



Second Session, 38th Parliament

OFFICIAL REPORT OF
DEBATES OF THE
LEGISLATIVE ASSEMBLY
(HANSARD)

Wednesday, May 10, 2006
Afternoon Sitting
Volume 11, Number 5

THE HONOURABLE BILL BARISOFF, SPEAKER

ISSN 0709-1281

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

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

SECOND SESSION, 38TH PARLIAMENT

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Honourable Bill Barisoff

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WEDNESDAY, MAY 10, 2006

The House met at 2:03 p.m.

Prayers.

Tributes

VANCOUVER GIANTS

Hon. G. Campbell: I have two introductions today — one comment and an introduction.

I'm sure members of the Legislature who were watching the news last night will recognize that for the first time ever in their history, the Vancouver Giants have won the Western Hockey League championship. Now, I know....

K. Krueger: Go, Blazers, go.

Hon. G. Campbell: Could we have some decorum in the House, Mr. Speaker? [Laughter.]

I was going to say that I know they've been led in the past by teams from Kamloops, Cranbrook and Prince George. But I think today we should congratulate the Giants for the exceptional job they did of sweeping their series and congratulate Gilbert Brule for being awarded the series' most valuable player, and the entire House should get behind the Vancouver Giants as they go to the Memorial Cup to win the Memorial Cup for British Columbia.

Introductions by Members

Hon. G. Campbell: It's my pleasure today to introduce a group of students from Hollyburn Elementary School. Accompanying these 24 students are Naomi Chard, Nancy McHarg, Heather Tak, Courtney Campbell and their teacher Cathy Campbell, who also happens to be my sister-in-law. She informs me that they are one of the brightest grade five classes in British Columbia, and they inform me that she is one of the best teachers in British Columbia.

I hope they will all learn from engaging us and watching us in the House today, and I hope we'll make them welcome.

[1405]

J. Brar: I have three very special guests from the Sechelt Indian band. We have Chief Stan Dixon, we have Councillor Garry Feschuk, and we have Tom Paul. I ask the members to please make them feel welcome.

Hon. C. Richmond: I have a couple of introductions today. First of all, it gives me a great deal of pleasure to introduce a friend of many, many years: Bernie Smith. He had a long and colourful career with the Vancouver police department. The CBC did a profile on him as the whistling policeman. After his first retirement he worked with our first Solicitor General, Angus Ree. He spent a long time working with former

Premier Vander Zalm, and after a second retirement he went to work as the chief of security for Park Royal Mall — a wonderful citizen of British Columbia. Would the House please make him welcome.

He is accompanied by his good friend Tom Smith — no relation. Tom is a B.C. author, and he has the distinction of being a member of the Order of Canada for his work with youth in trouble, both as a teacher and as a volunteer worker with the YMCA. Please make Tom very welcome.

R. Austin: Today I would like to introduce three visitors coming from my constituency, visiting from Terrace for the first time here in the precinct. They are Bruce and Lee Cameron and their son Dane. They came down on the ferry from Port Hardy and are spending a few days here not only visiting us here at the Leg. but also coming to look at the University of Victoria as a possible venue for Dane when he finishes school in a couple of years' time. Will the House please make them welcome.

J. McIntyre: I have an introduction today, but I thought, first, I'd like to add my greetings to Naomi Chard, a constituent of mine whom I've known for many years. Our children went to school together. Welcome to the House.

I would like to introduce three members of the senior team today at the B.C. Innovation Council, a Crown agency. We have with us today Cindy Lum, who is the COO and president of the office of international partnerships, and she has successfully recently signed an MOU with the People's Republic of China.

We also have Dr. David Dolphin, the CEO of the Innovation Council. He's been a recent winner of the prestigious national Herzberg award that has been accompanied by a million dollars of research funding over the next five years, which is a wonderful triumph for British Columbia. Also, his photodynamic therapy was commercialized by QLT. We're indeed glad to have him with us — and also Hector MacKay-Dunn, a British Columbia biotech lawyer who specializes in that area and is a board member of B.C. Biotech and chair of B.C. Innovation Council. I hope the House will make them all feel welcome today.

G. Gentner: It's a pleasure to introduce to the House today some friends of mine, Janell and Elisha Smirfitt, who want to make it very clear that they reside in Steveston and not necessarily Richmond. Both are students, and Elisha works part-time at the world-famous Dave's Fish and Chips. Also in the gallery is my niece Lauren, a grade ten student at Burnett high school and a renowned softball player. Will the House please give them a hearty and warm welcome.

Hon. P. Bell: It is with some regret today that I have to inform everyone that tomorrow will be Jake McEwan's last day. I think Jake knows that; I'm not positive yet. Jake has served this House incredibly well for three years, starting as a research assistant with the

government caucus and moving through becoming a ministerial assistant for me, as well as working as an executive assistant for several other ministers.

More importantly, he has served both sides of the House very well. He's done a great job serving all constituents of British Columbia and has had a real passion for public service. Jake is moving on to the private sector for a period of time, but I am fairly certain that Jake McEwan will come back to the House and be sitting on this floor some day. I would ask the House to please thank him for three years of very hard service.

Thanks, Jake.

[1410]

Mr. Speaker: Hon. members, I'd like to take this opportunity to introduce 28 public servants seated in the gallery, who are participating in a full-day parliamentary procedure workshop offered by the Legislative Assembly. This workshop provides a firsthand opportunity for the public service to gain a greater understanding of the relationship between the work of their ministries and how the work affects this Legislature. Would the House please make them welcome.

Introduction and First Reading of Bills

CRYSTAL METH PREVENTION ACT, 2006

J. Brar presented a bill intituled Crystal Meth Prevention Act, 2006.

J. Brar: I move that the bill be read for a first time today.

Motion approved.

J. Brar: I am pleased to introduce the Crystal Meth Prevention Act to the House today. This bill will allow for British Columbia to catch up with most of the provinces of Canada in restricting the ingredients in crystal meth. The bill will address the huge gap that remains in our policing of the drug crystal meth. This bill will address the gap we currently have in our legal efforts to put pressure on the small drug labs that are so dangerous to our kids and to our community.

Police and community leaders in many jurisdictions have identified that if they are to properly address all aspects of illegal drug manufacturing, they must place restrictions on the precursors of these drugs — in this case, crystal meth. By making these precursors less available to those criminals who prey upon our youth, we will leave police forces more able to focus on the prosecution of the large drug labs.

This bill will limit the sale of pseudoephedrine and ephedrine products in British Columbia by providing that these crystal meth precursors be sold only from licensed pharmacies. They must be maintained in a professional service area of a licensed pharmacy. This bill would restrict the daily amount a customer may receive and would move these multi-entity crystal

meth precursors to be sold by a licensed pharmacist and only from the self-selection professional product area of a pharmacy.

By enacting this bill, we would join most other provinces and many states and assist our police to rid the small-scale producers of this insidious and addictive drug. The goal, of course, is to rid crystal meth completely from our communities. With this bill, I encourage all members of this House to urge the federal government to begin addressing the issue of bulk imports of crystal meth precursors. The bill is an important and valuable step for British Columbia to take. I strongly urge all members to review and support the bill.

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

Bill M207, Crystal Meth Prevention 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)

RICHMOND EMERGENCY SERVICES AWARDS

J. Yap: I rise to recognize the work of emergency services personnel and volunteers in my community of Richmond. On April 20, I along with the Solicitor General and the member for Richmond East attended the fourth annual Richmond Chamber of Commerce 911 awards dinner, which was emceed by Randy Neil of Global News. This event recognizes outstanding men and women in 14 categories, and I'd like to take this opportunity to talk about some of Richmond's finest citizens who make a difference in ensuring public safety.

The Community Safety Award of Valour was presented to Brian Hobbs, an employee of the Steveston Harbour Authority and a volunteer with the Steveston Coast Guard. In 2005 Brian selflessly stepped in to save the life of a suicidal man.

Kevin Gray was named Firefighter or Fire Rescue Crew of the Year for his tireless devotion to helping Richmond fire rescue become the best-trained and best-equipped fire department in the country.

Cpl. Lamond Ma was named Police Officer of the Year. His quick thinking and selfless actions saved lives in several emergency situations.

The Ambulance Paramedic of the Year award was presented to Bruce Harford for his work ethic and leadership qualities.

The Community Safety Volunteer of the Year award was presented to Walter Tyrrell, a volunteer with the Vancouver International Airport's RCMP detachment. Walter volunteers with the detachment 28 hours a week, providing invaluable support.

[1415]

The full listing of award recipients may be seen at the chamber's website: www.richmondchamber.ca. The

dedication and courage shown by these individuals go well above and beyond the call of duty. They work hard to ensure the safety of our community 24 hours a day, seven days a week.

Congratulations to all of this year's winners. I ask all members to join me in saying a big thank-you to all of the emergency services personnel who make communities across B.C. safer for all residents.

COLONY FARM REGIONAL PARK

D. Thorne: In the heart of Coquitlam sits one of the lower mainland's best-kept natural secrets. In fact, many people driving on the Lougheed Highway through Coquitlam have likely passed by it without even knowing. Tucked amid the highways and the housing developments is Colony Farm Regional Park, an island of grassy fields, forest marsh and riverside habitat that is home to a wide variety of plants and animals.

It is also the site of an upcoming open house when you can learn more about the park, its fascinating history and some of the exciting projects being done by park volunteers. On Saturday, May 13, everyone is invited to drop in between 1 p.m. and 4 p.m. for some firsthand experience of the magic of Colony Farm Regional Park.

Amongst the activities you can partake in, you could take a tour of a recently enhanced wetland. You can learn more about the herons, hawks and other wildlife that live in the park. You might even be lucky enough to help construct a new bat box so that resident bats in the park will be provided with new roosting and rearing habitat. Volunteers will explain the differences between native plants and invasive plants — differences that affect not only our fragile environment but our pocketbooks, big time.

There will be ongoing tours of the park, and the Colony Farm community gardeners will also be selling flower and vegetable seedlings to help raise funds to restore the heritage buildings that remain on the site. That's this coming Saturday at 1 p.m. I hope to see some members of the House join me there.

INDUSTRY TRAINING AUTHORITY

J. Rustad: I rise today to speak about an initiative that is really helping to fill the critical need in communities in my riding of Prince George-Omineca. The economy in communities like Prince George, Vanderhoof and Fort St. James has turned a corner. After a decade of people looking for jobs, jobs are now searching for people. In my riding alone, we have hundreds of new opportunities in industries like forestry, mining and construction. The push is on to find more skilled people to fill them. That's why our government took steps two years ago to build a more efficient and effective system of training people in the skills and trades that are so much in demand now.

Today we know without a doubt that those efforts have paid off. After just two years, the Industry Train-

ing Authority we created to meet the demand for trades training is reporting incredible results. The ITA has certified 2,900 tradesworkers in the last year alone. There is an 80-percent increase in the number of trainees — from 14,676 to 26,525. Particularly encouraging is the increase in the number of youth participating in trades training through high school programs. That has grown to more than three times what it was — from only 861 students in 2004 to 3,259 today.

Most importantly, the work of the ITA has helped to almost double the number of apprentices working in our province. As of March 31, 2006, there are 26,529 registered apprentices in B.C. compared with 14,676 apprentices when the ITA was created in 2004. We're meeting the skills challenge. As B.C.'s economy keeps booming, our government is committed to supporting the ITA, our colleges, universities and public schools so we can continue to meet the challenge in the future.

COWICHAN LAKE COMMUNITY FOREST COOPERATIVE

D. Routley: Today I rise to share with the members a few words about the Cowichan Lake Community Forest Cooperative. So many of our small communities on the coast have been challenged by huge upheavals in their core industry and have struggled to come to terms with that.

[1420]

Although this is a very difficult process for the people of British Columbia in the coastal communities, some people are really stepping up to that plate. The Cowichan Lake Community Forest Cooperative is one of those organizations that encourages community engagement in the process of harvesting, community engagement in the oversight of forest practices and community engagement in terms of building new partnerships.

We have suffered a huge loss of mills on the coast, and our communities are calling out for a voice in the direction that our forest policies take. The Cowichan Lake Community Forest Cooperative has been there to establish the new kinds of partnerships that the government has called for and that the people of British Columbia have called for.

The forest cooperative has partnered with the Didihaht and Pacheedaht people on skills training agreements and fibre supply agreements. These are very positive partnerships that are creating new opportunities and new products and potential new markets. But they need us to stand behind them.

They tell me, when I meet with them, that a 1-percent gain in our share of the value-added product market in the United States would result in a \$1 billion increase in our provincial domestic product. Those are huge numbers, and there are huge opportunities that we need to step up and grasp. That partnership is standing ready to help us do that.

Future goals for the Cowichan Lake Community Forest Cooperative: to convert their licence from a temporary licence to a permanent land-based licence so that they can have the certainty of fibre supply that's

required for them to supply the customers that they know are out there, and ongoing skills development and economic development in the community. I'd like all of us to celebrate that.

KOREAN HERITAGE FESTIVAL

H. Bloy: As we all know, British Columbia is blessed to be home to people from many cultures and diverse backgrounds. My riding of Burquitlam is the hub of one of the most dynamic multicultural groups in this province, our Korean Canadian community. Right along North Road you see firsthand the dozens upon dozens of businesses owned by Korean Canadians catering to both their community and the public at large.

A lasting legacy from the Korean community is their efforts to build the Korean war memorial in Burnaby. This project is spearheaded by the Hanin Heritage Society, Mr. Ron Suh and the Korea Veterans Association. It will pay homage to those British Columbians who served and died during the Korean War, and it will be completed later next year.

To commemorate their history, they are celebrating the fifth anniversary of the Korean Heritage Day Festival. This year's festival will take place on June 17 at the Town Centre Stadium in Coquitlam. Thanks to the efforts of Yonah Martin, the festival organizer, and hundreds of volunteers, I am sure this year's festival will build on last year's success of over 15,000 people.

As usual, the festival promises to be filled with excitement. In addition to nearly 400 performers staging traditional Korean music and dance and taekwondo demonstrations, the cho-won food fair will tempt the taste buds with an authentic Korean barbecue, kimchi bowls and other mouth-watering favourites.

I would like to invite my colleagues here and all British Columbians to help our province's Korean community celebrate their proud achievements and culture and join me next month in my community for the fifth Korean Heritage Day Festival on June 17.

HEPATITIS AWARENESS MONTH

M. Karagianis: May is Hepatitis Awareness Month, and this serves as a great opportunity to increase awareness and educate the public on the impacts of hepatitis. When I was young, I actually contracted hepatitis. In those days there was not the same level of understanding about the long-term effects or the various types of hepatitis.

In fact, there are many different viruses under the hepatitis category — A, B, C, D and E. All of them cause inflammation to the liver, and many can cause chronic conditions. Early detection is key to avoiding damage to the liver and transmitting the virus to others.

Hepatitis C is a particular health hazard and health concern. An estimated 250,000 Canadians are infected with this virus, many of whom are unaware that they have the disease. Over one-third of those individuals

live here in British Columbia — an estimated 65,000 British Columbians — with about 1,500 new infections occurring annually. Close to 60 percent of those cases are people aged 40 to 59 — people who should be in their peak earning and family-raising years. Instead, many of their years are spent with increasing disabilities because of this disease.

[1425]

It can take decades for symptoms to manifest, and between 20 and 30 percent of chronic infections progress to cirrhosis, liver failure and liver cancer.

Since 1998, Health Canada has made a continued commitment to hep C prevention. They've renewed the hep C prevention support and research program, which will allow important work to continue on hep C until the new Canadian public health agency is established and a long-term strategy is developed.

I don't know if I will suffer long-term liver problems in the future. I know that I can't give blood, and I cannot be an organ donor as a result of the disease, which I regret very much. But very fortunately for me, I can count my blessings. I didn't contract hep C. Please help me celebrate Hepatitis Month here in Canada.

Standing Order 81.1

COMPLETION OF LEGISLATIVE AGENDA

Hon. M. de Jong: I rise pursuant to Standing Order 81.1 and want to advise the House that following extensive discussions with the Opposition House Leader, we have managed to come to an agreement regarding the completion of business for the balance of the current sitting, which is ending on Thursday, May 18.

That schedule will see all of the estimates and bills presently on the order paper completed except for Bill 23, which is the Public Inquiry Act, and Bill 32, the Adult Guardianship and Personal Planning Statutes Amendment Act, 2006. Those bills obviously have been the subject of comments by stakeholders and interested parties, and the government believes it would be beneficial to hear further from those with views. Those two bills will not be forthcoming or proceeding this session.

The Opposition House Leader has also been advised that given the concerns expressed by the freedom-of-information and privacy commissioner with respect to section 9 of Bill 30, the Miscellaneous Statutes Amendment Act (No. 2), 2006, the government doesn't intend to proceed with that proposed amendment to the FOI Act.

[Applause.]

Well, I don't know what to do next, Mr. Speaker.

Priority for the government has been to ensure that ample time is available for the Legislature to consider and debate Bill 34, the legislation around the children and youth representative. I believe that the Opposition House Leader and I have settled on a schedule that will allow us to do that. I am, as always, obliged to him for the time he has taken in working with me to settle on a schedule that I believe serves the interests of this chamber and the people of B.C.

M. Farnworth: I just want to concur with my colleague the Government House Leader that the discussions have yielded a result that allows for the disposition of bills, which are clearly very much in the public interest, in a timely fashion. It also allows for legislation, which the opposition has believed to be requiring of further discussion and inputs, to be carried over. I think that is something that will serve this House and this province well.

It is also important to note that this session is the first full session on the new parliamentary calendar with a full opposition. It's important that the calendar has remained intact, that we have been able to deal with business in an orderly fashion, and I think that speaks well for the future.

[1430]

Oral Questions

ACUTE CARE BEDS AT KELOWNA GENERAL HOSPITAL

C. James: Here we are, another day and another hospital in crisis. We saw on the weekend, on Sunday, that it was Vernon general hospital, and today it's Kelowna General Hospital. All morning the opposition has been getting firsthand reports about the fact that Kelowna General is bursting at the seams. At 10:40 this morning the hospital declared another code purple. The hospital is way over capacity, and the staff say it's the worst it has ever been.

Urgent action is obviously needed. My question to the Minister of Health is: what directions has the minister given to his staff and to the IHA to actually relieve the crisis in Kelowna?

Hon. G. Abbott: I thank the opposition leader for her question. Obviously, emergency room services are a vital part of health care delivery in the province. In the case of Kelowna General Hospital, I'm glad to advise the member that I met just a few days ago with medical staff at Kelowna General Hospital, including a meeting of well over an hour with emergency department physicians and nurses and so on. I think everyone is working at Kelowna General and at other hospitals towards relieving congestion in emergency rooms.

I'm also glad to advise the member that the code purple that was produced at Kelowna General Hospital this morning was the product of two.... Well, I'm not glad to report this. The code purple was a consequence of two serious automobile accidents. But I am pleased to report that the code purple was lifted within an hour after those difficult circumstances had been dealt with by the very capable emergency room physicians and nurses at Kelowna General Hospital.

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

C. James: We would agree that the staff are very capable and that they're working with impossible

situations. What they're missing is leadership from this government to solve the problem.

We saw a code purple at Kelowna General Hospital just two months ago, and we heard from the Health Minister that it was a periodic spike. The Interior Health region said it was a rare event. Well, we know that the Health Minister is wrong. According to Kelowna General Hospital's administrator Rick Riley, the hospital has been far over its maximum capacity every day for the last month.

Doctors in Kelowna are demanding that the government fund 40 new acute care beds. Will the minister commit to doing just that?

Interjection.

Mr. Speaker: Member.

Hon. G. Abbott: The designation "code purple" is reflective of a serious situation that's occurring in an emergency room department. I've just advised the member that the code purple that occurred today in Kelowna General Hospital was the consequence of two serious automobile accidents. That's unfortunate. But again, in respect of that situation, the code purple was lifted within an hour after it had been put in place.

One of the things we're doing.... We're doing many things, and I hope we have an opportunity to talk at length about this today. I think that among the things we're doing — and the member may know about this.... Recently we had a meeting involving emergency room doctors, emergency room nurses, the Hospital Employees Union, paramedics and health care administrators from all of the regions. All of those groups are committed to working together to find solutions to have better, more timely service in ERs.

The one group that doesn't appear to be a part of that working together is this group across the aisle here. I'm disappointed in that, but none of that will prevent the rest of us from working together to find solutions.

[1435]

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

C. James: It's taken a very long time, and finally this government has decided to listen to health care providers, who've been telling them that there's a crisis for the last five years. Lifting a code purple does not mean that overcrowding goes away. It does not take away the problem.

One of the reasons there is a crisis in Kelowna is because this government closed beds in Vernon, Osoyoos, Summerland, Princeton and Penticton. Because they shut down so many beds and broke their promise around building 5,000 long-term care beds, we see Kelowna General missing acute care beds to admit patients.

When will the minister quit brushing off the crisis, admit that they didn't build the beds they needed to,

that they cut too many beds, and actually solve the problem?

Hon. G. Abbott: I'm sure in the moments ahead I'll have plenty of opportunities to highlight the ways in which we are moving very constructively to resolve this situation. If you want to go to the heart of the challenges we face, it's not around adding more beds. I know that the folks over here say that's the magic bullet. A bed is a steel frame with a mattress on it until you have a health care professional, a health care provider who can serve the patient who's in that bed.

Interjections.

Mr. Speaker: Members.
Continue, minister.

Hon. G. Abbott: The NDP may want to reflect on this very sobering statistic. Currently, there are 772 nurse vacancies within the Vancouver Coastal Health Authority. Within the Fraser Health Authority, there are 321 nurse vacancies. They cannot find nurses to fill those spaces. Why is that? Could it be because that former government didn't add a single nursing space to B.C.'s colleges and universities during the 1990s?

Interjection.

Hon. G. Abbott: That's absolutely right. They did not. We've reversed that. We've added 2,511 — a 62-percent increase — and we're very proud of that.

K. Conroy: Well, let's talk about this statistic — that hospitals in the interior are consistently over capacity, so they can't deal with tragic multiple accidents. That shouldn't be happening. Doctors are frantically trying to dislodge patients so that... In a code purple situation, they desperately need the acute care beds. The minister still denies he has anything to do with it.

Now a hospital administrator — the administrator — has admitted that bad days are a norm in Kelowna. Doctors say they need 40 acute care beds. Will the minister commit today that he needs to get those beds up and running and get patients out of the hallways in the Okanagan?

Hon. G. Abbott: I suppose that sanctimony can be a very fine thing when one has the evidence and arguments to back it up. This is a government over here that during their term of office cut 3,334 beds in this province. This was the government over here that during the 1990s cut the number of acute care beds by 23 percent. Now, suddenly, they are the heroes here, demanding acute care beds as the magic bullet to resolve that problem. Well, why didn't they fire any of those magic bullets back in the 1990s?

[1440]

Interjections.

Mr. Speaker: Members, members. Members on both sides, the Minister of Health has the floor.

Hon. G. Abbott: I am pleased to report, Mr. Speaker... These are some numbers that were just put together yesterday after a good deal of work by the Ministry of Health. I'm pleased to advise that, for example, we have seen a 66-percent increase in palliative care beds. We have seen a 29.4-percent increase in mental health community beds. We've seen an 18.8-percent increase in addiction treatment beds. Overall, we see an increase of 2,040 beds — a 5-percent increase in the beds in this province.

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

K. Conroy: Yet we still have code purples in the main hospital in the interior.

Patients in the Okanagan don't need just lip service from this minister, sanctimonious or not. They need action. They need the government to acknowledge the crisis created by the bed cuts in their government. They need to know that the interior's largest hospital is capable of making it through a month without declaring code purple. They need to know they aren't going to be prematurely discharged from a bed to make up for the cuts this government made.

How many more days does Kelowna General need to be in absolute overload before this government wakes up to the reality that this government has created?

Hon. G. Abbott: I think this debate and this attention to the issue are useful, in the respect that it does provide a real distinction between that side of the House and this side of the House. That side of the House talks. Perhaps it's in sanctimonious and hypocritical terms, but they talk. This is the side that takes action to deal with the problem.

