by your strength and by the tenacity of your memories. We thank each of you for joining us today and hope that the work done in this House is a just reflection of your legacy and the lessons of the Holocaust.

I ask all members of the House to join me in welcoming each of these remarkable people here to our Legislature today.

[Applause.]

L. Krog: Visiting us in the gallery today is my older sister, Sheila Dietrich from Burnaby, the oldest of my mother's four children — mercifully not the oldest-looking. Accompanying her is Margaret Eagleson, a former resident of Burnaby, now resident of Victoria, and her sister, Frances Turner, likewise a resident of Victoria. Would the House please make them welcome.

H. Bloy: It's a pleasure to introduce in the House today Clement Apaak. Clement is a foreign student, and he attends Simon Fraser University. He's the longest-serving president of the student society up there and also the longest-serving student senator. Also, you notice your green tags today — Darfur. Clement was a founding member of the Canadian Students for Darfur. If the House would please give him a warm welcome.

[1410]

N. Simons: In the gallery today I'd like to welcome two residents of my constituency. From the upper Sunshine Coast is Warren Behan, who is a member of the Powell River Real Estate Board. I would like to make him welcome along with Mike Davis, who's working hard to make sure that we remember the importance of protecting workers and that regulations are in place to make sure they're protected. Every day he does that, he honours the memory of his father. I'd like to make him welcome as well.

Hon. G. Abbott: In the gallery today with us are several members of the Canadian Breast Cancer Foundation, a volunteer organization dedicated to the fight against breast cancer. I know that plenty of members from both sides of the House this morning had the pleasure of enjoying breakfast with the foundation and its members.

This morning as well, in partnership with the Canadian Breast Cancer Foundation, B.C.-Yukon chapter, the Premier launched an interactive exhibit promoting breast health and screening. The Tour for the Cure will travel to 34 different communities over the next seven months, educating women and their families on the importance of the prevention and early detection of breast cancer.

We want, as a Legislature, to express our support for all of those involved in the Tour for the Cure as

they carry forward the message that finding breast cancer early saves lives. I would ask the House to not only welcome these distinguished guests but salute their marvellous efforts on behalf of the people of British Columbia and Canada.

Hon. G. Campbell: It is my pleasure to introduce today a grade five class from Ladysmith Intermediate School, who are seated in the Speaker's gallery. They've travelled to learn about government and are accompanied by their teacher, Ms. Tammy Hibberson. I hope the House will make them welcome.

D. Thorne: I'd like the House to welcome today Mr. Stephen Lysyk, who is visiting in the House today with the B.C. Federation of Labour health and safety committee. Mr. Lysyk is here helping to promote health and safety in the labour force in British Columbia. He lives in my riding, and I'd like the House to make him welcome.

Hon. R. Thorpe: Mr. Speaker, I have the honour to introduce two members of the B.C. Real Estate Association from your riding of Penticton-Okanagan Valley. Visiting us today to discuss the opportunities of the South Okanagan Real Estate Association from Penticton are Bea Smith, president, and from Oliver, past president Ann Hayes. Would the House please make Mr. Speaker's constituents welcome to the House.

K. Conroy: I would also like to welcome the realtors. I'd like to welcome Liz Haskins, who is a realtor based out of Trail, but she lives in Rossland. It was indeed a pleasure to meet with her and her colleagues this morning. Please help me make them welcome.

L. Mayencourt: I have four guests here in the gallery that I'd like us all to make very welcome. They're all members of the Save St. Paul's Coalition. Aaron Jasper, Brent Granby, Kevin O'Neil and Galen Brewer have come over today to deliver a petition. Please make them welcome.

C. Wyse: Today I'd like to ask the House to join with me in welcoming Willy Berger, a realtor from my riding of Cariboo South.

G. Robertson: I'd like to welcome Mark Weintraub, chair of the Canadian Jewish Congress, Pacific region, and his great staff: Mira Oreck, regional director, and Jeff Bradshaw, education director. I'd like the House to recognize their exceptional job for organizing today's lunch event with the Holocaust survivors and make them truly welcome in this House.

D. Hayer: We also have members from the Fraser Valley Real Estate Board, government relations committee, here today discussing some issues about housing. Would the House please make them very welcome.

Introduction and First Reading of Bills

HEALTH STATUTES AMENDMENT ACT, 2006

Hon. G. Abbott presented a message from Her Honour the Lieutenant-Governor: a bill intituled Health Statutes Amendment Act, 2006.

[1415]

Hon. G. Abbott: I move that Bill 29 be introduced and read for a first time now.

Motion approved.

Hon. G. Abbott: Mr. Speaker, I'm pleased to introduce this bill today. The proposed changes amend the Health Act and the Medicare Protection Act to strengthen the legislative framework for electronic health records in B.C. while maintaining our patient privacy commitment. The changes also make some minor changes to the Health Professions Act.

When a person visits their family doctor or requires hospitalization in their own community, in another community or even in another province, they want to have the best care possible. To do this, key health providers need to know a patient's health care history as soon as possible.

This province, along with provincial stakeholders and national partners, is developing a secure network of electronic health records that will eventually contain information from doctors' offices, laboratories, radiology clinics, hospitals, pharmacies and other places where people access health care. Bill 29 will help make this possible.

Changes to the Health Act will permit the Ministry of Health to create databases or health information banks that contain personal health information. Amendments ensure that the personal health information is collected, used and disclosed by key health care providers for health-related purposes only.

The process for establishing health information banks will ensure transparency, accountability and, most importantly, the protection of privacy. The Information and Privacy Commissioner will review all ministerial orders and information-sharing agreements. In fact, the province's Information and Privacy Commissioner and the office of the chief information officer reviewed and accepted the draft amendments.

The use of electronic health records technology is part of the transformative change to the health care system to ensure that decisions are based on the best patient information available, that information is better managed and that the best decisions are made in the care of the patient. The legislation also supports the first ministers' commitment to accelerate the development and implementation of the electronic health record.

The Health Statutes Amendment Act also makes minor changes to the Health Professions Act and re-

lated legislation. This will allow us to complete the work we began in 2003 to reform and modernize health profession regulations. These changes, while minor and technical, are important to ensure that transition to the Health Professions Act is completed with minimal financial impact to the regulatory colleges and individual professionals.

I move that Bill 29 be placed on the orders of the day for second reading at the next sitting of the House after today.

Bill 29, Health Statutes Amendment Act, 2006, introduced, 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)

HOLOCAUST REMEMBRANCE

R. Chouhan: I rise today to speak in remembrance of those who suffered, fought and died in the Holocaust, one of the greatest acts of collective evil in history. It is important to remember not only to respect those who perished in the past but also to inspire those who live today. It is important to reaffirm triumph over evil, but it was a struggle, and that struggle remains, because we are still capable of such evil.

We must learn from the Holocaust that evil takes many shapes and comes in many sizes. We must confront racism from the moment it appears and wherever it appears. We must ensure that our desire to belong does not become an excuse to exclude. We may value our particular community, our own country and our chosen religion, but we must be aware and careful not to let the love of our own prevent us from the respect and acceptance of others.

Let us celebrate our diversity while recognizing that, above all, we are of equal worth as members of the human race. Let not one life sacrificed in the Holocaust be in vain. Let each death lodge in our minds as a monument to our capacity for evil and our desire to do good.

Let us recommit ourselves to the kind of society in which we all believe — a democratic, just and tolerant society; a society of freedoms and rights; a society where everyone is respected, regardless of race, religion or skin colour; and a society where we demonstrate our compassion for humanity with not only our words but also our actions.

We must act to defeat prejudice and persecution. This kind of society is our hope, and that is why the Holocaust deserves this permanent place in our collective memory. We shall not forget.

[1420]

J. Rustad: I also rise today to mark a day of remembrance of one of the darkest chapters in human existence, the Holocaust. Words can hardly express the depth of evil that led to the calculated murder of six

million men, women and children during World War II. This is a tragedy on a scale so enormous that it's almost impossible to fully comprehend. It's difficult for us now to imagine the suffering and horrors that the victims, survivors and their families must have experienced. It's an atrocity that has left a deep and permanent scar on the collective conscience of our society.

It might be tempting to try and bury our heads in the sand and pretend that such evil no longer exists in our world or to dismiss it as something that happened long ago and could never be repeated. Sadly, we know that this is not the case. We have seen the flames of ethnic hatred fanned in Rwanda, Bosnia and more recently in Darfur, where hundreds of thousands have been killed as a result of ethnic cleansing. It's sombre proof that this horror could happen again.

The victims of the Holocaust taught us a lesson that we can never forget. The legacy is the lesson that we can never assume that the evil that killed six million people is gone. We must be forever vigilant; we must never forget.

I ask the House to join me today on Yom ha-Shoah, Holocaust Memorial Day, in pledging to never forget the victims of the Holocaust. I also call on the House to pledge to stand united against atrocities against humanity, wherever and whenever they may occur in the world.

DAY OF MOURNING FOR WORKERS

C. Puchmayr: This Friday, April 28, is the International Day of Mourning for workers killed and injured on the job. It is a day that families, workers, employers, employees, employee associations, union and non-union get together and remember the victims of workplace accidents. The day of mourning was initiated by the Canadian Labour Congress in 1984 and was first recognized by this provincial government in 1987.

Today over 100 countries in the world will stop to pay tribute to workers killed and injured on the job. Throughout B.C. numerous communities will hold events this Friday. I encourage all members to attend. The day of mourning provides us an opportunity to honour both those who have died and those who are trying to commit to a better, safer place to work for workers.

No one wants to see even one death, yet in B.C. last year alone an unprecedented 188 workers died on the job — 43 in the forest sector alone. This is unacceptable. We have a responsibility as a society to ensure that workers are safe. I encourage each member of this House to take a moment on Friday to honour the memory of a fallen worker and to consider what we, together as legislators, can do to make a better place for workers in British Columbia.

BREAST CANCER AND MAMMOGRAPHY SERVICES

S. Hawkins: The pink ribbon is an internationally recognized symbol that represents hope and awareness

for those affected by breast cancer. In British Columbia this symbol embodies the Canadian Breast Cancer Foundation's agenda of aiming all their programs in addressing four priority areas: prevention, detection, treatment and cure. Breast cancer is the most common life-threatening cancer among women in British Columbia and the second most common cause of cancer deaths.

We have made progress on saving the lives of women diagnosed with breast cancer, but much more can be done. Today, this morning, the Premier, along with the Health Minister, the Canadian Breast Cancer Foundation and the Canadian Cancer Society — in partnership with Telus — kicked off the Telus Tour for the Cure.

The message is simple: mammography saves lives. If you are a woman 40 years or older, you need to have a regular mammogram. There are some really good reasons for women like me to have one. Mammography finds tumours earlier. It saves lives. It takes only minutes, and it can add years of survival. No doctor's referral is required for a mammogram. Mammograms are free. You know what? Most abnormalities are not cancerous, but it sure is worth it to find out.

[1425]

Last October we invested a million dollars to continue an awareness campaign to increase mammography screening for women. We were the first province in Canada with \$8 million a year to fund Herceptin, which is a breakthrough drug for breast cancer, and yesterday the Premier announced \$4 million to establish a research chair at UBC for primary prevention of cancer.

I am so proud and grateful to live in a province that has the highest cancer survival rates in Canada. Prevention is a key to a cancer-free future, but early detection is still one of the best tools for survival. The Telus Tour for the Cure is coming to 34 communities with information on breast cancer prevention, detection and treatment. Wouldn't you take ten minutes out of your busy day if you knew you could extend your life by years? I would. Go and get a screening mammography. I had mine last Friday, and I encourage all women over 40 in our province to do so.

JAPANESE COMMUNITY VOLUNTEERS ASSOCIATION

J. Kwan: Like other members in this House, I take pleasure in acknowledging the non-profit organizations in my constituency and the contributions that they make to the social and cultural vibrancy of our communities.

The Japanese Community Volunteers Association, Tonari Gumi, has its office on East Broadway in Vancouver-Mount Pleasant. For over 30 years the association has sought to provide a community living room to many Japanese Canadians of all ages and backgrounds. In 2005 the association served almost 8,000 people. It did this with a board of directors of 14 volunteers, a small staff, a shoestring budget and an extraordinary number of supporters who helped run

programs ranging from cultural and leisure pursuits to exercise and health promotion.

The association provides advice to people with a variety of concerns and offers outreach to those who are housebound and those in hospital. It offers support services for seniors by helping them with transportation, escort services to medical appointments and translation. These services are integral to our community.

Another group has been working to develop a book chronicling the association's development. That includes the narratives of people who have been actively involved and photographs of people and events. The proposed title is *Tonari Gumi: The Heart of a Community*. Tonari Gumi means service, volunteer spirit and friendship. It is the tradition that has been fundamental to the organization's success in being a grassroots non-profit organization and creating a place where people can help each other and build relations to respond to the changing needs of our community. In fact, Mr. Speaker, it is exactly this spirit that makes Vancouver-Mount Pleasant such a wonderful community in a province that is so rich and diverse.

I invite all of the members in this House to join with me in congratulating and thanking the Japanese Community Volunteers Association, Tonari Gumi, on its many wonderful achievements over the years.

RICHMOND HOSPITAL AUXILIARY

J. Yap: This is Volunteer Recognition Week, and I rise today to talk about a dedicated group of individuals who make a difference to people who use the services of the Richmond Hospital — the volunteers of the Richmond Hospital Auxiliary.

Founded 44 years ago, the auxiliary raises funds to enhance the services provided to patients at Richmond Hospital. Four hundred members strong, the auxiliary deploys its volunteers at four locations in Richmond, including the main hospital building, where they maintain the gift store, and the information and lottery centre. The auxiliary also operates the gift store at Minoru Residence and a thrift store in the village of Steveston, which does a thriving trade in used goods.

All funds raised go to the Richmond Hospital Foundation for the purchase of hospital equipment and supplies — things like geriatric chairs, portable aspirators, walkers, automatic door openers, cots for parents and new blood pressure equipment.

The auxiliary also looks after other aspects of patient life. They recently gave \$65,000 to the recreation and music therapy program at Minoru Residence, \$2,000 to music therapy for palliative care and oncology as well as \$40,000 to music therapy at Lions Manor. Since its inception, the auxiliary has raised over \$4 million for the community.

I recently attended the annual general meeting of the auxiliary and was impressed with the enthusiasm and commitment of these dedicated volunteers who bring care and compassion to our community. So if you're ever at any of the four locations of the Rich-

mond Hospital Auxiliary, tip your hat to the people wearing the red aprons. They are the auxiliary volunteers that make life better for all Richmond residents.

[1430]

Oral Questions

EMERGENCY SERVICES AT ROYAL COLUMBIAN HOSPITAL

C. Puchmayr: I'm going to start with a quote: "The current setting of severe bed shortage and lack of resources means patients will continue to suffer from our inability to see them safely in a timely fashion." Those are the words of nine ER doctors at New Westminster's Royal Columbian Hospital. This morning my constituents and many in British Columbia woke up to those headlines in a startling news story.

Will the minister explain when he first knew of the deplorable situation and what steps he has taken to increase the capacity in the Fraser health region to ensure patients are not put at further risk at Royal Columbian Hospital?

Hon. G. Abbott: I thank the member for raising the question. The issue of congestion in the emergency at Royal Columbian Hospital is not a new issue. I'd be pleased to share with the member plenty of headlines from the 1990s that reflected similar concerns in respect of congestion at ER.

What is new is an excellent number of initiatives that have been undertaken by the Ministry of Health and the Fraser Health Authority to actually find some long-term solutions to the congestion in the ER at Royal Columbian Hospital.

What we are dealing with there is a combination of population increase plus an aging population. We are seeing in that ER and in other ERs a tripling of the demand in ER versus population growth. Our government, I'm pleased to say, is supporting capital investments which will help to alleviate those situations. Plus, we have increased the operational funding to Royal Columbian by \$66 million — from \$162 million to \$228 million annually.

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

C. Puchmayr: It's interesting to hear that the minister was aware of this problem in the '90s, and yet on May 20 of 2004, this government closed St. Mary's Hospital. The building and all of its acute care services, long-term care and surgical capacity was torn down and never replaced. St. Mary's dealt with 35,000 patients and 11,000 surgical cases a year. All of this capacity was downloaded onto Royal Columbian Hospital and other hospitals.

Will the minister admit that it was a mistake to close St. Mary's Hospital and take that capacity out of the system and off-load it, download it to other hospitals in the region?

Hon. G. Abbott: I know that the members opposite like to live in the past. They like to live in some fanciful golden age that apparently existed in the 1990s. Regrettably, not many British Columbians share that view of the 1990s and in fact should not.

Not even the authors of the report which the member, I think, is referencing want to return to the past, unlike the members opposite. In fact, the report rightly notes: "In an attempt to improve emergency department outflow, there are a number of initiatives in progress, including opening of the convalescence and subacute beds at Queen's Park Hospital" — which I think is in the member's constituency — "opening of additional beds at Eagle Ridge Hospital, reorganization of flow into the emergency department at Royal Columbian Hospital."

I would note, in concluding, that we have also invested some \$6 million in modernizing the intensive care unit at Royal Columbian Hospital. All of these are very important steps in getting this complete.

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

C. Puchmayr: It's interesting how the minister can go back in time as far as he pleases, but when we mention a hospital that was demolished a year ago, he chastises us for bringing that information forward.

Here are some other interesting quotes: "I can't do my job. People have been dying waiting on ambulance stretchers in our emergency room, and here is a document that actually confirms it." "I have seen the system deteriorate to such a point that I'm considering quitting." Those are the words of Dr. Sheldon Glazer.

[1435]

It's time for the minister to stop listening to his own bluster and start listening to the doctors and the health care providers in the field. The minister has an obligation to all patients and residents in New Westminster and the region. Will the minister hold a full public inquiry, an investigation into the crisis, so that we can find solutions to deal with this problem now?

Hon. G. Abbott: I do want to say that the report or plan, which we learned about last evening.... I had an opportunity to look at it this morning. There are actually some very good, constructive suggestions that are contained in the report, and I'm sure Fraser Health and the ministry will review those suggestions with care. We welcome those suggestions. We certainly will see if they can add incrementally to the initiatives that we have already undertaken.

If the member wants to trade quotes, I'll just try to put this in perspective for him. This is from the *Vancouver Province*, March 13, 1997. "At Royal Columbian Hospital patients may stay in emergency for three or four days, sometimes being sent home without ever being properly admitted."

The *Vancouver Sun* from February 28, 1998: "At one hospital, New Westminster's Royal Columbian, the patient load has steadily increased since last summer. It

is not uncommon for patients to wait three days before beds become available."

AVAILABILITY OF BEDS IN FRASER HEALTH AUTHORITY FACILITIES

B. Ralston: Try as he might, the Minister of Health can't slough this off. People want answers as to what's happening in the health care system in 2006 — right now, while he's the minister.

Let's return to what Dr. Sheldon Glazer said. "Emergency patients are assessed and treated on ambulance stretchers in hallways. They wait interminably long hours for care, often resulting in poor outcomes or worse." Between April 1, 2002, and April 1, 2005, New Westminster residents lost 85 acute care beds. That's 20 percent of the total bed capacity.