I'm pleased to advise the member, in relation to Kelowna General Hospital specifically, that to assist with the situation in the central Okanagan, Interior Health recently opened up 115 assisted-living units in that community. They've recently opened 20 new residential care beds at KGH and will be adding 280 more residential care beds in the central Okanagan over the next two years.

EMERGENCY SERVICES IN HEALTH CARE SYSTEM

D. Cubberley: The Minister of Health often likes to talk about his record in health care. Yesterday we learned of two new firsts that he could add to his repertoire.

The first-ever national study of emergency room operations by the Canadian Agency for Drugs and Technologies in Health reveals that B.C. is far and away the national leader on two important measures of hospital emergency room operation — the leader.

First, 82 percent of emergency room directors in B.C. said that overcrowding was a major problem in 2004 and 2005, and that's one-third above the national average. Now, that's an achievement. Second, 94 percent — that's quite resolved — of ER directors in British Columbia found overcrowding in their emergency departments at least once a week, compared to just 35 percent nationally.

Those are achievements the minister may not wish to crow about, but here's a finding that confirms something he likes to keep buried. The study also revealed that 85 percent of ER directors believe that lack of beds is the major cause of overcrowded hospitals — lack of beds.

My question, then: does the minister still deny that closing one in five hospital beds since 2001 precipitated the deplorable conditions in hospital emergency rooms across B.C.?

[1445]

Hon. G. Abbott: I'm glad the member asked that question. I'm glad to report to him the difference between 2001 and 2005, when we took office.

Over that period, palliative care beds up 54; residential care and assisted-living beds up 1,509; mental health community beds up 1,451; addiction treatment beds up 164 — for a total of incremental new beds of 2,040 since we took office.

The member doesn't really do justice to the report that was brought out yesterday. I suppose we shouldn't be surprised by that, but I want to just offer this quote from the author of the report. I think the report is pretty fair and balanced. It points to emergency room challenges in every jurisdiction across the nation. This is a study that is based on surveys of the emergency room department directors, so there is an element of subjectivity about it.

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

D. Cubberley: It seems to be lost on the minister and on members on that side of the House that we are talking about beds you can be admitted to in a hospital. We're talking about acute care beds. You cut 1,300....

Interjections.

Mr. Speaker: Members.

D. Cubberley: One in five....

Interjections.

Mr. Speaker: We listened to the answer. Let's listen to the question, please.

Member, continue.

D. Cubberley: You cut 1,300 acute care beds, one in five, and you don't want to own your own history. Why aren't you proud of that part of your record?

Health care providers across British Columbia are trying to tell this minister and this government that overcrowding is systemic and that more beds are key to the cure, and they don't want to hear. How can you not hear statements like these: "Adding bed capacity is the key to addressing overcrowding...."

Mr. Speaker: Can the member pose the question, please. Pose the question.

D. Cubberley: "Adding capacity is the key to addressing overcrowding and wait times. We need more beds in the hospital so that patients can be moved out of the emergency room."

Mr. Speaker: Member, please pose the question.

D. Cubberley: Let me just ask this simple question. A simple question — no rhetoric. Does the Minister of Health agree with the key findings of the report that the top two causes of the ER crisis are a lack of admitting beds and a lack of acute care beds? A simple question.

Hon. G. Abbott: I genuinely appreciate the simple question. It matches up very nicely with the simple answers we so often hear from the opposition as well, so thank you for that.

I know that those who have been awaiting the quote from Dr. Brian Rowe, the author of the report, are sitting on pins and needles since the last exchange. I will offer that now so that I'm sure to get it in. What Dr. Rowe says is: "What this study shows is that emergency department overcrowding is a challenging and systemwide problem with no simple solutions."

We know that in that report, British Columbia and Alberta are identified as two that have ER challenges. All provinces have ER challenges, but B.C. and Alberta are noted as being two of them. Among the things we should note from that is that B.C. and Alberta are the two fastest-growing jurisdictions in this country.

We also know that ER visits are triple what one would expect from that population growth. Though there is an issue, there is a challenge, our government is working with doctors and nurses and paramedics to meet that problem and to prevent that problem.

ACUTE CARE BEDS AT ROYAL INLAND HOSPITAL

C. Wyse: Kamloops has seen a drastic 24-percent cut to long-term care beds, with 120 beds eliminated since 2002. Currently, it is estimated that 15 percent of the acute care beds at Royal Inland Hospital are occupied by seniors waiting for a long-term care placement.

[1450]

Surgeries are being cancelled regularly because there are no available acute care beds. The ER gets overloaded because there are no acute care beds. What doesn't the minister understand? Why can't he see the connection between bed cuts and crises in the ERs?

Interjection.

Mr. Speaker: Member.

Does the member for Cariboo South want to finish his question?

C. Wyse: Mr. Speaker, I finished my question. I wasn't interrupted by the noise from across the room at all.

Hon. G. Abbott: I think before we leave the issue of the recent report.... There is a person who is not always an admirer of mine, but she is someone who I respect enormously, and I do respect what she had to say on this situation. Debra McPherson, the president of the B.C. Nurses Union, when asked about the report yesterday said this: "There is no one answer to this issue. We have an aging population, a high utilization of the emergency for a lot of reasons. There is no quick band-aid here."

I think that helps to set our understanding of the challenges that we face. In terms of Royal Inland Hospital, I don't know what period the member is speaking from. Certainly, there were a lot of broken promises by the former government in relation to Royal Inland Hospital. I can tell the member that we have invested almost \$28 million since 2001 in the emergency room at Royal Inland Hospital. We have invested a comparable amount in 44 beds in the new neuropsychiatric centre at Royal Inland Hospital, and many other investments as well.

WORKER SAFETY AT SERVICE STATIONS

C. Puchmayr: Yesterday we learned that another gas station attendant had been injured while trying to stop a theft of gas. It happened in the Surrey-Delta border. In this case the attendant tried to stop the driver. As the driver pulled away, the attendant was hit by the vehicle, thrown and injured.

The Solicitor General is on record as stating that he thinks these types of incidents are rare, and he does not think that regulations need to be tightened to prevent future incidents. Does the Minister of Labour support the position of the Solicitor General?

Hon. M. de Jong: I am obliged to the member for raising the question today in particular, because it is an opportunity to remind all employees that safety is paramount. They need to know that. They need to govern themselves and their actions with that in mind. It's also an opportunity to say to employers and remind them — as WorkSafe has, and as we will continue to — that where a theft occurs, that is not the responsibility of the employee. So safety first, and where situations arise, that is not something that should be visited upon the employee.

Secondly, and to the member's observations, there are some things we are doing now. We have provided notification to over 1,400 retail fuel outlets of what their obligations are as employers. We have also stepped up

random inspections to ensure that those employers are conducting themselves in full accordance with the occupational health and safety regulations and the Employment Standards Act.

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

C. Puchmayr: It is sad that this government repealed the legislation that made it mandatory to post employment standards regulations in places of employment. Many places of employment don't even have the WorkSafe regulations available to employees.

The recent incident in Surrey-Delta is strikingly similar to the Grant DePatie case in Maple Ridge. Over a year after that tragic loss it was found that that gas station was still in violation, with workers working alone. It is clear that the current system isn't working. This government needs to take steps now.

[1455]

Will the minister agree to entertain legislation to ensure that there is proper action taken so that our young people and our people can work safely in that industry?

Hon. M. de Jong: Again, to the member, who I think knows, because we have had discussions in the past, we are in the midst of — in addition to the other work that I related just a few moments ago — exploring a range of options that relate to things like prepay or pay-at-the-pump. That work is ongoing.

Obviously, the circumstance last night that he related to the House and additional similar circumstances raise the urgency. We are conducting our analysis with all speed possible and hope to be in a position to report back, if not to this House, then publicly as soon as possible.

M. Sather: Well, gentle reminders to employers and employees, no matter how eloquently put by the minister, are not going to cut it. The minister says, "We're consulting; we're looking," but nothing has happened.

It's been over a year since the DePatie case occurred. We're looking now at gas prices soaring. That's another impetus for unscrupulous people to be involved in this kind of activity. The regulations clearly aren't working. I don't understand what evidence this government needs to act on this case.

When is this minister going to put some legislation forward — it's required here — or at least enforce the regulations that are in place?

Hon. M. de Jong: It's because I know the member is sincere in raising the issues that I don't want to chastise him for an either-or approach to the subject. It may not be a legislative solution. It may be a case of amending some of the existing regulatory provisions that are out there. That's what we're trying to explore so that what we have is a response to a situation that isn't built around simply attracting a headline to say something has happened but doing something that actually makes a difference. We're approaching it with all the haste we

can. I understand that the member is concerned. All members are concerned.

Again, to the employees who are out there working in this field: what they need to understand is that safety is first. When confronted by criminal activity, their first obligation is to ensure their own safety and then to contact the proper authorities to investigate.

PRIVATE LODGES AND RESORTS IN PROVINCIAL PARKS

S. Simpson: In a 1998 letter the Premier, when he was then opposition leader, made the following comment. He said: "When government does its business behind closed doors, people will invariably believe that government has something to hide. Secrecy feeds distrust and dishonesty; openness builds trust and integrity."

The Western Canada Wilderness Committee filed a freedom-of-information request regarding government policy for putting private resorts and lodges in B.C. parks on October 5 of last year. The government identified some 2,400 pages of documents that were relevant to that request and tried unsuccessfully to charge the group \$750 for the related information.

For six months this government flouted its own law and simply refused to release the information until it was ordered to do so by the Information and Privacy Commissioner. It then provided just 19 of those 2,400 pages — 19 pages of heavily censored e-mails and an unrelated report.

My question to the Minister of Environment is: why won't this government — as was promised by the Premier to be the most open, accountable and transparent in Canada — release these documents?

Hon. B. Penner: I can look into the matter that the member just raised. But it is no secret that the Ministry of Environment and the B.C. government are interested in implementing a consistent policy towards fixed-roof accommodation for B.C. parks. Over the years it's been rather ad hoc, and that's why in the 1990s we saw the former NDP government, for example, approve a new lodge in Kokanee Glacier Park.

[1500]

I don't know if the members opposite now are of the view that that lodge should be torn down and people shouldn't have that recreational opportunity. I don't know if the member for Yale-Lillooet disagrees that there should be a lodge opportunity in Manning Park and that people should get a chance to go and use the swimming pool or use the tennis courts.

I know the critic has made disparaging comments in the past about people exercising in that way, but frankly right now those facilities exist. People by the hundreds — and over the years, thousands — have taken advantage of more than 160 different forms of fixed-roof accommodation in British Columbia parks. Frankly, this side of the House is interested in getting more people into our parks so they can get fit, get active and enjoy the great outdoors.

[End of question period.]

Reports from Committees

A. Horning: Mr. Speaker, I have the honour to present the second report of the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills.

I move that the report be read and received.

Motion approved.

Law Clerk:

May 10, 2006:

Mr. Speaker, your Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills begs leave to report as follows: that the revision of the Union of British Columbia Municipalities Act prepared pursuant to the Statute Revision Act and attached hereto is approved, and the committee recommends that it be brought into force.

All of which is respectfully submitted.

A. Horning, Chairman.

A. Horning: Hon. Speaker, I ask for leave of the House to permit the moving of a motion to adopt the report.

Leave granted.

A. Horning: I move that the report be adopted.

Motion approved.

Orders of the Day

Hon. M. de Jong: In this chamber I call committee stage debate of Bill 33. In Section A, Committee of Supply, for the information of members, we shall begin with the Ministry of Transportation to be followed, ultimately, by the Ministry of Health.

[1505]

Committee of the Whole House

EDUCATION (LEARNING ENHANCEMENT) STATUTES AMENDMENT ACT, 2006

The House in Committee of the Whole (Section B) on Bill 33; S. Hawkins in the chair.

The committee met at 3:08 p.m.

On section 1.

J. Horgan: As we begin the discussion of committee stage of Bill 33, I have a series of questions, and I also have amendments that I will be moving as we proceed through the legislation. I've provided the minister with those amendments, as well as the table officers.

With respect to section 1, could the minister give us an indication what the substitution of "means a school,

including a distributed learning independent school" means?

Introductions by Members

The Chair: Members, if the House would indulge me, I have an introduction to make. Visiting the Legislature today and in the gallery are about 67 grade seven students from Dr. Knox Middle School. They're here with Ms. Ashman, Mr. Colpitt and Mr. Mastromonaco and other adults that are also chaperoning with them. I would ask the House to please join me in making them welcome.

Debate Continued

Hon. S. Bond: Before I answer the question, I would like to just introduce the staff that I have in the House with me today. They are a fantastic team, as we have in the Ministry of Education. To my right is Deputy Minister of Education Emery Dosdall. To my left is Rick Davis, who is our superintendent, liaison, and just behind us is Peter Owen, lead director of the governance department.

[1510]

In terms of a "distributed learning independent school," the definition would be an independent school that offers instruction that uses the distributed-learning principle.

J. Horgan: Would that independent school be within the borders of British Columbia? Could it be elsewhere in Canada? Could it be in an international location?

Hon. S. Bond: Independent schools in British Columbia.

J. Horgan: With them, with respect to the student record referred to in section 1(1)(c), a "**student record**" means a record of information in written or electronic form in respect of a student, but does not include a record prepared by a person if that person is the only person with access to the record."

Could the minister confirm that the student record in a distributed-learning context is held by what institution? Would it be the institution offering the course? Would it be the institution where the individual is enrolled?

Hon. S. Bond: Where the student is enrolled.

G. Coons: I was just wondering how you see the records being shared between the independent schools and public schools, as we move along.

Hon. S. Bond: Well, it would be nothing other than what happens currently. If a student takes a course in one school and transfers to another, that information would be transferred back to the school where the student is currently enrolled.

G. Coons: What about the funding? Is it going to be per-pupil funding? How will that work if a student

in a public school is taking two or three different distributed-learning courses from other institutions?

Hon. S. Bond: In fact, the funding would follow the student for that particular course. If a student enrolled in one secondary school would like to take a distributed-learning course from a second school, the funding for that course only would simply go to the second school.

J. Horgan: Following the minister's response, then, my understanding is that funding is not on a per-course basis in British Columbia. How, then, would funding that is provided on a block basis to a school district be distributed to an independent school that's only providing distributed learning?

Hon. S. Bond: In grades ten, 11 and 12, if a student is taking a distributed-learning program, that funding will be by course.

J. Horgan: Is that the current practice?

[1515]

Hon. S. Bond: There is no change to the way we fund schools in the province of British Columbia. There will be a change to how we support distributed-learning courses.

J. Horgan: That's, I guess, the point I want the minister to help me get to and better understand. If districts are provided with funding based on a per-pupil formula and now we're introducing funding on a per-course basis with respect to distance learning or distributed learning, then how is that course paid for? Does the district have to reimburse the ministry for that portion of the course load that's not being received in the terrestrial school, and then provide that money to the distributed learning institution? Or is the money provided directly from the parents of that child? How does the money go from where it started to where it will end up?

Hon. S. Bond: The funding pattern will continue to flow to schools the way that it does now, except for students who are enrolled as distributed-learning students. For those students, their courses would be funded by course. Those dollars would be sent to the enrolling school.

J. Horgan: Are those funds sent from the ministry, or are they sent from the district where the student is enrolled? I'm just not clear. This is a departure from past practice, and I think it's important that we understand how it is that resources are now going to be channelled to this new entity.

Hon. S. Bond: The money will flow from the ministry. I think the point of the program is to allow students to have choice and opportunity and to expand those horizons. So we are going to adjust the way that

we provide the funding for distributed-learning students only. It will be only in grades ten, 11 or 12. We'll be able to actually allow students — imagine that — to be able, if they're distributed-learning students, to choose courses they would like to take. In fact, we will fund those to the school in which they are enrolled.

J. Horgan: I hope it isn't too bothersome for the minister that I'm asking some questions about an important piece of legislation that's changing the way we do business in the province. It's an appropriate thing for me to do, and it's appropriate for her to answer the questions so that we can better understand what this is — not celebrate choice, but to figure out why we're debating this section of the bill.

My question is: is this...?

Interjections.

The Chair: Members, please.

J. Horgan: Is this, to attribute this section, fulfilling the throne speech commitment to a virtual school?

Hon. S. Bond: Yes. This is absolutely one of the commitments that we've made. We want to see expanded choice in this province. We've heard from people across all parts of this province that one of the ways we can begin to look at equal access — not the only way — is by the creation of a virtual school. We're excited about that. We've had very positive feedback, and yes, indeed, we need to put the mechanisms in place to make sure we can offer those choices to students.

G. Coons: It might be exciting, but then again, coming from rural areas, I see this — and quite a few of the school districts, I think, in the rural areas might see this — as leading to staffing nightmares as far as the mixing of independent and public schools.

My question is: as for the virtual schools or the distributed-learning independent schools, are there any class limits or loads to those?

[1520]

Hon. S. Bond: First of all, the whole concept of learning via technology is not new. In fact, British Columbia is behind many other jurisdictions in this country and in this world. So it's not like we're reinventing the wheel. In many cases, we're trying to catch up and allow students the opportunities to take advantage of as many courses and as many delivery ways as possible.

Currently, there are some options for students that are very similar to this, so this is not a new delivery mechanism. It's a way of bringing all of these programs together under one umbrella to allow students.... In particular, some students in the member opposite's riding might be able to take advantage of having course offerings that they have not had the ability to take previously.

G. Coons: I'm sure people in my riding would like to take advantage of having a real live person in front

of their class, besides being instructed in a virtual school.

I was just wondering: are there any class loads or limits to these virtual schools?

Hon. S. Bond: We're in the process of putting the mechanisms in place to bring to life a virtual school in this province. This is the legislation that's required to do that. We're going to work through the developmental programs, but let's make no mistake about it: schools across this province are already offering distance learning programs.

This looks at the whole concept of distributed learning. In fact, there will be different methods of delivery across the province. It's not a one-size-fits-all solution, and we think that's part of the good news in this story. This will allow expanded opportunity and choice for our students.

G. Coons: This is the format to bring to life the legislation, and I think that's what we're trying to do here. I'm trying to get a read on whether or not there are restrictions on class loads or limits. I take it there may not be, and you haven't decided that yet.

There could be these virtual schools dealing with 100 or 200 students across the province networked out of a particular school somewhere. Is that correct?

Hon. S. Bond: As I pointed out to the member opposite, this is an opportunity for us to expand opportunities for students in this province. There isn't a model in place that suggests it's going to look like this in one district or like that in another district.

What we're going to do is have a discussion about how best to serve students. We already have these resources being offered by many districts across the province. We want to bring them together. We want to see a coordinated and high-quality approach.

I do want to comment on the member's comment that we'd all love to have a real live person. We're not suggesting for a moment that there won't be appropriate resources and supports in place. In fact, we actually believe that, in some situations, this will allow students to have classes that they simply have not been able to have before. It's not a matter of replacing anything or anyone. It's a matter of enhancing and expanding opportunity.

J. Horgan: Could the minister advise the committee if the individuals providing this service will be credentialed? Will they be members of the teachers college, or are they just folks with a computer in the basement?

Hon. S. Bond: First of all, programs like this are being offered every day in British Columbia by trained professionals. I visited one of those places just the other day, where they have 300 students operating out of a school district run by teachers that are actually providing 300 students with courses. We want to work together with those organizations to say: how can we actually benefit more students in this province?

The professionals will either be credentialed under the Independent School Act, which is currently in existence, or be a member of the B.C. College of Teachers.

[1525]

J. Horgan: Could the minister, then, elaborate on her example? Those 300 students, I assume, were in the public system, and it was a school district funded through the public education system, not a private independent school?

Hon. S. Bond: I visited a public school district that actually offered incredible distance learning opportunities.

J. Horgan: I rejoice in the successes within the public system with the minister. What troubles me or concerns me at this stage — reading the legislation on this section with respect to the Independent School Act, which I have here in front of me — is that I think the public would like to have a sense of what the criteria would be for these institutions to be created and established, what the qualifications would be of the individuals providing the courses, and how that is going to be monitored.

Those are the thrusts of the questions that we have before the minister. I'm wondering if she could give us an indication of how well this has been thought through by staff at the ministry and how will it be implemented?

Hon. S. Bond: It has been and will continue to be well thought out by the ministry and the great staff that we have there. It will also respond to the needs and concerns that parents and others across this province have about access. We need to be clear that these programs already exist, both on the public and private side.

They exist with an agreement with the minister in terms of offering those on the independent school side. Independent schools that receive funding obviously have rigorous criteria. They are governed by the Independent School Act. Nothing will change in that regard.

Section 1 approved.

On section 2.

J. Horgan: How will reporting be conducted from these independent schools to the Ministry of Education?

Hon. S. Bond: First of all, there is an inspector of independent schools who does that on a regular basis. We also have monitoring that is done regularly, and in fact, independent schools are governed with very rigorous and very high expectations, as are the public schools.

J. Horgan: Section 2, section 1.1(3)(b)(i). This is with respect to the student's parent or guardian. Could the minister explain to me the intent of this clause?

[1530]

Hon. S. Bond: We're not quite certain of the question, but we think.... The section merely outlines what the criteria are for counting students.

J. Horgan: That's my concern as I read that clause: "is or was at the time of that parent's or guardian's death, a citizen of Canada or permanent resident as defined..." And we have a definition under the Immigration and Refugee Protection Act: "who is, or was at that time of the parent or guardian's death, ordinarily resident in British Columbia..."

I'm just wondering what.... It seems an odd clause. I'm wondering if it's in other legislation and I just haven't come across it. What precipitated its inclusion in this bill, in this section?

Hon. S. Bond: What subsection (3) sets out is that a funded student must be of school age and that the student's parent or guardian must be ordinarily resident in British Columbia. In fact, that terminology is updated to reflect recent amendments to the federal Immigration and Refugee Protection Act, so it's merely a clarification of the language based on a change in the act.

Introductions by Members

The Chair: If the members of the House would indulge the Chair once again, I see that the second half of the class visiting from Dr. Knox Middle School is in the gallery. They are accompanied by Ms. Ashman, Mr. Colpitt and Mr. Mastromonaco. It's the concert band and choral section of grade seven students from Dr. Knox Middle School in my riding, and I would ask members to please make them welcome.

Debate Continued

J. Horgan: Moving through section 2(6.1), "Sharing of student records," we touched upon this in a previous discussion on section 1. I'm wondering again if the minister could explain where there's a crossover between the private independent school and the public school. I'm not clear on.... The records are housed.... Assume we have a child at Oak Bay High School here in Victoria in grade ten, 11 or 12 and they have almost a full course load but are taking a distributed course from an independent provider, as outlined in the previous sections: The record for that student is housed at Oak Bay High School, and the fulfilment of the requirement of the courts through the distributed process is then transferred to Oak Bay High School. Is that how this would work in terms of sharing the student's records?

Hon. S. Bond: Yes.

J. Horgan: So let's say that three-fourths of the records which are traditionally held for the courses being taken at Oak Bay High will not be transmitted the opposite direction to the private institution?

Hon. S. Bond: That's correct. The full record stays at the child's home school. The course they would have completed — that information would have been transferred over.

J. Horgan: With respect to that record, then, at no point would the independent school have access to any other component beyond that which is being offered by that institution to that individual, and the records would be transferred back. I'm understanding your point?

[1535]

Hon. S. Bond: We'll clarify it one last time for all of us. The home school would have the majority of the student's records and the additional information would transfer from that other school, whether public or independent, to the home school. But there will be a sharing of that information between the two schools in order for the child to have a complete record.

G. Coons: Some clarification in 8.1. The first one: "An authority may provide all or part of an educational program by means of distributed learning only with the prior agreement of the minister." I was just wondering: what criteria or standards would the minister use in that?

Hon. S. Bond: That's actually not a change in current practice. That's what exists now.

G. Coons: I'm just wondering: will these virtual schools, these DLs, have any school accreditation or have some sort of accreditation process?

Hon. S. Bond: In fact, one of the primary goals of having a virtual school is to allow us to assure people who take those programs that they are of a certain standard, so there will be very high-quality standard expectations. That's why there is an expectation the agreement be made with the minister: so that we can monitor and assure those students who choose distributed learning that there are quality standards in place. That is the current practice, and this is not a change from what we do today.

J. Horgan: As I understand it, DL students, or distance-education students, are currently able to access nine programs, if I read correctly the material that I've received from the ministry: My Schools B.C., Distance Education School of the Kootenays, E-Business Academy, Fraser Valley Distance Education School, Greater Vancouver Distance Education School, Kamloops-Thompson Virtual School, North Island Distance Education School, Northern B.C. Distance Education School and the South Island Distance Education School.

Are all of those public, or are they all private, or is it a mix? And if that's not at hand, could that be provided at a later date?

Hon. S. Bond: In fact, those schools are traditional correspondence schools. Those are public schools, but

there may well be, and probably there are, courses offered in independent schools by distance or distributed learning, as we speak.

J. Horgan: Does the minister and the ministry anticipate, as a result of this amendment, an increase in the number of institutions offering DL programs, and if so, have they factored in what that growth rate might be?

Hon. S. Bond: We don't anticipate and certainly are not planning that there be a significant amount of growth. The issue here is of making it more accessible, having students be more aware of the opportunities. We also want the opportunity to make sure that there isn't duplication. Why would we have three or four or five or six courses being created that are in essence the same? It gives us a chance to bring some efficiencies but, most importantly, to provide a new way of access to these courses for students.

We think this will set the stage for a virtual school that will give students new and exciting opportunities. They will be high standard. There will be expectations that schools work through the virtual school in order to offer this programming.

[1540]

J. Horgan: This goes back to the funding question I asked earlier. It's a concern that if there is a proliferation of independent virtual school course offerings across the province, that will potentially, over time, have a detrimental impact on funding for the public system and for land-based or real-time teaching in real classrooms and real communities across B.C.

These are among the concerns I've been getting in my in-box about the legislation, in these sections. I'm wondering if the minister could provide the public with some comfort that there isn't an expectation there will be a significant increase in computer companies offering courses that will then have a negative impact on resourcing of the public system.

Hon. S. Bond: I have a great deal of confidence in the public education system. I think we can have that confidence. I think students will choose to take opportunities and take advantage of additional access. This isn't about computer companies. This is about public education and independent schools that are rigorous in their expectations. They have rigorous guidelines.

This is an opportunity to expand choice, to give students right across this province new opportunities — students with different learning styles. This isn't going to be the only answer for students. We simply want it to be one additional answer.

J. Horgan: I don't doubt for a minute the minister's enthusiasm. I'm just concerned that the public who have been contacting me in my role as critic for her ministry are expressing concern to me that this may well lead to an increase not in the traditional independent schools, which we have come to know as inte-

gral parts of our community providing a service to those who wish to buy it, but to an increase in companies that want to be in the business of providing courses.

This isn't a slight to those innovators out there in high-tech land. It is only a comment that has come to me that I would like the minister to contemplate for a minute with her staff and advise: what would be the result of an increase in the number of companies providing educational services in the province? What would the impact be, over time, on funding to the traditional system if funding is now on a per-course basis and block funding is leaving a district and going to a company that is providing computer services?

Hon. S. Bond: This isn't about computer companies. It's about schools. It's about districts across this province that are already creating fantastic programs and looking for new and innovative ways to serve students. That's the whole point.

The whole point of this section of the bill and the others that follow is about how we create a system that opens new choice and new opportunity. It's not about computer companies. In fact, education funding is at the highest level it has ever been, and we're going to make sure it stays that way. This is about giving students choice and opportunity. That's the purpose of this section.

J. Horgan: The minister is then saying that I could not meet the requirements within the Independent School Act, run a school out of my basement providing DL services to the Ministry of Education and, therefore, funnel resources that were destined for the public system into my bank account.

Hon. S. Bond: There is a rigorous process to become an independent school in the province. First of all, they are qualified professionals. Secondly, the process would include a rigorous evaluation process, a series of.... Actually, earning independent school status. At that point, if they were successful in doing that, you have to have operated for a year.

Only then, after all of those rigorous standards, would you be able to apply for 35 or 50 percent funding under independent school status. Independent schools have operated in this province successfully for decades, and we want to simply say we want to find a way to look at how to increase choice and opportunity.

[1545]

There are two separate subvotes. One is the independent school subvote, and one is the public school subvote. That's how those organizations receive their funding.

J. Horgan: That is right to the nub of the issue. You have two subvotes. You have a student in the public system who is funded through a block transfer of monies from the Ministry of Education to the district where they reside and are getting an education. That student elects to take the minister up on her offer of choice and takes a distributed learning course from the Kootenays.

The money for that course has to be transferred to the Kootenays. Is it coming from the public pocket? Is it coming from some other pocket? As a result, is that a diminishment of resources to the community where the child is spending most of his or her time?

Hon. S. Bond: Public school funding would come out of the public school pot, and independent school funding would come out of the independent subvote.

J. Horgan: If I understand the minister correctly, if my child in district 62 is enrolled in three courses in the public system and elects to take a private course in the Kootenays, the money for that private course will come out of the private school block and not affect the funding to the district in which he resides.

Hon. S. Bond: Funding for public school courses comes out of the public school subvote. Funding for independent schools.... I really want to emphasize the word "independent" schools. They're not private schools; they're independent schools. That's an important distinction for those schools and those people who make that choice. In fact, that would come out of the independent school subvote.

J. Horgan: Then, my son in district 62 would be funded as a fully participating student in district 62, and the funding formula would provide that district with the full amount for his enrolment in district 62. There would be no diminishment on that transfer of funds from the province to the district, even though one of the four courses he's required to take is being taken from an independent provider in another district?

Hon. S. Bond: The funding for public school courses.... If you take three classes or more, that is a full student anyway. The only change is that if you are a distributed learning student, the funding would come from the public school pot, but if you have three classes and are taking them in public school, you receive full funding anyway at that particular school.

J. Horgan: That's good news. I'm pleased to hear that. What happens to the world if the child in a rural...? Let's take a rural district, where there are increasing challenges for districts to manage declining enrolment and meet the needs of students in those districts.

A student enrolls. Three of the four courses are being taken through the traditional public school system. That's fully funded — 100 percent funded by the ministry to the district. One course is being taken through the DL program that's being outlined here. In November something happens. Enrolment declines. Someone leaves town. A course is no longer offered. That individual, that student, takes a second course after November.

This is anticipating language further on in the bill. After November, what happens? Is that funding re-

duced to the district, or would it be maintained and the second course be funded out of the private pot?

[1550]

Hon. S. Bond: Three courses in a bricks-and-mortar school. We have to be clear about that. If you're enrolled as a student in a bricks-and-mortar school — three courses — full funding follows you. Obviously, we check funding three times throughout the year, and there is a diminishing amount of money as the year is shorter. That adjustment takes place now, and it would continue to take place.

J. Horgan: I thank the minister for bearing with me, because this has been.... I've had numerous calls and e-mails on this question. There's a genuine concern that.... To be candid, the argument is that it's the thin edge of the wedge. If we're privatizing educational services, then that will lead to an erosion of the public process. I get an indication from the minister's responses that that is certainly not the intent.

Even if it was an unintended consequence, there is every indication that the minister and the ministry would take steps to ensure that over the course of the school year, if circumstances dictate that a second or third course were to take place, there wouldn't be a deleterious impact on the district and that school.

While we're still on section 2, the section that requires.... Section 8.1 again: "An authority may provide all or part of an educational program by means of distributed learning only with the prior agreement of the minister." What would you contemplate as an example of that prior agreement?

Hon. S. Bond: Well, in fact, there are a number of expectations. I think the key point — the member for North Coast canvassed this earlier — is this is no change from current practice.

Section 2 approved.

On section 3.

J. Horgan: It's with respect to section 3, subsection (2)(b): "governing eligibility for and the calculation of grants under section 12." That would be under section 12 of the Independent School Act. Is that correct?

Hon. S. Bond: Yes, and it reflects no change.

J. Horgan: I'm curious: if there is no change, why are we seeing it in this bill?

Hon. S. Bond: The drafter just completed that section. Subsection (2)(a) and the other subsections are new, and the drafter just completed by adding the existing legislation.

J. Horgan: We're repealing section 3, which is amending section 18 of the Independent School Act by "repealing subsection (2) and substituting the follow-

ing." Again, if we've repealed subsection (2) and we're "substituting the following," I'm wondering why, if it's no change, we're substituting it.

Hon. S. Bond: I'm not certain why this would be an issue. The draftsman simply included the sections that are unchanged from the School Act and listed them below the sections that we're changing.

J. Horgan: As I read the bill, section 3 says "Section 18 is amended (a) by repealing subsection (2) and substituting the following:" and inventories what that substitution is. As I look at the end, sub-subsection (g) says "comma and...." Is that the amendment? Is that what we've repealed, and we've added a comma and the "and" — a-n-d?

[1555]

Hon. S. Bond: As I said, subsections (b), (c), (d), (e) and (g) remain unchanged, so that would be left, and the rest of the Independent School Act would be following that without change.

J. Horgan: So, then, when we get to subsection (b), "by repealing subsection (3)(b)," which is the part that I was concerned about, it says: "and substituting the following...." So we're repealing the (b) above and inserting the (b) below?

Hon. S. Bond: Well, I'm not quite certain how I can say this. My staff has answered the question. The answer is this. The first subsection (2)(a) and the following subsections are new. The other pieces — (b), (c), (d), (e), (f) and (g) — remain unchanged and have simply been included by the draftsman to follow the sections we're changing.

Sections 3 and 4 approved.

On section 5.

G. Coons: I just have one question about the definitions. Under the following added definition of "supervise," it says: "in the context of a teacher...providing an educational program...by means of distributed learning, means to supervise the student's progress through the educational program."

I'm just wondering how that is pictured, with the examples, say, of a student in Oak Bay taking one distributed learning course in the Kootenays and how that supervision will be accessed for the student.

Hon. S. Bond: Well, the definition of "supervise" actually means, in this context, that the school that is offering the program.... The teacher at that site would be the person who does the supervision, monitors and works with the student as they make progress.

G. Coons: Okay, so trying to picture this, again, let's just say that in a school in my riding, a grade 11 class, there are five students taking math 11 through a

distributed learning course out of an Oak Bay school. Who's responsible? Who's looking after those five students in the Prince Rupert school who are taking the course from another region or area or virtual school?

Hon. S. Bond: The principle of supervision remains the same. Whoever is providing the course has the duty to supervise. Now we need to get our heads around what this... First of all, it happens now. There are programs being offered in three sites, actually, in the riding that I live in. In order for three school communities to actually offer the English lit program for the first time in many years, we have students taking those courses at three different sites in bricks-and-mortar buildings.

[1600]

However, this may be that a student decides they want to be a distributed learning student and takes a course at home. The supervision still is required in terms of the progress of that particular student by the offering school and by the teacher who therein is the supervisor.

G. Coons: I'm sorry if I'm having difficulty grasping this, because I haven't been involved in the DL or virtual school-type situation before. If there are, as I said, five students at Charles Hays Secondary School in Prince Rupert that are, from a certain time every day, taking DL courses from someplace else and they're in a classroom, who's in charge of those students in that school in an isolated situation from the monitoring school that's offering the course?

Hon. S. Bond: In fact, in the virtual situation that I sat in on, the teacher of the class that sponsors the course, offers it, is the supervisor of instruction. But there were resources provided in the other school settings to make sure that those students had support and supervision in those sites. The school management is part of how any school would be managed, and those students would be provided with the support and the resources necessary.

G. Coons: In other words, if I have my five students taking a math 11 course virtually and we've got them in a setting, there is supervision for those students from that school, and there is funding for those five students for that supervision component?

Hon. S. Bond: The discussion about how that would be supported, how that would be managed and where those students would, in fact, gather to take those classes would be done as any other class organization is done within a school.

G. Coons: So the staffing would be there to monitor the virtual students?

Hon. S. Bond: Students would be, if they chose to be, in a bricks-and-mortar classroom. Those arrangements would be made as any other class arrangements

are made for students within the context of organizing a school.

G. Coons: If there are five students or one student in my local high school taking a virtual course, they will have supervision — that one or those five will have supervision in that school, and it will be funded?

Hon. S. Bond: Those arrangements will be made the same way they are today, where those opportunities are already provided for students. There would be little change to that.

J. Horgan: Of course, now we've put away our Independent School Act, and we're looking at the School Act. It's to do with section 5(d), definitions. It says: "distributed learning school" means a school or franco-phone school that offers instruction to its students by means of distributed learning only...." I'm wondering if the minister could tell me: if any, what schools are only offering distributed learning now in the public school system?

Hon. S. Bond: In fact, that would include the list of nine that the member opposite read off earlier. Those are actually distance learning correspondence schools. That is their primary function. We may want to consider the Electronic Bus which operates in, I believe, the Nechako Lakes school district.

[1605]

J. Horgan: So the distributed learning definition, which outlines only those, is the nine that I listed before. The minister confirms that there are no others at this time?

Hon. S. Bond: Those are certainly the ones that we're aware of, but we know that school districts are being entrepreneurial and innovative all of the time. They are looking at the areas of distance education and distributed learning.

That's why we think the virtual school is an important concept. It will also allow us to make sure that those arrangements are put in place with agreements with the minister, so we will fully know what kinds of courses are being offered, how they're being offered and that there would be standards in place to assure that there is a quality assurance process.

J. Horgan: I thank the minister for that response.

Now it's just a curiosity. Why the language change from distance education to distributed learning? Is there a benefit to that, or is it just a desire to change the look?

Hon. S. Bond: In fact, it's really an evolution of distance learning. What it does is broaden the definition to include, in particular, a more direct communication between teachers and students, and it relies more significantly on things like the Internet, teleconferencing and electronic-based delivery. When we think of

distance education, that's typically the paper-based correspondence-type program. We think it better captures the kinds of opportunities we'd like our students to have in the virtual school.

J. Horgan: Did the minister just say that this relies on direct communication? As I read the definition, it says "indirect." Did I mishear her?

Hon. S. Bond: Indirect communication.

J. Horgan: I thank the minister. I can't hear as well as I used to.

We've determined that there is a supervision component. That's covered off quite well. I'm wondering if, within section 5.... We have definitions; we have a movement to include the francophone school district. All 60 districts are covered by this.

Is there a plan on behalf of the ministry to move aggressively to virtual schools, or is it the plan to, as the minister said, allow districts to be entrepreneurial, to look at solutions that meet their needs in an evolving environment? Or is there a plan to be aggressively pursuing this option as a ministry and as a government?

Hon. S. Bond: We made a commitment to the people of British Columbia to create a virtual school, and we intend to do precisely that. How we're going to do that is by working with the institutions, in particular, that already offer distance learning and, in many cases, distributed learning. We have groups that are already meeting to talk about how to bring this to students in the province.

We've made a commitment. We're going to keep it. We're going to do that in consultation, particularly with those organizations that are already offering distance and distributed learning programs. As I suggested, just the other day I was in one of those schools that had 300 students who were taking their programs on line. Let me tell you, I read some amazing testimonials from those students. We made a commitment, and we intend to keep it.

J. Horgan: You know, when we have the benefit of accessing the Clerk's office to better understand what these clauses mean.... The minister, of course, has the legislative draftspeople within the Attorney General Ministry. Those of us fortunate enough to be in this House have a pretty clear understanding of what we're trying to do here. It doesn't always seem that way, I know, but certainly we've got a leg up on those folks who are watching at home or even those in the gallery.

When the government committed to a virtual school, I know the talk — certainly in coffee row in Langford, where I hang out — was: "Well, is that going to be one school that is accessed by people all across the province?" I said: "No, that's not my understanding." My understanding is that "virtual school" means just what we're discussing here: opportunities that are located in various parts of the province, restricted to this province.

I did ask the question specifically on the Independent School Act amendments, but I'll ask the question now to the minister and phrase it in a way that I think will get to two answers. And that is: (a) these distributed learning opportunities must be confined to the boundaries of British Columbia, and (b) when we talk about a virtual school, what we mean is virtual opportunities that aren't confined to one provider but multiple providers.

[1610]

Hon. S. Bond: The vision that we have for the virtual school is capitalizing on the expertise and great programs that exist. We look forward to new programs being created. But we want to make sure that they're streamlined and efficient and that they're top quality for our students.

This is about bringing together the best of those courses from a variety of schools across the province. They'll be part of a collaborative process called the virtual school or some other wonderful name that we decide upon. The bottom line is: this is about new opportunities for students. It is going to take advantage of the expertise we already see in this province in terms of school districts that are doing this and doing it successfully. We simply want to make it easier for students to access and to make sure they have all the choices they could possibly want.

J. Horgan: I agree with the minister that students in this century and those that await us — not us, but our grandchildren and our grandchildren's grandchildren — will require innovation and new approaches to education and a whole host of other activities.

When we're contemplating the virtual school, which I now understand to be services provided in districts that are sharing across boundaries and going through time and space to provide courses where they're not necessarily offered.... The minister used the examples of her community of Prince George.

[B. Lekstrom in the chair.]

When we're preparing or creating this entity or series of entities, what role does the private sector play in this? Would there be inducements to participate? Again, this goes back to the high-tech companies. I don't do this in a frivolous way. The expertise and the ability to create the technologies and the software packages to deliver these programs are in the private sector. They're not in the public school system. What, if any, plan does the minister have in that respect?

Hon. S. Bond: We have no plans for anything that is different than what's happening today. School districts go, and they have experts create programs. In the program I was in most recently, the teachers actually created the programs based on the British Columbia curriculum, and they designed those courses so they could be offered virtually.

We have no grand plans that involve computer companies or anything of that nature. This is about

school districts deciding how they can best offer courses to students in a different way. We think that's great news. We think this is going to provide new opportunities. As I've suggested, we're simply going to capitalize on what's already happening in this province and make it easier for students to access those programs.

J. Horgan: I thank the minister. I can interpret from her remarks that the expectation is that these programs and initiatives will continue to come from those that are currently participating in the public school system: our teachers and our teaching assistants and our directors of instruction and various other school board staff — public employees.

Hon. S. Bond: Hon. Chair, there would be no change in that regard from today's practice.

Sections 5 and 6 approved.

On section 7.

J. Horgan: I think we touched upon this in earlier sections of the bill with respect to students in grades ten to 12. I just want to be clear here, because now we've got a blurring of independent and public again.

I just want to take a look. If the minister and her staff could read carefully section 3.1(a) and (b), which is that the student in ten to 12 shall: "(a) enroll in one or more educational programs under section 3, and (b) in addition to enrolling in one or more educational programs under section 3, enroll in an educational program offered by an authority under the *Independent School Act*."

[1615]

This again goes back to the initial question I asked with respect to amendments to the Independent School Act. Is this confirming in the School Act the changes that were contemplated earlier in this bill?

Hon. S. Bond: Yes.

J. Horgan: For those who may well need to interpret this act based on the discussions we're having today, I'll just say it again so that the minister can confirm that I'm correct that this section, section 7, section 3.1 — the remarks that we made and the adventure we had in determining where moneys are coming from — is consistent for this section as it is consistent with the section earlier in the bill?

Hon. S. Bond: It's the same thing.

Sections 7 and 8 approved.

On section 9.

J. Horgan: We're getting close to moving on here, but with respect to section 9, again my concern goes back to my in-box and the mail I'm receiving about the

challenges that some people suggest these changes will make with respect to the thin edge of the wedge. I'm wondering, with respect to minister-approved programs — this would be section 9(b), (4.1), "A board may provide all or part of an educational program by means of distributed learning only with the prior agreement of the minister" — what situations are contemplated by that amendment. Or is this existing language?

Hon. S. Bond: Once again, this is not a change to current practice. For example, one of the reasons we would want to make sure this is done in an agreement with the minister is that we want to make sure this adheres to, particularly, the use of British Columbia curriculum. There are expectations about how and when you should be able to offer these kinds of programs. We simply want to make sure that we're able to ensure that those standards are in place.

Section 9 approved.

On section 10.

J. Horgan: I just want to confirm that this amendment is amended by striking out "distance education school." Is that part of the language change with respect to distributed learning?

Hon. S. Bond: Can I ask the member to repeat the question, please.

J. Horgan: Certainly, I'm happy to do that for the minister. It's a short section. I'm just confirming that this is merely an amendment to keep language consistent with the new language of distributed learning, as opposed to "distance education school."

Hon. S. Bond: Yes, it is.

Section 10 approved.

On section 11.

Hon. S. Bond: I move the amendment to section 11 standing in my name in the orders of the day.

[SECTION 11, by deleting the text shown as struck out and adding the text shown as underlined:

11 Section 76.1 is amended

(a) in subsection (1) by striking out "and" at the end of paragraph (b) and by repealing paragraph (c) and substituting the following:

(c) for grades 4 to 7, 28 students, and

(d) for grades 8 to 12, 30 students. , and

(b) by adding the following subsections:

(2.1) Despite subsection (1) but subject to subsection (2.4), a board must ensure that the size of any class for any of grades 4 to 7 in any school in its school district does not exceed 30 students unless

(a) in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning, and

(b) the principal of the school has obtained the consent of the teacher of that class.

(2.2) Despite subsection (1) but subject to subsection (2.4), a board must ensure that the size of any class for any of grades 8 to 12 in any school in its school district does not exceed 30 students unless

(a) in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning, and
(b) the principal of the school has consulted with the teacher of that class.

(2.3) Despite subsections (1) to (2.2) but subject to subsection (2.4), a board must ensure that any class in any school in its school district does not have more than 3 students with an individual education plan unless

(a) in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning, and
(b) the principal of the school has consulted with the teacher of that class.

(2.4) Subsections (2.1) to (2.3) apply to a board, in relation to a school year, after the date under section 76.3 (5) on the report that the board submits ~~the report for that school year~~ to the minister under section 76.3 (10) for that school year.

(5) In this section, "**student with an individual education plan**" means a student for whom an individual education plan must be designed under the Individual Education Plan Order, Ministerial Order 638/95, but does not include a student who has exceptional gifts or talents.]

Amendment approved.

On section 11 as amended.

J. Horgan: Section 11, as amended, was on the order paper, if I'm not mistaken. If I could just read the amendment so I'm clear. That was striking out section 11(2.4); adding under section 76.3(5), "on the report" and striking out the report "for that school year." That was your amendment?

Hon. S. Bond: Yes, and I think it just passed.

The Chair: We are on section 11 as amended, member.

J. Horgan: Thank you, Chair, for just confirming that. With that, I'd like to move an amendment to section 11, which I provided to the Clerks as well as to the minister, amending section 11 (2.2)(b).

[SECTION 11, by deleting the text shown as struck out and adding the text shown as underlined:

(2.2) Despite subsection (1) but subject to subsection (2.4), a board must ensure that the size of any class for any of grades 8 to 12 in any school in its school district does not exceed 30 students unless

(a) in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning, and

(b) the principal of the school has ~~consulted with~~ obtained the consent of the teacher of that class.]

[1620]

The Chair: On the amendment.

D. Chudnovsky: Thank you.

Interjection.

D. Chudnovsky: Sorry, is there a problem?

The Chair: A point of order.

Point of Order

Hon. M. de Jong: This might help guide the discussions, so perhaps we could settle this early in the proceedings. I think the member has kindly provided a couple of amendments, so if we can get a ruling on this one, then we'll know.

As I understand it, hon. Chair, the proposed amendment would delete the words "consulted with" and replace them with "obtained the consent of."

Interjections.

Hon. M. de Jong: Members are indicating that is the proposed amendment.

The issue that I think the Chair has to be cognizant of is, whilst on the surface the difference between "consult" and "consent" is obviously significant, to the extent that we are dealing with imposing a charge on the Crown, the difference may be particularly significant.

I am certain that the language was chosen carefully here — and it may be language that members opposite disagree with — but in the case of consult, there are obviously different ramifications than requiring the consent. Consent implies that it could be withheld, and, in that circumstance, there would be, obviously, financial implications that flow from having to reconfigure classes.

I think I understand the point that members are trying to make around the amendment, but the rule that I believe the Chair has to be cognizant of is that proposed amendments cannot impose a charge, or the prospects of a charge, being imposed upon the Crown. I'm sure members have thoughts on that, and we might deal with that first.

The Chair: I will recognize the member on the point of order.