What evidence does the minister have to suggest that these cuts have not affected the ability of the emergency departments to treat patients effectively in the Fraser Health region?

Hon. G. Abbott: As is typical of this opposition, they always advance the inflammatory without doing their homework to back it up. In fact, Fraser Health advises me that they have increased the number of acute care beds in Fraser Health by 2 percent since they were created in late 2001. That, in fact, is so.

As I noted earlier, there's a \$66 million increase in the operational budget for Royal Columbian. I know the member is from Surrey, and he says: "Tell us what's happening in 2006." Well, one of the things I haven't heard him criticize is our investment of \$200 million in Surrey Memorial's ER. I haven't heard him criticize the \$200 million investment in the ER, in the ambulatory care centre, in the expansion of the range of services in Surrey.

Mr. Speaker: The member for Surrey-Whalley has a supplemental.

B. Ralston: Perhaps I can attempt to lead the minister out of his self-imposed labyrinth of bluster. Of course something had to be done in Surrey, because nothing happened from 2001 to 2005. It was only after the election and with the prospect of the 2009 election looming in the future that the minister decided to take some action to correct the longstanding problems in the emergency department in Surrey Memorial.

Interjections.

Mr. Speaker: Members.

B. Ralston: According to Fraser Health's own documents, this government single-handedly shut down 197 acute care beds in the Fraser region. The doctors have said the problems are the result of a severe bed shortage. When is the minister going to start listening and replace the beds he cut and start adding more capacity to the Fraser Health Authority?

[1440]

Hon. G. Abbott: One of the challenges of debating with the members opposite, frequently, is that either they live in some mythical past where these problems didn't exist — because clearly they did — or else they're debating some socialist nirvana of the future that never will exist in this province.

The member says: "Why not invest in Surrey Memorial?" Well, guess what. After a decade of hearing the members opposite talk about it, we are investing over \$200 million in Surrey Memorial Hospital. After waiting over a decade, after over a decade of hollow promises from the members opposite, we are investing \$355 million in the Abbotsford hospital and cancer care centre. We're investing \$95 million in the academic ambulatory care centre in Vancouver. Best of all, we have opened what was known for a decade as the dark tower at Vancouver General Hospital — the Pattison tower today.

M. Farnworth: I think the Minister of Health needs to decide whether he wants to be an amateur historian, comedian or Minister of Health, because right now he is not doing any of those roles particularly well.

In February of 2005, over a year ago, Dr. Vertesi — the former ER director at Royal Columbian and the Premier's brother-in-law — identified the problem as not enough funded hospital beds to move patients out of ER. He said that patients pile up and consume all the space the emergency ward has to do its work. To the minister: is Dr. Vertesi wrong?

Hon. G. Abbott: Dr. Vertesi has much to add to this debate, based on his experience. One of the things I'm sure he would tell us, were he speaking in the Legislature today, would be that the absolute betrayal of the need for new health care professionals during the 1990s was very much central to the crisis that we have today. It was during the 1990s that we actually saw no increase, through that period, in the number of nurses who were being trained in this province.

Today 62 percent more nurses are being educated in this province than ever before — 2,511 nursing spaces that were never considered by this government. We're doubling the number of doctors in this province. We're tripling the number of international medical graduates. We have introduced something that is going to be very useful in the ERs of our province, something that was ignored by this government for a decade — nurse practitioners.

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

M. Farnworth: This is not about the 1990s. This is not about 1995 or 1996 or 1997....

Interjections.

Mr. Speaker: Members.

M. Farnworth: This is about today. This is not about yesterday. This member is the Minister of

Health. He needs to look in the mirror and realize it. It's on his responsibility. There is a crisis at Royal Columbian today — not yesterday. Today. Physicians and the public are asking: what is this minister going to do about it? When will he take action, and when will he resolve the problems?

Hon. G. Abbott: It's remarkable that the member who has just expounded here was the Minister of Health in British Columbia. He was the Minister of Health when people were begging for more nursing spaces in this province. He was the Minister of Health when people in this province were begging for more medical doctor spaces in this province, when they were begging for nurse practitioners in this province.

[1445]

All this minister and this former NDP government over here did was, between 1993 and 2000, bring about a 16-percent decline — 3,334 hospital beds lost under that former government.

Interjections.

Mr. Speaker: Members. Members, I want to remind you: we want to listen to the question and listen to the answer.

AVAILABILITY OF BEDS IN HEALTH CARE FACILITIES

D. Cubberley: I have to say the minister sure is blowing smoke if he thinks that nurse practitioners are going to solve the problem at the hospitals.

Interjections.

Mr. Speaker: Members.

D. Cubberley: The minister repeatedly....

Mr. Speaker: Members.

Member, will you take your seat for a second till we get some quiet.

D. Cubberley: The problems in the emergency room. I know the minister doesn't want to talk about it, but we're going to help him talk about it. The minister is out of touch on the issue. Whether it's a crisis in Kelowna or Kamloops or Trail or now in Vancouver, he doesn't answer questions on the issue. He just gives us bluster and sarcasm and goes back to the '90s.

Doctors in New Westminster are now saying the problem with the hospital is so severe that patient safety has been compromised to the point that some are dying. This government shut down hundreds and hundreds of acute care beds — 19 percent of the acute care beds across B.C. in its first mandate. It drastically reduced the system's capacity. That's this government's record. Will the minister finally admit that the crisis in emergency rooms is a direct result of this government's bed cuts?

Hon. G. Campbell: This government is proud of its record in health care. What this government has done in just five years is turn around a decade of neglect and disappointment...

Interjections.

Mr. Speaker: Members.

Hon. G. Campbell: ...every day in British Columbia.

Interjections.

Hon. G. Campbell: What this government has done is put in place a health plan that doubles the number of doctors. It increases the number of nurses by 62 percent. In spite of the fact that the member opposite doesn't seem to understand the importance of nurse practitioners, this government for the first time in the history of the province is graduating nurse practitioners in British Columbia.

Every initiative this government has undertaken has led to more procedures being performed for patients across this province, to provide more specialists in more regions of this province than the previous government ever thought of, has ended up with this government being told by the Conference Board of Canada and British Columbians being told by the Conference Board of Canada that we have the best health care system in the country. And we're going to keep building on that, Mr. Speaker.

Interjections.

Mr. Speaker: Members. Members.

The member for Saanich South has the floor. You have a supplemental?

D. Cubberley: And told by the Conference Board of Canada that you have the lowest level of patient satisfaction in the country. You refuse to acknowledge the crisis in emergency rooms.

Every time, this minister tries to deny the realities contradicted by health professionals working on the ground. Dr. Mike Ertel, Kelowna: "We're very concerned that we're going to have somebody die in the waiting room. It's quite a dangerous situation." Duncan Laidlow from Interior Health: "Our hospitals are too full, and we need to do something about it." Dr. Todd Ring, Kamloops: "This is an emergency room on the verge of collapse."

There's another one from Kamloops: "We seem to be lurching from one crisis to another. Every week there's another one and another one." Now, that wasn't a doctor; that was the Minister of Income Assistance.

Interjections.

Mr. Speaker: Members.

D. Cubberley: So the question really is: are all of the doctors wrong, or is the Minister of Health finally going to leave the land of denial and acknowledge that his government's bed cuts are damaging emergency care in this province?

[1450]

Hon. G. Abbott: Actually, it's simpler than that. It's just the opposition that's wrong, as is typical. What the opposition never is able to recognize is that because of the strong economy that this government has created in British Columbia....

Interjections.

Hon. G. Abbott: The members opposite laugh because they're unfamiliar with the concept of a strong economy that might be supported by government measures.

Interjections.

Mr. Speaker: Members. Minister. We've got to listen to the answer and listen to the question.

Minister continues.

Hon. G. Abbott: Conceptually — and I'm glad to inform them of this — a strong economy actually can backstop stronger social programs in the province, and that's exactly what this government has done. Since we took office, we have invested over \$100 million in emergency rooms alone in this province.

I don't know what the member opposite dislikes about the \$50 million investment at Prince George Regional Hospital. I don't know what he dislikes about the \$39 million investment at Nanaimo regional hospital. I don't know what he dislikes about the \$26 million investment at Kamloops regional hospital. Clearly, there must be something wrong with it. He's against it.

Interjection.

Mr. Speaker: Member.

Interjections.

Mr. Speaker: Members.

Does the member want to take his seat?

Okay. Member for Nanaimo.

DEATH OF PATIENT AT NANAIMO REGIONAL GENERAL HOSPITAL

L. Krog: Well, I'm delighted the government is so pleased with itself and the Minister of Health is so pleased with his performance. He's had five years to correct serious problems across this province.

Cheryle Cook of Nanaimo is not so pleased. On April 13 at about 11 a.m. her father George Cook, suffering with pneumonia, was admitted to the emergency room at Nanaimo Regional General Hospital.

She went there as quickly as she could and arrived at about 2:40. At about 5 p.m. two ambulance attendants stopped to help her and assist her with her father. A short while after that, a doctor noticed something was wrong and called out for Mr. Cook to receive some privacy. He was moved behind a curtain and, shivering, died there at 6 p.m.

Will the minister commit to this House today to a full public investigation of this incident and the serious problems at Nanaimo Regional General Hospital and commit to this House to make all of those findings public so that the public will hear the recommendations that should be made so that this situation will not happen again?

Hon. G. Abbott: I have been briefed in respect of the tragic case of George Cook. I thank the member for bringing this very serious issue forward. I am deeply concerned about Mr. Cook's case. I am always concerned when I hear that British Columbians have less than satisfactory experience with their health care system. Certainly, there is much to be concerned about in the case of George Cook.

First of all, I want to express my concern and sympathy for the Cook family in what is undoubtedly a very difficult time for them. I know that the Vancouver Island Health Authority also shares that serious concern with Mr. Cook's end-of-life-experience in the ER at Nanaimo general hospital. They are undertaking a full review with respect to this matter. They expect that review will be completed within the week, and I will look forward to seeing that review.

Mr. Speaker: Member for Nanaimo has a supplemental.

L. Krog: This did not happen on an unusual day at Nanaimo. This happened on what the president and chief executive officer of the Vancouver Island Health Authority referred to as a typical day. Again, I ask the minister: will he commit to making the results of any investigation public and assuring the members of this House that all of the recommendations that may arise out of that inquiry be implemented across this province?

[1455]

Hon. G. Abbott: I thank the member for his additional question. I understand the circumstance to be as the member described — that it was not a particularly busy day or even an unusually busy day in the Nanaimo ER, that there were circumstances around this case which appear to be unfortunate and contrary to protocols.

However, I think, again — in fairness to the deceased, to his family, to the caregivers — that we do want to see the review fully completed and have an opportunity to have a look at the conclusions formed by that review. As the member knows, to the extent that we can make public the information around that review under the Freedom of Information and Protection of Privacy Act, we will do so.

WORKER SAFETY AT SERVICE STATIONS

M. Sather: The Minister of Health is aware of the tragic death of Grant DePatie in Maple Ridge over a year ago. Mr. DePatie was working at a gas station late at night, and he attempted to prevent a theft of gas. He was run over and dragged more than seven kilometres to his death.

As unbelievable as it may seem, over a year later this gas station has still not complied with the recommendations of WorkSafe B.C. Repeated visits by WorkSafe B.C. have found that the station remains in non-compliance. This is an affront to the memory of Mr. DePatie, to his family and to all those workers who are required to work at gas stations where there are inadequate training and safety procedures in place.

Will the minister commit to act today to ensure that this gas station comes into immediate compliance with the requirements of WorkSafe B.C.?

Hon. M. de Jong: Thanks to the member for raising the question. Our expectation in this case, as it is in every case, is that employers will comply absolutely with the requirements imposed upon them under the occupational health and safety regulations of WorkSafe B.C.

I can advise the member — and he may already know this — that I have met with the DePatie family, and to their credit, they have taken what is an incredibly tragic set of circumstances and offered a range of suggestions about how others might be spared a similar tragic result. To that extent, I think the member knows that the DePatie family is trying to take a very bad and tragic set of circumstances and ensure that something good can come of it.

Mr. Speaker: The member for Maple Ridge–Pitt Meadows has a supplemental.

M. Sather: Action needs to be taken to ensure that the tragedy that happened to Mr. DePatie does not happen to other workers. Will the minister follow the suggestions and the wishes of the family and of others, and will he work with his government to ensure that a policy is put in place for late-night pay-before-you-pump regulations at gas stations across this province?

Hon. M. de Jong: To the member: I can assure him and all members of the House that I have received, about a week and a half ago at a meeting with the DePaties, a series of suggestions that we're now working through. They relate to a variety of options like prepay, pay-at-the-pump — circumstances or options, some of them, that exist in other jurisdictions. Yes, we're going to look at them and see which, if any, of them can be properly and effectively applied to minimize the risk that workers in B.C. face at gas stations and convenience stores.

INVESTIGATION INTO DEATH
OF GRANT DEPATIE

J. Brar: The DePatie family has requested a coroner's inquest into the death of their son and grandson.

It was denied by the coroner's office with little explanation. The DePatie family wants the inquest to go beyond the judgment of inquiry. There are serious law and policy issues in this case that must be looked at.

My question is to the Solicitor General. Will the Solicitor General step in and ask for this inquest to be done?

[1500]

Hon. J. Les: I understand that the member opposite actually is going to be getting a briefing later on this afternoon from the chief coroner. Frankly, I am pleased that he is doing so, because obviously he has a lot to learn.

One of the things that he's going to learn this afternoon is that the coroner never intervenes until criminal proceedings are complete. They are not complete in this case. So what the member opposite actually is asking me to do, for the second time this month, is intervene inappropriately in criminal proceedings.

[End of question period.]

L. Mayencourt: I seek leave to present a petition.

Mr. Speaker: Member presents petition.

Petitions

L. Mayencourt: I am pleased to present a petition from the Save St. Paul's Coalition. It includes 8,148 signatures from residents of the downtown peninsula in Vancouver and 1,361 individual letters.

K. Conroy: I seek leave to present a petition.

Mr. Speaker: Proceed.

K. Conroy: I present a petition from 412 Selkirk College students who are all graduating this weekend, and they're all very concerned about whether they can really afford to graduate.

Orders of the Day

Hon. M. de Jong: I call continued committee stage debate on Bill 20 and in Section A, Douglas Fir Room, continued debate on the Ministry of Advanced Education in Committee of Supply, for the information of members.

Committee of the Whole House

SECURITIES AMENDMENT ACT, 2006
(continued)

The House in Committee of the Whole (Section B) on Bill 20; S. Hammell in the chair.

The committee met at 3:04 p.m.

On section 16 (continued).

L. Krog: We had not quite concluded this prior to lunch, and I'm just wondering if the minister can explain the effect of section 16 as proposed. Will it, in fact, broaden the impact of the ability — the ability, I should say, of the commission — to prosecute or, alternatively, to sue individuals who breach the section, in comparison to the old section?

[1505]

Hon. W. Oppal: What this section really does is expand the definition of "dishonesty." It goes beyond mere lying. The current section prohibits only lying about being registered and many other types of misleading statements, but many other types of misleading statements can be made, and they may not be actual lying.

What this does is protect investors by characterizing other forms of misconduct and other forms of dishonest conduct. It's not unlike the section in the Criminal Code relating to fraud, which made unlawful other fraudulent means — other than falsehood, deceit. Other fraudulent means. It's similar to that, if I can draw an analogy.

Section 16 approved.

On section 17.

L. Krog: With respect to section 17, it enacts a number of new prohibitions and refers specifically to insider trading, tipping and recommending. Does this represent any significant change from the previous sections? It's treated as an addition. But is this a definition of further crime specifically, or is it simply an expansion of an existing section?

Hon. W. Oppal: What this section does is broaden the scope of insider trading so that it applies to any publicly traded issuer and not just reporting issuers as currently stipulated under section 86. So what it does is prohibit recommending or encouraging others to trade. This means that the section prohibits the giving of information to others about trading, even if the inside information itself is not passed on. It's an expansion of prohibited action.

L. Krog: Will this in fact mean that it applies both in terms of what I will call the criminal sanction and the civil liability as well?

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

Sections 17 and 18 approved.

On section 19.

J. Kwan: Section 19 repeals the old section 77 in the act, which basically does not require the commission to publish a list of defaulting reporting issuers. This was an issue which I raised along with my colleague the critic during second reading debate, and I had a con-

versation with the Attorney General thereafter. I think the Attorney General also shared the view that there is merit to the points that we had raised.

I wonder whether or not at this point in time the Attorney General would care to actually stand down section 19 of this amendment and therefore not enact this section by not requiring the commission to publish a list of defaulting reporting issuers.

Hon. W. Oppal: The new section permits but does not require the commission to publish a list of defaulting reporting issuers. It is necessary to harmonize with other provinces and to allow the creation of a national defaulting issuer list so that other investors would know and would have notice.

[1510]

The new section drops the certificate provisions, which are a relic of the old regulatory regime. Although some issuers still apply for them, they are of very limited value and raise the difficult issues of interpretation and administration. All jurisdictions plan to drop them. It's a part of the harmonization scheme.

J. Kwan: If I understood the Attorney General correctly, in the attempt to harmonize, the issue here is to make sure that the list of defaulting reporting issuers would be a consistent list across the country. That has nothing to do with requiring the commission to publish it or not.

What this provision says is that the amendment says the commission may publish a list of defaulting reporting issuers. Whoever goes on that list could be harmonized through the process. That's fine. But the issue that I have a concern with is whether or not there's a requirement that the list be published after the list is available. Perhaps the Attorney General could clarify that.

Hon. W. Oppal: I just get enthusiastic sometimes, you know. I think the best way to explain it is as follows. Under the current system, an investor can find out in which province an issuer is reporting and check the lists in those provinces to see if there is a default. As a part of the passport system — that's an integral part of this amending legislation — the regulators intend to develop common standards for putting issuers on the lists and, ultimately, to develop a single list so that investors have to look in only one place.

Under the passport, we will move towards a system wherein each commission keeps a list of defaulting issuers from its own jurisdiction. The current mandatory provision would not allow this because we have to keep a list of all defaulting issuers. As a result, there is an agreement to make the amendments to make the provision enabling to provide the flexibility necessary for joint lists.

J. Kwan: Is the Attorney General saying that there will be a list, a national list of defaulting reporting issuers, and that it will be kept in one place across all jurisdictions? So all that a person, an investor, needs to do is look at one place to get that list, and it would be

listed publicly. Am I correct in understanding that? If that's the case, where does it say that in this legislation — that, in fact, one list would be published publicly for the public to access to get the information around defaulting reporting issuers?

Hon. W. Oppal: That's the intent of the amendment — to have one list from which an investor may obtain the necessary information. At present they may be on the individual province's websites, but the intent is to have a common list.

J. Kwan: It's all very well for the Attorney General to say that's the intent. However, I look at the legislation and the amendment before us, which reads — and I put on the record: "List of defaulting reporting issuers, Section 77: The commission may publish a list of defaulting reporting issuers." It does not say that there will be one national list of defaulting reporting issuers that would be published and accessible to the public. It doesn't say that. It just says that the commission may publish it. Then again, the commission may not publish it.