J. Horgan: Thank you, hon. Chair, and I thank the Government House Leader for his comments.

As I read the act, section 11, section 2.1(b): "the principal of the school has obtained the consent of the teacher of that class.". If we could consent in clause (b), why couldn't we consent in clause 2.2(b)? The minister has said and the government has said there will be no new money to implement this piece of legislation so, therefore, if there's no new money required for consent for four to seven, why would there be any new money required nor consent for eight to 12?

I think it's a reasonable amendment. I think it's one that protects the children in our classrooms. It protects teachers, and it provides administrators with certainty

that when they are sitting down with teachers and parents and others that are providing educational services, if that's language that's more appropriate for the people on that side, then there's certainty with respect to consent. There's not certainty with respect to consult.

The rationale for the amendment is to provide all of the stakeholders, all of the partners some degree of certainty that when class sizes are being determined at the start of the year.... We go into some significant detail in this section of the bill, hon. Chair. As you're contemplating and considering the appropriateness of this amendment, I think you have to take into account that if it's appropriate for four to seven to consent, why wouldn't it be appropriate for eight to 12?

The Chair: Member for Vancouver-Kensington on the point of order.

D. Chudnovsky: Sorry, Chairperson. I'm ready to speak. I'm assuming that you've ruled by not immediately answering.

Hon. M. de Jong: We need a ruling first.

**Point of Order
(Chair's Ruling)**

The Chair: The Chair will rule first.

On the point of order, having looked at the amendment, I have found that it imposes a charge on the Crown; therefore, the amendment is out of order.

J. Horgan: You're pathetic.

The Chair: Member, take your seat, please. Member, I would ask you to withdraw your comments.

J. Horgan: Thank you, hon. Chair. I didn't realize that the microphone was on. If I have offended anyone in this House, I certainly withdraw those comments. My concern, however, hon. Chair....

The Chair: Member, order. Just take your seat. We are back on section 11 as amended.

[1625]

Debate Continued

J. Horgan: I have an amendment to section 11, which I provided to the Clerks as well as to government members with respect to section 2.3. It reads as follows. In section (2.3):

[(b) the principal of the school has ~~consulted with~~ obtained the consent of the teacher of that class.]

Point of Order

The Chair: I recognize the House Leader on a point of order.

Hon. M. de Jong: Members won't be surprised that the point of order is the same.

I hasten to add that I understand there is a difference of opinion about whether or not it is more appropriate to seek consent versus to consult. They mean different things. The point on the point of order is that one, however, carries with it the prospect of additional costs being accrued. The other does not.

[S. Hawkins in the chair.]

While the debate around the use of the terms can continue, the amendment itself, which risks the possibility of a cost accruing to the Crown, exists in one and not the other. For that reason, I would seek to have the similar ruling invoked on this amendment as it was invoked earlier.

D. Chudnovsky: I want to explore, if I might, the reasoning that was put forward by the hon. House Leader in defence of the point of order. I'm not going to speak to the merit of the case of the amendment. I want to speak to the argument that was made on the point of order. I want to explore with the Chair and with the members opposite what I consider to be the lack of logic of the point of order.

Government has been clear with the people of the province and the members of this House on many occasions that there isn't any additional funding available for the implementation of this bill. We on this side disagree with that and will continue to express our disagreement, but government has written the bill and has brought it before the House.

It strikes me, Madam Chair and members opposite, that it's a logical inconsistency for this point of order to have been put forward. If there is no money available and government is the source of money, then how is it that this amendment can require money of the Crown? I would submit that though we disagree strongly with the notion that there isn't money available to implement this bill, that's the position government has taken. Given that that's the position government has taken, it is logically inconsistent for this point of order to stand. It must fail.

**Point of Order
(Chair's Ruling)**

The Chair: Members, the Chair wishes to rule on the point of order.

For the same reasons as the previous amendment, the Chair is ruling that this amendment is out of order, as this amendment does pose a potential charge on the Crown.

Debate Continued

J. Horgan: I'd like to move an amendment to this section, which I provided to the Clerks and also to the minister and her staff. It would be amending section 11 by adding, after section 2.4, the text that goes as follows:

[Class sizes shall be reduced by one (1) student for the first two (2) students with special needs (including students with identified special needs, ESL students or other students as determined by the board) and by a further one (1) if a third special needs student is added, and by a further one (1) for each subsequent special needs student added.]

[1630]

Point of Order

Hon. M. de Jong: Again, appreciating the interests and intent of the member, I won't belabour the point. I think that in this case, it is clear, even by virtue of the logic the previous member employed, that there are cost implications to what is being proposed in the amendment amendment, so that whilst there can be a healthy debate around the numbers and whether they are appropriate — and I'm sure that the member will engage in that debate — any specific amendment that would purport to reduce the class-size numbers has obvious cost ramifications and would post a charge against the Crown. For that reason, the amendment, I would suggest must fail.

I do want to emphasize to the member, this is not designed to somehow truncate debate around the appropriateness of the numbers that have been selected, and I believe and hope there will be a debate around that fact.

J. Horgan: I thank the Government House Leader for his comments. Again, although we seem to be on faulty logic here, if the government has said that there should be no net costs to putting a cap on class sizes four to seven with consent or class sizes eight to 12 with consultation, why would it then be an extension to assume that if we are amending class size and class composition that there would be a cost?

I don't understand how the government can say on one day and on one section of the bill that there will be no net new resources for school boards to deliver programs in our communities, to provide educational services and opportunities for our children, and to ensure that parents are comfortable that they're getting the best possible outcomes for their kids. I don't know why you could have no cost with the bill as it's written, and then somehow, when an amendment is proposed to enhance and improve upon that legislation, based upon inputs from experts and others — the B.C. Association for Community Living, numerous others.... The B.C. Confederation of Parent Advisory Councils has also expressed reservations and concerns about this section.

We're only offering up an amendment so that this Legislature can debate those issues fully and frankly. We had no intention with this amendment or the previous two of increasing costs to the province or increasing costs to school boards. We're only trying to find the optimum outcome with respect to special needs students right across the province. That's the intent here. Nowhere in this amendment do I suggest for a minute that there need be any expenditure by the Crown. I'm

merely trying to improve upon legislation that was brought forward by this government with the express purpose of not increasing the education budget.

It seems to me that the logic on this side of the House is working, and the logic on that side of the House is not.

Interjection.

Point of Order (Chair's Ruling)

The Chair: Member.

The Chair rules this amendment out of order for the same reason, that it imposes a charge on the Crown.

Member for Malahat-Juan de Fuca on section 11 as amended.

Debate Continued

J. Horgan: I have an additional amendment I'd like to read to the Legislature, and it goes as follows.

[SECTION 11, by adding, after 2.4 the text shown as underlined:

For classes composed only of students with individual education plans, (including ESL) a board must ensure that any class in any school in its district does not exceed 8 students.]

Point of Order

Hon. M. de Jong: I raise the similar point of order and would only add this: it is incumbent upon governments, all governments, to ensure that legislation it introduces...that governments operate in accordance with the legislation that they have tabled.

The concern here again is the possibility, with the change in wording that the member's advocating, of charges being accrued against Crown, and the remainder of my submissions on this point of order would be the same as in previous proposed amendments.

D. Chudnovsky: I want to, if I may, resubmit the argument that we made. I think it's important that it has been made from this side of the House. I think it's important to say once again that while we disagree with the government's position — strongly disagree and are not shy about it — nor will we stop talking about it at the appropriate time and place, it is the government's position that there will be no additional resources available for this legislation.

[1635]

Given that the government has stated that there will be no additional resources, it is, in our view and in our submission, logically inconsistent for representatives of government to stand before the House and bring forward a point of order that suggests that there will be a charge against the Crown if the government itself has said that it won't pay those charges.

**Point of Order
(Chair's Ruling)**

The Chair: Hearing no more speakers, members, the Chair rules that this amendment is out of order as it has the potential of imposing a charge on the Crown.

Member for Vancouver-Kensington on section 11 as amended.

Debate Continued

D. Chudnovsky: I wonder if I might ask some questions of the minister on this section. I wonder if the minister could tell the House why it was that the government, the minister, the drafters of the legislation chose to use the notion of consent with respect to overages on the limits for kindergarten to grade seven, and chose to use the notion of consult for grades eight to 12?

Hon. S. Bond: Well first of all, as we have said on numerous occasions about this bill, we were trying very hard to strike a balance between what is flexible and allows choice and what also addresses some of the pressure points that had been expressed by members of the provincial Learning Roundtable. There was very clearly a sense that at grades four to seven, we needed to address that in a particular way — possibly by looking at class-size numbers.

In fact, throughout the whole course of the discussion about class size and composition issues, no one has found a magic number which actually works for every classroom, every child and every teacher in the province. So, in fact, the decision after the discussion — extensive discussion at the round table — was to ensure that there were class-size maximums at grades four to seven and to leave room for flexibility and choice, but include consistent consultation with teachers across the province in the secondary grades.

D. Chudnovsky: I've been present a number of times and have been engaged in debate with the minister a number of times around issues of staffing, class composition and class size. In particular, on the Education estimates which concluded a couple of weeks ago, there was a lot of discussion about the process by which classes are set and staffing is done. In all of those discussions the minister put forward the notion that it is professionals who make those decisions.

In fact, the minister will recall that a number of particularly difficult class sizes and particularly difficult class compositions were put before her in estimates. On each occasion the minister explained that situation by pointing out to those who were participating in those estimates debates that the reason those particularly difficult class sizes and compositions were in place was because professionals had made the decision to set those classes up in that way. Those professionals are professionals who teach all the way from kindergarten to grade 12.

[1640]

Is it the case that the government believes that the professional judgment of secondary teachers — grades eight to 12 — is any less valuable or any less legitimate than the professional judgment of elementary teachers from kindergarten to grade seven? That's certainly the impression that's given by the difference between the term consult and the term consent.

Hon. S. Bond: Absolutely not. In fact, the member opposite would know very well that there are very different complexities when organizing classrooms in the secondary school classrooms than there are in grades four to seven.

This isn't about being professional. In fact, this bill tries to capture and deal with an issue that we heard about from teaching professionals at the Learning Roundtable over and over and over again. It captures the concept that there was not consistent consultation with the professionals who are in our classrooms across the K-to-12 sector in the entire province.

The bill is an attempt to bring balance to a very complex issue. There is no magic class-size number, particularly in the secondary school classrooms. We know that across the province, teachers and professionals make decisions every year about how students are organized in classrooms to focus on student choice and flexibility. This bill represents the best and the largest degree of consensus that we could find with all of the partners in education at the Learning Roundtable.

D. Chudnovsky: The minister is right about one thing, and that is that I am well aware of how classes are configured, of the processes that are gone through and of the complexity and difficulty of doing the very best we can for every student in every classroom across the province.

That's why, when we're faced with thousands — not hundreds — of oversized classes in secondary schools, it is a surprise and a disappointment that the minister would put forward legislation that she clearly states she believes will result in teachers, students and parents being less confident that those oversized classes in secondary will be dealt with than in elementary.

It's clear from the minister's statements here in the last minutes that the expected result on the part of this government from this bill is that the difficulties in class size and composition at the secondary level will be less able to be dealt with because of the wording of the bill.

The question I have for the minister is: why would a government choose to do that? Why would a government choose to set up a situation in which we are less able to deal with the problems of class size and composition at the secondary level than we are at the elementary?

Hon. S. Bond: Well, I think it would be very interesting to hear the member opposite describe and define the word "oversize." With all of the partners at the Learning Roundtable for five meetings — for hours and days spent together — no one could define.... No,

that's not accurate actually. There was one particular group that had a strategy for class sizes. In fact, there was no consensus about class size numbers in grades eight through 12.

The absolutely prevailing thought at the round table in grades eight to 12 was: how do we make sure that our students have choices? How do we make sure that classrooms actually look at balancing the needs of our students so that, yes, you can have one of the thousands — and I would repeat thousands — of small classes in this province balanced off by a slightly larger class?

In fact, we listened to what we heard at the round table. Parents had a very strong view about what, for example, should happen in grades eight to 12. We value those views. We think that making sure we preserve the ability to have flexibility and choice in grades eight to 12 is critical. We've also said in a section that we will debate at some point.... Maybe that one will go with less debate. We've said that we want to move forward with this bill and that there's more work to be done.

One of the things we've committed to in this legislation is saying: "Let's go back during the next year and look at these amendments and see what other work can be done." This best represents what we heard at the round table from all of the partners.

[1645]

N. Macdonald: The use of the term "flexible" as a principle.... That often would be an invitation to confusion. I think what you need to do is be really clear in exactly what you mean by consult, in terms of consultation, because what I think would be appropriate is if you went to consent, where it was clear.

The question I have for the minister is this: if the principal of the school needs to consult with the teacher, what exactly does that mean? Is it something that can be verbally given? Is it something given in the hallway? Is it something that the teacher needs to go into the office of the principal and sit down for? Does it need to be written? You need to be very clear in exactly what you mean by consultation.

Hon. S. Bond: I think one of the things that we did hear at the round table consistently and one of the things we had consensus about was the fact that it is important for people to talk to each other. That doesn't just include the principal and the teacher and the superintendent. It actually includes parents.

What does "consult" mean? It means that we need to find a way to deliberate with one another, to sit down, to ask for advice, to consult and to have that conversation. In fact, one of the other commitments that we made at the round table was that this was an issue that we would have further discussion about.

It's interesting to note that the member opposite, as a principal, would take the word "flexible" — that it would create confusion — and the word "consult".... As a parent, I can assure you that what I want most for my students is for them to be able to have as much

choice, as much opportunity, as much access as possible, and that was clearly reflected by numerous partners at the table.

N. Macdonald: You're putting forward a law that is going to be used....

The Chair: Through the Chair, member.

N. Macdonald: The minister is putting forward a bill that will become law, that will be used by the people on the ground. What you're talking about is politics. You want the language of flexibility. You want to say these things, but the minister needs to be clear what exactly is meant by consultation, because somebody is going to have to go and consult with the teachers. You want a principal to do that. Have you thought through exactly how that works?

It should be the same in every school. You talk about flexibility. At some point, this is going to be sorted out. It will be sorted out either by lawyers through a grievance procedure which will apply to this bill, or it will be clearly stated by the minister. What does consultation mean? Does the principal just come to the door of the class and say: "Will you take this student?" Is that consultation? Does it mean that you have to call the teacher in, sit down at a time of mutual agreement and talk through the implications?

Now, I know that for the minister, this seems like a minor thing, but you are laying out the framework for how a principal and a teacher are going to make this decision, and it needs to be set out, otherwise it will be decided in a different forum. If you haven't thought that through, then....

The Chair: Through the Chair, member.

N. Macdonald: Excuse me. If the minister has not thought that through, then you need to spend more time with this. That's one of the reasons why you would have it clear, that you would have consent instead of consultation. Right now, what exactly does consultation mean? Would the minister please give, with some detail, what consultation means?

Hon. S. Bond: I'm actually disappointed that I have to put in legislation a requirement to consult. I believe that it's best practice. It's ironic that the member opposite would suggest that as a principal, I need to explain how to do that and look at how it should be the same in every school.

We spent five meetings of the round table being reassured by the principals and vice-principals that consultation takes place regularly and consistently across this province. The reason that "consult" is included in the legislation is to provide the assurance to teachers in this province that they will be included in the discussions that take place.

It was a surprise and, in fact, a disappointment to learn that there are places within which that does not occur. That is best practice. People who are profession-

als, including the lead educator, who is the principal in a school, should sit down and talk to one another. We do believe that there are different ways of doing that, depending upon a number of things: the size of your school, the complexity of it, whether it's elementary or secondary.

[1650]

There are a number of factors. We're simply saying this: best practice, what's best for our students, would require people to actually talk to each other. Was I surprised that that doesn't occur everywhere? You bet I was.

N. Macdonald: I think the minister misses my point. The fact is that what the minister is doing is talking about political points. It sounds good to say that it's flexible. What I'm telling her is, as a principal on the ground, you need clarity. I can understand that the minister, not having been in that position, would not understand it. But you need to be clear what exactly "consult" means. If you're not clear on that, you are inviting it to be decided in some other place.

Now the reason that you have clarity is so that there are not difficulties in moving through and making decisions around class formation. I can tell you that it was in contract language, because that clarity was important. Then you just go and deal with it. If you're asking to consult, it means something. If the minister does not define it, it will be defined somewhere. It'll be defined by lawyers somewhere and given clarity, but it should come with the group that is putting forward the bill.

What does consult mean? It's a very simple question. What does consult mean? Does it mean that a principal simply needs to ask a teacher, as they go into a class, if they can take the extra student? Does it mean a more formalized process than that? The minister.... I would invite her to be clear. She has her staff with her. I'm sure they have considered this. Be clear on it, or leave it for the lawyers to decide later.

Hon. S. Bond: I guess I choose to look at the examples that I've had the absolute privilege of seeing over the last number of months. Despite the fact that there are some places where we need to make sure that consultation occurs, the vast majority of schools across this province actually have educational leaders who find the most appropriate way to sit down and work with professionals, teachers, and include parents in that discussion.

I have been in dozens and dozens of classrooms and schools over the last number of months where we've seen collaboration, cooperation and enthusiasm about how schools are organized. That shows educational leadership. It shows professionalism. In fact, it shows that people actually talk to each other about what's best for students. This bill simply captures those principles and makes sure that students are at the centre of those discussions.

G. Coons: I don't want to belabour the consult/consent point to the minister. I do have a question

about the (a) section of the bill where it says: "in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning."

I'm sure the minister is aware that in my riding, which encompasses the north coast, which looks at the Nass Valley, Queen Charlotte Islands, Haida Gwaii, down to Bella Bella, Bella Coola, and Prince Rupert, the EDI is very significant. That was brought out by the deputy minister, recognizing that the challenges are really there. Also, it came out as far as the recommendations for the Task Force on Rural Education, which was pushed for a report from that at the last trustees association. I've noticed the deputy minister has put out a few offerings of what has been happening with the rural task force.

I think the language that we've got here is not going to help rural schools and districts that are challenged. I can look at a school — I'm sure the minister has visited this school in Prince Rupert — where there are 200 students. In that school there are 60 of them with IEPs. Right now, as was everybody, we were excited about Bill 33. It was a sign of the times. It was an indication that people had got together and realized the importance of class size and composition not only to students and to parents but especially to teachers trying to meet the needs and goals of students as they work through their IEPs and progress. I think it's vital that through every corner of the province, as the minister knows, teachers are doing their best and working hard.

[1655]

A question to the minister: you've got the superintendent and the principal making the decision whether a class is appropriate for student learning. I'm just wondering why the teacher isn't involved in that decision before the consent or consult is worked up.

Hon. S. Bond: In fact, the whole discussion we've been having for the last few minutes has been about how teachers are involved. We are now creating a bill that requires there to be consultation with teachers, and as I shared earlier, I was surprised and disappointed to hear that, from the B.C. Teachers Federation's perspective anyway, that doesn't happen consistently across the province. We were reassured by the principals and vice-principals that it does.

You know, there are challenging circumstances in many schools in this province, and I absolutely applaud and admire the work that's been done by Dr. Clyde Hertzman. There are neighbourhoods in my own community that are actually on Dr. Hertzman's list in terms of the most vulnerable schools. But that's the precise point of the discussion we're having about class size and composition because, as the member opposite describes his school and many others and many other classrooms, there's no magic formula, no magic number, no magic prescription from Victoria that will actually ensure that our students have the best learning conditions possible.

In fact, it requires for every classroom a discussion about the children that are there and the professional

that's in that classroom. We're simply providing a series of guidelines for that discussion to take place, making sure that our students are at the centre of that discussion. Those decisions should be made at schools by teachers and professionals chatting and discussing that with parents. That's the way those decisions will be in the best interests of our students.

A. Dix: I wanted to return briefly to the provisions with respect to grades four to seven, particularly subsection (b) of the new subsection 2.1, which says that classes do not exceed 30 students unless certain conditions are met, (a) and (b).

My question to the minister is this: what are the costs to the Crown of those provisions?

Hon. S. Bond: Well, in fact, I have said this clearly. We have no way of determining specifically what the costs might be. First of all, we expect 7,000 less children to be in our school system in September. It may be more; it may be less. We don't know exactly where or when those children will be in which schools, in which classrooms, so we expect school boards to work with their staff and with their professionals to determine the best placement for those students. At this point, we're not able to actually determine those costs. We're asking boards to now go look at their projected numbers and do the work based on the information that's been presented in this bill.

A. Dix: The government isn't proposing any supplementary estimates to pay for this legislation? I ask that because I just want to be clear. What the government said is school boards have to adjust based on however many students walk into the classroom, based on the numbers of students they have September 30 in terms of their funding. But I want to be very specific, because when the minister goes to cabinet with a piece of legislation, I know that one of the first things that gets asked before it gets in there is what the financial implications of the legislation are.

Is the minister saying that there are not any specific financial costs with this provisional legislation today — and the existence of the need for consent of the teacher before you can exceed class size limits?

Hon. S. Bond: No, what I'm saying is that we are not able to articulate where the costs will be or what they will look like because we have 7,000 less children coming in September, and we'll have 5,000 less the year after that and 5,000 less the year after that and 5,000 less the year after that. We're experiencing significant demographic shift, not just in this province, but in this country.

[1700]

So are there challenges in terms of how we, first of all, have students appear and how we work out the composition and class size? Yes, there are. But in addition to that, the funding for public schools and the public education system in this province is at the highest level it's ever been, and by September we will have had

37,000 less children in the system. Per-pupil funding is at the highest level. It's increased by almost \$1,000 per student over the last five years.

So we're asking school boards to go back, to look at the information that will be passed in terms of class-size numbers.... But the other thing we have to recognize here is that over the last number of years school boards, on their own — based on the kinds of information about how to design classrooms — have focused on grades four to seven as well.

Is there more work to be done? Yes, there is. Is there record funding in the education system? Yes, there is.

A. Dix: I'm fascinated by the positions taken by various ministers in this debate, but I guess I recognize that you can't predict to the student how many students there will be next year or in any year. Sometimes, at certain points they've gone up; sometimes they've gone down. Presumably, the Ministry of Education does what everybody does, which, when it's budgeting and considering issues, provides estimates to Treasury Board and supplies estimates of what they expect the numbers to be. The numbers will go up and down.

I'm asking a specific question about this provision here. Does the minister expect this provision to cost more money than the status quo? This provision isn't going to change the number of students in the public school system or in the independent school system — right? It's not going to change the number of students.

That's going to be the same whether this provision is in place or not. I'm asking whether the minister or the Crown is assuming incremental costs based on the provision that's introduced in this section of the bill. Her colleague the Minister of Labour got up and said just a few minutes ago that the addition of the word "consent" by definition means an increased cost to the Crown. That's what the Minister of Labour said. He said: "Oh, we can't have this. We can't have a debate about secondary education. We can't do it. We can't do it because consent means money." That's what he stood and said; that's the case he made by point of order. He said that consent means money.

My question to the minister is.... Surely, in the debate at Treasury Board or at cabinet or at policy committee, someone asked that question: "What does it cost?" There's a budget. So what does it cost? That's the simple question. The Minister of Labour says that consent costs money. So I just want to be clear and specific about what that cost is.

Hon. S. Bond: Allow me to be clear and concise in my answer. Public school funding is at the highest level it's ever been. We have 7,000 fewer students that are going to appear in September. When you look at the organization, we simply cannot tell you today exactly where those children will be or exactly which classrooms they will be in.

I can assure you of this. We added \$20 million in additional funding this year, which will focus on class size and composition. Funding is at its highest level

ever, and that has been an ongoing commitment of this government. We'll continue to fund appropriately.

We are clear about this. We are going to continue to put students at the centre of this discussion. This bill embraces the concept of consultation consistently across this province. It tries to bring balance to a very difficult discussion that's taken place across the province. But we're going to listen to the voices of parents, of trustees, of teachers and of, yes, superintendents and those people who have significant roles in the education system. That's what we did, and that's what this bill represents.

The Chair: I'd ask the members to focus on this section as amended — the sections that are in front of you.

A. Dix: Let me return, then, to section 11(b), the new subsection (2.1), and return to this question and ask if the minister has any plans to bring supplementary estimates to this House to pay for this subsection.

Hon. S. Bond: Our plan is to continue to fund public education at the highest level it has ever been funded in this province. That included \$150 million in additional funding last year.