Formerly, the language was that the commission was required.... It must publish this information. I have no reason to doubt the intent of the legislation from the Attorney General. He says that the intent is to have one national list of defaulting reporting issuers.

Where does it say that, then, in this legislation? Where does it say that there would be one list that would be published?

[1515]

Hon. W. Oppal: Well, we can't regulate what other provinces will do. The intent is to harmonize our legislation with the passport system so as to have a single list. This is a step towards that. We have to do our part in that.

J. Kwan: Well, okay. The Attorney General says we can't make what the other provinces do.... This whole amendment was centred round the notion of harmonization. Stand back for a moment and say: "Okay, in spite of the fact that this is supposed to be an amendment for harmonization, notwithstanding, though, that we can't make the other provinces do what all the other provinces are going to do collectively...." Set that aside for a moment.

If that's the case, why wouldn't this amendment read that the commission must publish a list of defaulting reporting issuers? The issue here is around publication of the defaulting reporting issuers, so that investors — the public — could get access to that information, and that we make sure that the commission in fact does publish that information.

The content of the information would be a harmonized list of defaulting issuers. I'm fine with that. That's not my issue. It's around the publication and not requiring publication of the commission that I have an issue with.

Hon. W. Oppal: I think I can clarify it this way. We, in the province, cannot legislate extraterritorially. So

we can pass our legislation, which of course is restricted to this province, but all the provinces who are a part of this scheme agree that we should make the defaulting issuers list available to investors in the most useful way possible. So that's what will happen. It's to have a regulatory scheme that promotes harmonization through a passport system and that will make the information available to investors in other provinces.

J. Kwan: How does the requirement of publication of the defaulting reporting issuers by the commission here in British Columbia somehow contravene the notion of harmonization? How does that impede harmonization?

Hon. W. Oppal: I think the best way I can explain it is this. We can regulate our own lists. Other provinces will regulate their lists. We will then, under the harmonization scheme, share the lists so that people have access to the information.

[1520]

J. Kwan: Okay. It's fine for us to share our list. I don't have a problem with that. I don't have a problem with us harmonizing a list with the other jurisdictions.

What I am having a problem with is that we're no longer requiring the publication of this list. Why aren't we requiring that? Isn't that in the best interests of investors, so when the commission publishes this list, the public can then access that information? Wouldn't that enhance accountability? Wouldn't that enhance investor protection?

We want to make sure that the commission does in fact publish this defaulting reporting issuers list. I just don't understand why we would not require that anymore. I don't see how that enhances harmonization, nor do I see that the requirement of publication impedes harmonization.

Hon. W. Oppal: It's our view that this is a useful tool to protect the investing public by having a list, and that list is available to investors. That's all I can say.

J. Kwan: If the commission is not required to publish it, how will they access this list?

Hon. W. Oppal: The intention of the commission is to continue publishing the list. The commission does that. It will continue to do so.

J. Kwan: Yes, and then that's at the discretion of the commission, because the legislation no longer requires it to do so. My point is this. Why wouldn't the government put in legislation that requires the commission to do so? If the intent here is to make sure there's access to this list, the best way is to make sure that the commission publishes the list.

But if the government takes away that requirement by legislation, which is what we're doing here under this section of the bill, section 19, then the government potentially would allow for a situation where the pub-

lic would have a difficult time in accessing this information. The commission one day — I'm not saying today, but one day — may, and they would be allowed to because there's no requirement that makes them publish this list.

How is that in the best interest of investors? That's where I'm confused. If we want to protect investors, if we want to make sure there's access to this information, then the best way to do it is to say to the commission: "You are required to publish this list."

[1525]

Hon. W. Oppal: This is a first step towards harmonization. The government will take the necessary step after the first step has been completed. It would be involved in a broad policy measure of putting together the list. This is only the first step. I don't know if I can explain it any better than that.

L. Krog: My understanding of the responses of the Attorney General around this bill today has been that the province has been engaged in negotiations and discussions with, presumably, Attorneys General across the country and that this bill represents the work of that process. Obviously, one would have expected that the legislation arising out of that process, which is the bill before the House today, would have taken into consideration the very questions that have been raised by my colleague the member for Vancouver–Mount Pleasant.

I have to ask: surely, wasn't that part of the discussions that led to this particular section?

Hon. W. Oppal: The first step has to be to create a list of defaulting reporting issuers. Once that is done, the next step will have to be a mandatory reporting provision, but this is the best way of introducing the measure.

L. Krog: Surely if British Columbia, as the Attorney General indicated previously, and Alberta are somewhat on the cutting edge in leading this process of harmonization across the country and are getting their legislation before their respective houses more quickly than others, why not be on the cutting edge?

I mean, "must" obviously includes "may" — if the Attorney General gets my drift — in this circumstance. Clearly, that still leaves it open to other provinces to change theirs to only say "may." If British Columbia includes it as a must, a requirement, then we're simply somewhat ahead of the game. We're certainly better off than the other provinces. Why not do it that way?

Hon. W. Oppal: The difficulty at this stage is that we don't know who a defaulting issuer is. We have legislation here, but before we look at this on a national basis, we have to know what a defaulting issuer is so that we can have some kind of a common definition. That won't happen until we have a harmonization process in place. This is a first step in formulating and defining what a defaulting reporting issuer is.

L. Krog: It strikes me that the government is asking for an awful lot of good faith from the opposition and the public of British Columbia around this, saying, "Well, we're just getting started. It's baby steps. This is the initial thing. There will be further discussions, and this will be decided by subordinate legislation," and on and on it goes.

[1530]

I can't say that if I were an investor listening to this debate — and, I suspect, a similar debate in the province of Alberta — I'd be much inspired by how little progress this legislation, on the face of it, seems to make with respect to the whole issue of harmonization and ensuring the so-called regulatory passport system.

I do note that the section as proposed reads simply: "The commission may publish a list of defaulting reporting issuers." I'm wondering: why not include non-reporting issuers? Obviously, if you're including reporting issuers, what's the point of not including non-reporting issuers? Why not simply say issuers — period?

Hon. W. Oppal: We have to create a system first, before it becomes mandatory, before it goes national. You can't create a mandatory system and then expect other provinces to buy into it. This is a first step, and you can't do it any other way. Short of having a mandatory system, we have to have a permissive system. That is the first step in establishing a mandatory system.

L. Krog: Again, I guess I have to say that if British Columbia's system is mandatory with respect to the publishing of the list of defaulting reporting issuers, that surely takes into account both linguistically and legally the concept that the commission may publish. So again — and perhaps I'm being a bit obtuse today or not making my questions perfectly clear — I cannot understand, and I look to the Attorney General to correct and advise me and respond as to why.

If a mandatory reporting requirement obviously includes and gives the power and doesn't derogate from the authority of the commission to publish if it so wishes, why not simply make it "must" now? That surely puts us on the cutting edge in British Columbia as opposed to leaving us behind.

Hon. W. Oppal: It would mean that we would not be in harmony with other jurisdictions. We cannot create a system that is not in some ways in harmony with other jurisdictions. We can't do that — except if we're going to have a national scheme. We're not there yet.

L. Krog: With great respect to the Attorney General, if we have a national highway system and in British Columbia we happen to have the money to cover the whole system with a nice roof to keep the roads clean and safe, that doesn't derogate from the passport nature of the system. You can still drive across the country safely; it is just that in British Columbia you are

going to be even more safe. I mean, I think it's a fairly simple proposition that I'm advancing here.

Again, why not make it a mandatory system? It will be an improvement on the harmonized system that the Attorney General is talking about. It will not force the other provinces to do it. It will still be a harmonized system, and it will advance the protection of the public interest, which is what this section should be driving at.

Hon. W. Oppal: In the circumstances, our lists would be different. This issue has been thought out very carefully by the regulators across the country. It's impossible to adopt the scheme suggested by the hon. member and still have our harmonization process. It can't be done.

[1535]

L. Krog: If I'm a defaulting reporting issuer and this is a system that's harmonized across the country, if I default in Manitoba, I'm defaulting in British Columbia. This is merely the publication of the list. It doesn't affect who's on the list; I'm a defaulting reporting issuer. If that's the case, why not make it mandatory in British Columbia and give the public the assurance that it should legitimately have?

My understanding is that if you are a defaulting reporting issuer.... That means something as simple as you're failing to file your annual reports as a corporation, which, as I said yesterday in the second reading debate in this House, is the first and most basic thing that a company has to do in this province — year in, year out — in order to survive. It is, if you will, the oxygen for the corporate body. If you don't file your report, you get dissolved — terminated, to use common language.

In these circumstances, if a company can't even meet the legal bill to file its annual report to maintain its existence, surely that is a matter of significant public interest and concern. Therefore, in order to protect British Columbia investors, this section should require that the commission publish that list of defaulting reporting issuers.

I cannot understand why British Columbia being a step ahead, which includes it, would somehow be out of harmony with the rest of the country. If there's a minimum test to get into law school at 70 percent, and you've got ten people who get 70 percent and seven people who get 77 percent, they still all get into law school. Some of them are a little better; some are a little brighter. But they're all in the system, and it all works. So why doesn't it work here?

If the Attorney General can explain this to me, I will really be pleased. So far I haven't heard an explanation that says why you can't have a mandatory reporting system.

[1540]

Hon. W. Oppal: If we're going to have a national system, you have to, in the circumstances, give up some mode of control.

J. Kwan: Well, so far in this debate I've failed to hear an explanation from the Attorney General to justify why we're now going to do away with a requirement of the commission to publish a list of defaulting reporting issuers.

The Attorney General says we need to do this to support the harmonization process, but the issue we have here is this. What I heard from the Attorney General is that there will be a national list of defaulting reporting issuers that will be established. We're not disputing the content of that list. The national group can go and do this work, and we're very happy about that.

What we're saying, though, is that once you get that list, it needs to be published. There needs to be a requirement to ensure that that list is published. That is in the best interest of investors, so that they can easily access this information. That's an open, accountable and transparent way of doing things. If you don't make that a requirement, the commission.... As I understand, at this moment they are given the flexibility to decide whether or not they want to publish this list. They may. Then again, they may not.

I think that, in the best interests of public accountability and investor protection, we should require that the list be published — not to change the content of the list, but to say that there simply should be a public publication of this list for ease of access for investors.

To that end, I rise to move an amendment to section 19 of this bill.

[a] striking out "may" and substituting "must"]

So it would read: "The commission must publish a list of defaulting reporting issuers." The proposed amendment is standing in my name, a copy of which is for the Clerk and a copy of which is for the Attorney General.

On the amendment.

J. Kwan: Just to reiterate, the purpose of the amendment and the intent of the amendment.... So that everybody in the House is clear, the amendment will replace the word "may" in section 19 of Bill 20 with the word "must," so that section 19 of the Securities Amendment Act, 2006, will read as follows: "List of defaulting reporting issuers; 77, the commission must publish a list of defaulting reporting issuers."

The whole purpose and intent of this amendment is not to get in the way of harmonization, is not to get in the way of the content of the list itself in terms of the defaulting reporting issuers, but rather to say that the commission is required to publish that list so that investors, the public, can access that information easily and for the purposes of investor protection.

[1545-1550]

Amendment negated on the following division:

YEAS — 32

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

NAYS — 42

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

Section 19 approved on division.

On section 20.

[1555]

L. Krog: Delighted to see the members so well awake and cheerful in the chamber.

With respect to section 20, I take it that essentially, again, this is part of this whole concept that all of the meat of this legislation will be addressed by regulation that will not end up in front of this Legislature at some future date. Can the Attorney General confirm that my understanding is correct?

Hon. W. Oppal: The answer is yes.

Sections 20 to 22 inclusive approved.

On section 23.

L. Krog: This requires that, "A reporting issuer must, in accordance with the regulations, (a) provide prescribed periodic disclosure..." etc. Is there any reason that a non-reporting issuer shouldn't provide periodic disclosure, etc., about its affairs? If so, why not?

Hon. W. Oppal: That's why they call them non-reporting. They don't have to report.

Sections 23 and 24 approved.

On section 25.

L. Krog: Again, just so I'm clear, in this section is the same issue that I have pointed out in various sections of this bill: that ultimately, the specifics are going to be addressed in what is referred to as subordinate legislation in the explanatory note, which is, in fact, not even regulation by the government but will be, if I can call it, law made by the Securities Commission in the future; and that none of this will come back to this Legislature for review by the members of this House.

Hon. W. Oppal: In the usual way, it will be subject to ministerial approval, like all regulations.

L. Krog: Just so that I'm clear, we're not talking about orders-in-council. We're talking about something that the minister will see with his or her own eyes, but the other members of this House will be, quite frankly, kept in the dark. Is that, in fact, the case?

Hon. W. Oppal: The answer is yes, but after a public consultation period.

L. Krog: What is happening here is that a commission that will be able to enforce both what is tantamount to criminal and civil regulation of the conduct of securities and their transfers in this province.... The law relating to that is going to be created by the commission, approved by the minister — yes, after public consultation — but will never get back before the members of this Legislature duly elected to make the law of the province of British Columbia. Is that correct?

Hon. W. Oppal: Those circumstances have existed since 1995. That's always been the procedure.

Sections 25 to 29 inclusive approved.

On section 30.

[1600]

L. Krog: Again, as with the previous sections, this will all be done outside of this Legislature. The regulations, etc., will be covered by subordinate legislation. If that's the case, my question to the Attorney General is simply: why are we almost bothering to bring this bill before the House if the whole thing is going to be accomplished outside of its purview? What am I being paid to do here today if, in fact, the Legislature is never going to have a chance to see what will only come before the minister's eyes? As much as I appreciate the brilliance of the minister and his abilities, nevertheless, the last time I checked, we still elected members to this chamber to actually do their job.

It strikes me that what is happening with this bill, section after section, is we are being asked to simply say: "Trust me." Well, in a democratic society my understanding was that the people don't necessarily trust government. They expect a full and open debate.

Once again, and I'm almost getting tired of asking the question: none of this as referred to will, in fact, come back to this House for its purview.

Hon. W. Oppal: Regulations don't come back to the House under any act as the member knows. The current requirements are not harmonized across jurisdictions. The general requirement is already, or in some cases will be, provided in the legislation. Detailed requirements will be proscribed through a rule adopted by securities regulators in all the participating jurisdictions.

The rules are made by the Securities Commission under the authority of the Securities Act after a full public consultation process and period and only with the formal approval of the minister after that period of consultation.

J. Kwan: The minister refers consistently to a process of consultation. He relies on that as justification for not bringing whatever changes that would impact the Securities Act to the House. Maybe, then, the minister can outline for this House and for the public: what is the process of consultation?

Hon. W. Oppal: Section 184 is the governing section, but the rule states that the notice that a "public comment on the proposed rule may be provided in written form to the commission for a specified period of (i) at least 30 days if the commission is republishing the proposed rule under section 4 (b), or (ii) at least 60 days in all other cases."

The regulations make it clear as to the process that must be followed.

J. Kwan: So the process is such that there would be publication with proposed changes with the Securities Act, and that it must be posted for a period of 60 days in which, I guess, the public can have the opportunity to respond to it. By responding to it, then I presume those comments are collected and compiled, then evaluated and recommendations put to the minister for change.

[1605]

Once the changes are adopted by the minister, by regulation, then the changes would be published again, I take it? Is there a process in terms of periodic review with respect to these changes? Or if someone had a concern around the regulatory changes, who would they register that with?

Hon. W. Oppal: The government can always change the rule by regulation.

J. Kwan: If the public is concerned about the changes, then I guess the public should be phoning the

Attorney General, and that would be the process. Okay.

Sections 30 to 41 inclusive approved.

On section 42.

L. Krog: Just so I'm clear from the Attorney General, the new sections as set out, which replace section 136 of the existing statute, provide for civil liability for illegal insider trading and similar contraventions of the act detailed in provisions previously enacted by section 17. That's my understanding, and I guess my question is: is this in fact a tightening up? Is this a broadening of the scope of activities that would in fact constitute a breach of the act?

Hon. W. Oppal: This provision will enhance investor protection by making the remedy more effective in that the section provides a remedy to any person who enters into a transaction between the time of the insider trading and the time that the material fact or material change is disclosed. So it covers that period of time. What it will do is provide a deterrence to persons who might be inclined to get involved in like-minded insider trading.

The new section 136(1) also requires a person who contravenes the insider trading or front-running prohibition to account for the benefits received as a result of the contravention.

L. Krog: Just so I'm clear. This provides for civil liability, is my understanding of the explanatory note, and again, it is an enhancement in terms of civil liability, but does it require that if a person...? Is the civil liability a civil liability owed to the Securities Commission that will, so to speak, sue on behalf of the general public, or is it an individual right that they'll be entitled to, and if so, will that be required to be brought in Supreme Court?

Hon. W. Oppal: It's a civil remedy that will be under the jurisdiction of the Supreme Court.

[1610]

L. Krog: So that I'm clear to the Attorney General: I take it, then, that even if the amount of money involved is below \$25,000, it will still require that a party sue in Supreme Court.

Hon. W. Oppal: While the legislation itself is silent on that, I would assume that because the Provincial Court has jurisdiction in any matter of \$25,000 or under, it would be in the Provincial Court.

L. Krog: In light of earlier comments made today around the jurisdictional issues involving Supreme Court matters and Provincial Court matters, if in fact that is the case, then my suggestion to the Attorney General would be that he consider what I had suggested earlier today, which is a provision that allows investors of small amounts to make their claims in Pro-

vincial Court, which they can pursue without the necessity of pursuing it in Supreme Court where almost inevitably everyone requires the assistance of legal counsel.

If the Attorney General's answer to my last question is correct, then my question is: does there not appear to be some disconnect between the previous provisions that seem to require enforcement in Supreme Court only and his answer that suggests that, in fact, one could sue in Provincial Court with respect to these sections?

Hon. W. Oppal: The point is well raised in that it goes to the issue of access and increased accessibility. Having said that, there is divided constitutional opinion with respect to whether or not between \$50,000 and \$100,000, the matter can go into the Provincial Court.

The safe course of action is to have matters go into the Supreme Court where the amount involved is more than \$25,000. If it's \$25,000 or less, it ought to go to the Provincial Court.

Sections 42 to 47 inclusive approved.

On section 48.

L. Krog: Section 48 is a very positive step, and I compliment the government on increasing the maximum penalty for an offence from \$1 million to \$3 million. I suppose my obvious question is: how did the government arrive at the choice of that particular figure as opposed to \$10 million or \$2.5 million?

Hon. W. Oppal: The fine needs to be significant and substantial if it's going to be a meaningful general deterrent rather than being characterized as a cost of doing business. Several years ago Ontario adopted a maximum fine of \$5 million and a prison term of five years less a day or both. But the \$3 million fine and the three-year maximums in section 155(2) are sufficient to deter conduct of a similar nature.

As the hon. member mentioned, it's a significant move upward. In our view, it ought to be a meaningful deterrent.

[1615]

L. Krog: Surprisingly, I'm not being critical of the government picking \$3 million. I don't think it's significant enough. The Eron Mortgage Corp. scandal in this province, and similar schemes that have deprived investors of their life savings, destroyed people's lives in a province that — as the Attorney General is well aware — has more millionaires per capita than any other province in Canada.

If you take away a dollar from a man who has no money, it's a big sum. If you take away a million dollars from a man who has \$100 million, it's not much of a penalty. It strikes me that if you are going to seriously attack the growing problem of white-collar crime, which has been far more devastating to so many people than having a bicycle stolen, then surely the

penalties involved where the profits can be so great should be much, much higher.

My question to the Attorney General is: because this is a harmonization approach, does this maximum fine, at \$3 million for a penalty, represent the agreed-upon harmonized amount from jurisdictions across the country? If it does, does the Attorney General feel constrained to restrict British Columbians — the criminals, if you will, who do this — to only \$3 million in terms of a penalty?

Hon. W. Oppal: It ought to be noted that the \$3 million is a figure on a per-contravention basis. If there are four offences or four counts, or five charges or counts, then the maximum would obviously be higher. I'd also point out that these provisions do not constrain the Criminal Code from imposing other sentences that may be more severe.

My recollection of the fraud section is... I think it was 14 years as a maximum for fraud. The Criminal Code provisions are still applicable for certain types of activity.

Sections 48 to 51 inclusive approved.

On section 52.

L. Krog: I take it that this is the administrative penalty that can be imposed, which is only \$1 million. My question to the Attorney General is: in terms of consistency, is there any reason that the penalty not be \$3 million as will be set out in the new section 48, which amends section 155?

Hon. W. Oppal: This is a penalty imposed by an administrative tribunal as opposed to a penalty imposed by a court. That's the distinction.

L. Krog: As the Attorney General is well aware, one of the difficulties from the public perspective is that one can be acquitted in a criminal proceeding quite legitimately, according to the criminal law of this country — receive no fine or penalty, obviously, because you have been acquitted — but nevertheless be found civilly liable in a suit brought in our courts.

[1620]

It strikes me that it is entirely inconsistent when one is assured, certainly on the balance of probabilities, that an enormous fraud has taken place. When you provide for penalties of \$3 million in one section, again, there does not seem to be any logic in not providing for a far more significant and indeed at least a \$3 million administrative penalty. If the commission is to have credibility and to ensure public confidence, then surely it must have the power to impose a fine that is significant.

According to the latest edition of the *Sun*, I believe there is something like 22,000 homes in British Columbia that are worth over a million dollars. To paraphrase something that C.D. Howe never actually said: a million ain't what it used to be.

So my question to the Attorney General is: again, what is the logic for not allowing for a significant administrative penalty so that the kind of white-collar abuse, if you will, of the public will be genuinely discouraged by this amendment?

Hon. W. Oppal: Well, I would assume, since the matter does not result in a conviction in the criminal courts, that it is less egregious than it otherwise would be, and that would allow for the administrative law to come into play. That's one explanation.

The more salient and relevant explanation is that these monetary sanctions here would bring our legislation in with the equivalent sections in Alberta, Ontario and Quebec. As well, I reiterate what I said earlier about per contravention, per incident. If there's more than one incident, this conceivably would result in a higher penalty.

Sections 52 to 57 inclusive approved.

On section 58.

J. Kwan: I thought my colleague was going to ask questions around this, but that's okay, because we're sharing the file.

On section 58, the freedom-of-information commissioner had actually written a letter to the Attorney General around this with his concerns. Particularly, the freedom-of-information commissioner states that section 58 of the act does not clarify that the privacy rights of the individuals and corporations will be protected by FIPPA should an FOI request be made. The commissioner and the Freedom of Information and Protection of Privacy Act are of the view that: "In order to ensure that both the access and the privacy rights of the public are appropriately protected, I believe the principles of FIPPA should apply to disclosures of information wherever possible, with only very limited exceptions."

Is that the minister's understanding of the application of the Freedom of Information and Protection of Privacy Act, relative to this authority in this amendment?

Hon. W. Oppal: As of this morning the Information and Privacy Commissioner advised the government that he does not object to the new section 169(4) of the Securities Act being passed, as introduced in the bill, on the basis that a commitment in the Securities Commission's policy to guide its section 169(4) discretion will be consistent with the principles underlying in sections 21(1) and 21(1) of the Freedom of Information and Protection of Privacy Act.

J. Kwan: Has the minister provided that assurance to the freedom-of-information commissioner in writing in terms of the application of the Freedom of Information and Protection of Privacy Act?

[1625]

Hon. W. Oppal: That hasn't been done, but it will be done.

J. Kwan: Madam Chair, I wonder, when the minister does that, if he could also provide a copy to the critic so that we can have that on record as well.

Hon. W. Oppal: I'll undertake to do that.

Sections 58 to 67 inclusive approved.

On section 68.

L. Krog: I want to declare, I suppose, a conflict here to some extent in that I'm a member of the Mid-Island Consumer Services Cooperative in Nanaimo, but I will plead ignorance. Can the Attorney General explain what the import of this section is and what its purpose is?

Hon. W. Oppal: There is no policy change. This amendment considers the definition change or the change from "mutual fund in British Columbia" to "British Columbia investment fund" so as to comply with the change in terminology.

Sections 68 to 71 inclusive approved.

Title approved.

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

Motion approved.

The committee rose at 4:28 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

SECURITIES AMENDMENT ACT, 2006

Bill 20, Securities Amendment Act, 2006, reported complete without amendment, read a third time and passed.

Hon. B. Penner: I call committee stage debate on Bill 26.

[1630]

Committee of the Whole House

SUPPLEMENTS REPEAL ACT

The House in Committee of the Whole (Section B) on Bill 26; S. Hammell in the chair.

The committee met at 4:32 p.m.

On section 1.

L. Krog: My question is to the Attorney General — more curiosity than anything. Section 1 is set out with two subsections, and I'm wondering why the supplements to be repealed, as set out in those sections, are set out in two separate subsections.

Hon. W. Oppal: It's a drafting convention, and the general rule is that the practice is not to use double letters such as "aa" and "bb" and "cc."

Sections 1 and 2 approved.

On section 3.

L. Krog: With respect to section 3 — just so I'm clear in my understanding of it — I take it that this is essentially saying that if, through some other provision, any of these supplements are not in fact repealed by virtue of the proclamation of this bill when it's enacted, then the previous repeal, through other act or supplement, will take priority, so to speak.

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

Section 3 approved.

On section 4.

L. Krog: I'm not going to try and delay the passage of this bill too much, but it is incumbent upon the opposition to inquire of the government as to why it's passing section 4 and what the point of it is.

Hon. W. Oppal: This legislation is being reviewed, and the intent is to retain the present legislation as is.

Sections 4 to 9 inclusive approved.

[1635]

On section 10.

L. Krog: With respect to section 10, what impact will this have on the law relating to guardianship of children in the province, and what change does it represent?

[S. Hawkins in the chair.]

Hon. W. Oppal: There's no change taking place. What is happening is that the findings of the Justice Review Task Force are being considered. This legislation is kept in place pending the results and the findings of that task force.

Section 10 approved.

On section 11.

L. Krog: I need to ask, obviously: why is the government sort of re-enacting provisions of the Health Care (Consent) and Care Facility (Admission) Act,

which is not currently in force? In other words, is there some plan to enact these provisions in the future?

Hon. W. Oppal: All of the provisions of the Health Care (Consent) and Care Facility (Admission) Act are under review. As a result, the government intends to do nothing until the review is complete.

Sections 11 and 12 approved.

On section 13.

L. Krog: Section 13 adds a significant series of sections to the admission-to-a-care-facility act. I'm just wondering: can the Attorney General explain the purpose of section 13? In other words, what change will it make to existing practices, if any?

Hon. W. Oppal: This section makes no change to any existing legislation, which is all under review.

L. Krog: Perhaps it's the number of hours that I've been in this chamber today that explains my question. But is the Attorney General telling the House that, in fact, these sections effect no change? And if they effect no change, why are we proposing to pass these sections in this House today — if it's no change?

Hon. W. Oppal: At the moment there is uncertainty as to which of the provisions will be brought into force. That's the reason why we are where we are.

[1640]

L. Krog: He obviously operates in the stratosphere of a complete understanding of this, which I obviously don't, because I'm not sure that I actually heard an answer in his response to my question.

These sections, which the following part.... It's an addition of a whole part to a statute, which is sections 20, 21, 22, 23, 24, 25, 26. I mean, if this is an addition to the statute, it's a change. If it's not been proclaimed and it doesn't exist, it's a change.

Again, my question to the Attorney General is: what is the effect of section 13?

Hon. W. Oppal: The purpose is to give the Ministry of Health the necessary authority to bring these provisions into effect if and when they need them.

L. Krog: If I understand it correctly, the intention of the government is to have section 13 passed and to leave it in abeyance with no particular intention to, in fact, proclaim it in the near future.

Hon. W. Oppal: Part of that is correct, except pending further consultation and review.

L. Krog: So I'm clear, I take it these are the sections that have been the subject of much concern and comment by the B.C. Association for Community Living and other organizations. In fact, they were — if I'm not

mistaken, and the Attorney General can correct me — the proposals that were made sometime in December with the response date of January that caused them great consternation. Am I, in fact, correct in my understanding?

Hon. W. Oppal: I think I might need the hon. member to clarify the question. If he's talking about discussion and controversy, he may be talking about other proposed legislation.

L. Krog: So I can make myself clear to the Attorney General: my understanding was that the Association for Community Living had some serious concerns around adult guardianship legislation, which I suspect may or may not relate to this section with respect to the admission of adults who live in facilities. Can the Attorney General respond, now having, I think, a better understanding?

Hon. W. Oppal: That's a different issue. That is different proposed legislation.

Sections 13 and 14 approved.

The Chair: Will section 15 pass? So ordered.

L. Krog: I was trying to rise on section 15, hon. Chair.

On section 15.

L. Krog: This provision indicates that if an applicant for registration fails to authorize a criminal-record check, etc., "the board must take the failure or the determination into account when deciding whether to register the applicant or whether to set limits or conditions."

Is this a significant change to the legislation, and if so, what is the current practice?

[1645]

Hon. W. Oppal: The Ministry of Health wishes to have paramedics have criminal-record checks. For reasons that are unexplained, that hasn't been done heretofore.

L. Krog: When the Attorney General says "for reasons that have not been explained," does he mean reasons it's not been explained by the applicant for registration or reasons that haven't been explained to the Attorney General by health providers?

Hon. W. Oppal: For reasons that have not been explained by the providers. My understanding is that there's a void here and there's considerable concern raised about the lack of legislation compelling paramedics to undergo criminal-record checks.

Sections 15 to 19 inclusive approved.

Title approved.

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

Motion approved.

The committee rose at 4:48 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

SUPPLEMENTS REPEAL ACT

Bill 26, Supplements Repeal Act, reported complete without amendment, read a third time and passed.

Hon. B. Penner: In keeping with the Attorney General theme we have going this afternoon, I call committee stage debate on Bill 16.

Committee of the Whole House

APOLOGY ACT

The House in Committee of the Whole (Section B) on Bill 16; S. Hawkins in the chair.

The committee met at 4:49 p.m.

On section 1.

L. Krog: My question is to the Attorney General around the definition of "apology." It reads: "means an expression of sympathy or regret, a statement that one is sorry or any other words or actions indicating contrition or commiseration, whether or not the words or actions admit or imply an admission of fault in connection with the matter to which the words or actions relate."

Just so I'm clear, I take it... It may seem rather silly and obvious. Would that definition, in the Attorney General's understanding, include a written document?

[1650]

Hon. W. Oppal: The answer is yes.

L. Krog: I'm just wondering if the Attorney General can explain — I think it is somewhat implicit in it, but given that this is a significant change to what has been the law in British Columbia — why doesn't the section contain a specific provision that says, you know, an expression in writing or on videotape or in some other form of communication?

Hon. W. Oppal: The answer is that it's not necessary. The words "a statement" may mean an oral statement or a written statement.

Section 1 approved.

On section 2.

Hon. W. Oppal: Hon. Chair, I move the amendment of section 2 standing in my name on the orders of the day.

[SECTION 2, by deleting the text shown as struck out and adding the text shown as underlined:

Effect of apology on liability

2 (1) An apology made by or on behalf of a person in connection with any matter

(a) does not constitute an express or implied admission of fault or liability by the person in connection with that matter,

(b) does not constitute a confirmation of a cause of action in relation to that matter for the purposes of section 5 of the *Limitation Act*,

(c) does not, despite any wording to the contrary in any contract of insurance and despite any other enactment, void, impair or otherwise affect any insurance coverage that is available, or that would, but for the apology, be available, to the person in connection with that matter, and

(d) must not be taken into account in any determination of fault or liability in connection with that matter.

(2) Despite any other enactment, evidence of an apology made by or on behalf of a person in connection with any matter is not admissible in any ~~proceeding and must not be referred to or disclosed to a court in any proceeding~~ court as evidence of the fault or liability of the person in connection with that matter.]

On the amendment.

Hon. W. Oppal: The amendment to the wording of section 2 clarifies that it is the intent of the act that an apology is only inadmissible in court as evidence of fault or liability. The law continues with respect to the admissibility of an apology in the determination of damages. For example, the Libel and Slander Act specifically allows for an apology made before the commencement of the action or at the earliest opportunity afterwards to be considered by a court in assessing the quantum of damages.

The Apology Act is not intended to change the current law with respect to the admissibility of apologies for the purpose other than liability. The law is clear. It is well known that in cases of libel and slander, the evidence of an apology is a relevant factor to consider in the assessment of damages.

L. Krog: With respect to the amendment, can I take it, then, from the Attorney General's comments that this relates only to the issue of libel, and he's satisfied that it only relates to that — the laws relating to libel and slander, defamation generally?

Hon. W. Oppal: The answer is no. There may be other acts and other laws wherein an apology may be relevant to assess damages.

L. Krog: I assume that legislative counsel has certainly provided the Attorney General with some specific examples of why this section needs to be amended in the form in which the amendment is proposed. I'm

just wondering if he can outline to the House what some of those specific examples are so that we on this side can have some greater understanding of the necessity of this particular amendment.

Hon. W. Oppal: I must say that I'm at a loss to come up with other examples, but I would think that's a factor that any trial judge would be free to consider in the individual circumstances of any given case wherein it may be that in the interests of justice a judge may determine that the admissibility of an apology would be relevant in assessing damages.

[1655]

The specific example, of course, that comes to mind is the one that we've advanced so far, but there may well be other circumstances where a judge might consider evidence of an apology to be relevant.

N. Simons: My question had to do with, perhaps, the situation in which an apology would be issued during a criminal proceeding or a proceeding. I'm just wondering if the minister can clarify as to whether or not evidence of an apology would be considered by a judge in those situations.

Hon. W. Oppal: The answer is no. This legislation would be only applicable to civil proceedings and not criminal proceedings, so an apology might well be relevant in the finding of guilt in a criminal case.

N. Simons: I was thinking in terms of the sentencing process and how that sometimes does play a factor. I'm just wondering if — perhaps not in a criminal case, but in a subsequent or concurrent civil case — that would be considered.

Hon. W. Oppal: The rendering of an apology in a sentencing matter is a good issue. Obviously, probation officers and judges consider apologies to be evidence of remorse, and that would no doubt be relevant in sentencing. But I just want to make it clear that the legislation intended to be passed in this House is only for the purposes of the civil proceedings, and they have no effect at all on the criminal law.

L. Krog: The law of evidence, as I generally understand it, is really a matter of provincial jurisdiction. I'm getting lots of legal advice today. Just so I'm clear and satisfied, when the term "fault" is used in section 2(1)(a), it strikes me that it might have some impact in a criminal proceeding. If the Attorney General can illuminate — I don't practise any criminal law, so I'm really at a loss here today.

Hon. W. Oppal: As the hon. member knows, in this House we cannot pass legislation relating to the criminal law on constitutional grounds. As well, there is a provincial Evidence Act as well as a federal evidence act. There are two evidence acts. One is applicable in criminal proceedings, and the other is applicable in civil proceedings.

Amendment approved.

On section 2 as amended.

L. Krog: I appreciate that subsection 14(1) of the Interpretation Act says: "Unless it specifically provides otherwise, an enactment is binding on the government." Appreciating that this is a significant change and a very positive change — the passage of the Apology Act — I'm wondering why the section does not specifically refer to government. The section as it reads now is: "An apology made by or on behalf of a person in connection with any matter." Now, that obviously includes "person" as defined in the Interpretation Act, which includes a corporation. One would argue, I suppose, from a legal perspective, that section 14(1) of the Interpretation Act says that unless it says otherwise, it applies to government.

[1700]

I'm wondering why section 2 doesn't specifically refer to government in particular or government agencies, boards, commissions, institutes created by government, Crown corporations, etc. In other words, it strikes me that this section would not suffer if in fact it is the government's intent to include all of those agencies, boards, commissions that I've mentioned, etc. Why not include it? Why not make a positive and bold statement? If the Attorney General is satisfied that the law is clear and that it will apply, why not say so? Or is the case, in fact, the opposite — that the government intends or hopes it won't have that wide-ranging or far-reaching effect?

Hon. W. Oppal: By virtue of the Interpretation Act, the act would apply to government unless specifically excluded. It does not exclude government, so government is subject to this legislation as well as anyone else.

L. Krog: Again to the Attorney General. As an example, a Crown corporation that, you know, flooded somebody's farmland or had a dam burst and destroy and drown all their cattle somewhere in the Peace River, something like that.... Is the Attorney General satisfied that this legislation, by virtue of section 14(1) of the Interpretation Act, would extend to B.C. Hydro?

Hon. W. Oppal: The answer is yes.

Section 2 as amended approved.

Section 3 approved.

Title approved.

Hon. W. Oppal: Hon. Chair, I move that the committee rise and report the bill complete with amendment.

Motion approved.

The committee rose at 5:02 p.m.

The House resumed; Mr. Speaker in the chair.

Reporting of Bills

APOLOGY ACT

Bill 16, Apology Act, reported complete with amendment.

Mr. Speaker: When shall the bill be considered as reported?

Hon. W. Oppal: With leave of the House, now, Mr. Speaker.

Leave granted.

Third Reading of Bills

APOLOGY ACT

Bill 16, Apology Act, read a third time and passed.

Hon. B. Penner: I call now Bill 22, a topic that generated considerable excited debate yesterday afternoon.

Committee of the Whole House

PROVINCIAL SYMBOLS AND HONOURS AMENDMENT ACT, 2006

The House in Committee of the Whole (Section B) on Bill 22; S. Hawkins in the chair.

The committee met at 5:05 p.m.

On section 1.

M. Sather: Section 1 eliminates the position of provincial secretary and replaces that position with the minister. The note to the bill says that this is an outdated reference. This position that is outdated, then — this is in reference to the Order of British Columbia. Is that correct?

[D. Hayer in the chair.]

Hon. J. van Dongen: In response to the member's question, the change that's proposed in section 1 doesn't actually eliminate the position. The position was eliminated from use within the provincial government in about 1990-1991. What this amendment does is update this act to reflect the change in practice that was made within the provincial government then, and this amendment does apply throughout the whole of this act.