In fact, those dollars, included with the Vince Ready funding that was provided earlier this year.... We've seen an addition of over 1,100 teachers in this province. We intend to continue to fund public education at record levels in this province.

[1705]

A. Dix: Hon. Chair, I know you're trying, because I keep asking specific questions about the subsection, and the minister keeps pretending that it is estimates debate. I know you are trying to keep her focused in on the section. I know we're trying to keep focused in on the section.

But considering that the minister is not bringing in a supplementary estimate, hon. Chair, I think what this says is that the effort by the Minister of Labour.... I'm going to just put this on the record. The effort by the Minister of Labour to rule out of order....

The Chair: Member, are you challenging the Chair's ruling? The Chair ruled on that amendment. The amendment failed, so I would ask you to focus on section 11 as amended.

A. Dix: Hon. Chair, in the debate on section 11 as amended, the Minister of Labour stated clearly the position of the government — that consent means an additional cost on the Crown. That's what the Minister of Labour said. He said it very clearly. He said it unequivocally.

Based on his strong and unequivocal case that a change from "consulted" to "consent" in the new section (2.2) would be an additional cost to the Crown, you ruled, hon. Chair — I'm just focusing on the other subsection here for a moment — that the amendment pro-

posed by the member for Malahat-Juan de Fuca was out of order.

My point is....

The Chair: Member, please take your seat.

With the greatest respect, the member is challenging the Chair's ruling. I will not allow questions on the ruling. If the member wishes to ask specific questions....

An Hon. Member: Point of order.

The Chair: I recognize the member for Malahat-Juan de Fuca on a point of order.

Point of Order

J. Horgan: As I understand it, we're debating Bill 33, section 11 as amended. In order to get to that amendment, we had a discussion about the costs, if any, of that clause and that section. We were advised by executive council representative that there was going to be a cost. My colleague from Vancouver-Kingsway is only following on that inclusion in the debate we're having here that there is a reasonable expectation that if there is a cost to consent, we would be able to quantify it at this point.

I just want to confirm that I believe the member's comments are completely in order and are to the point of this amended section.

D. Chudnovsky: I wanted to put this case to you. It seems to me, Madam Chair, that the member for Vancouver-Kingsway is actually doing the opposite. What he is in fact doing is taking the Chair's ruling, which has been made and stands, and using that ruling in argument with the minister.

In fact, Madam Chair, my view is that the member is doing exactly the opposite of what has been suggested. He is not calling into question the Chair's ruling at all. He is taking it as a ruling which has been made, and he is using the fact that the ruling was made in argument with the minister. It seems to me, Madam Chair, that he is doing exactly the opposite of the suggestion that's been made.

The Chair: Member for Vancouver-Kingsway on the point of order.

Members, any reference to the ruling is out of order. Any reference to the ruling that was made on that amendment is out of order.

Debate Continued

A. Dix: So what I'll do, hon. Chair, is simply refer to the comments made in debate by the Minister of Labour.

I think this is a vital question. It's a vital question for public education as well, because we want to see this bill fully funded. We want to understand what the costs of this bill are, and as legislators that vote funding for public schools in British Columbia, we want to un-

derstand what the costs are. Since it is the position of the government that the existence of this provision brings an additional cost, an incremental cost to the Crown, I ask the minister.... I understand the minister's position is that the Crown and the province fund public education sufficiently. Naturally, that's her position. She's the Minister of Education. If it weren't her position, she wouldn't be the Minister of Education. So I understand that's her position.

[1710]

Given the position of her colleague the Minister of Labour that this provision has an incremental cost and is a charge of the Crown, given that's the position of the government as expressed by her colleague the Minister of Labour, I'm asking her to lay out what the costs of this are so we can fully understand as legislators what we need to vote in order to ensure that this bill is fully funded.

Hon. S. Bond: That question has been asked and answered.

A. Dix: Well I guess it is ungenerous of me to accept that "I don't have the slightest idea" is an acceptable answer in this debate. I will just say that I think it is absolutely vital. It's vital for parents of special needs children.

It's vital for teacher-librarians in my riding, an area that is not dealt with by this legislation but who fear — because the government is not funding, is not putting its money where its legislation is — that there will be an impact for them. So it's vital that we have an understanding, and we will continue to ask questions about this issue of what the cost of this provision is because we want to know the cost of what this provision is. School boards want to know what the cost of this provision is, and the government has that information.

There is no way on earth that this provision would have been brought to cabinet if the government didn't have an estimate about its cost. This is what happens. All the cabinet ministers on that side, if they bring in new legislation and then call it forward — which has, as the Minister of Labour so eloquently said, a charge to the Crown — have to bring forward that information. That's information that superintendents want, that teachers want, that school boards want, that we as legislators want, that parents want, that students want. That's what I'm saying. It's vital information in dealing with this legislation and in dealing with public education in this province.

The minister and the government have that information. They have it; they had to have it. That's not the way they do business. I can't believe the Minister of Finance would allow the government to do business like that. I can't believe it. I can't believe they'd even consider doing business like that. So what they're saying to us in this debate is: "We have the information. We have it, but we're not going to tell anybody."

This reasonable provision of this bill and just what people watching this debate understand.... The question I asked on this section, section 2.1, which the min-

ister has refused to answer and now says that her answer was that she refused to answer, was: what does it cost? Well, that seems like a reasonable question.

The member for Nelson-Creston thinks it's a reasonable question. The member for Malahat-Juan de Fuca thinks it's a reasonable question.

C. Evans: And everybody watching.

A. Dix: Everybody watching should say it's a reasonable question. Parents do; school board trustees do. Everybody thinks it is a reasonable question. We haven't got an answer to that question in this debate, and that should trouble people involved in public education. It should trouble them in a bill, which we should be celebrating as an enormous victory for teachers after years of the government denying their legitimate calls for limits to class size, like that contained in section 11(b)(2.1), like those provisions that are contained in this and provisions that the Minister of Labour — a very distinguished parliamentarian in this House — has said have a charge to the province.

We would like to know this question. We are going to continue to ask questions about it because it's a matter of concern to every single one of our constituents. I'm going to defer to my colleague from Surrey-Newton. Hopefully, he will have more success — that his reasonable questions will receive reasonable answers. I defer to him.

H. Bains: There are some questions here on subsection (2.2). It talks about how class size for any of the grades eight to 12 not exceed 30 students unless (a) in the opinions of the superintendent of schools for the school district and the principal of the school, the organization of the class is appropriate for student learning, and (b) the principal of the school has consulted with the teacher of that class.

My first question is: are there criteria set for the superintendent and the principals to follow to determine whether...? How do they determine that it may be appropriate for this student learning in order to increase the class sizes?

[1715]

Hon. S. Bond: We believe that as educational leaders and professionals, in fact, they know the kind of discussion that needs to take place. This is based on individual students. But you know what else matters? What else matters is the teacher who is in front of that classroom. This bill simply captures the belief that best practice would dictate that people sit down, talk to one another and decide how best to utilize the resources that are in the system, how best to place children in classrooms and who is the best professional to be in front of that classroom.

The disappointment we felt when we were at the Learning Roundtable was the fact that consultation was not taking place consistently across the province. This bill will ensure that teachers have a role in that discussion. We think that's important. But it will also

ensure that parents have the opportunity to be involved in the discussion about what's best in schools across this province. The bill captures both those principles.

H. Bains: I'm only going by the language laid out in this bill here. All they talk about is the opinions of the superintendent and the principal. So how do they form that opinion? There is no consultation in this particular clause with the parents or with anybody else. It's their opinion. How do they arrive to build that opinion? Is there professional advice sought or taken into consideration before they can form that opinion?

Hon. S. Bond: We have exceptional leaders in this province. We have exceptional superintendents, exceptional principals and exceptional teachers. You don't get to be a superintendent or a principal by snapping your fingers. You actually have a lot of professional expertise. All of that goes into the decision-making process.

Most importantly — and we can pick out little sections — the concept is this. The opinion is shaped and determined after consultation with a teacher. We are saying: "Use the expertise you have. Do that. Make the decisions for those children and for that staff after you have had a discussion with the people who will be in front of the class."

H. Bains: I gather the answer is that there are no set criteria. It is only the opinion of the superintendent and the principal, and there are no set criteria. Different districts could have different criteria. Different districts could have different formulas to follow. It could be all over the map, because that's how the superintendent and the principals in those particular areas come up with this. There are no set criteria. That's what I gather.

Hon. S. Bond: In the dozens and dozens of classrooms I've been in, there are no two similar classrooms in this province. There are no two teachers who are identical, and there are certainly no children who are carbon copies of one another.

We expect educational leaders to be just that — to use their expertise, to use the experience and training and years of experience that they've had to make those decisions. They shouldn't be made in an office in Victoria about how to build a class. It should be done school by school, uniquely meeting the needs of those children — whether they're special needs or typical — across this province.

We have confidence in the people who lead our schools, who teach in our classrooms, to make those decisions. We've simply said in this bill that there are some pressure points that need to be addressed. We've also said that we're going to go back and look at this bill again and make sure these amendments to the School Act were correct and accurate. We have also said that there is more work to be done. We think that's a reasonable approach.

H. Bains: If the superintendent has the opinion that class sizes could be rearranged and the class size could go higher than 30, but the principal doesn't agree.... If there is a disagreement between those two, then how is that decided?

Hon. S. Bond: The other thing we agreed on at the Learning Roundtable was the issue of accountability. This bill actually builds in a system of accountability.

[1720]

Principals will be required to talk to teachers. Now, one would think we wouldn't need legislation to make sure that happens, but apparently we do. So principals will talk to teachers, and eventually they'll include parents in that discussion through school planning councils, the board and the district parent advisory council.

Ultimately the superintendent is responsible to take the school organization plan to the board of trustees. Principals and superintendents will work together to make those decisions at the school level, but the superintendent is ultimately responsible to the board. The board is ultimately accountable to its community, who chose it, and to the government to be able to demonstrate that that plan is acceptable and appropriate for the children in that district.

H. Bains: From that answer, if the principal, in consultation with the teacher or the parents, doesn't agree, then the superintendent will have the final say. That's what you are saying. Is that correct?

Hon. S. Bond: Well, I have a lot more faith in the professionals in our system than obviously the member opposite. I know that currently principals and superintendents, by this legislation, are required to work together to come to a decision. We would expect that to take place.

As I answered the question earlier, ultimately the superintendent is accountable to the board for the plan for the schools. That's the next step of accountability. The superintendent then goes to the board, which is accountable to its community and ultimately to the government.

H. Bains: Let me move over to the next. I got that answer. The superintendent has the final say, and despite the fact that the teacher and the principal disagree, the superintendent can push through. If you disagree with me, you should say that now.

My next question is.... The second provision here is that the principal has consulted with the teacher. Now, if the teacher disagrees with the principal that this is not the way to go, this will not improve the education, and the parents disagree, and they agree with the teacher.... In that situation, who decides?

Hon. S. Bond: First of all, parents always have the opportunity to appeal a decision that's made about the placement of their child. That exists today and has existed in the past, so ultimately parents have that route of appeal.

At the end of the day, this is about a group of professionals working together to decide what's best for students. You know, the member opposite's look of skepticism.... As I've said to you, and I'm going to say it over and over again.... As I visit schools around the province, are there areas of challenge? Obviously there are, but there is also extraordinary collaboration and cooperation. At the end of the day, what professionals do, despite those challenges, is put students first. They put them at the centre of this, and they make a decision to better serve students.

Teachers will be consulted. Ultimately, the accountability and decision-making are clear in the legislation, and the member should be aware of that. The principal and the superintendent ultimately make those decisions. They are held accountable by the board of trustees and ultimately to the communities they serve.

H. Bains: Again, I will gather from that answer that the consultation means exactly what we thought it would be. They will go to the teacher, and they will go to the parent. But if they disagree with the principal or with the superintendent, their opinions don't matter much because at the end of the day, it's the superintendent and the principal who will be making that decision.

I think that's what the worry was for the parents and teachers — that the consultation should have some teeth. It seems to me there are no teeth in it, if you say that the decision is made by the principal and superintendent, ultimately, at the end of the day. So the teacher's consultation doesn't mean anything and the parent's consultation doesn't mean anything. If they disagree, the minister has just said the accountability is still with the superintendent and the principal. They will make that decision.

[1725]

Hon. S. Bond: Let's be clear. The teacher's opinion matters so much that we're prepared to put it in this legislation. We heard at the Learning Roundtable that there wasn't consistent consultation across this province, when one would expect there to be when we are putting together classrooms that involve children.

In fact, this bill says that talking to people about how to create those classrooms that give our students the best possible learning opportunities is no longer an option. You actually have to talk to people. Included in this bill is the right and, absolutely, the opportunity for parents to be involved in that process as well.

This bill tries to bring balance. It tries to reflect the views that we heard at the Learning Roundtable, and it enshrines the opportunity and the responsibility for principals to talk to their teachers and to consult with them about the best decisions for students at the school level.

G. Coons: Throughout the years I've heard the terminology "enshrining in legislation." Again, the feed-

back I'm getting from teachers in my district.... Enshrining that — this government is not committing to.

When you look at the role that teachers have in the discussion.... Teachers are looking at situations, as I mentioned before, that if you do the math.... You've got 200 students in a school with 60 IEPs. If you just say ten classes of 20 with six IEPs, there's no way you are going to meet the legislation. There's no way these teachers in that school feel any confidence with this bill, whether they're consulted or consented or whether or not there are restrictions put on IEPs. They feel this government has let them down.

At another school in Prince Rupert, a teacher said they have eight students with IEPs and a split class of grade six and seven with 27 in there. There are three other similar situations. These situations are happening in the rural areas. This bill that you are enshrining is not meeting the needs of rural educators and is not meeting the needs of students in rural areas, as we've seen schools shut down. Even though we've talked about the 1,100 teachers getting back to the classrooms, that's along with the close to 2,600 who were laid off.

When we look at rural areas, basically we look at local elementary schools. You know that they're closing, and we've seen them closed. That's the story of this Liberal charade — the shutting of rural schools and class sizes going up. That's why we're here. Composition and class size are a concern.

Now, when we talk about consultation, consent, I do have a question — as my colleague talked about — about the opinions of the superintendent and the principal. You indicated that it's shaped by consultation. The superintendent and the principal will make the decision on whether it's appropriate for student learning, and then the principal meets with the teacher and gets a consent or consults. There is no three-way street going here with the superintendent, the administrator and the teacher. Is that correct?

Hon. S. Bond: Okay, let me try this again. This is about what we would expect best practice to be in schools. I'm disappointed that the member opposite says that teachers don't feel this does enough — or doesn't move or doesn't do this or doesn't do that.

First of all, I should also say to the member opposite that I'm happy to take the classroom information, as I have with every other member who's brought me class information that they want some clarity around. I'm happy to do that around those classes.

This bill says that what is best practice is that a principal and a teacher, first and foremost.... It starts there. It doesn't start with the superintendent and the principal making a decision and going: "By the way, let's involve the teacher." It starts in a classroom in a school in every part of this province by saying: "How do we organize our school?" That is the fundamental piece of this bill. Teachers will have a role in that discussion. That reflects the concerns that were expressed. That reflects the concerns that were expressed. It's a response to the concerns that we heard. In fact, that consultation will take place.

I can't say it enough times. I've heard it from parents across this province, from trustees and from others. There is no magic formula or number or perfect set of expectations that means that classrooms can be organized in a one-size-fits-all way. Are there principles that should be used? Absolutely. Are there things that are essential to that? Yes, and the bill reflects that. But there is no magic number. There is no classroom that's like another classroom.

[1730]

We're simply saying this. We want those classrooms to be put together in a way that concentrates on students at the centre, looking at individual classrooms, with decision-making made as close to those classrooms as we can possibly have it take place.

G. Coons: I see that a component of consultation between the superintendent and the principal are the two parties furthest away from the classroom, and the teacher comes into that later. I realize the importance and hard work that superintendents, school principals and vice-principals do across the province. I realize the hard work they've been doing.

In our district they're so overworked that even though our school budget was \$300,000 — a deficit for next year — our school district proposed to hire four new vice-principals. They're so overworked, and I think that's a concern. There is a real concern about the change and the lack of vice-principals and principals throughout the province, and I think that's a message that teachers are hearing throughout the province.

What would happen if the two people furthest away from the classroom, the superintendent and the principal, happened to be new to the school district? The superintendent is new to the school district. The principal is new to the school. They have no idea, no concerns, about that classroom of 27 students in a grade five-six split class with eight IEPs. Will they be doing school visitations with the students to determine whether or not that would be an appropriate learning situation for students?

Hon. S. Bond: First of all, I want to clarify for the member opposite one more time that teachers do not come into the process later on. They are the heart of the discussion. It starts with teachers and principals in schools and classrooms across this province. Teachers are the centre of this discussion. We think that's important. We also believe that there eventually needs to be a series of accountability measures in place. People expect that, so teachers are at the centre of the discussion.

We could take every what-if circumstance, but as I've travelled across the province, schools work collaboratively, and teachers talk to each other. They talk to the other support and resource staff that are in the schools. From time to time there is a new principal, but there still remains a series of dedicated professionals who actually understand their students. That is the dialogue that will take place at the school level.

G. Coons: I think it's quite appropriate that you mention that teachers are at the centre of the communi-

cations aspect. Basically, over the last four or five years they've been at the centre of the bull's-eye for this government and the legislation this government has done to attack public education.

I'd also like to look at the situation as far as the trustees.... As the minister knows, they also recognized the class composition and complexity problems, and they put issues out there that we need to continue discussions on to look further at the complexity and diversity of how class composition affects classes.

At this point in time I'm pretty sure most trustees, as well as teachers and parents and students, are disappointed that this government is not going to fund this legislation. Also, I would be remiss if I didn't talk about some of the special classes that the minister has not put into the legislation. We start talking about special classes or students with special needs and getting a cap on that.

When I was first involved in education, I taught a special class, and we had restricted numbers on there. Now we're seeing numbers going up to the 20s — 20 students with IEPs in one class and the challenges and the work that has to be done by those teachers — and it affects the students. When students show up in the morning and they're in a class with perhaps 18 to 20 students with IEPs, it's very challenging for the students to get going and start their day right.

It's imperative that the class and the teachers have the numbers that support that. The other classes, whether it's home ec, technology, the shop classes.... It's a safety issue. A couple of years ago in Prince Rupert there was a shop class with 29 students. There were 12 IEPs in that shop class until I ended up taking the list of students to the superintendent and said: "Here you go." He was the assistant superintendent. He was in charge of special ed, and he did something, but it took at least a month to do that.

[1735]

I would hope that as we move along, the government and the minister realize the importance of other classes and that the capping of 30 is inappropriate. It's something that we have to look at. I hope the minister looks at looking at the classes that have shops and technology and especially classes with special needs. Could she comment on that?

Hon. S. Bond: First of all, I'm delighted that the trustees have expressed a concern about continuing dialogue, because I absolutely embrace that concept. I think the president of the B.C. School Trustees Association said it was the first time a minister had ever come and spent an entire day with B.C. school trustees and stayed with them for their evening event as well, met with board chairs in a format which saw groups of them coming together.

For the first time, we've spent an entire day with district parent advisory council chairs. For the first time, we brought together 40 or 50 students from across this province. I can tell you what. We're going to continue doing that, because we know how important that is.

I have to say to the member opposite that I would really urge him to bring me.... I would be absolutely delighted and compelled.... If there are classes in this province that have 20 or 24 IEPs, I would absolutely ask the member opposite to bring me the information about those classrooms.

You know, for the first time in British Columbia — another first time — we actually have published class-size data that is more comprehensive, which laid out for all British Columbians what classes look like in this province. That's important. We're going to continue to do that, and we're going to continue to discuss this bill and this issue.

There is one other thing that I absolutely have to put on the record, Madam Chair. If there are classes in this province where the member opposite believes that educational professionals have actually put our children in unsafe circumstances, I would like to know about that this afternoon. I can assure you that the professionals that I know in public education think first and foremost about their students, about their safety. If that is a legitimate concern and there are examples of it, I would like them this afternoon. I can assure you that my staff will be dealing with that immediately.

J. Horgan: Just picking up on the minister's comments with respect to the recent collation of data on class sizes and composition that was released in February of this year and how it will impact on section (2.3), which is the cap on special needs students.

I have been in contact.... I know the minister will have received the same level of mail on the subject as I have, if not more. That is a concern in the community with respect to the implications of the cap of three IEP students per class without the consultation process that we've belaboured here for a time.

In February the minister's data indicated that there were 11,000 classrooms with more than three students with special needs or with individual education plans. I'm wondering, based on that data, what the minister's plan is to implement section (2.3) and cap the IEPs at three.

Hon. S. Bond: What we would expect to have happen is that the principles that I have spent the last hour and a half discussing would be employed at schools.

What the legislation says is that people need to talk to one another about how best to place students in classrooms. That very obviously and most importantly concerns, in that section, special education students. There is no one-size-fits-all answer in this legislation. What the legislation says is that people must talk to one another. If, in their expert opinion, it is appropriate to have more than three students, then that will be acceptable and absolutely will continue in classrooms in this province.

J. Horgan: I do know, based on discussions with the minister since the legislation was tabled and, as well, being at events with her — whether it be the BCSTA or the BCCPAC — and listening to her com-

ments carefully at those events, that this isn't the end. This is the beginning. I understand that, and I think those who are participating in the debate understand that this is not the end. It's the beginning.

[1740]

It's about trust, it's about repairing relationships, and it's about building constructively for positive outcomes for our children. We all want to do that, both sides of the House. That is beyond dispute and goes without debate.

But the minister will know, based on the volume of mail, that there is concern in the community about this particular clause, (2.3). I'm wondering if the minister would take this opportunity to provide some comfort to those parents who have been writing to her and me and to other members of this chamber about how they're going to implement, without a cost to the Crown.... We're led to believe there has been no cost to the Crown of bringing forward this legislation. How are we going to address the 11,000 classes that were identified in February that have three or more IEP students, and how are we going to provide comfort to those parents who have expressed legitimate concerns to her and to other members of this place?

Hon. S. Bond: Let's be clear. We've added \$20 million to this year's budget, and the expectation is that that will be utilized for class-size and composition issues. We have made that clear. That's on top of \$150 million and \$20 million additionally to that from Vince Ready, so we have record levels of funding in public education.

I do want to say this, though: the reason that we wrote the legislation we did was to absolutely look at students as individuals. This legislation allows the professionals who should make those decisions to decide what the best class configuration is. If it's the opinion of the principal, in consultation with the teacher, that a group of students with special needs — perhaps it's four; perhaps it's five — is perhaps the best way we can serve those children in a classroom, then that is permitted and absolutely appropriate under this legislation.

That's important to us. In fact, it's so important that we spend \$669 million a year to try to support special education students the best that we can. So the legislation builds in a cap in the pressure areas of grades four to seven, and it allows for meaningful, thoughtful discussion about how to best serve special needs students in this province. As I said — and I will repeat it again — if it means that four students will be better served in a classroom together and the teachers had some discussion and consultation about that and the principal believes that's best and school planning councils see the school organization, then that's what's acceptable. That's how we should decide how students are served in this province. That's what the bill allows.

J. Horgan: I will just read a question that was asked to both myself and the minister by the B.C. Association for Community Living, a well-respected organization in this province doing great work every day in com-

munities right across this province. They've asked this Legislature, the minister and myself a simple question, "Where does the government intend to place the extra students?" — i.e., those that are surplus to the cap?

If it is going to only mean that there will be a consultation process and seven, eight, nine or ten students are put in a class, then I would think that the amendment that was ruled out of order earlier would have possibly been a useful starting point.

Hon. S. Bond: There are no extra children. In fact, what we're saying to schools.... I'm encouraging parents of special needs children to meet with their principals, to talk to their classroom teachers, to attend meetings of the parent advisory councils, to be there. And they will be, because I have had much involvement with parents of special needs children over my time in public education as a parent advisory council chair, as a trustee.

The whole point of this legislation is to allow what's best for students. That absolutely means that if it's appropriate and educationally the best for those children, then we can have four in a classroom. We're simply saying: "Discuss it. Consult." The legislation absolutely allows for that to happen. We expect professionals across this province to meet, to discuss and to meet the needs of our students in the best way possible.