M. Sather: Then the last provincial secretary in that position was back in 1991. Is that correct?

Hon. J. van Dongen: I'm advised that the term was last used in 1991 to describe the minister responsible for this act.

M. Sather: I take it from that, then, that this would have been the last time, or before that, that there would have been a person with that title in that position.

Section 1 approved.

On section 2.

M. Sather: This is the section that caused all the excitement, as the Minister of Environment said yesterday, on the designation of the spirit bear as the provincial animal, or mammal. Whew. I just about blew that, since I made a big to-do about it being a mammal versus an animal.

Simon Jackson, who is the founder and executive director of the Spirit Bear Youth Coalition, has said that while he is pleased with the initiative, he wants the province to protect another 80,000 hectares to provide an adequate buffer zone for protection of the spirit bear. I'm wondering if the minister could comment on whether there has been discussion that he is aware of, if he can give us any information about.... Does the government feel there is any need for a buffer zone to protect this — I think, probably, fairly vulnerable — species or subspecies?

Hon. J. van Dongen: The response to the member's question is really three points. One is that first of all, the staff of the Ministry of Environment, the biodiversity branch, say that the spirit bear gene pool is not at risk. So that is the advice that government has from the biologists in the Ministry of Environment.

Secondly, given the number of existing and proposed protected areas within the range of the spirit bear, the improvements that have been made to the management of timber harvesting impacts and the adaptability of black bears to human disturbance, the long-term conservation of these animals is considered to be secure.

[1710]

That is really the result of the decisions of a lot of the extensive work that had been done by the government working with first nations, working with environmentalists, working with the forest industry, the mining industry, parks interests and a whole range of interests that culminated in the announcement on February 7 of this year of the central coast and the north coast land and resource management plans that involved a total of 1.8 million hectares.

That protected area included more than 200,000 hectares of the spirit bear's habitat, including the more than 103,000 hectare Kitasoo spirit bear conservancy on Princess Royal Island, which is home to the greatest concentration of spirit bears in British Columbia.

M. Sather: Is it the case that trophy hunting of black bear is still allowed in the spirit bear conservancy?

Hon. J. van Dongen: It is illegal to hunt the spirit bear in British Columbia for any purpose. That's my understanding.

M. Sather: That's good news, and I did believe that was the case. The question, though, I had was.... I did want to encompass the black-phase of the black bear as well. Is the black-phase of the black bear...? Is trophy hunting of that animal allowed in the spirit bear conservancy?

Hon. J. van Dongen: The information I have at hand doesn't allow me to give the member a definitive answer on that, but we will undertake to get the answer for him.

M. Sather: Well, there have been a number of environmental groups, I understand, that have expressed concern about the continuation of trophy hunting in the new conservancy areas — one of those organizations being the rain forest conservation society. I was wondering, then, if the government has any concerns that if trophy hunting is allowed in that area for the black-phase of the bear.... Is there any concern that there might be what we could charitably call, I guess, incidental kill of the spirit bear as a result?

Hon. J. van Dongen: As I said in answer to the previous question, we will undertake to get the definitive answer. I think the overall response is that the government has taken the advice of biologists, as I'd indicated earlier. Certainly, it is our intention that the spirit bear is in no way going to be endangered. This government is not going to, in any way, knowingly be party to a management regime that is not going to protect a mammal that we are naming as an emblem for British Columbia.

[1715]

M. Sather: Thank you to the minister for the commitment to get further information on that. I wanted to ask the minister, also, with regard to this designation, what sorts of consultation had taken place.

Hon. J. van Dongen: There are many different variations of process whereby an emblem can be named and has been named in this legislation. In this particular case there was some general discussion with people involved in the LRMP process and our Ministry of Environment, but we did not go through a comprehensive, formalized process where there was public discussion and a specific vote on whether or not a particular animal or plant should be the emblem for British Columbia. It was felt that the case was very clear that the spirit bear was an appropriate mammal emblem, and the government is putting it forward in legislation.

M. Sather: Well, I wanted to talk to the minister for a moment about a concern that was raised by the Gitga'at first nation at Hartley Bay. The minister will be aware that the Premier received a letter from Mary Mackie of the band. She makes note, or it is to be made note of, that the Premier had discussed the possibility, or his interest, at least, in the spirit bear being made the mascot for the 2010 Olympic Games.

He had said at the time: "I think it reflects the symbol of B.C. that everyone can embrace, of not just our natural history but our aboriginal history. I think it would be a great symbol for the Olympics." In the letter that was sent by Mary Mackie, she makes reference to the fact that the spirit bear is very important to their culture.

[1720]

I understand that the bear is symbolized throughout their village. She says that it was her understanding that they have been negotiating with the province on the use of the spirit bear as a symbol for the 2010 Olympic Games. She feels that this news report about the designation suggests that the Kitkatla-Gitga'at have been left out of the equation. She asks: "Please let me know what arrangements have been made with the people of Hartley Bay for the use of this symbol which is so central to their traditions." I wonder if the minister could comment on that.

Hon. J. van Dongen: I want to express my appreciation to the member for flagging this issue with us earlier today. The province is not involved in negotiations with respect to — and the province has no role in determining — the symbols for the 2010 Olympic and Paralympic Games. That role falls to VANOC. So that's a partial response.

This amendment to the Symbols and Honours Act making the spirit bear the mammal emblem does not in any way prevent or interfere with the role of the Gitga'at First Nation and their ability to negotiate the use of the spirit bear as a symbol for the Olympic Games. The amendment proposed here making an emblem does not in any way impair their ability to do that. This legislation simply celebrates the spirit bear as an emblem representative of British Columbia.

M. Sather: While I appreciate the minister's remarks, it is unfortunate, I think, that there hadn't been a discussion with the band. There has been a lot of opportunity for interaction, as we know, over the recent unfortunate incident of the sinking of the ferry and the heroic efforts and successful efforts that band members made to save those on board the ferry. I know the Minister of Environment was there. It would have just been preferable, I think, if government had discussed that with the band.

Hon. J. van Dongen: I appreciate the member's comment. I have asked my staff this afternoon to consult with the Ministry of Aboriginal Relations and Reconciliation to see if there are any actions we need to take with respect to the band on this matter. I want to assure the member and the writer of the letter that we want to support them in any way that the Ministry of Aboriginal Relations and Reconciliation will advise us to do.

Section 2 approved.

On section 3.

M. Sather: Sections 3 and 4 establish the positions of chancellor and secretary. Can the minister advise the

House as to how these positions will work functionally and how this would be different than under the current legislation?

[1725]

Hon. J. van Dongen: The current practice is that the Lieutenant-Governor is an honorary chair of the advisory council of the order, but they are not named to the order upon becoming Lieutenant-Governor. The current Lieutenant-Governor happens to be a member of the order, but the proposal now is that upon being named Lieutenant-Governor, they would become a member of the order automatically by the legislation and they would hold the title of chancellor, which is still essentially an honorary position.

There is a provision in the order for a chair of the advisory council, which is someone other than the Lieutenant-Governor.

The amendment with respect to the position of secretary is intended to formalize in the legislation what has been happening informally in terms of the practice whereby a staff member of the protocol branch provided a secretarial function. It simply formalizes it in the legislation.

Sections 3 and 4 approved.

On section 5.

M. Sather: Section 5 changes the membership of the Order of B.C. Advisory Council. Can the minister advise: what was the basis for these changes?

[1730]

Hon. J. van Dongen: If we look at the three amendments that are being proposed in section 5 of the bill, referring first of all to section 14(a) of the proposed new act dealing with the chancellor, we've already spoken about that in an earlier answer.

Section 14(d) in the new proposed act simply is a change of title referring to current terminology — the deputy minister for Intergovernmental Relations Secretariat as opposed to the deputy provincial secretary previously in the act.

The amendment dealing with the naming of a representative from a university is intended to expand the wording of the act in such a way that the president of any of the new universities that have been established since the act was first written in 1989 will have a turn in rotation at being involved on the advisory council. So where in the original act we had the presidents of the University of British Columbia, Simon Fraser and the University of Victoria rotating through the council, it's now expanded in such a way that any president of a university under the University Act or the Thompson Rivers University Act or the Royal Roads University Act would also have an opportunity to participate in rotation on the council.

Section 5 approved.

On section 6.

M. Sather: Section 6 adds a new position: the secretary of the advisory council. Is that position, then, to be held by the deputy minister of the Intergovernmental Relations Secretariat?

Hon. J. van Dongen: The answer to the member's question is no. It is a separate position. The deputy minister of the Intergovernmental Relations Secretariat would be a member of the council and is a member of the council. This section simply sets out formally the role of the secretary who is serving the council. It sets out what the function of the secretary is, and it will be an individual staff person from Intergovernmental Relations — someone other than the deputy minister.

Section 6 approved.

On section 7.

M. Sather: Section 7. What is the purpose of this section specifying the designation of insignia, and why was that needed?

Hon. J. van Dongen: At the time that the act was originally passed in 1989, the design of the insignia had not been completed. Up until this proposed amendment, it was really up to cabinet. They could describe what they thought the insignia should be. In an effort to provide some level of permanence to this, we feel it is appropriate to add it in the legislation and actually describe the insignia in the legislation. So this is doing what had been intended earlier when the act was first proposed but the design work hadn't been completed.

Section 7 approved.

On section 8.

[1735]

M. Sather: The proposed amendment under section 8 adds a new section to provide for an Order of B.C. member's voluntary resignation or his or her termination by the chancellor. Can the minister explain to the House what the reasons are behind this change?

Hon. J. van Dongen: This section is being added as a result of one particular experience with the Order of Canada. Out of concern for the possibility that a member of the order might conduct themselves in a manner unbecoming to the order, we decided to add this section because it provides a formal mechanism for both a resignation and a termination of a member. The purpose of it is to protect the integrity of the order.

M. Sather: So does that mean that there was an incident where a member was thought to be acting in a manner that was not appropriate?

Hon. J. van Dongen: As I said, there was one incident involving the Order of Canada. There has never been an issue in British Columbia involving the Order

of British Columbia, but we thought that it would be appropriate to add this section just in case there ever might be. Then it would be very clear what the procedure would be. It sets out that it has to be on the recommendation of the advisory council, and it has to be approved by the executive council. So it involves the same elements and the same steps that are involved — the same players, really — in naming someone to the order.

Sections 8 to 10 inclusive approved.

Title approved.

Hon. J. van Dongen: I move that the committee rise and report the bill complete without amendment.

Motion approved.

The committee rose at 5:38 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

PROVINCIAL SYMBOLS AND HONOURS AMENDMENT ACT, 2006

Bill 22, Provincial Symbols and Honours Amendment Act, 2006, reported complete without amendment, read a third time and passed.

Hon. B. Penner: I call committee stage debate of Bill 24.

[1740]

Committee of the Whole House

RESORT TIMBER ADMINISTRATION ACT

The House in Committee of the Whole (Section B) on Bill 24; S. Hawkins in the chair.

The committee met at 5:41 p.m.

On section 1.

N. Simons: I have a few questions about section 1. My first question has to do with the definition of the controlled recreation area. I was wondering if the minister could please advise this side of the House: what is the process of establishing a controlled recreational area?

Hon. O. Ilich: I would just like to start by introducing the staff that I have with me. I have with me Jim Yardley, the acting deputy minister of the Ministry of Tourism, Sport and the Arts. Dave Bacon, the director of resort development, is to my left. Brad Harris is with us also. He is the senior timber tenures forester for the

Ministry of Forests and Range. They're with me tonight to help with any of the more technical questions.

In answer to the question from the member, the establishment of a controlled recreation area is made under the Land Act, and it's pursuant to the terms and conditions of a master development agreement or an operating agreement.

N. Simons: To understand correctly, in fact the process for establishing a controlled recreation area is outlined in policy and not in legislation. Is that correct?

Hon. O. Ilich: Yes, that would be correct.

N. Simons: The establishment of a CRA — if I can get through a few more questions by abbreviating that; it's not going to work. A controlled recreation area is essentially a land tenure contract between the resort developer and the ministry and is not subject to any public input?

Hon. O. Ilich: In fact, it comes as a result of a very lengthy consultation process with all stakeholders, with municipalities, with first nations. The agreement only comes about after a long consultation process with all interested parties.

N. Simons: Can the minister describe to the House where in legislation the requirement to consult with all stakeholders and the public can be found?

[1745]

Hon. O. Ilich: As a matter of fact, the ski hills, commercial recreation areas, are established under the alpine ski policy. For many of them, there is also a level of legislation under the Environmental Assessment Act that requires, by legislation, consultation with many stakeholders.

Noting the hour, could we rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 5:47 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.

Hon. B. Penner moved adjournment of the House.

Motion approved.

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

The House adjourned at 5:48 p.m.

PROCEEDINGS IN THE DOUGLAS FIR ROOM

Committee of Supply

ESTIMATES: MINISTRY OF
ADVANCED EDUCATION
AND MINISTER RESPONSIBLE FOR
RESEARCH AND TECHNOLOGY
(continued)

The House in Committee of Supply (Section A); B. Lekstrom in the chair.

The committee met at 3:06 p.m.

On Vote 11: ministry operations, \$1,981,707,000
(continued).

G. Robertson: I'd like to return to questions to the minister related to operating grants and planning for those grants that takes place within our institutions.

Firstly, is each public post-secondary institution required to submit a multi-year plan and an institutional service plan as part of their work for the ministry?

Hon. M. Coell: Yes to both the questions, and the year is six years.

G. Robertson: Looking forward, it's a six-year plan that is required of the institutions in terms of their service plan that's required?

Hon. M. Coell: Six for a multi-year plan and three for the service plan.

G. Robertson: Can the minister just explain the distinction between multi-year plan and service plan, then, and why there's a difference in terms of the years required for reporting?

Hon. M. Coell: The service plan, or the three-year plan, follows basically the same format as the ministry service plan — the three-year rolling service plan. The six-year plan is more to do with the program enhancements, with increased students and with capital construction costs, renovation changes to the campuses.

G. Robertson: Do all of the institutions participate in the ministry's budget and accountability meetings as well?

Hon. M. Coell: As a normal course, all institutions would.

G. Robertson: I'm curious as to that qualifier "the normal course." Are there institutions that don't par-

ticipate some years or some that have never participated?

Hon. M. Coell: An example would be when the Okanagan College changes took place and UBC Okanagan was created. There was a transition period in there where you might not have met with both of them. Now that they're both up and running, they would both meet with government.

[1510]

G. Robertson: Are there other examples of institutions that have not participated in the budget and accountability meetings?

Hon. M. Coell: I think an example of that would be IIG. They haven't met in that accountability framework as yet, but I would hope they would in the near future.

G. Robertson: First, two questions together: is that the only institution which is currently not taking part in budget and accountability meetings, and regardless of whether or not it is the only one, is there a reason why the IIG is not participating in budget and accountability meetings? Is that something the ministry is imposing on the institution or vice versa?

Hon. M. Coell: Ultimately, what I would like to see is for them to be part of that process. There have been a number of other discussions that have taken place with IIG over the last couple of years, but I think it's probably time that they come into that process along with everyone else.

G. Robertson: I'm a little confused as to why IIG.... Again, we discussed a little earlier the question of why IIG had not received any of the aboriginal special projects funding. We're back again to where they're in a separate category in terms of budget and accountability meetings. The minister referred to it getting to be about that time. Can the minister expand on why IIG is being treated differently from other institutions?

Hon. M. Coell: A bit of background. IIG was created in the mid-90s with a specific mandate. It was a result of an agreement with the province and the Union of British Columbia Indian Chiefs. It had a specific mission and mandate, which they're moving along on, as the member knows. He was at the opening of their new facility.

We've put a number of dollars into a new facility for them. I've asked my staff to meet with them and see what they need from us to go forward and meet the mandate they set for themselves. I'm anxious to have that happen. I'm also anxious to have them come into the fold with the rest of the institutions that would be part of the budget and accountability sessions.

I'm quite impressed with the work that staff are doing with the IIG. I think it's only a matter of time till they become part of the accountability sessions that we have.

G. Robertson: I'm still not understanding the difference and why — we have other institutions, like Royal Roads, that have a history that begins in the '90s — IIG is treated differently to this point. What distinguishes it? In a number of cases here there seems to be completely different treatment in terms of budget and accountability and funding.

[1515]

As the minister mentioned, I was at the grand opening their new campus in Burnaby. From what I recall from being at that fine ceremony, the school has maxed out its enrolment to date. But the minister didn't refer to IIG in the numbers in terms of reallocations or increases to seats for schools that have hit their enrolment targets, and another light went on for me — yet another example of where IIG has been treated differently. Can the minister explain these differences?

Hon. M. Coell: As I mentioned earlier, the IIG is a working partnership with British Columbia's aboriginal communities. What I've asked staff to do is look at their mission and their mandate and how we can help them do that more. We created the new facility for them by BCIT. We give approximately \$2 million for operating costs to the institute. What I want to find out and get some information back on is: what will help them meet their goals? What will help them meet their mandates? Then we can move forward from there.

G. Robertson: In terms of core funding, I'm assuming IIG goes through the same process in terms of planning and being required to submit a multi-year plan, the three-year service plan, the six-year plan. Can the minister confirm that's the case?

Hon. M. Coell: They do the service plan and the service plan report. I think one of the.... The mandate and mission that IIG had is a lot different than some of the other institutes and universities. The previous government — and we continued it — wanted something, I would say, inventive and new in the partnership with the first nations and aboriginal people of British Columbia.

We're trying with them to find: what will make them work? What will build their capacity? My deputy will be spending some time with their staff and their administration and will bring back some recommendations for us as to how we can assist in that mandate. I'm quite positive about the long-term viability of the institute.

One of the challenges that probably the previous government had in coming to the agreement in 1995 is: what does government do and what does the aboriginal community do in showing leadership and building capacity in this institution? I think they have done some very, very good work, and that's why we invested in the new building and why we continue to fund at the level we do. I think that over the next few months I'm going to get some positive recommendations from my deputy as to how we can assist more.

G. Robertson: I'll just raise something that comes to mind, again flowing out of that opening ceremony in

Burnaby, which was concerns from students I spoke with there who live in Vancouver and who were concerned about transportation out to Burnaby. IIG had had their campus close to the downtown east side of Vancouver, the riding of Vancouver-Hastings that my colleague here so capably represents. Many of the students live in that part of the province, and their ability to get out to the new Burnaby campus was a significant challenge for them.

Was that re-siting of the campus a ministry decision? Can the minister elaborate on how that dislocation happened in terms of the campus being away from the population of students?

[1520]

Hon. M. Coell: It was a joint decision by both the institute and the ministry.

G. Robertson: Were there other options presented in terms of choices that the institution could consider, and were students involved in that decision?

Hon. M. Coell: There were a range of options looked at. The institute looked at the options and did consult with, I believe, staff and students, and at the end of the day, they were pleased to make the move.

G. Robertson: I just wanted to touch again on the long-term planning and funding that's related to IIG. The minister mentioned that they are participating in terms of the service plan, the three-year planning process. You didn't specify whether or not they were submitting the six-year multi-year plan and the long-term future of the institution was clear.

Hon. M. Coell: I am hoping that my deputy brings back some recommendations that would possibly allow that to happen. I think that's probably one of the issues that hasn't been dealt with in the past. I think that the mission was to provide a credited specialized program for post-secondary education, skills training and research opportunities dedicated to empowering — and I think this is the key — indigenous people to exercise effectively their right of self-determination.

I think the institute has been doing that and moving in some directions that the mandate, mandates them to. What we've done is say: "How can we help you move that way?" I think a good example of some of the issues that government has done is the \$100 million fund that has been set up for capacity-building, and now there are opportunities for that fund to look at specialty programs in this institute. But that's for them to decide. I think a distinct part of the mission is self-determination and self-direction. We're anxious to help.

[1525]

G. Robertson: In terms of helping, I'll just clarify.... In terms of budget, the institute's funding, is it consistent with the funding to other institutions, increasing at a rate of inflation so that the per-student funding is increasing at that same rate for IIG?

Hon. M. Coell: I don't have the exact number at my fingertips, but they are one of the highest per-pupil funded of the institutions we have.

G. Robertson: I would like to know if the minister can provide that information in terms of going forward, just so there's assurance this institution is being treated equally with all others in terms of forward planning, and particularly that the per-student funding is looked after. Does the minister have any information related to the annual capital allowance and ongoing improvements on the campus?

[H. Bloy in the chair.]

Hon. M. Coell: Actually, the Open Learning Agency owns the building that all of those — Knowledge Network, Open Learning and the institute — are housed in, so our capital would be going through Open Learning. There was significant money spent to upgrade the classrooms and lecture areas in the part of building that the institute inhabits.

G. Robertson: So the facility itself is owned by Open Learning. All of the equipment, the ongoing capital needs — are they addressed within the funding envelope? With the core funding for that institution, is there an annual capital budget that they are allotted?

Hon. M. Coell: There may be two separate areas: the capital and the operating. The operating would cover things like computers, desks and those things that wear. The capital would be the infrastructure of the building, which we keep up through the Open Learning Agency. We want to make sure that all of that building.... If you've been through it, it is in very good shape, and the upkeep is first-class on that building.

G. Robertson: After visiting the IIG for that grand opening, it is an impressive facility. Their work to turn it into something unique and very vibrant is impressive. I think it deserves great recognition. I was very impressed, too, by the community support that was most evident at their grand opening — a very broad and diverse community represented there. Certainly, we'd like to see that school, that institution, succeed and look forward to hearing the progress that the minister and staff make in strengthening that relationship.

I'll just move to other capital projects around the province. Could the minister please provide some details on other capital projects at institutions that are not meeting that \$50 million threshold that's set out in the act? The Budget Transparency and Accountability Act may be setting it at \$10 million or more. Could the minister elaborate on projects that are over \$10 million?

[1530]

Hon. M. Coell: That's one of the questions you may not know which to ask. It's a very long list.

Interjection.

Hon. M. Coell: I can do that. I'll just give you an idea of some of the costs. The Sea Island expansion: we've got \$16 million in there. The Quesnel replacement campus is \$11 million. These are all done within '06-07 budgets, but there are literally hundreds here. I think I'd be better off to send them to you, and then you can have a look at what phases you want to talk about. There's literally.... On the campuses in B.C. right now, there's commitment for almost \$800 million worth of projects. These are just this year's. As I say, literally, it appears to be close to a hundred. So I'll make a copy and send it over to you.

G. Robertson: That would be most appreciated — to see that whole list. Maybe it is clear from the list, but it would be helpful to know if any capital projects in this ministry have been changed or put on hold in the past year.

Hon. M. Coell: There are no projects that have been on hold. They're all going ahead. What I would offer the member — and we did do it with a number of other issues — is a full briefing on all of these for you at your convenience.

G. Robertson: That would be good. I think there's a lot of detail to work through here.

A question specific to the funding for the Great Northern Way campus, the former Finning Tractor land site in Vancouver, which I understand does have private funding integrated into its game plan. Can the minister elaborate on how the public and private funding are working to create that campus?

Hon. M. Coell: I appreciate the question. The campus and facility are created by the four post-secondary institutions: the University of British Columbia, Simon Fraser University, British Columbia Institute of Technology and the Emily Carr Institute of Art and Design. They have worked to put this campus together jointly.

[1535]

The member may be thinking about the digital media education component that was in the throne speech, in the budget, which was \$50 million for graduate programs in digital media. We're hoping to partner that money with the private sector in developing some of the programs and some of the teaching opportunities on that campus. I think that answers the question. If it doesn't, just elaborate please.

G. Robertson: I was seeking just to confirm whether or not there was private funding involved in terms of the capital to build out that campus at this point. It's a bit of a mishmash of buildings, and there's quite a significant amount of investment and infrastructure there that will need to take place for the campus. I'm just curious as to whether there are private dollars involved in that.

Hon. M. Coell: At this point there hasn't been. That's not to say there couldn't be in the future if there

was an opportunity for P3s or joint sharing with the private sector, but at this point the moneys come from government and the institutions themselves.

G. Robertson: The minister referred to the new program, the master's degree program in digital media, which was an exciting announcement to take place at Great Northern Way campus and will, hopefully, further distinguish British Columbia as a world leader in digital entertainment and new media.

I'm curious about the program, specifically, and whether or not within the ministry's budget there is long-term stable funding for the program. Beyond the initial investment to create the program, what provision is made for long-term funding?

Hon. M. Coell: The \$50 million is an endowment, so that endowment is the funding that will keep coming on an ongoing basis for long-term funding.

G. Robertson: The endowment is, at this point, the only funding that exists to support those programs? Or is the ministry anticipating that the institutions that are partnered in this new campus will also be supporting these programs with some of their funding?

Hon. M. Coell: The business plan for the endowment, we agree with. We think it will allow significant funds to go forward for this program. My hope for that campus is that it will develop and we will see all sorts of innovative ideas come back to government for funding in the future. They would probably come back either through the consortium or through each individual partner.

I think it's an opportunity. It's a new type of campus. It's one that has certainly caught the imagination of a lot of people within the four partner institutions, so I'm looking forward to, on a yearly basis, getting ideas and suggestions on how that can be improved and how it can be added to. As I said earlier, I think there is an opportunity there for some P3s and potentially using the private sector as a part of that — specifically with the digital media. That's a good start.

G. Robertson: Another example of an endowment being used to fund a program, in this case the master's degree program. Are there other master's degree programs that rely solely on a one-time endowment funding that's drawn from?

[1540]

Hon. M. Coell: The examples I gave yesterday of the Michael Smith Foundation and Genome and the natural resources and this one all have.... Part of their mandate would be graduate students, but not all of their mandate, so they're going to be funding graduate students and research through the foundations. That was one way we saw that we could put in some support for graduate students — by having these foundations and endowments set up that did research. And of course, research generally attracts graduate studies and graduate-level students.

G. Robertson: Well, I'm curious, then. Whose degree do these students get? If it's funded from an endowment solely and there are four parent institutions related to the program and the campus, who is actually granting the degree for this master's program?

Hon. M. Coell: I think that one of the benefits of the consortium of the four institutions was that all four of them could be granting degrees for people actually studying on this campus. I can give you a couple of.... You might have a scientist working with a Genome B.C. grant who is going to get a UBC degree at the end of it but who is doing work with Genome B.C. on a separate project that is supervised by a professor at UBC.

I think there are some really innovative ways of getting graduate students involved in this campus. Especially with the digital media, I think there are going to be some very, very positive and ingenious ideas come forward.

G. Robertson: My concern is that although there is all sorts of innovative potential, this is a new model. It doesn't seem to match with anything that's been done before, in terms of a master's program funded by an endowment that is attached in various ways to four different institutions at a campus that is still in formation. The concern is that although there's lots of innovation possible and ingenious ideas may flow from it, who's really responsible for it, for administering it and ensuring that students are getting the quality of education they need and that all of the supports are there for them as they pursue this program?

My caution and my concern here are that it was a great funding announcement to add to the budget, but how well-thought-through is this? How well-planned-out it is? For students, particularly going into master's programs, to be able to know that there are years of stability in the planning, in the works — that this is actually true....

[The bells were rung.]

G. Robertson: Would the Chair like me to take my seat?

The Chair: We'll recess until after the vote in the House.

The committee recessed from 3:44 p.m. to 3:56 p.m.

[H. Bloy in the chair.]

On Vote 11 (*continued*).

Hon. M. Coell: To elaborate on the member's question, the four partners, as we had said, in the Great Northern Way are UBC, SFU, BCIT and Emily Carr. There are three program areas: urban sustainability, transforming the arts and digital entertainment. The first intake of grads will be September 2007. Further to

some of the discussion, the government appoints all of the boards of the institutions. Those boards are a consortium, and those people are still responsible for the Great Northern Way.

They filed a business plan with Economic Development, and the initial funding of \$50 million came from Economic Development. There would be an opportunity — and I know their estimates haven't come up — if you wanted to delve into that business plan with Economic Development. They would be able to clarify the \$40.5 million — not \$50 million as I mentioned.

The original land, the 18 acres, was a donation. I think 80 percent of it was donated, and part of it, 20 percent, was purchased in 2002. The institutions have been and will be putting money into that campus, and that will be how.... They'll have to make that decision. I'm sure they will probably from time to time come back to government, both federal and provincial, for capital funds, but they're together working through how that campus will be developed. I'm very optimistic that it's going to be, as I said earlier, very innovative. That's what we're hoping to see: innovation and new ways of doing business for those four institutions.

G. Robertson: A question now about the new private college relationship at Simon Fraser University that was endorsed by the SFU senators a few weeks ago. This is the university's deal with IBT Education Ltd. that was fairly contentious, I think, with the student body and faculty. I'm curious: does the minister have a view about this private college being on a public university campus?

[1600]

Hon. M. Coell: Just a comment on the question. IBT is a private Australian company that specializes in the recruitment, retention and transition of international students. The agreement will have no impact on the British Columbia government's support of the public system. It has no effect on the 25,000 new students or the \$800 million in capital projects.

We're currently undertaking discussions with SFU and IBT to better understand the nature of the partnership and to determine how to work together to ensure that this partnership, if it goes ahead, moves in a positive way. I haven't had those discussions yet. Hopefully, I will in the next little while.

G. Robertson: At this point will there be public money dedicated to this new relationship — the role of the private company at SFU?

Hon. M. Coell: Not to my knowledge. No.

G. Robertson: I would appreciate an update from the minister as he knows more in the weeks ahead, just so we're aware and up to date on that.

A question now about UBC and challenges at UBC in terms of funding. From what I gather, in this fiscal year UBC is raising tuition, cutting spending and still

running a deficit. I'm not totally clear on the details, but apparently the major contributing factors here are that the province has not been willing to cover some of the inflation — their share of the inflation costs to UBC.

There was a \$10.8 million one-time funding that UBC had in place for several years that failed to materialize this year. I'm not clear if it was there last year. I'm not clear on what agreement is in place for that so-called one-time funding that I understand has happened repeatedly. Can the minister clarify whether the ministry is intending on covering their share of inflation costs at the university and whether that one-time funding will become more stable for UBC?

Hon. M. Coell: Actually, UBC has run surpluses in the last few years and isn't intending on running a deficit this year. One of the agreements we had with the universities in the province with the tuition cap of the rate of inflation was that we would add \$30 million to the university budgets, and that would cover the inflation. We will also cover the costs of the new agreements with faculty and staff. So that should take into consideration any of the inflationary costs that they would see.

G. Robertson: This \$30 million that is in place to cover inflationary costs — is that calculated specifically from the core funding to the institutions? And is the cost of inflation increased by that, or is it a more arbitrary figure?

Hon. M. Coell: The \$30 million for the universities as part of the tuition cap was an amount that they agreed upon. Actually, they brought that figure to us, and we worked with them on that.

Just further to the question re UBC, their FTEs are going up by 3 percent this year, and the actual growth in their budget is going up by 6.8 percent, so they are getting an increase rolled in that, as well as the \$30 million.

I think what is important to the universities and to the colleges, too, is that government cover the cost of the new contracts. They're sizeable — in the 10- to 12-percent range over a period of four years. So that would be a significant cost for them to cover, and we've agreed to cover that.

[1605]

G. Robertson: I just have a question that may be somewhat unrelated to any of this. I see reference to a central data warehouse that appears.... I think the briefing we had on the shift and full-time-equivalent calculations referred to a central data warehouse as well. What and where is this central data warehouse? Is it related to the ministry directly, or is it housed somewhere else in government?

Hon. M. Coell: It's actually a computer warehouse which lives within the ministry, and it's specifically with FTEs and changes. We want to keep control and

know where FTEs are growing or shrinking or where we need to do the reallocation. That's the use of the warehouse, but it is just a computer warehouse.

G. Robertson: This warehouse is an administrative function within the ministry. Can the minister give information on how it's funded or to what degree it's funded, the budget specific to that function and the FTEs that are involved in the workings of the central data warehouse?

Hon. M. Coell: It's a very small part of our budget. It's out of the planning aspect of the ministry and probably has one or two FTEs that input data and produce reports for us.

G. Robertson: On a somewhat related note, a question about the communications budget. The Ministry of Education got a \$2 million budget lift when the communication services were transferred from the public affairs bureau to that ministry. Did this happen in the Ministry of Advanced Education as well?

Hon. M. Coell: The ministry itself doesn't have an advertising budget. It goes through the public affairs bureau, and that would be the Minister of Finance.

G. Robertson: I take that as a no, that there was no transfer of communications budget specifically from the public affairs bureau. If the minister could affirm that and maybe explain if there is a communications function within the ministry and to what level that is funded and covered by FTEs.

[1610]

Hon. M. Coell: Just to elaborate on that, the communications belongs to public affairs bureau, and they have that budget. Some of their staff are housed in different ministries, but they are part of the overall public affairs bureau vote in the Minister of Finance's budget.

I think I understand that where the member may be heading is that there are a number of institutions that have communications budgets, like UBC and UVic that have communications budgets to advertise and get students. They do that internationally, and they do it nationally as well. They would each have individual communications budgets.

I've often thought that, possibly, a joint communications within the entire public advanced education system in the province, internationally, would be something good to do, but I haven't broached that with the universities, colleges and university colleges as yet. I know that individually, they each have that sort of budget. It's to attract students and graduate students at the university level as well.

G. Robertson: Is the minister concerned, given the attention that was brought to the advertising by different institutions around the province quite recently? It did certainly raise concerns among student bodies and concerns about enrolment and challenges to enrolment

at some campuses. Is the minister concerned about this sudden move of institutions to have to advertise to try and attract students to address challenges with enrolment?

Hon. M. Coell: Actually, I think that if you go historically, there have been times when universities and colleges advertise more than others. In times where there's a poor economy, they probably don't have to advertise. In times where there's a good economy, they advertise more. I guess, too, with the new university campus in Kelowna — UBC Okanagan — and Thompson Rivers.... They're new universities; they would probably want to get the word out that they're there, that: "Here are the programs that we have."

One of the things that I got quite a bit of enjoyment out of, and the member may have, is all the media attention we've had over the need for post-secondary education. We couldn't have bought that kind of advertisement. It would have cost us literally millions of dollars to be on the front page of the *Vancouver Sun*, and BCTV it seemed like night after night was saying: "We have a skills shortage. There are great jobs out there. Go to university; go to college." We probably got a lot of free advertising this year, which you might not get every year, for post-secondary education. I must say I smiled every night when I saw it on TV. I thought it was a great plug for our post-secondary education system.

The colleges and universities. I noticed there was some advertisement in the spring. I know that internationally they advertise for international students who pay for themselves. That advertisement really doesn't cost the taxpayer anything, in that the cost ends up being picked up by the international students themselves. But I think it's good. I'd much prefer to see free advertisement, and if BCTV, Global, the *Sun* and the *Province* want to continue pushing that we need students in skilled trades, I'm all for it.

G. Robertson: Well, what seemed odd with the advertising campaigns and all the attention paid to it was the sense that universities and colleges were needing to advertise to attract students because we have a skills shortage, while at the same time we're investing a large sum of public dollars and creating more spaces — the 25,000 new spaces. The concern that came up and that I certainly heard from a number of sources was: "Why are we creating 25,000 new spaces when we have to advertise to fill the current facilities?" It was a disconnect that I think people did find challenging.

A question now about BCcampus: if the minister would just give a quick update on enrolment and activity with BCcampus.

Hon. M. Coell: I can elaborate quite a bit because we have a good story to tell here. BCcampus's model for on-line and distance education builds on the strength and expertise of all of British Columbia's public post-secondary institutions, providing increased access, more choice and greater flexibility throughout the province.

[1615]

One of the benefits of the BCcampus model is that it's not necessary for a student to own a computer or be connected to the Internet at home to be taking these on-line courses. The model facilitates students using computers at BCcampus institutions for access. These institutions could include colleges, university colleges. The universities all partner with BCcampus. They also might include public libraries and community access centres. Many employers also provide computers out of office hours to support their employees using BCcampus.

The enrolments in the on-line courses registered through BCcampus have grown from 2,500 in 2002 to over 12,000. I mean, that's a 10,000-person increase in courses registered in 2005-2006. With this continued development of automated services, enrolments are expected to continue to grow at that rate for some time.

It's a really good program. It's been put together over years, and obviously has just taken off, when you see 2,500 in 2002 to 12,000 in 2005-2006.

G. Robertson: The minister's advisory council on post-secondary education. I've seen reference to it. I'm not clear at this point who sits on that council. Would the minister elaborate on who's involved in the council, how it's funded and what the mandate of that council is.

Hon. M. Coell: When I was made Minister of Advanced Education, there was a model in place that I have changed a little bit, and I'll outline why I've changed it. I wanted to have a council that I could use as a sounding board and also to get information as we review programs and ideas.

What I've done is.... I've got my deputy minister on that. I've got representation from SFU, from NLC, and also from the private post-secondary. We have five students on it from UBC, University of Phoenix. The Canadian Federation of Students has two reps. We have faculty from two of our institutes. We have the president of CUFA. We have a couple of members-at-large; the chair of BCCAT, a former deputy minister; and then university representatives from the presidents; Leading Edge B.C.; the B.C. Innovation Council; then an industry in business and ITA rep; and then a representative from the K-to-12 system; the aboriginal community; and a faculty rep as well.

I've tried to keep it broad, bringing in students and the unions, as well as industry and then a broad representation of the institutions, both at the administration level and the academic level. We will be meeting in the next six weeks or so, and that will be our first meeting.

I look forward to working with this group of people who can give me input that is, from time to time, probably different than I'll get from my colleagues in cabinet and different from what I get from my staff as well. I think that opening it up to a lot of stakeholders will give a good balance to the information and ideas that government creates. I'm looking forward to meeting with them.

G. Robertson: This council, in terms of how long people will be involved for — is there a term that has been established for how long members of the council will sit on the council? Is there a sense for how often you will be meeting with this council?

[1620]

Hon. M. Coell: I purposely didn't set terms. What I did is ask people if they'd be willing to sit on the council. Then, I thought, probably at our first meeting, we would discuss length of terms.