[1745]

J. Horgan: I don't know if that's going to meet the bar for those that have been asking the questions. If there are, even with the narrowly defined category as we have within section (2.3) — that is, special needs students who are designated with individual education plans.... What do we do with the other students — the other special needs children who are not within that category?

There is also a concern that without additional funding to address the challenges — the "costs to the Crown" that we've heard of from the Minister of Labour today — how is it that districts are going to continue to assess and continue to identify students at an early stage in their educational development so that the challenges they do face can be met and those challenges overcome? What do we do about those students that don't fall into the IEP category — or are not yet identified as being part of that category?

Hon. S. Bond: I think the legislation is clear that those students who are identified and fit in the categories that have been identified and who have individual education plans are captured by this legislation. Other students will continue to be assessed by the thorough process that we have in the public education system.

Is there work to be done in that area? Yes, there is. In fact, one of the discussion items that we hope to have over the next number of months is to ask some of these very questions. As we meet with people around the province in terms of special education needs, we hope that we will have a frank and candid discussion about how better to serve students in this province.

With that, I move that the committee 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.

Hon. B. Penner: I move that we now recess.

Mr. Speaker: This House stands recessed until 6:45 p.m.

The House recessed from 5:48 p.m. to 6:45 p.m.

Hon. P. Bell: I call second reading of Bill 27.

Second Reading of Bills

TENANCY STATUTES AMENDMENT ACT, 2006

Hon. R. Coleman: I move that Bill 27 be read a second time now.

Until now, many residents of assisted-living and supported-housing facilities have had no way of dealing with landlord-tenant disputes other than going to court. Disputes were dropped, and concerns were not heard, all because this process can be complex and costly.

Amendments to the act address that problem by extending protection under the Residential Tenancy Act to include this vulnerable group of people. The bill will provide landlords and tenants with a different resolution process, one that focuses on resolving disputes through advice, information, negotiation and mediation.

The act also improves protection and accountability for landlords and tenants by adding new penalties that can be administered outside the courts. Fines up to \$5,000 a day can be assessed for serious or repeated violations such as the use of a fraudulent name on a tenancy agreement or failure to return security deposits. Rather than having these cases heard in court, where time and resources are often spent on other criminal matters, these new penalties give the residential tenancy office an alternative tool to encourage compliance with the law.

This bill proposes to change the way arbitrators are employed. Currently, the residential tenancy office arbitrators work as part-time appointees. With these amendments, people resolving disputes can be hired to work as full-time public servants. Hired arbitrators, as either employees or contracted for their services, will mean the residential tenancy office can resolve disputes more efficiently. Service to the public will improve, as will our use of staff time and resources.

This bill will ensure that the voices of our seniors and of people living with disabilities will be heard in

the residential tenancy office. The amendments will better protect landlords and tenants and ensure a system as efficient as possible.

I look forward to the other members' comments with regards to this bill and, obviously, committee stage of the bill after we're finished with second reading — probably tomorrow.

D. Routley: I rise to discuss second reading of Bill 27. As with many other measures the government takes, we understand that the intent is to better the relationship between landlords and tenants, but we question the balance and whether or not this act achieves balance in that way.

The proposed act amends the Manufactured Home Park Tenancy Act and the Residential Tenancy Act and introduces new provisions. But those provisions are poorly defined and lack the supporting regulation and directives that would be necessary to make this all happen to the benefit of both the tenants and the landlords of the province.

The minister has referred to disputes being directed towards the courts, and long delays. Well, I would suggest that in fact the delays we have experienced have been due to the cuts the ministry has made to the residential tenancy office and their lack of commitment to supporting the process of complaint that already exists.

In fact, by removing the arm's-length relationship of independent arbitrators, we are challenging not only their effectiveness as arbitrators but their professionalism. It used to be, or at least it is until this bill is passed, that arbitrators were independent and professional and more or less autonomous agents who could assess the claims and disagreements without worrying about their tenure as public servants.

Bringing these appointees, the appointed arbitrators, in as full-time public servants will find them not only arbitrating cases but also doing policy review of the very same policies that they are asked to arbitrate. I would suggest that that creates a conflict. We've heard from several arbitrators who are very upset about this change and, in fact, have heard of one who has resigned over the impending act.

All legislation is meant to achieve a balance between interested parties. So far, changes to the Residential Tenancy Act have resulted in increased difficulties for tenants in accessing arbitration and dispute resolution, not decreased difficulties.

[1850]

We have seen residential tenancy offices across the province closed. In Vancouver, in Nanaimo, in Surrey, the offices have been closed. In Kelowna the office has been downsized. This leaves only two full-service residential tenancy offices in B.C. — one in Burnaby and one in Victoria, with one office in Kelowna offering restricted service.

These offices are expected to serve B.C.'s over-one million tenants and thousands of landlords. It's a system and a plan that is guaranteed to grind to a halt. Already the minister has adjusted the services of the

residential tenancy office and has moved towards call centres and on-line applications for dispute resolution.

This was done as a cost-cutting measure, but it did more than cut costs. It cut the service available to British Columbians. British Columbians expect that when they have an issue that could be administered through legislation like this act, the government will stand up and properly resource the offices necessary to accommodate the interest. That just hasn't happened.

We hear not only from tenants who are frustrated by the call centre approach and the on-line applications — because many of them don't have access to computers or are challenged with English as a second language; we've also heard that landlords are having similar difficulties. People just aren't using the system. So it's a bit of a turning-off of the tap, if you will. I think British Columbians should expect more from government.

The legislation also demands that all of the people living in assisted-living and independent living arrangements in British Columbia enter into tenancy agreements. This means that tens of thousands of British Columbians — the most vulnerable British Columbians, at that — will be expected to enter into agreements before this act is implemented or before it can be actioned, but there's no support for that process. There's no guideline; there's no template. We see nowhere in the regulations any kind of support for the people who will be struggling with that process.

This bill is being rushed through this House. There has not been enough consideration on the part of government. There has not been enough consultation on the part of government with the stakeholders. We have heard, before the act was introduced, that the frustration amongst tenant groups, amongst the housing nonprofits, amongst landlords was extreme. The frustration with dealing with an act that was not properly implemented in the first place, with changes — as this government has done across the board in different ministries — that were implemented as pure cost-cutting measures but without the necessary support, without the necessary resources, without the necessary guidance....

What is left in that wake is chaos. People cannot access service. People cannot resolve their disputes in an orderly fashion. This bill will not improve that situation.

Also, the application of the dispute resolution process through the director rather than the arbitrators, as was previously the case.... The application of that to assisted-living tenants is ripe with vulnerabilities and risks for those people. Many of these people are not in a position to be able to properly represent themselves in entering these kinds of agreements.

When the act refers to changing circumstances of tenants being a reason for ending a tenancy, who will define those changed circumstances? Who will gauge whether they are legitimate as a reason for ending the tenancy? That is not spelled out. How will that be done? On what framework, on what format, will that be established? None of those things have been laid out in this bill.

Frankly, people are shocked. People who are activists in housing, the manufactured home associations of the province, assisted-living people who are advocates, people who are trustees, people who are guardians are upset. They're angered by the fact that they haven't been consulted. These are changes that could very dramatically impact the lives of the people whom they are responsible for or they themselves confront. They have not been asked. They have not been consulted. They have not been spoken to about the implications of this bill, and they are great.

[1855]

In the end, it is government's job to serve and to balance interests. I would suggest that this bill does nothing in either of those areas. The government has promised consumer protection for those vulnerable British Columbians living in assisted-living circumstances, but this is not the answer.

This bill, without regulation attached and without proper guidance to the people who will be affected, will result in chaos. Over one million tenants in this province are waiting for answers from the government, and what they've gotten is another displacement of their interests and another rupturing of a system that was already dysfunctional. This will do nothing to bring functionality to that system.

We need the government to put the proper resources into the public education that will be required for people to properly represent themselves and to properly enter into tenancy agreements and for the most vulnerable British Columbians to have their interests protected. The bill also leaves wide open the possibility of exploitation of those who will be pressured to agree to higher rent increases than would otherwise be allowed by the Residential Tenancy Act.

The fact that we have now written into legislation the option for tenants and landlords to enter into agreements, which could see rent increases far in excess of what is allowed under the act, is obviously making many people vulnerable. Tens of thousands of seniors live in this province in manufactured home parks and, as has been well discussed in this Legislature, there is terrific pressure on those parks for redevelopment.

The owners of the parks, quite rightly, are interested in profiting from their parks. If there are less scrupulous landlords and owners in these parks, they could quite easily go to tenants and say to those tenants: "I'm under a lot of pressure to redevelop this park. I'd like to keep you as a tenant, but in order to do so, I'm going to have to make more profit. I might not develop the park if I were able to raise the pad rents by 35 percent" — or 50 percent or 100 percent.

If a senior or any person in this province is afraid of losing that affordable housing option they've committed to — that they've paid into over years and years with the assumption and presumption they would be able to live with tenancy guaranteed by their payment of rent and their ownership of that home.... If they feel that threatened, Mr. Speaker, wouldn't you agree there would be high pressure on those people to sign that agreement to let those pad rentals go up 50 percent?

Those are the issues this bill brings forward, and those are the vulnerabilities this bill exposes British Columbians to. In a nutshell, this is an attempt to bring order to a residential tenancy system that has been brought to disorder by this government's actions, and it fails to do that. In fact, it puts British Columbians at even greater risk, so I speak against the bill.

I think the government should have taken a lot more time to consult with people. These are vulnerable British Columbians. Their interests are at stake, and they haven't been heard from. I'm sure that my colleagues and I will do our best to bring their interests forward and try to persuade this government to moderate the approach of this bill through the amendments that we will also bring forward.

K. Conroy: My colleague from Cowichan-Ladysmith has spoken rather eloquently on his concerns about this bill, as will other members of the House on this side. I'm going to focus my comments on Part 4.1 of this bill, Assisted or Supported Living Tenancies.

I first want to acknowledge that many groups in this province have expressed concern about the lack of a comprehensive legislative and regulatory framework to deal with the care, safety and security of tenure issues for frail and vulnerable citizens. The new housing model has been introduced over the last few years, and it's important that there is a legislative manner of consumer protection for seniors in place — notably, those seniors in assisted- or supported-living situations.

[1900]

In 2002 this government enacted the Community Care and Assisted Living Act, an act that dealt with health and safety issues but not tenure and security protection to residents who are currently in assisted living. I should note that a large portion of that act, a portion significantly affecting seniors, has still not been passed in this House.

In 2003 a group of advocates involved in seniors health and housing gathered together to provide input to the then Ministry of Community, Aboriginal and Women's Services. The ministry at the time was seeking input for a government framework for home and community care redesign. At the same time, these workshops were limited to discussing tenure and service protection.

Many participants in this process expressed concern that it made little sense to separate the discussion on tenure and service from resident health and safety. There was concern that this approach would be confusing and difficult for the frail and elderly tenants in assisted-living complexes. There was never a final report released in 2003. In fact, those who contributed to the process never even received a final draft document, never mind a final document.

None of the people who were there at the time three years ago and who are still very involved in seniors housing issues today, have been consulted since. In fact, there is a concern that the issues put forth in 2003 have not been addressed by the proposed legislation in Bill 27.

This legislation will affect seniors who often are very capable and able to deal with complicated issues. But to ask frail and fragile seniors to understand this very difficult process that is being proposed is unacceptable. Seniors would be asked to sign not only numerous contracts to receive their hospitality and personal care services but also an agreement for their tenancy.

As my colleague has mentioned, seniors could potentially be asked to agree to an increase in the cost of their much-needed hospitality service or personal care service sooner than the mandatory legislated time frame with just a signature signifying agreement. A landlord can give the required 90 days' notice and increase the amount payable after the 90 days, or they can suggest to the senior, who might have nowhere else to go, that an increase would be in their best interests sooner.

[S. Hammell in the chair.]

Does this protect the vulnerability of seniors in this situation? No, it doesn't. Seniors who might not have advocates or family that could assist them, when dealing with this complicated contractual agreement, are not protected by this legislation.

One concept this government is very quick to promote is the ability to age in place, the concept of a complex of care. While I have previously stated on a number of occasions in this House that this is a good concept, in many communities it is exactly that — a concept. Seniors, their families and those who advocate on their behalf struggle to provide that concept, that aging in place. This legislation does nothing to ensure that this will happen for seniors.

There are questions about who has the responsibility to decide that when service needs change. Who makes the final decisions? Is it the housing providers or case managers from the health authority? Where do families have a say — or advocates or the seniors?

With assisted living, this type of living situation is based on the senior's health care and care needs. That's why we're concerned that the health authorities do not have an explicit role in this legislation — so we can be assured that seniors leaving assisted living, because it is no longer appropriate to their health care needs, are able to make a seamless transition to residential care or whatever other type of care they require.

In short, we are very concerned — and other people, advocates in this province are very concerned — that as a result of this, many seniors will fall through the cracks. I know that there are these very situations happening in the province where seniors suddenly find themselves unable, in their assisted-living setting.... They cannot cope any longer. The place they call home.... They have to find themselves an acute care bed as there is nowhere else for them to go. I have talked to the seniors, and their families, who have suddenly found themselves in a situation where they are, in fact, homeless. There is no bed for them to move back to. The assisted-living provider won't have them back because their health care needs are too great.

[1905]

They are in an acute care bed where they are being told they have to move out, and there is no residential care bed for them. They are oftentimes sent back home to families who also do not have the support to care for them. There are no assurances that this legislation will protect seniors from these situations, no assurances that the health authorities across this province will ensure the additional support and resources are in place for assisted-living facilities to provide the greater level of care until appropriate housing and supports can be found.

There are a number of concerns in this legislation. However, the greatest concern of this opposition and from the people I've talked to across the province is that this legislation is being rushed through this session; that the appropriate consultation has not been followed through on; that the many people who are engaged in providing seniors housing, who are advocates for proper seniors housing, have not been given enough consideration to the concerns they've raised; that the seniors themselves have raised concerns and have not been consulted in any way, shape or form.

In fact, they are sending letters this week after we called out to them and said: "Have you got this legislation? Have you looked at this? Have you been consulted on this?" Not a one of them said: "Yes, we have." A group said: "Yes, three years ago we were consulted; three years ago we gave input. Are any of our concerns addressed in the legislation? No." They are very concerned as to why this legislation is being pushed through this Legislature at this time.

The issue of consumer protection for seniors is not met with this legislation. I feel sure that no one in this House will disagree with me that we must have legislation that will protect seniors — protect seniors when they most deserve it, when they're enjoying their retirement years and should not have to be worried about the security of their housing or support systems.

This legislation does not meet these needs. I will add my voice to my colleagues in that I will also be speaking against this legislation, because it is not in the best interests of seniors in this province. It does not meet the needs of the concerns of advocates for seniors in this province, and it doesn't meet the needs of the people on this side of the House to ensure that seniors concerns are being addressed as far as housing goes.

M. Karagianis: I rise to speak to second reading of Bill 27 like my two previous colleagues have. First of all, I'd like to say that the number-one issue that comes through the door in my constituency is residential tenancy issues — number one, above all other concerns that come through the door, is about issues around residential tenancy.

I read through this document with great fascination, looking for perhaps some solutions there to some of the problems that my constituents face. The first thing that I noticed about this document is that it is not particularly user-friendly.

I tried to view this through the eyes of a senior or a more vulnerable individual trying to determine what their rights were under the new tenancy act here and these amendments being put forward by government and found it extremely ponderous, extremely legalese. I know that government has gone through some great exercises to make many of the documents, forms and citizens' access points to government much more user-friendly, but it certainly was not apparent in this document.

There is a particular reason why I emphasize the fact that it was not user-friendly. My two previous colleagues, and especially the member for Cowichan-Ladysmith, have spoken about the issues around the changes to the residential tenancy office. I've been very outspoken on behalf of my community with the changes to this office, because resources have been stripped away from the residential tenancy office. It's very difficult for people to find a human voice, an advocate or an access point into that office to assist them in making their way through their rights. This document, again, puts one more barrier up for ordinary citizens and certainly seniors or people living in vulnerable situations to work their way on their own through the changes to this act.

Without a human voice on the end of the phone at the residential tenancy office, without any street-front access to the residential tenancy office, seniors and regular citizens are left to find their way through this document to understand what their rights are going to be in the future.

[1910]

The member for Cowichan-Ladysmith talked about the fact that arbitrators have now been removed. One more human being that could interface with landlords and tenants and help sort out disputes has been now removed from this process, stripping yet one more resource away from the residential tenancy office.

As the member for Cowichan-Ladysmith alluded to, we know of at least one arbitrator who has now resigned their position because they understand that the move to making them a civil servant changes their ability to advocate on behalf of both parties in arbitrating a decision out of dispute. I think that is a really important nuance here. There is a big difference between arbitration and dispute resolution. In fact, what we've seen now is that arbitration has been removed as a tool for landlords and for tenants in this. This is an arm's-length, independent process that was available to tenants, and now that is being replaced by a director and dispute resolution as the only option for sorting out tenant and landlord issues.

That actually moves it, then, immediately into a much more legalized process, and given the circumstances right now with the residential tenancy office, that dispute resolution is all done by conference call. Now we again remove any further human contact. If you are a tenant or landlord who feels that you have significant issues that need resolution, you don't have an office to go to; you don't have an arbitrator to go to. You can go to a conference call and immediately be-

come involved in dispute resolution. I'm very disappointed that this amendment moves us further away from providing tenant support, landlord support and residential support here in the province.

I found it interesting here that there was no documentation. I've heard nothing from the minister on whether or not the director who is now going to be handling all the arbitrational — pardon me, dispute resolution — contact with landlords and tenants.... In fact, does this director have training? Is this director now a dispute resolution specialist? Is this director now an arbitrator? It's a big difference between a civil servant and director and arbitrator or a dispute resolution specialist. Will the training, credentials, be provided to these directors to give some credence to their role now as arbitrator or someone handling dispute resolution? That gives me great concern about this. I think that some of those pieces here are lacking in this legislation.

I'll move on now to another part of the bill that gave me great concern, which was the administrative penalties. This was up to \$5,000 and can be levied daily at the whim of the director. There doesn't appear to be any appeals process in here. Nowhere in this document do I see an appeals process. What I do see is that the director can conduct reviews of their own decision-making. So government has now said that there will be no arm's-length judgment, no arm's-length decision or arm's-length resources that both residents and landlords can count on.

In fact, the director who is handling the dispute resolution can make a determination on administrative penalties or any other aspect of the dispute, and then if either party — tenant or landlord — is dissatisfied, they have to go to the director to review the director's decision. It would seem to me that this is a huge, gaping hole in the legislation that doesn't address a significant aspect of appeals in this.

Previous members have also spoken here about the inclusion of assisted and supported living. I'm very careful about the language here: assisted and supported living. As some members of the House know, prior to being elected, I was building assisted living, which was actually called independent living. When I started, it was called supported living, and then it was called independent living. Then it moved on to be called assisted living.

[1915]

In fact, in the duration of a couple of years it had three or four different names, because the terminology around how this type of living is administered changes frequently and changes even in the course of a tenancy of a senior. I don't see here where the language addresses the complete aspect and nuance of what this kind of living is.

The first question that comes immediately to mind, even reading through the language here, is that the director who is now in charge of dispute resolution and arbitrarily in charge of administering penalties and judgments.... Is this person in charge of the care component of assisted living? Who makes that judgment

call? I know that the previous member spoke about this. This is a health component.

At no point in the Residential Tenancy Act or the Tenancy Statutes Amendment Act, 2006, that I see here is health care dealt with as a part of resident's tenancy and landlord's issues. In fact, is the director then...? Given the fact that we don't see any language here around the kind of training the director might be given on arbitration or dispute resolution, is the director also going to be trained in health care, in making judgments on seniors, assisted living and the wide variety of health care concerns from the time a senior goes in requiring very little health care right through to the time when the senior may or may not move on to another level of care?

There are a vast number of issues around their health care that are intrinsically tied to their tenancy and to their tenancy agreements with the residential or assisted-living care facility managers. It seems to me that there is very little in the way of real, substantial protection in here or even any ties to how the health care side of residential tenancy issues within supported living is going to be dealt with.

It would seem to me the director here in the residential tenancy office — who, let's remind everybody here, is handling dispute resolution by conference call and long distance — is now in an extraordinarily responsible situation of having to make a whole number of evaluations on circumstances around a tenant's physical and mental health condition, how that pertains to their tenancy agreement with the landlord and how that will be dealt with in a dispute resolution-type of environment. I have an enormous amount of concern for that.

I will move on to the next aspect. Until all of those issues around assisted living are spelled out, until we very clearly see where the health component ties into the tenancy agreement and landlords' rights and the director's role in there, I can't find this bill supportable. In fact, I would be surprised if anyone could actually find this bill supportable with that huge, gaping hole in how it relates to assisted living.

The next piece that gives me enormous concern is this language around rental increases. I know that previous members spoke to this as well, but I have a real serious concern about this aspect of it because this has now left it wide open to landlords to interpret rental increases. It would seem to me that this actually flies in the face of a harsh reality that we're faced with here in British Columbia, which is that affordable housing is getting harder and harder to find. Now we see some language written right into the Tenancy Statutes Amendment Act, 2006, that just blows the lid off any possibility of holding affordability as a lens around landlord and tenancy issues.

[1920]

At a time when it's really hard to find housing, first and foremost — and certainly the kind of housing that would generally come under the umbrella of issues around disputes or issues with landlords and tenants — we see that the language of this act is now going to

make it even more difficult to find housing and to find affordable housing. Landlords now have the right to go and work against the rights of the vulnerable and seniors. If they are unscrupulous, if they have material gains first and foremost on their agenda, it's very easy, then, to actually manipulate the marketplace.

I started my comments by saying that this was not a user-friendly document for seniors or the vulnerable. In fact, at every stage of this, I believe that government is going in the completely wrong direction around trying to provide more stability and better protection for landlords and for tenants. Every aspect of this bill... I haven't even gone through it clause by clause, and much of the language here is very, very shocking, actually, around how open-ended the treatment of tenants and landlords is going to be in the future.

I have a lot of concerns around the rights that are being given through this document for landlords to, in fact, evict seniors — frail seniors who are living in an assisted-living situation. They can actually be evicted because their health has deteriorated. I find it very unconscionable that would there be, anywhere in government language, a document that actually spells out that as seniors become more frail and helpless and as their health deteriorates, they are in greater jeopardy of being evicted from the assisted-living situation that has been put in place to actually care for them. The whole thing, to me, is completely counterintuitive to what government is purporting to do here. I have some really serious concerns about that as one other aspect of this document.

To think that seniors would be in any way intimidated in the frailer stage of their life by eviction out of an assisted- and supported-living situation when... In fact, in my riding and in this region this government has built no complex care as the next stage for seniors to go to when their health has deteriorated and they've become frail enough that they are no longer capable of living in a supported-living situation. Where are these seniors going to go? At the end of the day, they have very few choices. That, combined with the changes this government has made to manufactured home users — again, many of whom are seniors, who are often now threatened with eviction out of their homes with no place else to go...

At a time when we see homelessness growing and we know that government purports to be trying to look after the most vulnerable and to protect the rights of tenants, I see every aspect of this document doing the exact opposite. Until I see some substantial changes in all of the language here that would protect seniors, protect vulnerable tenants, protect landlords and actually put in place real protection, real resources and real arbitration options for tenants and landlords, I can't imagine in my wildest dreams being able to support anything that contains the kind of language this document does.

J. Kwan: I rise to speak to Bill 27. I have to begin, first of all, by recalling the Residential Tenancy Act that was tabled, I believe, back in 2002 by the government,

and some of the changes there. The government then actually talked about wanting to bring forward an act that was in plain language so that people in the community — landlords, tenants and anybody who picked up the act — would actually be able to read it and comprehend it in a way that didn't require a PhD.

[1925]

I have to say the government failed in that objective back in 2002. Now we have a situation with this bill, the Tenancy Statutes Amendment Act, 2006. Another kick at the can from this government, and still the government has not addressed the issue on plain language. I just want to first say that at the outset.