A lot of the people who are sitting on it are representing different organizations, whether it's the Canadian Federation of Students or CUFA or the administration of universities. I'm going to rely on them to give me some advice as to how long a term should be, as well as if there are any more people. If I've forgotten some group of people who are stakeholders that I should have had on the committee, we can add that. I think that over, you know, the first couple of meetings, I will get that feedback I need.

The other thing is that my hope is I'll be able to draw on their expertise over the telephone as well. You might have a couple of formal meetings a year, but there might be a number of subcommittees or a number of other ways, whether it's e-mail or a telephone call, that I could get information and advice from them.

G. Robertson: We'll just keep bouncing around here. I have a set of questions related to trades training and the new funding that came through ITA and the Economic Development Ministry to benefit trades training. I'm curious. In seeing one component of that, there was \$90 million dedicated to a tax credit for industry. How that is anticipated to benefit students or attract students into trades training?

Hon. M. Coell: That \$90 million comes under another minister's responsibility. I did check, and Economic Development won't be meeting this afternoon, so the member will be able to talk to that minister about those estimates.

To my knowledge, the tax-credit system hasn't.... The money is there, but the system hasn't been decided on yet. It would be best if those estimates were canvassed in the Ministry of Economic Development.

G. Robertson: Maybe. Looking at what I've got in terms of trades training, these questions are probably more appropriate for the Minister of Economic Development and the ITA estimates. Although they certainly affect students and the colleges that provide that training, I will leave that for then.

Switching to private colleges and the degree-granting that takes place at private colleges. There has been ongoing and steady concern through the media, through students who have had challenges, about what get dubbed "degree mills." Will the minister elaborate on what safeguards the ministry has in place for students here in B.C. who are pursuing education through private colleges?

Hon. M. Coell: I can give the member a little bit of background. The Degree Authorization Act came into force in November 2003. It states that private or out-of-province institutions may not advertise, offer, sell or grant degrees or make use of the word "university" unless they've undergone a quality assessment process and received ministerial consent. The Degree Quality Assessment Board oversees the quality assessment process and ensures that applicants meet criteria established by the Minister of Advanced Education.

[1625]

Now, prior to consent being granted, institutions must provide financial security through a bond to protect students' unearned tuition and provide information ensuring that students will be able to accept their transcripts should the institution close. I think we've seen a couple of those close, and other institutions have picked up those students quickly, and those funds have been there to help them.

There have been a number of private institutions that are able to grant degrees, Columbia College being one, Sprott-Shaw being one, and Trinity Western University. Those are the types of private colleges, be some private or public, that are able to use the words "bachelor of arts" and grant a degree.

There has been a desire to see a few of these private universities come in. Granted, they're very small in nature at this point, but it gives, from our perspective, just a different opportunity for students to look at a different type of degree in a different type of setting.

G. Robertson: Thanks for some background on the private colleges. I'm primarily concerned about the safeguards in the system that are in place, maybe starting with the ministry, in terms of challenges in the private system, liabilities related to the private system — the private colleges, those businesses — and the student financial assistance that's associated with that.

Hon. M. Coell: There are in the province about 600 private colleges, some of which can grant degrees after they've gone through the process that I outlined.

For us there are two things that are important to consider. These private organizations don't cost the taxpayer any money. They, on the other hand, supply a different opportunity for students throughout the province, so we want to make sure that they're accredited. We want to make sure that they have safeguards in place for students if they close — that there would be funds available. They all have to put funds aside — those that are accredited — to cover the instance where one would close for a number of reasons.

From my perspective, they're a different opportunity, and they've been part of British Columbia for decades. We have tried to regulate them in a way that is helpful to students but that also leaves an environment where you've got a very strong public system. You've also got an option of a private system.

I don't envision a huge influx of private universities. We've had two or three. Generally, if you look back in the legislation, you have private member's bills

that bring in theological colleges — usually one a year, one every couple of years. But the province has such a great history of public sector advanced education that I don't see other than smaller universities or colleges, in any event, coming in, in any great number in the future.

[A. Horning in the chair.]

[1630]

G. Robertson: I'm a little surprised to hear the minister say that there is no cost to B.C. taxpayers of the private colleges. My understanding is that the ministry does fund, through the B.C. student assistance program, students at private colleges. Student loans are carried for students that do go to private colleges. That looks like a cost to me when you look at it from all angles. Does the minister agree with that?

Hon. M. Coell: If they're accredited, they go through a process where they would be eligible for students to get student loans at their institution. They're not all designated, but what it does is allow students to take out a loan and get the course they need. I view that as an opportunity. I think it would be unfortunate if students couldn't take out a loan to use in these institutions. I think it allows people to get the courses they need and get the financial help they need to get the course.

G. Robertson: Well, the real concern is: is there enough scrutiny and are there appropriate safeguards in place with the private institutions, from the ministry's perspective? Is the ministry doing all that it can to safeguard the students who are borrowing and qualifying for student loans, which then are immediately paid over to those private colleges?

Questions have continued to arise over these past few years as to whether there is enough scrutiny and regulation of the private colleges. My sources tell me that PCTIA is only coming into play when these colleges are going out of business. So the question, if we look to those that are in business and not only the quality but the programs being delivered, is: is there enough scrutiny? Is there enough regulation? Are there enough safeguards currently in play? Is the minister confident that there are and that students and taxpayers are being looked after through the education provided through private colleges?

Hon. M. Coell: I believe there is. I think that all are registered, and then only the accredited ones will be eligible for student assistance. We've got the student training completion fund that's there, we've got PCTIA, and we've got the DQAB. I think that with those in place, there is adequate oversight.

I think that from my perspective, what I like to see is the broad range of opportunities that students have in British Columbia. The private sector gives us that broad range and opportunities that wouldn't be there if the taxpayer had to fund all of the buildings and all of the staff. Our part of the equation would be the student

financial assistance. Only 15 percent of the total financial assistance goes into the private institutions; the other 85 percent goes into the public sector.

G. Robertson: We did discuss those percentages yesterday to some degree. My quick math yesterday led me to believe that actually, the percentage, although it's only 15 percent of the student assistance program that's allotted to students at private colleges, is a significantly higher percentage than the percentage of students that are in fact enrolled, particularly if they're calculated as FTEs.

Can the minister explain or illuminate for me whether or not he's concerned that the funding that is targeted through student assistance programs is inordinately high toward private colleges and trainers versus the public system?

[1635]

Hon. M. Coell: The history is that students have had the ability to get a student loan and go to private institutions for a large number of years, so there isn't anything new here. We haven't seen any change. If anything, it may have dropped a little bit, because we don't offer the grants that may have enticed students to go to private institutions before. But it's been pretty stable for a long period of time.

G. Robertson: I'll now turn back to some more specifics related to trades training at the colleges. I wanted to ask the minister a few questions related to the career technical centres, the CTCs, that are shared programs between the Ministries of Education and Advanced Education. I had the opportunity to ask some of these questions to the Minister of Education, some of which she referred on to Advanced Education.

I'm curious. How much total funding did CTC programs get last year from the Ministry of Advanced Education?

Hon. M. Coell: There are a number of funding sources here. We block-fund the institutions we're responsible for, and the Ministry of Education block-funds the school districts. They, in addition, could get funding from ITA as well. They design the program. A good example would be that the University College of the Fraser Valley and the Abbotsford school district have a program they've put together. They each fund it. I suspect they probably go to ITA as well — I'm not aware of that — for funding for the trades and technical component of it.

It seems to have worked quite well. I think there are seven of them in the province that I could probably get some information on for the member. I'd have to go to the other ministries to get that information, but I'd be willing to do that.

G. Robertson: So there is no targeted funding from the Ministry of Advanced Education for CTCs. It is buried within the block funding for the institutions. Is that correct?

Hon. M. Coell: Yes, that's correct.

G. Robertson: There has been some concern from institutions that I visited — students of those institutions as well — that these programs are in doubt in terms of their future. With the new ACE IT program coming on stream, the CTC programs don't seem to be in favour. There were a lot of questions as to whether the ministries and the government generally are committed to maintaining and growing these programs.

[1640]

In my estimates questioning with the Minister of Education, she gave me a rundown quickly of the numbers of students year to year at the seven school districts that are involved from the Minister of Education's perspective. It was surprising to see that other than in one school district, across the others there was an average of about 20-percent growth across the others in enrolment from '04-05 to '05-06, which is pretty robust growth in enrolment.

My question is: how committed is the minister to maintain or to grow these programs and provide ongoing support to ensure that this type of trades training is still maintained in those communities, where they have, in most cases, built very good programs specifically for their local economy?

Hon. M. Coell: I, too, have been to a number of those programs, and I think they're very worthwhile. I think there's another avenue of funding too. The ACE IT program is out there as well.

I think one of the things that we have to do in advanced education, whether it's trades training or university training, is give options. That's one of the things with having the trades training, ACE IT and a number of other projects that I think are coming forward from the Ministry of Economic Development. Options, with the increase that they have in their budget, will come forward during the year, but I think you're just building on success that was there over the last few years with the career training centres.

G. Robertson: I'm encouraged to hear the tone. I'm not clear whether there was a sense of commitment there. Is the minister committed to supporting these programs in the years ahead? Will he advocate for them to be properly funded and encourage the other ministries to step up to the plate?

Hon. M. Coell: I think that one of the ways we can support these is by letting local communities make decisions, as by block-funding the school district in Abbotsford and block-funding the university college. They're on the ground there. They're working with their industry and their community, so they decided to do it.

I think it would probably not be a good thing for the bureaucracy, and me being the bureaucracy in Victoria, to start telling people what they should do. We want to allow them to have the funds and the flexibility. I think that's what has happened in those seven

school districts. We've been able to see a really good synergy between the college and the school district. I would like to see that continue to go, and that's how I would be advocating for these sorts of trades training.

G. Robertson: Noting that there is no funding directly from the Ministry of Education, the funding from the Ministry of Advanced Education is within the block funding. From the minister's words, I take it that he's committed to maintaining that. I mean, the service plan maintains that block funding, leaving it to the discretion of the institutions, the local communities.

The question, really, is whether the Ministry of Economic Development is following through with their component of funding. I understand there is a component of this funding that comes through the ITA, so I urge the minister to work with his colleague the Minister of Economic Development to keep these programs growing and well-supported in their communities.

I'll shift over to some questions and concerns related to the growing shortages of medical laboratory technologists in B.C. — and medical laboratory assistants as well. Those two programs — both of which are now, I believe, fully subscribed around the province, with significant waiting lists at BCIT, VCC and other colleges — are growing.

[1645]

There has been a call for more investment in the existing programs, a call for new programs to be created for MLTs and MLAs — the other kind of MLAs. It appears that this call to create these new programs — specifically at the College of New Caledonia and UNBC, which are wanting to create a new northern MLT program — has been rejected by the government recently. Can the minister confirm and elaborate on the reasons for that?

Hon. M. Coell: I may need some elaboration on the question, but there are a total of 683 new spaces being added to health programs in the 2006-2007 year. Of the spaces, 450 are for registered nurses, 29 are for graduate nurses, 15 are for nurse practitioners, 16 are for licensed practical nurses, and there are another 173 spaces being added to a range of allied health programs. There are a number of new seats across the province being allocated.

I'm not sure whether there's.... The member can elaborate further on the issue that he mentions. You know, a good example is that from 1980 to 2001 there was no increase in medical school spaces in British Columbia, despite a 50-percent increase in the population. We're doing catch-up for, really, two decades of neglect of those spaces. There are health spaces, as I say, in medicine, nursing and a range of other health program expansions, but if that isn't the question, maybe the member could highlight it for me.

G. Robertson: I'm referring specifically to medical laboratory technologists, the MLTs, who are in short supply now — along with many other health professionals, particularly in the supporting roles. There are

shortages, there are waiting lists, and there are real challenges.

Specifically on the MLT programs, I understand that CNC and UNBC had wanted to create a program in the north for MLTs, which has been rejected. Specifically, that case is what I was referring to. Is the minister aware of this case and the reasons for which it was rejected?

Hon. M. Coell: I think that in the ten months I've been a minister, all I've done is approve new degrees and new programs. I don't think I've rejected any, nor have any been cancelled. So I will look into this issue.

What we do when we allocate the spaces is deal with the health authorities and the Ministry of Health as to what they need in different areas of the province. In some areas there is a greater need than in others. Then we evaluate the number of dollars we've got in that budget year for the number of seats and allocate them, as I've done, saying, you know.... We needed 173 spaces, but they're in a broad range of health programs, and then the bulk of them are the 450 nursing spaces, and then the doubling of the medical spaces.

I'll have a look at this. To my knowledge, all I've done in the last ten months is approve increases in budgets and approve the number of baccalaureate and master's degrees that are given out, and will continue to do so.

[1650]

G. Robertson: It's disappointing to hear that the minister is not aware of this. It probably indicates there's a much bigger problem here or a much greater challenge — a real challenge, I think, related to health professions, because it isn't just in the north. I had heard, also, that Malaspina University College was looking at putting together an MLT program for the Island as well. Because they're in such short supply, we're relying upon MLTs from elsewhere to come here to B.C., which is part of our history in the health professions — to rely on qualified people from elsewhere moving here.

Speaking to the larger challenge, I think these health professions.... I know there have been a couple of bodies.... The Health Professions Council was axed by this government some years ago. HLIA was scrapped. There were vehicles which were looking at the health care system in comprehensive ways that the health authorities are unable to do within their regional silos. We're looking at re-skilling and training, providing those services and programs and ensuring that shortages were tended to.

It's unsettling to hear that there's nothing on the radar right now in terms of MLT or MLA programs that are certainly needed here in B.C. My riding, Vancouver-Fairview, is full of health care, and being so close to the hub of health care in B.C., it's not just MLTs and MLAs that I hear about. It's radiation technologists. It's the whole plethora of health professionals in many of the key supporting roles, many of which are not regulated, many of which are facing challenges right now in terms of qualified workers. Certainly, the

programs don't exist in enough numbers to provide those workers.

With bringing that to the minister's attention, I'll move on here. Just a question. Maybe we shift to the research and technology and innovation component of the ministry.

The ministry service plan identifies, as a performance measure, that public universities should increase their sponsored research funding from all sources, including the provincial government. Could the minister please indicate what steps his ministry is taking to increase the amount of provincial government-sponsored research at our public universities?

Hon. M. Coell: Firstly, I'd like to respond to the last question. I mean, I'm sort of taken aback, to be perfectly honest. In the last five years we have doubled the number of doctors. We have 62 percent more nursing students. As I listed, the number of nurses, LPNs, graduates, licensed practical nurses — a huge, broad range; 25,000 new spaces. I mean, this hasn't been done in 40 years in this province. In the ten years that the member's party was in power, they did nothing for doctors — absolutely nothing, no change. The population went up by 50 percent.

We're doing a lot of catch-up right now, but we're doing it with dollars — 25,000 new seats, a billion dollars' worth of new building on university and college campuses. I'm a little taken aback by the member saying that we aren't doing enough for medical services and health. I don't think a government in the last 20 years has done as much as we've done and will continue to do.

[1655]

With that, the member asks about how we're supporting research. Well, in this year's budget, there was over \$200 million worth of new research: Michael Smith Foundation, Genome B.C., natural resources foundation, the digital media foundation — those are all researches. On top of that, in those first five years of this government we put money into Genome B.C. and \$100 million into the Michael Smith Foundation. Literally hundreds of millions of dollars have gone into research in this province in our public institutions because of those foundations that are endowments that will keep going outside of government in good times and bad for decades to come into the future.

The ability to have research buoyant in this province is there and continues to be there in this budget, in last year's budget, in the budgets that will come forward in this mandate, in this three-year plan. There are significant increases in this budget that will help research at all our public institutions.

G. Robertson: We have two conversations going at once. I'll just respond again to the need for more health professional training beyond doctors and nurses. Certainly, the roles of doctors and nurses are absolutely fundamental in our health care system.

I raise the issue of medical laboratory technologists, B.C.'s third-largest group of health professionals.

Speaking with people in that realm, health professionals, specifically laboratory technologists and assistants, there are shortages there. There is a need for more programs. Although it's important that there's been investment, more spaces created for doctors and nurses, more opportunities to shore up the lack of investment in that for decades, it's important that there's a comprehensive approach to the whole health care continuum.

Certainly, medical laboratory technologists play a vital role. Radiation technologists play a critical role. There are many health professionals through that continuum — care aides, home care and residential care aides — that all require training.

We have challenges all the way through our health care system right now in terms of having the capacity to deal with an aging population. With that, I'll just encourage the minister to be aware that there may be a crisis looming — beyond the doctors and nurses and the supply there, but right through the health care system. There may be challenges with the structural mechanisms to address those currently, not only in the training side but in terms of his government being aware of the shortages around the province right now.

Back to research. A question specifically on the new endowments — natural resources and applied science endowment, and the centre for digital media: are there measures contained within those endowments that are designed to increase the future supply of researchers and professors?

Hon. M. Coell: I think the easy answer is yes.

G. Robertson: Will the minister provide some detail on how that flows from these endowments and what sort of targets are anticipated in terms of researchers and professors coming out of that?

[1700]

Hon. M. Coell: A couple of answers for the member. If you look at the last five years, the Michael Smith Foundation and Genome B.C. have created literally dozens and dozens of opportunities for researchers and for graduate students to work with those researchers.

The leading-edge chairs.... When you bring a chair in and the endowment funds that chair, there will be a bunch of graduate students who are attracted to that chair for the research, and they will move on.

With the digital media, we're hoping that between 60 and 70 master's-level students will be created out of that endowment on a yearly basis. The natural resources — we're still working on that to see how that money would best be used.

I think it's easy to see that things like the Michael Smith Foundation, the Genome B.C., the digital and the natural resources are a huge pool of money that will attract world-class researchers, who will then attract world-class graduate students. That's a way for government to do that on an endowment basis, on a basis that it goes on in perpetuity. It's a good way to do it. You can fund research in many different ways. I think that's the most effective way in today's world.

G. Robertson: The concern with the one-time endowment funding being: where's the long-range plan here? It's combined with, in the short-term: has enough detail, enough work been done to determine what targets should be in place? What are the outcomes that meet the needs of the economy, the needs of our communities and the needs of our province to be a leader in innovation?

It sounds to me like the centre for digital media.... Some work has happened there to flesh out what kind of student population will benefit from it. This is not clear in the natural resources and applied science endowment. Is the work on this latter endowment taking place right now? If so, when will there be more details on targets and goals for that endowment?

Hon. M. Coell: The member's correct. We're working through that right now with our partners, the universities, to put something in place that works like an endowment.

I think one of the beauties — and I'll stress this — of endowments is that they function off the interest that is generated. With a \$50 million endowment, you're looking at about \$2.5 million annually, forever.

Now, governments, as you know, go through good times and bad times, and sometimes they stop funding programs. The best way for continuity is to make sure you have a.... These are just starts. When you have a \$50 million fund, they're going to go out and get people to donate to it. Industry will donate to it. That fund will probably grow to \$100 million or \$200 million.

That is outside government, and it has the ability to continue in perpetuity, not affected by fluctuations or changes in government that might have changes in priorities. This is setting in place something that will go on for many, many decades and supply the researchers we need as a province. It's a new way of funding programs and one that is in place in other parts of the world and working really well.