As you know, oftentimes for people to pick up legislation, to try and figure out what it all means, is almost like going to a maze. You're trying to find your way out, and you cannot find your way out. I have to say that for me, from time to time, it becomes a very difficult task. I have been in this Legislature since 1996. I've read much legislation, and this is not plain-language legislation.

The other thing that I want to say around this act is this. I will recall at the time when we raised the issue.... When the government brought forward the Residential Tenancy Act, we raised the issue around protection for assisted living and supportive housing, because there wasn't anything there in that old act to address those issues. The government then said: "Oh, no." I recall the then Minister Responsible for Housing said that it was the Health Minister's responsibility. Then the Health Minister said: "Oh, no, that's not my responsibility. That's the Minister of Housing's responsibility."

Since then four years have passed. It appears now that the Minister of Housing has picked up the issue. Unfortunately, as my good colleagues have already mentioned.... They have pointed out the flaws in this legislation and the problems related to it.

How could it be that the government brings forward legislation on assisted living and supportive housing that says that a landlord can end a tenancy if the tenant requires hospitality — meaning hospital support, or personal care services not provided by the landlord? This is in the assisted-living, supportive housing complex. Isn't the whole idea of assisted living and supportive housing to get someone to provide support to you if you need health care support and you do not require hospitalization?

It perplexes me to no end why a government would bring in a piece of legislation that outlaws the rights of a tenant who would require special health care needs in an assisted-living and supportive housing unit. I don't understand that. How is that helping the tenants?

The legislation allows the landlord to end a tenancy if the tenant is more than 30 days late paying for personal care services.

An Hon. Member: What if they're in the hospital?

J. Kwan: I think that sometimes we need to think about it from a practical way, from a tenant's point of view, who might be sick and is in the hospital and had

not been able to make arrangements to pay the rent and to pay the fees required. Shouldn't we actually not, as an automatic, allow for that as a reason to evict? I don't understand that when the government says they care about seniors, they care about families, they would not think about the ramifications of this legislation in this context.

Surely the Minister of Housing would have thought of that and heard about that. Surely, I hope, the Minister of Housing would have consulted with community groups, with seniors organizations, about their thoughts on this. But no, not so. The government wants to push this through. They want this debated now. They want this passed in this session of the Legislature.

[1930]

The provision says that the landlord must give three months' notice of increases to hospitality or personal care services, but there are no restrictions on increases. I wonder, when the government put this provision in this bill, if they had thought about what the ramifications might be for the tenants who need the housing when there is no cap on the amount of increase that a landlord can put forward — not to say increases that are justified with the actual cost of providing the services, but rather to say there's no restriction whatsoever on the increase.

What can possibly be the rationale from the government and from this minister in putting forward this change in the bill? How is that helpful for the tenants and their families, who need safe, secure, affordable housing, especially seniors who need assisted-living and supportive living housing accommodations? It's not like this government is going around building the housing that is needed.

They promised 5,000 long-term care beds, and where are they with respect to the 5,000 long-term care beds? A failed commitment — let's be clear. Then the government said they care about people in British Columbia very much and that they have increased their housing dollars. Let us be clear in terms of what the government has done with respect to that, and let us be clear with respect to what has happened to our housing situation in British Columbia since this government took office.

I don't think it's coincidence that for affordable housing, the number of new developments has actually stagnated in terms of new housing being built in this province. I don't think it's a coincidence that the homelessness rate has more than doubled under this government. That's not just in the lower mainland, I might add, but in other communities in other regions as well.

Here we are, and here we have legislation that allows for and, in fact, puts in law that a landlord can increase the rent without justification, to any amount, for the most vulnerable people in our society, those who are in need of assisted living and supportive housing. In other words, it's seniors, who deserve better in their golden years, who have already paid their dues to our communities. In their golden years they may well face a situation where they will see rent increases with-

out any justification, rent increases without any limitation.

I find that shocking. Just that clause alone is enough for a person to reject this bill, but that isn't all the government has put forward. Let's take a look and see what else they have put forward in this bill.

They've put forward the rent increase provision that says, you know, if the landlord manages to get written consent from a tenant to increase their rent beyond what the government legislated in 2002 in the Residential Tenancy Act, we must allow for that. That's reasonable. That's what the government is saying.

Let's just review what's happened with the Residential Tenancy Act for a moment with respect to the rent increase and what this provision means for a lot of people on the ground. In the 2002 Residential Tenancy Act the government brought in a provision that says the amount of rent could be increased: "A landlord may impose a rent increase only up to the amount (a) calculated in accordance with the regulations, or (b) ordered by an arbitrator on application under subsection (3)."

[1935]

What did the regulation say? It says that a new law regarding rent increases came into effect on January 1, 2004, and that landlords can raise rent by a set amount each year and can apply for arbitration for rent increases above that amount. The percentage for allowable rent increases is the consumer price index, based on the annual rate of inflation, plus 2 percent. That means that for 2005, landlords can give an increase of 3.8 percent and for 2006, 4 percent.

That is to say that usually rent increases come about to cover costs. They're to cover costs, and that's how a landlord can justify the rent increase. But in this instance, back in 2002 when the government brought in this legislation, they ensured that rent increases can be at the rate of inflation and on top of that, an additional 2 percent. Now the government wants to say: "Oh, but if the landlord can get written consent from the tenant, they can just ignore that, ignore the 2 percent on top of the rate of inflation to whatever the landlord wants it to be."

How about that? How about that for consumer protection? How about that for the tenants who need protection? How about that at a time when the government's barely building new affordable housing, and the waiting list on affordable housing has grown from 10,000 to more than 14,000? How about that for a lot of residents who, as renters in this province, are paying more than 30 percent of their total income for rent to allow for this provision to take place?

And how about that, when you think about it, for those tenants who are vulnerable, many of whom live in my riding? How about that, when you have no other option and the landlord comes to you: "Sign this or else. I'm going to find a way to evict you." What are you going to do? Are you going to sign the paper and swallow it, or are you going to find yourself on the street? What is the better option?

I dare say that for many of my constituents, they would be hit hard by this legislation. I dare say the

member for Vancouver-Burrard's constituents would be hit hard by this legislation. They have in the lower mainland, by far, the largest number of rental units, and many of them are seniors, and they are going to be hit hard on this.

I recall that legislation when we debated this in 2002. The member for Vancouver-Burrard said, "Hey, I don't need to raise the issues that the member for Vancouver-Mount Pleasant is concerned about and that the member for Vancouver-Hastings is concerned about," because, he said, we had already covered it all. That's what he told a local paper. Interestingly, while he said he was advocating on behalf of his constituents, he didn't vote in support of any of our amendments in the Residential Tenancy Act in 2002.

I will challenge him, Madam Speaker, to stand up in this House to speak to this bill in second reading, and I will challenge him to vote with the opposition in support of his constituents for tenancy protection.

When my good colleague, the Housing critic, the member for Cowichan-Ladysmith, moves those amendments, I will challenge the members in this House to stand up for their constituents, to stand up for consumer protection, to stand up for tenancy rights on behalf of their community. So with that... I can talk a lot more.

Interjections.

J. Kwan: In fact, I'm being encouraged to, so I think I just might.

Okay, I do want to raise one more issue, actually. The rent increase issue that was brought forward in the Residential Tenancy Act in 2002 also allowed for retroactive rent increase payments, and that is a significant piece. This will roll into this new legislation called the Tenancy Statutes Amendment Act, 2006.

[1940]

You must look at the cumulative impact in conjunction with the Residential Tenancy Act of 2002 and this bill to really, fully understand the totality of what this government is doing for tenants, or how they are actually making life so much more difficult for tenants.

We just had a presentation today at one of our committees from an expert, if you will, from my riding who's worked on this issue for a long, long time and knows the issue very well. It was a representative from the Immigrant Services Society, the ISS. The executive director, Chris Friesen, came and made a presentation to us. He talked about immigrants and the rate of immigrants that are coming and the plight they're in. Really, one could understand and put in context the issues that he raised with us. The biggest challenge for immigrants centres around language training, around supports in the community, and a lot of it centres around the issue of poverty.

I have to say that I'm an immigrant, and I know and have experienced firsthand what some of those challenges were. Housing is a huge piece of that. When we first arrived here we lived in a basement suite — a two-bedroom basement suite, 700 square feet or so, for a family of eight. My parents didn't have work, didn't

speak English, and had to pick up the English language before they could actually find work. All that we were able to do at that time, with eight people — six children — to pay for rent was to use the meagre savings that my family did have before we came.

I'll tell you, it was a daunting task for my parents to put food on the table and to make sure there was a roof over our heads. Immigrants are faced with that challenge, and they're no different. Many of them are no different from the story that I experienced. So then you've got to ask this question: the legislation that's before us, particularly with the piece around rent increases — how is that providing some sort of protection for tenants?

I would venture to say that perhaps what we should be looking at is some sort of rent control, as opposed to going the other way around — allowing for unrestricted rent increases for seniors in supportive housing, allowing for the notion that somehow it would be okay if the landlord gets written consent from a tenant to sign on, and that you can actually increase the rent beyond what the government has already legislated. That, in my view, is unreasonable. That is a rent increase of the consumer price index plus 2 percent, and retroactive at that.

Would you say that this piece of legislation is one-sided? Would you say that it's somehow skewed against the people who are vulnerable, who face homelessness as a potential? I would say yes. On balance, I would say yes.

I do hope that in this chamber other members will no doubt rise to speak. I do hope, and I wait with anticipation, for the member for Vancouver-Burrard to rise up and speak for his constituents against the provisions in this bill that are harmful to his constituents — and no more excuses. He can no longer say that all the issues that he's also concerned about are being raised by someone else, because he's on notice. It is now for all the members to stand up and be counted. It's time for them to stand up and represent their constituents.

S. Fraser: Now, it may come as a surprise, but I am not going to be speaking in support of Bill 27.

[1945]

Interjection.

S. Fraser: I'm rising to speak to that right now.

The Residential Tenancy Act of 2002 brought in by this government created a lot of gaps and a lot of problems and a lot of hardships for people across the province and, certainly, those in my constituency, in Alberni-Qualicum. Seeing the introduction of Bill 27, I was hopeful that there might be a way to address some of these critical shortfalls from the previous act of 2002.

All of the consultation I've had with my constituents on this issue has made it quite clear what a lot of the problems are that have been created through the act of 2002. It failed to address the needs of seniors and of those that need affordable housing — actually, of

those that need progressive government decisions the most — and assistance from government. That is, indeed, what government is for. It's to protect the public interest, and some need to be protected more than others.

With the introduction of Bill 27, I was hopeful — since a number of organizations have been advocating and promoting progressive changes to the acts, since individuals have been contacting my constituency office and myself personally as their MLA, and since, I'm sure, others on both sides of the House had similar experiences — that Bill 27 would be designed to address those shortcomings. I was very disappointed, because it is heading in the wrong direction.

Now, I know some of my peers on this side of the House, my colleagues and I, have all been approached by members of our constituencies and by groups in our constituencies. Because of this, we did put forward a bill not long ago, earlier in April, designed to provide suggestions and guidance for the government in any amendments they were making through this Bill 27 that came forward just recently. The motion from April 4 reads as follows:

Be it resolved that this House urge the government to ensure that when a landlord of a manufactured home park gives notice to end a tenancy agreement in order to convert all or a significant part of a manufactured home park to another use, manufactured home owners receive adequate compensation from the landlord, and the landlord is required to put in place a relocation agreement that is satisfactory to the manufactured home owners.

Now, this bill was designed specifically to address some of the needs that are in the Manufactured Home Park Tenancy Act, a portion of Bill 27 — a significant portion. The reality of Bill 27 is that it simply ignores those needs as stated in the bill that we put forward, which came from community members in need who requested these changes.

In Bill 27 we're seeing a bill that doesn't contain consumer protections for seniors as promised. Throughout the bill, there's no substantive protection there. The bill includes significant changes that, in my opinion, should certainly not be rushed through towards the end of this session. Moving this forward to the next sitting would be very wise, because we must effect a number of changes.

In my constituency, Alberni-Qualicum, and specifically related to manufactured home parks, we have a situation different from some of the urban situations that we've heard about earlier, but no less significant and no less desperate for the people involved.

There is a manufactured home park north of Qualicum Beach. There are some 50 tenants there, and this particular park has been their home for almost 30 years in some cases.

[1950]

Almost everyone in this park is a senior citizen. Some are in their 80s, and some are more. They have met with me and with members of the regional district looking for some help, because the use of their park is about to change, and they are being told that they are

going to have to move. They're going to have to move their homes — people in their 80s and 90s, people on fixed incomes.

The level of compensation and protection for these homeowners was already woefully lacking, based on the 2002 act, and with the drastic cuts to the residential tenancy offices that this government deemed necessary in their first term, they've had no place to turn except local government and their MLA.

That's the case across the board here. That was the reason for the introduction of this bill in early April. The rationale for that bill, which came from people in need, was totally ignored and not dealt with in any substantive manner at all in Bill 27.

What does it mean when someone who's in their 80s is being told in this particular case that they must move? Well, these are not temporary homes, as I mentioned. Many of these people have been living there — this is their home — for up to 30 years. They planted acorns when they moved there. They're oak trees now.

Being told to move is not simple. Because of the age of a number of these manufactured homes and because of CSA safety regulations, they may not even be movable, and the compensation, as standing now, is 12 months of pad fees. It doesn't even come close to the engineering involved with lifting some of these homes, let alone moving them.

If that were not desperate enough, there are no places to move along Oceanside — not in Parksville or south, not in Qualicum Beach. The nearest place that any one of these 50 manufactured-home tenants can move to would be Campbell River, which is a substantial distance up-Island, but that is only if the home is five years or younger.

These 50 seniors are being completely let down by Bill 27. This government had the opportunity through Bill 27 to address at least some of these needs and realities and to mitigate what could be a tragic event in someone's life in their golden years — 70s, 80s, 90s. Going to the number of community meetings in this park, they have no options. They have looked to government for help, for assistance. They have done no wrong, but the government has, because they were aware of the situation, because they were told, certainly, by this side of the House.

We did move a bill that helped address and bring attention to these issues. The bill that we put forward from this side of the House to address these issues, which should have been addressed in Bill 27, was not just from the tragic circumstances of what's happening in my constituency. This was from across the board — from urban centres, from rural centres, from the lower mainland, from Vancouver Island. This is a problem that spans all of British Columbia.

[1955]

The problem is not just a problem. It's a tragedy for those involved. These are our seniors, and they're people on fixed incomes. They cannot afford to move, in many cases they have no place to move, and they're being afforded less protection through the introduction of Bill 27 than they even had prior to that. As an MLA

for Alberni-Qualicum, I'm so disappointed that we haven't seen these issues addressed.

I may be sitting or standing at this point on this side of the House, but this isn't about politics. The recent Association of Vancouver Island and Coastal Communities also recognized this issue. I have a resolution. They had their convention. I think it was just in the last month — maybe three weeks ago. I don't have a date on this, but Nanaimo regional district put this forward, and I know our regional district rep worked hard on this. My understanding is that this was a consensus decision through this resolution.

I'll read the resolution again, and it may sound familiar to those in the House, because it's very similar to and touches on a lot of the issues from the bill that my colleagues put forward earlier this month.

R2 Manufactured Home Park Tenancy Act, Nanaimo regional district.

Whereas the Manufactured Home Park Tenancy Act provides for limited compensation to individuals faced with the termination of tenancy in manufactured home parks; and whereas individuals faced with the termination of tenancy in manufactured home parks may not have an option to relocate their mobile to another park or location due to the age or condition of the manufactured home, the standards required by the building code or the limited availability of vacant mobile home park sites; therefore, be it resolved that the province be requested to investigate the adequacy of compensation that is currently provided for in the Manufactured Home Park Tenancy Act for individuals faced with the termination of tenancy in manufactured home parks, and that such investigation include consultation with mobile park homeowners and associations.

It was endorsed, and it was unanimous, because the problem is unanimous. It's a problem across the province. This was the Association of Vancouver Island and Coastal Communities, so we know on this island it's a problem. I know from my peers that it's a problem throughout the province: in rural locations, in urban locations, in the interior, on the Island.

These needs, as illustrated in this case by the regional district of Nanaimo but endorsed by the entire... All of the communities represented by the Association of Vancouver Island and Coastal Communities have agreed that this is a problem. So this is considered guidance, in my opinion, and government should listen to guidance. This is from the public.

Many of us in this House, on both sides of this House, have cut our teeth in municipal government. I happen to believe that municipal government, in its own way, is the purest form of government, especially in the small community where you know everyone. If you are a councillor or mayor, I think it is more difficult than in an urban centre, because you know everyone who comes to you asking for something or asking to change something. It's difficult to say no to; and you have to. Sometimes you make enemies.

[2000]

When you get a group of municipal politicians into the same room, from different communities, there's often friendly competition in the sense of vying for limited resources provided by, maybe, the provincial

government, maybe by shortsighted decisions made in 2002. When you get consensus at that level, it speaks mountains.

There is a problem, and those that need help are asking for it. They're going by the proper processes. These are people that no longer have access because of this government's drastic cuts to residential tenancy assistance, so they've come to regional districts, to municipal governments looking for help. The regional districts and municipal governments and city governments on Vancouver Island have done just that.

This resolution will go forward to the Union of B.C. Municipalities convention. I guess it is in September. I would expect that because of the needs across this province, we're going to see full endorsement. That'll be a consensus decision. Everyone will agree, because to a large extent, this is to help those that need it most: our seniors on fixed incomes, and those that are in need of the affordable housing which is woefully lacking in this golden decade so far.

I believe there is an obligation for government to listen. The government has heard this loud and clear from the purest form of politicians, our municipal politicians. They've heard it loud and clear from this side of the House, from the official opposition, in a friendly bill designed to help the constituents on that side of the House who don't seem to be getting the ear, maybe, of their own MLAs.

When we see Bill 27 come out so lacking, it confirms their worst fears: that the process has let them down, that their government is letting them down and is ignoring them. It is those people that need our help the most.

At the second meeting I was at, at the park north of Qualicum Beach in the rain — and they have sort of an outdoor barbecue pit area they have covered in — the entire community, 50-plus members of this manufactured home park.... These are city streets. This is their home, and they're being told they've got to move for a development.

There is nothing wrong with developments. We all want to see development happen. We don't want to see these people fall through the cracks. They want help, and they do not understand how they can be let down like this. I assured them I would do everything I can as their MLA to bring them help. The representative from the regional district assured them he would do everything he could to help, and he did.

He solicited that help. He signalled to government that shortcomings in their original legislation in 2002 have let these people down and left them vulnerable, and then a chance to change it leaves them potentially even more vulnerable. I promised I would do my part too, and so did colleagues on this side of the House who forwarded that bill earlier last month in what I think is a constructive piece of advice to try to help people in need.

Bill 27 ignored it all. It ignored this side of the House. It ignored communities, and because I know it's not just in constituencies of this side of the House, they're ignoring their own constituents who need their help the most.

[2005]

On that note I'm going to sit down and hope that sober minds on that side of the House reflect on what we're saying here, reflect on what municipal politicians are telling them and consult with the people that need to be consulted — those who live in these parks — and consult with the great associations out there that are also trying to be advocates for their members and those that need help too.

H. Bains: With deep regrets and a great deal of disappointment, I must say that I'm standing here today to oppose this bill. I was hoping that the government was listening. Obviously, they missed the mark. I will talk about the member for Surrey-Cloverdale, because I think that member also neglected his duty to look after those people that live in his riding. I'll talk about that.

It is a disappointment, and I think it is a shame that we have to stand up and look at a bill that does not deal with and look after those who are most vulnerable in our society. I'll talk about manufactured home owners, because that piece is missing again from this bill. I was hoping that the minister was listening to all those municipalities. I was hoping that this government was listening to all those manufactured home owners, those seniors, those on disability. They are put into this situation that you don't want your parents or grandparents to be in. That's exactly what this government did. They ignored them.

I thought the government's role was to look after all people of the province, every one of them — whether you're rich or you are not so fortunate and have fallen behind, whether you are an owner or a renter, a developer or a worker. This government, it seems to me, when you look at bill after bill, is only looking after its friends — friends who could be developers, friends who are millionaires, who are owners of big corporations, who are CEOs of those big corporations — and has neglected the very people that have elected this government to look after them.

An Hon. Member: Shame.

H. Bains: I agree with the member there from the government side. At least one member agrees that it is a shame, and I agree with that. It is a shame. At least one member agreed. One member agreed, at least.

I think the government's role is not to get stuck on ideology when it come up with its policies. They need to be practical. They need to be looking after those people who actually will be affected by those policies. They need to look at — before they pass any bill or any policy: how will this affect people that are being affected by this policy? This government ignored that once again.

In 2002, when a bill was changed to take away the fair compensation that existed for manufactured home owners, this government promised there would be a consultation with those folks. Guess what. Like everything else, in secrecy they passed this bill, again, and

no consultation took place — no consultation whatsoever.

When we are talking here, we are talking about our seniors. This is not how we treat our seniors. This is not the kind of society we live in or choose to live in. I think it is a shame that we didn't look after those who are most vulnerable, and those are our seniors.

[2010]

I do want to talk about two very living examples right now. One is at Seacrest in Surrey-White Rock. Those members are sleeping on pins and needles right now. These are 80-year-olds, 85-year-olds. This is their community. They have built their lives around it. They're living the last few years of their lives. They're retirees. They built this province that we are so proud of.

But we haven't neglected this. This government has failed them. All they have to go by now is.... They're running to the municipalities, because they are sympathetic to them. They are running to the opposition, because they are sympathetic to them and they understand their issues. They are telling us that their MLAs have failed to listen to them, have failed to bring their voice over to this House. When they fail, we promise them that we will bring their voice to this House, and that's what we're doing here.

Hon. K. Falcon: They just won't vote for you.

H. Bains: There is one in Langley, and they do vote for the member for Surrey-Cloverdale, and next time you have to think about that.

Interjection.

H. Bains: You have to think about that, member. You have to think about that. It's your duty. It's the duty of every MLA.

Deputy Speaker: Member, through the Chair.

H. Bains: Through the Chair, it's the duty of every elected MLA to look after their constituents — every member of the constituency. They have failed. These two MLAs have failed their constituents: Surrey-White Rock and Surrey-Cloverdale — Surrey-Langley. No one is standing with those members right now. These are seniors. They are not. We are, and we will continue to do that.

Interjections.

Deputy Speaker: Member, member.

H. Bains: Very flattering comments are coming from the other side, and I appreciate that. I appreciate that. Obviously, they don't like to hear the truth. They don't like to hear the truth. But we will continue to bring those voices here on behalf of those seniors. We will. We will continue to.

That was the reason we brought that motion to the House last week — Monday. Every member who had the opportunity on this side of the House stood up — member after member supporting that motion, supporting those seniors, supporting those manufactured home owners in those constituencies, not only in my particular area, all across B.C. — and guess what. Only one member of the government side decided to stand up. Everyone else who has those manufactured home owners in their ridings decided to ignore that motion. They decided to stay silent.

However, like I said, we will continue to speak up on behalf of those manufactured home owners. We will continue to speak up on behalf of those seniors. I don't understand why it is so difficult for the government side to consider the motion that was a very reasonable motion that we brought forward last week.

It's not only the opposition that agreed with that motion. The union of Vancouver Island municipalities agrees with us. Many other municipalities agree with us, because they have already brought in policies to protect these homeowners. The municipalities understand that. People that live in those constituencies and those ridings understand those concerns, and people on this side of the House understand those concerns, but I might say that it is so disappointing that the members of the government decided not to understand those concerns. That is a shame; that is a shame.

What was needed, as I called for it through that motion.... Let's bring some fairness back — fairness for the homeowners and fairness for the developers. It's not too much to ask when you are asking our seniors to move and uproot their households and move away, when they don't even know where they could move to, when they don't even know whether their houses will be accepted in the new park. They, in many cases, know that their house is not even CSA-approved, and it will not be allowed to go on the road.

[2015]

Consider having a parent or grandparents in that situation. Just think about that. They can't move their house. There's no place to take their house to in case they are able to move it; 85 years old — what are you supposed to do?

[S. Hawkins in the chair.]

You are made homeless because the government regulations, government laws, allow that to happen. That is a shame. We shouldn't allow that to happen in this day and age, when we are talking about our economy booming. We have surplus budgets.