G. Robertson: Again, the primary concerns with government-sponsored endowments in other jurisdictions have been oversight, outcomes and whether they are accountable for those outcomes. No doubt there are a lot of success stories related to endowments in innovation, but it's early in the game. The importance of having targets, of having goals, of having a game plan is critical.

Again, I'll come back to the natural resources and applied science endowment. Is there a plan in place? Is it in the works? When can we expect to know more about that plan and the objectives for that endowment?

Hon. M. Coell: I would think that would be in place by the fall.

[1705]

G. Robertson: A question, a concern that I'll raise around the B.C. Innovation Council: the funding that has been put forward for the B.C. Innovation Council in the ministry service plan is flat for the years to come,

with all the attention paid to research and technology and the key role of innovation. No doubt, there are several new pots of money. There is funding for a number of different initiatives. However, at the centre of the ministry's work on innovation, and certainly research and technology, is the B.C. Innovation Council. I'm not clear why the Innovation Council is being held to a small budget entity. No growth is being forecast in terms of funding.

Can the minister explain that, please?

Hon. M. Coell: The Innovation Council is new. We're working with them. We consider them to be an important part of bringing innovation to the private sector as well as developing the commercialization of some of the inventions and discoveries that take place at the universities. They're going to be a major part of innovation for a long time in British Columbia. David Dolphin is the chair, a renowned scientist who, I think, has the contacts in the business community to do that commercialization aspect of it as well. I look forward to that.

I just wanted to.... The member had asked earlier what we were funding other than the nursing programs. I do have that information, and I'd like to give it to him at this point. Since 2001 we have increased the nursing by 2,478; nurse practitioners by 90; graduate nurses, 14; LPNs, 339; RCAs, 191.

Then the allied health programs, which the member was interested in: to the pharmacy program we've added 24; medical lab technicians, which the member mentioned, 129; medical radiology, 122; sonography, 16; respiratory therapy, 60; cardiac technician, 10; rehabilitation assistant, 103; pharmacist assistant, 59; mental health, 62; occupational therapy, 32; speech-language audiology, 9; dental hygiene, 42; post-mental health assistant, 16 — there are a number of others; mid-wifery, 40; which comes to a total of about 3,976 additions to allied health programs and the nursing programs. I think that's significant. I'm sorry the member doesn't.

G. Robertson: Just returning to the B.C. Innovation Council, will the minister clarify the rationale behind flat funding for the three years to come — which, in effect, doesn't even have the cost of inflation built into it in terms of a budget, so it could be viewed as a budget cut? Given the role of BCIC within the ministry and certainly in the business community in innovation, with the government of the People's Republic of China where the minister and I were at a recent signing of a memorandum of understanding that BCIC was part of negotiating....

By all intents and purposes, it seems to play a key role. Yet it's being relegated, in budget terms, and maintained at a marginal level for the years to come. Is there a reason for that? Is there something else in the works?

[1710]

Hon. M. Coell: I think the simple answer is: they just came to this ministry. We have given them a

budget. We're going to be working with them to see what their needs are over the next two or three years. If there are increases needed, we'll look for the money either within the budget or elsewhere to fund it.

G. Robertson: A question related to BCIC. I know, from my business background, that the Science Council of B.C. was very active on innovation, technology. My recollection is that there was somewhere in the range of a \$50 million, \$55 million budget in the later years of the Science Council that was investing in, basically, seeding early-stage companies and helping companies involved in innovation and technology to succeed. Indeed, a great number of them have here in B.C., and they are some of the key drivers in the new economy.

At the same time that the Science Council of B.C. was scrapped, that budget didn't seem to reappear anywhere else. BCIC may have been the place for that to reappear. Is the minister aware of any other initiative by the government to pick up on the Science Council and the incredible early-stage work that that Science Council did in fueling our economy? Is that going to happen somewhere else — within BCIC, within some other agency of government?

Hon. M. Coell: I think that probably the difference — and it may be a difference of opinion as well.... A lot of those funds were used as business subsidies. When we did a core review a number of years ago, government got out of the business of subsidizing all businesses, so those programs don't exist anymore.

What we're doing and what we're seeing is a very vibrant biotech community and a very vibrant innovation community as well. I think some of the additions to Michael Smith Genome and a variety of endowment funds are having a different effect on the economy. People know there is a lot of research going on in British Columbia, so you get this critical mass of people moving and joining companies.

We have a huge digital entertainment industry, probably the second-biggest in the world, with the endowment that we've put there. We intend to grow that. There are different ways of having innovation succeed. One is, I think, government picking winners and losers and subsidizing businesses — or allowing the research community to develop itself. I think that's what we're seeing in British Columbia.

I am absolutely amazed at the growth of the innovation community in this province. If we can continue to invest in ways where they see that it's a little bit outside government, that it's independent, that it has academic review qualities in these endowments, then that will encourage the community to grow.

We want to work with the Innovation Council on their ideas as to what else government can do, but it doesn't necessarily mean picking winners and losers. I think those days are gone in British Columbia — and probably gone in Canada, for that matter. I think that we have some opportunities in working with them. They have some very, very capable, bright people. I'm looking forward to getting ideas from them as to what

they believe we need to do to help the innovation group in British Columbia succeed.

[1715]

G. Robertson: In terms of business subsidy, I'll just address it, because I was standing in this spot a few weeks ago discussing subsidies to the oil and gas industry with the Minister of Energy and Mines. Although they're not called business subsidies on paper, they are tax credits and incentives that encourage what is the most profitable industry in the world right now to further exploit our resources in the north to their maximum, and return to the economy is significant.

There's a rationale, obviously, that Treasury Board looked at by which an investment or a subsidy to those industries ensured that there was an increased return to the province. Whether they're actually called a subsidy or not, supports, incentives and encouragement in the form of capital are provided by this government every day of the week right now in certain industries.

What concerns me is both, as I debated with the Minister of Energy, provided there for some of the industries, some of the sectors within the ministry's operations — specifically in oil and gas — where there are very few supports or incentives or subsidies to emerging industries, emerging sectors in renewable energy....

For example, the work that the Science Council did, from my perspective as a business person and in the business community in Vancouver, was very, very modest support for emerging sectors — new media being one of them that benefited enormously from it. They were very targeted, and they allowed new sectors to emerge and to take off. I think every small business or entrepreneur will acknowledge that the number-one challenge to growing their business is access to capital. This was a modest vehicle by which the province and the taxpayers of B.C. could do that, which at this point no longer exists.

Yes, we have some amazing and powerful components to our economy right now in innovation, working with new technologies. The question is: what's next, and how can we seed what's next? How can we support that to the fullest?

Just to close off on that, I think it's important, whether it's something like the B.C. Innovation Council, whether there's a better vehicle for it that could be envisioned by the ministry and perhaps whether the Ministry of Economic Development should be more involved in this.... Frankly, it is economic development, but there certainly is a research and innovation role here that the minister is responsible for.

I would encourage some in-depth look at this, not in the ideological subsidy-versus-no-subsidy terms, but in: what has worked, where are our fastest growing industries coming out of, what helped them to succeed, are we still doing that, and how should we still be doing that?

I want to shift now away from this — the research specifically. Actually, let me just ask one more question, while I'm here, on the leading-edge endowment fund. I'm curious in terms of the service plan, the fund-

ing for leading-edge and the commitment by the minister to allow for that leading-edge endowment fund to grow at its maximum capacity and to have the most significant impact possible.

Hon. M. Coell: I appreciate the question. One of the truly bright ideas was the leading-edge endowment fund, when you look at the \$45 million to support 20 permanent chairs so that each chair is allotted \$2.5 million, and that's again matched by the institution. We viewed that as seed money, and then the institution can go out and, indeed, the chair. Most of these people who are coming in are from around the world in many instances. They bring with them the ability to attract more dollars to that fund for more research.

[1720]

In seeding the leading-edge endowment fund and the cancer chairs and the Pacific Alzheimer Research Foundation with a little bit of money — and granted, \$45 million is not a little bit of money; it's a lot of money — I suspect that those chairs will grow in value over the decades.

The initial 20 chairs will be allocated and done through peer review. From what I've seen so far, we're bringing in first-class, world-class researchers who will bring a credibility to our entire system that will only help. I suspect that all of these funds we've been talking about — the Michael Smith and Genome and that — will continue to grow. They will be very large funds a decade from now, creating a lot of research positions and the support for master's- and doctoral-level people to fill those positions.

We view our job as government as seeding these foundations and supporting them to grow, and then watching them grow. Historically, when you look at some of the ones in the United States and in eastern Canada, which have had these things longer, the seed is what starts.... Sometimes a \$20 million foundation turns into a \$200 million foundation in a matter of years. I think that history will show that the leading-edge endowment fund was one of the crucial turning points for research in British Columbia a couple of decades from now.

G. Robertson: I will agree with the minister as to the importance and potency of the leading-edge endowment fund. I agree that it's a great vehicle by which to attract some great talent. My concern with the leading-edge endowment fund is that it's very difficult for many of the institutions in the province to attract the kind of funding to match the government's \$2½ million per chair, and the concentration of those chairs in the lower mainland, although that's where most of our population is. That could be a problem over time.

Is there a strategy by which institutions outside of the lower mainland or without the ability to raise \$2½ million to match the ministry's component can still work to attract a leading-edge-calibre chair? Or is it: either you raise the money or you're out of luck?

Hon. M. Coell: I'm optimistic that all of these will be full. I think that in some instances we've.... We

haven't had any of the institutions say: "We can't raise our money." Some have said, "We'd like an extra six months or an extra seven or eight months," and I think the board has agreed to do that.

You're quite correct. I mean, UBC attracts literally \$50 million a year in donations, if not more. A rural university may have a more difficult time doing that, and a university college may have a difficult time. We want to work with them to see success. I guess one thing is that it's necessary to have these chairs in parts of the province that have more difficulty raising funds, because once they're there, that will start to attract national and international funds to those chairs. So we're going to make sure they're all successful.

G. Robertson: I'm encouraged to hear that last sentence, but I'm curious as to what that means on the ground. Is the minister committed to supporting other regions in their quest for leading-edge endowment fund chairs to the tune of: they don't need to raise all of their \$2½ million component? Or will the ministry assist in the fundraising of the other half?

Hon. M. Coell: I would say I'm optimistic that all of the allocated chairs will be able to raise the funds necessary. Some may take a little longer than UBC would.

[1725]

G. Robertson: In terms of the allocation of the chairs, can the minister elaborate on the regional distribution of those chairs and what is envisioned there?

Hon. M. Coell: I believe they're on the endowment fund's website, but I will check. If they're not, I will get a copy for the member for tomorrow.

G. Robertson: A question beyond this initial 20 chairs: what is planned in terms of funding and next steps for the leading-edge endowment fund?

Hon. M. Coell: I think it's safe to say that they've allocated the chairs. They're going through the review process and finding candidates. They're probably a year or so away from having everything in place. At that point, I think we'd evaluate the successes that they're having, and it would be future government budgets in the coming years that would address that issue. I really can't comment on future budgets.

G. Robertson: So at this point the 20 chairs that were planned will be followed through with, but there is no ongoing commitment to continue to add chairs, to continue to fund chairs or for that organization to continue the good work that it's doing?

Hon. M. Coell: I think at present we want to see them complete the task they were given, and they're well on the way to do that.

G. Robertson: I'll turn now to something I raised in my response to the budget speech, and that was the

contrast in terms of the ministry and the government's commitment to research and the literally billions of dollars that are focused on growing and supporting research at our public institutions, fuelling it, and the commercialization of it into our economy. My question is the flip side, and what I hear from students relentlessly at this point: teaching and learning, and the government's commitment to the quality of education, the quality of teaching and learning.

The throne speech asked how we can foster a culture of excellence in teaching, and it's a good question. I didn't see any answers in the budget for it. I see vague details or references to investment in teaching and learning, a few bright lights in terms of some talent: a very notable physics professor who specializes in teaching and learning coming to UBC. There are a few bright lights out there, but the sun has yet to rise on teaching and learning here in B.C.

[H. Bloy in the chair.]

I'd love to hear the minister's sense of where teaching and learning are at as a dedicated component of the budget, and objectives for the institutions and for the ministry broadly.

[1730]

Hon. M. Coell: I guess the institutions are directly responsible for the vast amount of input into the teaching and the quality of professors.

I think one of the indicators for me is the student outcome surveys. They are, for the vast majority, very pleased with the quality of the professors and teachers they have in the post-secondary education system. I haven't heard anything but very positive things about the quality of professors at our colleges, university colleges and universities. But for me, that outcome survey from students is very important, where they feel they're getting very, very good service.

G. Robertson: I'd like to talk about those outcome surveys in a minute.

I think the primary concern that I've heard from students is access to those professors. There's certainly acknowledgment that we have very high-calibre teaching. It's the challenge now that students often don't have access to those teachers, particularly in our universities, where the focus and the funding are all on research. Professors, by nature of that, end up dedicating most of their time to research, fundraising for their research, carrying on their research to get published to meet those criteria, and are unable to be in the classroom.

Many students, in terms of class sizes — particularly in first-year university — are a huge concern. Access to those professors has dwindled over time. TAs have ended up picking up the slack, and grad students are covering those bases. So we're facing a challenge here, I think, in terms of the quality of our education.

Post-secondary faces the impact of a huge focus on research. Although it is institutionally based, there's a

real focus on the ministry's side around research and turbo-charging research, which has a significant economic upside. But when it pulls all of our university faculty away from one-on-one contact and small class sizes with students in order to cater to the research mandate that's required of them, the quality undoubtedly declines, and that's what I hear from students.

I'm curious if there is a strategy. Is this a conversation within the ministry, and is there a strategy to address quality, particularly class size, access to professors and the need for those professors to be equally focused on teaching and learning versus research?

Hon. M. Coell: I'd probably like to answer that in two different ways. I think if you were to ask the university presidents whether they have enough research going on and enough graduate students, they'd say: "No, we're falling behind the United States and other parts of the world, and we need to have more research being done and more graduate students." That's the sort of input I get back from the university presidents and the University Presidents Council, and I tend to agree with that when you look at the facts.

In our budget we're increasing the number of students, but we're also increasing the number of funds, with \$1.9 billion this year going to the institutions. That should increase the number of staff, of faculty, in the universities. By and large they're going to be younger, which is good, because there is a lot of faculty my age and older who are getting closer to retirement than they are to starting their careers.

I think, too, that it's important with sort of an increase in research, an increase in funding for students, an increase in faculty.... We've just increased some faculty and support staff within institutions on four-year collective agreements that are very good, that will help attract people to the universities and colleges when they see their staffing levels have gone up or the staff salaries have gone up in the average of around 10 percent.

I think there are a number of fronts we're attacking that issue on. I don't discount the issue. I think you want to make sure that you've got a high degree of learning experience, and that experience is classroom learning, as well as laboratory learning, as well as art studio and a whole range of issues. I don't disregard that question, but we are attacking it on a whole bunch of different fronts.

[1735]

G. Robertson: I would be very interested to hear back from the minister on whether that is a significant component of his advisory council's meeting and whether teaching and learning and the challenges to it are raised, as it's something that I've continued to hear. Generally, the notion of quality for our students is compromised by the current paradigm that puts a lot of focus on research.

I'll just turn my attention now to the ministry service plan. When I read it some time ago, it was a real shock to see under the performance measures that af-

fordability, while it's there as a goal, has no baseline, has no performance measure developed, has no commitment or goal attached to it. Can the minister explain what is going on in terms of affordability as a goal and as a focus of the ministry?

Hon. M. Coell: Just before I answer that, the member had asked about the B.C. Innovation Council, and I've got a copy of the service plan that I'll make available as well. It outlines some of the questions and some of the issues that we were talking about.

The issue of affordability is one that.... We wanted to see, and still want to see, that the tuitions in British Columbia are in the average of the Canadian provinces. We want to make sure that we've got a cap, and we put that cap of inflation on at 2 percent and then funded the universities over and above that. I believe that keeps the affordability question intact for the mandate of this government.

We've said to the universities that the \$30 million will be in their budget for a five-year period, that we will pick up the costs of staff and faculty salary increases and do the same for the college sector. So with the cap, the \$30 million and the increased costs of staffing and faculty taken care of, I think you can see a fairly stable tuition affordability in the province during this government's mandate.

The affordability question, too, I think, has to take into consideration the student assistance program. As we've talked about it, and I think we've talked around this issue, we've taken the position that we want to reward people for finishing what they start, whether it's a two-year program or a bachelor's or a master's degree, and to have a back-end reduction in loan that they have taken out over that period of time.

Again, it's sort of attacking the affordability issue on a whole range of fronts in order to make sure that the financial assistance is there, that tuitions are in the average of the Canadian provinces, that the universities don't suffer. One of the problems with a freeze or a cap is that if government doesn't add that money over and above the inflation rate the universities or colleges are affected by, then they suffer. I don't think they're going to have anything but a positive outcome with all of the pieces of the puzzle we've put in place that I really believe affect that affordability issue.

[1740]

G. Robertson: I raise affordability and the lack of commitments or goals around it primarily because — and, I think, on behalf of many students — affordability is not synonymous with being the average across Canada.

My question here is really: when is there going to be an effort to define what affordable is? Will students be involved in that conversation? It just raises a big red flag when the ministry puts affordability in the plan as a performance measure and there are no goals, no definitions, baselines, no commitments to address it. It's a real concern when the words are thrown out there and there's no action to back them up. It's a real concern

when affordability is considered access to debt, which it is not. So I raise it as, right now, a big hole that needs some explanation and needs to be filled in.

There aren't many gaps of this magnitude in the service plan of the ministry, so it was surprising to see one on affordability, given this government's commitment internally to have fleshed-out service plans, commitments, goals and measurable outcomes. It doesn't surprise me, given what's happened to tuition under this government. The doubling of tuition doesn't jibe with affordability, and saying, "After we've doubled tuition, now we're concerned about affordability," is a double standard.

It's an ongoing concern now that it will be an incomplete goal at this point. Is the minister intending on filling out all the blanks in the service plan related to affordability? If so, will students be involved in the consultation to do that?

The Chair: Noting the time, minister.

Hon. M. Coell: Thank you, Chair. Just briefly....

I don't want to reiterate what I previously said. What we've believed is that keeping tuition affordable was putting a whole bunch of other blocks in place. That was the cap; it was the \$30 million for universities

and \$10 million for colleges to buffer over that cap that they would be affected by.

I will add that the previous government, which the member was a member of, froze tuitions, but they didn't add money back into the universities, so the universities started cutting back to make up that difference. We saw that, and we thought that if we were going to do it, we'd do it differently, and we have.

The whole range of salary increases for faculty and for admin and support staff being taken care of doesn't put pressure on the university. What we want to do is to make the university and college quality continue to grow, whereas we would keep the tuition at the average in Canada. I know there may be a desire on that member's part to have that be the lowest in Canada. But what we wanted to do was to make sure that if a student wanted to go across this country, tuition in British Columbia would be the average of that.

Those are all the building blocks we put in place to, I think, address the affordability issue. We may disagree on that. We'll have tomorrow to discuss it.

Noting the time, I would move we rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 5:44 p.m.

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