When this government boasts about — not the last budget — the previous budget. It was the seniors budget. If it was a seniors budget, why were these seniors left out? Because ideology got in the way. One has to think that ideology got in the way. The practical aspect of the bill just went out of the window.

That's not how you run governments. That's not how you look after your citizens. Like I said before, these are our parents. These are our grandparents.

These are the people who made sacrifices in their lives so that we can have a better life, so that we can have a province, so that we can have this country where everyone is looked after. But now, when they need our support, when they need our help, they find themselves neglected, ignored and, in some cases, made homeless. That shouldn't happen. We shouldn't allow that to happen.

If you look at the motion I brought in, the motion simply was trying to bring back some fairness. Prior to 2002 they would receive moving expenses up to \$10,000. You know, today it takes about \$10,000 to move your home. It is only reasonable. But this government changed that to 12 months rent. In most cases, you look at \$5,000 to \$6,000. You can't move your home with \$5,000 to \$6,000, especially under those circumstances where their house may not be even allowed to be moved. They need to dispose of that house and buy a new one. These are the folks on a fixed income. They're going through their time when they don't have the energy to fight anyone — to go out there and look for new homes.

Our duty as government, our duty as elected members of this House, is to look after those folks. We're not doing that, and this bill again ignored them. That's not right.

In Surrey, when I look at the total manufactured home, mobile parks — in B.C., actually — there are about 264, as I'm advised. So that just tells you it is a huge problem, and it is something that provided us with low-cost social housing. We aren't spending as much money as we need to spend in that area, and now we're eliminating some of those areas that actually provide us and help us in those certain areas. We are ignoring that part as well — so making the matter worse.

There are about 31 parks that the Surrey Manufactured Home Owners Association represents. There are over 2,200 pads that they represent. Because this government ignored them and the MLAs who represent those folks ignored them, I want to thank the many seniors out there who are taking the fight on their own. They're fighting this government. They are bringing the issue to the forefront, and they are telling everybody, and I'm with them. I am with them, because they are saying that their fight will not end until they are listened to and their issues are resolved.

I want to thank Julia Gully, a woman who has taken up this fight on her own.

[2020]

Single-handedly, she has taken on this government, because she understands the issues of those folks who live in those manufactured homes. She understands that government's duty is to look after every citizen of the province. She understands that this government has ignored them. I'm with Julia Gully in her fight to get justice for these folks.

I want to thank Doreen Mortensen, the president of the Surrey Manufactured Home Owners Association. You know, I think you have to admire these folks. They have worked all their lives. Now they are at a time

when they should be enjoying their retirement — but no, they are becoming activists. Why? Because this government is making them and turning those seniors into activists. They know that this government and those elected MLAs aren't listening to them.

I want to thank George Lee for sacrificing his time — time that he could be out there enjoying his retirement, on holidays, on vacations, spending with his family. He has decided to stand on the side of the manufactured home owners association and manufactured home owners all across B.C. to take the fight and bring that voice over to this side.

I want to thank Bill and Mona Runka. I want to thank them for standing up and making the voices of Seacrest homeowners heard, because right now they are going through uncertainty in their lifetime. They don't know what could happen to them, because this government is not listening.

I want to thank all of those folks. I want to thank all those folks who are on this side of the House who stood up and who took the time to go and speak to those manufactured home owners and to tell them that if the government isn't listening to them, their MLAs aren't listening to them, we will listen to them, and we will continue to fight on their behalf here.

Interjections.

H. Bains: The members think they can heckle me so that I could stop talking. Guess what. They're wrong. They are actually inciting me to continue to talk more, and I will continue to talk. I will continue to talk because I want to make sure that the voices of those homeowners are heard in this House loud and clear.

I want to stand with those municipalities who came to this side. I want to stand with the cities of Coquitlam, Kelowna, Peachland, Summerland, because they understood their issue. This government failed to understand that issue; those municipalities understood their issue.

I want to stand with the municipalities of Vancouver Island, all those municipalities that came together and passed a similar resolution that I brought in last week here. I want to stand with them because they also understand the issues of their citizens when they know that this government failed to understand those issues.

I want to stand with those municipalities such as Langford, Lake City, Maple Ridge, Nanaimo, Oliver, Osoyoos, Penticton, Revelstoke, Surrey and many others who actually understand the issues brought to them by their citizens, manufactured home owners, when this government failed to understand those issues and continued to ignore them.

Interjection.

H. Bains: It's not about getting votes; it's about doing the right thing. Obviously, the people on that side of the House are only interested in getting votes. They're not interested in doing the right thing. We will, on this side, do the right thing. That may not be the

popular thing, but we'll do the right thing. We'll do the right thing because we want to stand with our seniors. We want to stand with those who are most vulnerable, those who are ignored by this government.

[2025]

It is unacceptable to treat our seniors like this. I think the members on the government side are all good people. I think they are here to do the right thing, but they have failed to listen. They have failed to listen to our seniors. People who are living in manufactured homes.... They are our seniors, they are your seniors and they are your parents, your grandparents. It's your duty, our duty, to look after them. You know what? Ignoring it leaves a black mark, yet another black mark, on the history of this province.

I would urge all of the members in this House: please, please listen to those manufactured home owners. Listen to those seniors who are crying out for our help. They are hoping that they elected you to represent them; that you would do your duty and look after those concerns; that when you do go back into your cabinet offices, go back into your caucus meetings, you will actually, seriously think about those folks; that you will put in protection for those folks; and make sure that we have policies, we have legislation, that do not make people homeless — as this legislation does, actually.

They are hoping that we put our legislation in together so that those folks who are at the very end of their lives and who should be enjoying their retirement.... We should allow them to enjoy their retirement rather than put them in this kind of situation where they don't know whether they have a home tomorrow or they don't have a home tomorrow. That should not happen.

I want to thank all those people, at least, who are standing tall on the side of the manufactured home owners, who are standing on the side of our seniors, who are standing on the side of the most vulnerable in our society. I hope that you will come to their aid. I hope that you will make the right decision. I hope that you will not make the decision just to get votes, but that you will make the decision because it's the right decision to make.

With that, Madam Speaker, I thank you for the opportunity, because I think it is a privilege to stand up — to stand up on the side of our seniors, stand up on the side of those who cannot help themselves, stand up on the side of those who actually do need our help.

R. Fleming: I do, indeed, want to speak to Bill 27, because I think that this government has a problem with housing. Housing is becoming Canada's number-one issue. In my constituency I can safely say that over 60 percent of my constituents are renters. But that's not the issue here.

The issue is the housing situation across Canada. Report after report, recent ones issued by the OECD, started to develop some traction with the federal government. They point out that Canada has sorely fallen behind through the 1990s and 2000 right across Can-

ada, with the exception of a few provinces, and we need to do much, much more. We need to, perhaps, according to the recommendation of one recent report, build as many as 25,000 units of affordable housing in Canada per year if we are to address the needs that currently exist today and get a handle on the pent-up needs that have accumulated over some time.

What concerns us most on this side of the House is whether this legislation in fact can even pretend to strike the right balance between the rights of landlords and the rights of tenants in B.C. and most importantly, whether it protects people who are in vulnerable situations, particularly seniors.

We're concerned, quite simply, that there are provisions in this bill that are unfair to tenants — with respect to evictions, for example. The clause detailing no-hearing evictions is of particular concern to this side of the House. That is how we should evaluate this legislation before we even think of passing it.

[2030]

Other colleagues of mine have mentioned the context around this bill, the lack of consultation with seniors groups in this province. That is never a good thing for balanced and fair legislation — when you don't hear the voices of the people who are the intended recipients of either the benefits or, in this case, I think, the unintended consequences of the legislation. It does not make for good legislation.

It is unfortunate, too, that the government.... When you listen to speakers talk about the manufactured home parks in their constituencies, there was a chance to do something right in that situation. As land values change and as circumstances change in terms of regional planning and regional development, they missed an opportunity to actually get some amendments to that act that would help people in that situation — people who have lived in those homes all their lives, who have put improvements into those properties and who are not going to be properly compensated if and when they're forced to move. It is a great shame that that's not part of this bill.

In the past the government has promised consumer protection to address special circumstances around vulnerable tenants like seniors who are living in assisted living. Assisted living is one component of a continuum of care for seniors, who may go from living at home with home support to assisted living with hospitality and personal care services. They may go on to residential care. These are the people that in this legislation we have to be particularly concerned about.

One of the things in this bill I want to talk about is section 55, dealing with orders of possession, giving new powers to landlords to get orders of possession without a hearing. The residential tenancy branch director may now grant an order of possession in these cases without hearings.

The reference to arbitrators, in fact, is completely replaced by language around a director, and the language around arbitrations replaced by dispute resolution. What is going to replace arbitration hearings? Who is going to have the power to make decisions?

Will there be arbitrators and mediators? What are their skills and qualifications for these positions? What processes will be in place instead of the arbitration hearings we currently have now?

These are serious questions for this side of the House to ask, and the answers are not forthcoming from the government side. The legislation does, indeed, look like there will be an allowance for decisions to be made without hearings, possibly even just made by information officers. What then will be the recourse for tenants in this situation?

Section 62 is another area of concern. It brings in new language that says that a tenant "must not unreasonably restrict access." I think it is something that needs clarification as to exactly what is meant by the term "unreasonable." We don't want a situation where tenants are being locked out when landlords decide that for them, it's reasonable to do so. That's not proper due process.

Section 77 is another area that needs to be examined more carefully before this legislation is even considered to be ready for adoption. We're concerned about situations where tenants don't receive notice from a landlord due to what you might call unfortunate circumstances or when the landlord may actually, in a sense, abusively, intentionally not serve notice to tenants because they want the tenant to move out for other motives — motives that, frankly, aren't legal under the system that we have right now and that offend the balance we have developed over many decades between tenant and landlord rights.

[2035]

We hear about this happening all the time. It's concerning that landlords can get an order of possession under this legislation without a hearing. I understand why landlords may want this amendment. It can take a long time, sometimes, to get a hearing, thanks to the actions of this government in restricting the services provided by the residential tenancy branch. It can take a long time to get a hearing, and then it can take a further amount of time to get an order of possession.

Those long delays are, in fact, due to the situation at the residential tenancy branch today. They're not the fault of the landlords, nor of the tenants, yet this proposed amendment in this new legislation would penalize the tenants alone for this state of affairs and make them vulnerable to new powers awarded to the landlord — and the erasure of due process that was formerly available to both parties.

The residential tenancy board, instead of this legislation, could give priority to hearings where orders of possession are requested — currently, it doesn't do that — rather than granting orders of possession without a hearing. That would be a much fairer way to proceed and to conduct affairs between landlords and tenants in this province.

An additional concern is section 79, where tenants could be potentially taken advantage of. This deals with tenants in assisted- or supported-living units where the tenant may have difficulty with their own housekeeping — where they may not be able to keep it

in "habitable condition." This imprecise definition of habitable gives the landlord an avenue to dispossess and evict a senior on grounds no further stated than that. That's a problem.

I want to talk about some other issues, too, surrounding the government's record on housing and tenancy, and where the motivation for this legislation comes from and where it is, in fact, misplaced.

I think we need to understand that over the past four years the government has quietly shifted the mandate of B.C. Housing from providing assistance to low-income people to funding health care spaces. We will recall that one of the first things this government did upon assuming office was that it cancelled the building of a thousand affordable housing units. Look at the state of affairs around waiting times.

My colleague from Vancouver–Mount Pleasant talked about the wait-lists and how they have grown for people waiting to get into public subsidized housing. They've grown from 10,000 persons on that list to now over 14,000. The waiting time for some social housing has now grown from three years to five years. According to B.C. Housing's own statistics, there are now something like 69,000 households in B.C. that spend more than 50 percent of their income on rent.

The real concern in this difficult situation, in the housing situation we face provincially in many communities and regions, in every region across this province, is that the government's response is to move in the direction of allowing unlimited rent increases. Can you imagine a government rationally responding to an affordability crisis by allowing unlimited rent increases? It doesn't make sense. It's not balanced. It's not fair to the situation demanded between landlords and tenants in this province.

We need some clarity, too, on where the minister is going with housing. There's a new framework allegedly being worked on for rent supplements to be targeted toward people in need, but what's clear is that this increase will come at the expense of capital funding for social housing in the province, as it has already.

[2040]

I want to go back to a couple of points. Before my colleague from Malahat–Juan de Fuca, who has concerns with the mobile home park aspects of the act, in particular, and others, I'll say this. My community is two of six that didn't have their residential tenancy branch closed, but the service provided at that branch in Victoria is not what it was.

It's almost as if the government has created a crisis scenario here and cheapened their legislation, cheapened people's access to dispute-resolution services provided at the RTB, made access to those services so intolerably long that they have brought in this legislation to weaken the balance between the rights and obligations of tenants and landlords that have governed this province for decades.

That is the major concern, and that is why this legislation should not be passed. It's time to consult with seniors provincially to get their input on these drastic changes being proposed by the government.

J. Horgan: It is a delight to be standing in this place with the limited time I have available, speaking to Bill 27.

I want to take the House back 12 months from today. We were in the middle of an election campaign, and I know myself.... I don't know what the members on the other side were doing, but I was knocking on as many doors as I could. I know some of the members on the other side were doing that as well — at least one of them. I was knocking on doors throughout my constituency. I was spending a lot of time talking to residents of manufactured home parks.

I was doing that for a few reasons: (1) there are an awful lot of manufactured home parks in the riding of Malahat-Juan de Fuca; and (2) I was following in the footsteps of the last resident from my party in that constituency, Rick Kasper. Members will remember that Rick Kasper was here for ten years and chaired a committee of this place that reviewed the manufactured home park legislation.

He went around the province talking to individuals, talking to landlords, talking to tenants. He did a fantastic job. The community was comfortable with the recommendations he brought forward, and we lived in a rather harmonious time throughout the 1990s as a result of the good work of Rick Kasper, the former member for Malahat-Juan de Fuca.

But in 2002....

K. Krueger: A good man.

J. Horgan: He was a good man. He did good work, and I commend him; a consultant, a resident of Sooke — in fact, a councillor in Sooke. I recommend him to the Minister of Housing as someone who stands at the ready to improve this legislation and bring forward amendments to it and recommendations to government that would make this the legislation it should be: to protect the vulnerable in our society, to protect seniors, to protect those who need representation in this Legislature — not lobbyists, not landlord associations, not people fleecing tenants and putting fear into their hearts day after day.

[Mr. Speaker in the chair.]

I will tell the member for Kamloops-North Thompson, because I know he will listen to what I'm saying. I visited a mobile home park in my community, and I met with a 93-year-old woman. She must have weighed 30 pounds soaking wet. She had a walker, and she couldn't get out of her manufactured home and travel across the park, because there was gravel in front of her home — pea gravel. She didn't have the strength to push her walker through that.

She called me, and I went to visit her. I said: "What do you want me to do about it?" She said: "You'd better check with my daughter. She takes care of my affairs." I phoned her daughter, who lives in Vancouver, and said: "What would you like me to do?" She said: "We don't want you to do anything."

"Why is that?" I said to the daughter, and she said to me: "We don't want my mother thrown out of the park. Don't make any fuss. She'll just have to stay in her trailer, because she can't get out of it, but we don't want her evicted." That's the fear and intimidation we see in communities all over south Vancouver Island.

I went to a public meeting called and funded by the owner of a mobile home park in my community.

Interjection.

Mr. Speaker: Member.

J. Horgan: It's a shame that even at this late hour we can't have a discussion about the needs of people in our community without being harassed about it. It's regrettable. I'm disappointed, particularly at that member, because I certainly try to cut him some slack now and again when he gets off topic.

This isn't off topic. This is on topic. I got elected to come here and represent the people who are being forgotten in this legislation. I made a commitment, and damn the time. I have the floor, and I'm keeping it.

[2045]

I was elected to come here and represent these individuals — like Pat Stothard, an individual in my community. I knocked on his door; he jammed a binder five inches thick into my chest and said: "You read this. You come back, and I might vote for you — I just might vote for you — if you're half the person Rick Kasper is and you'll represent the people in this community, in this mobile home park."

Well, I read that document — a year ago to this day. I went back to Pat Stothard and said: "If I get the opportunity to stand in this place and represent you, by God, I'm going to do it." That's what I'm doing right now to ensure better representation within this bill. That's why I'm here.

I know the Minister of Housing is going to listen carefully to the comments that he has heard from this side of the House. The member for Alberni-Qualicum was very eloquent, the member for Surrey-Newton as well. I know that we're winding out the clock. You guys want to go home, and it's the end of the day. But that's not why I came here.

I came here to represent Pat Stothard and the people who live in mobile home and trailer parks and manufactured home parks right through Malahat-Juan de Fuca. I should do no less. People without a voice elect us to come here and give voice to their concerns. People who lobby, people who have the money to buy influence, do that.

The people in my community don't have that influence. That's why they elect people. That's why I come here. That's why I appeal to the Minister of Housing: give Rick Kasper a call. Give him a call. Ask him what he thinks about this bill. Ask him what he thinks as an independent, as someone who is not a New Democrat — who quit with some flourish, I recall, at the time. He will tell you that there are flaws in this legislation, and he will tell you how to fix them. He'll offer you his

guidance and his counsel, and he'll probably do it for only a few bucks.

Noting the time, hon. Speaker, I'll just defer to you and your graces and say that at the next opportunity we have to debate this bill at committee stage, I'm hopeful that members on the other side will be as enthusiastic about correcting this legislation as I am.

Mr. Speaker: Seeing no further speakers, the Minister of Forests and Range and Minister Responsible for Housing closes debate.

Hon. R. Coleman: I actually did have a conversation recently with Rick Kasper, who lamented the fact that he had done a report for the NDP with regard to manufactured homes in this province that did nothing but collect dust in the library of this Legislative Assembly. I have read it, and I'll bet you a lot of the members on the other side of the House have not read it.

Now, I know you wanted to go off on a long debate with regard to what's not in the bill, because in second reading you don't get the fact that there's a whole lot more to manufactured home parks in British Columbia than passing one little tweak that's going to fix this problem. That's the reason my ministry has hired a consultant to go out and look at manufactured homes in British Columbia, to look at the parks in British Columbia, to try and find the solutions — everything from bare land strata opportunities to working with municipalities to figure out how we're going to solve this problem.

The members over there seem to forget something. The member for Alberni-Qualicum got up and said: "Oh, the purest form of government is local government." Yet, could you tell me which one of the members on the other side of the House has gone to a public hearing to stop the rezoning of a manufactured home park to another use? That is who rezones the property: it's local government, hon. members.

You know what? The reality of it is this: we're going to find the solutions to manufactured home parks in British Columbia. We're going to find it because of the work this ministry is doing now and taking into account the history of this. I always look back, when I do debates on residential tenancy issues, to my first debate in this House on it when I was a Housing critic in 1996, and I sat across the House from former Premier Ujjal Dosanjh, at that time the Attorney General.

I had a conversation with him in the dining room before he came up. He said, "How much time you going to spend on residential tenancy?" and I said: "Probably a couple hours." He said: "Good. I never understood those laws when I was in law school, and I don't understand them today, and I'm the minister."

You know what I said to him? I said: "Why don't you rewrite the act, hon. member?" For five years he had an opportunity to rewrite the Residential Tenancy Act in British Columbia, and that government did nothing — not one thing. There is the reality.

Now, let's go down to what this is about. In the 1990s this conversation took place with regards to sen-

iors who were in care — at that time we called them old folks' homes — and we said: "What can we do to protect their tenancy?" Their families said to us: "They've entered into contracts. It might be one, two, three years. When they get too ill to be able to stay in the unit, they have to continue to pay, because they're in a contract, when they're moved into a government project or into a hospital."

[2050]

They said: "Why can't you deal with this?" We asked that in the 1990s. For the last three years there's been work being done in government to try and find a place to put this. This is what it is.

This is new ground, hon. members. We're trying to solve a problem for seniors in British Columbia. We're not trying to hurt them. That's why we're going to have the committee-stage debate.

I find it nonsensical when the Housing critic for the opposition gets up and says: "There are no regulations to go with this legislation." Absolutely right, hon. member. The reason is that you pass the legislation first, and then you take the regulations out for consultation with the very people it's going to affect. That's exactly what we're going to do after we pass this legislation.

Did the hon. members over there ever think to develop a piece of legislation on manufactured home parks? No. Did they ever think to include SAFER for seniors in manufactured home parks? No. Did they increase the amount for seniors supplement from 1990 right through to 2005, when it didn't happen for anybody? No. Did we raise the seniors supplement and SAFER? Yes. Did we add owned mobile home parks? Yes. Did we add 20,000 people to the list of people who are now subsidized in British Columbia? That's good news, hon. members. That's what it's all about.

Tomorrow or the next day, hon. Speaker, we're going to get into committee stage of this bill. At that point in time the member for Surrey-Newton can get up and ask questions about seniors in care and the issues with regards to regulation and the administrative penalties that both sides of this House have asked for us to be able to levy on landlords, particularly people like the ones who were involved in a project over in Richmond, without sending people through the courts. That's what you'll get the opportunity to ask questions about, hon. members.

This legislation isn't about manufactured home parks. I actually, as a minister, understand that it's a lot bigger issue than what you think it is. It needs a whole lot bigger planning than what you think it does, and it's going to need a whole lot better cooperation from your regional districts than you have today.

What's the reason, when somebody gets local government to rezone a mobile home park to change its use, that there's no place for them to go? Because your local governments won't zone manufactured home parks. They won't allow them. They won't put them in your communities. So where's the opportunity for someone to move? If you can outzone the use, hon. members, then wake up to the fact that you're going to have to be part of a lot bigger solution.

As we move through this consultant's report and we move through the long-term solutions, we're going to solve manufactured home parks in spite of the rhetoric we had here tonight. Tomorrow we're going to have committee-stage debate on a piece of legislation that has nothing to do with what most of you had to say tonight.

Mr. Speaker, I move second reading of the bill.

[2055]

Second reading of Bill 27 approved on the following division:

YEAS — 40

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

NAYS — 26

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

Hon. R. Coleman: I move that the bill be referred to a Committee of the Whole House for the next sitting of the House after today.

[2100]

Bill 27, Tenancy Statutes Amendment Act, 2006, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

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

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

Motion approved.

Mr. Speaker: This House stands adjourned until 10 a.m. tomorrow morning.

The House adjourned at 9:02 p.m.

PROCEEDINGS IN THE
DOUGLAS FIR ROOM

Committee of Supply

ESTIMATES: MINISTRY OF
TRANSPORTATION
(continued)

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

The committee met at 3:10 p.m.

On Vote 41: ministry operations, \$839,458,000 (continued).

D. Chudnovsky: Good afternoon to the minister and to his staff. Great to see them again this afternoon. Unfortunately, we don't get as much time as we'd like. But hey, life's like that.

Before the member for Victoria-Hillside took over yesterday afternoon, we were talking about the south perimeter road for a bit. I wanted to go back to that, if I might. I haven't had a chance to look at *Hansard*, but if I remember correctly where we were when we stopped, I was asking about the resources set aside for the purchase of property as a result of the south perimeter road. If I recall correctly, we got an answer to that.

I'll move from there to ask whether the minister expects that the south perimeter road will impede or intrude on Burns Bog.

Hon. K. Falcon: The good news for the member opposite is that, no, it will not intrude on the protected Burns Bog land. I am very proud to say that under the leadership of the government of British Columbia, we actually preserved Burns Bog.

K. Krueger: No Ferris wheels. No roller-coasters.

Hon. K. Falcon: That's right. Fortunately, there will be no roller-coasters and Ferris wheels or the PNE located there, which was the previous government's objective. But I digress.

The other point I would point out is that, actually, one of the things we're excited about is that there's a real opportunity here to improve hydrology for the bog as a result of the South Fraser perimeter road — something that we hadn't anticipated when first looking at the South Fraser perimeter road project. That's some of

the good news that comes out of this. So we will be bypassing the protected area of the bog, and there will be an opportunity for us to improve the hydrology for the bog.

D. Chudnovsky: Just to pursue this for a second. The minister used, I think twice or three times, the phrase "the protected area of the bog." Does something turn on that? Was that simply a descriptor, or was he using that to distinguish it from some non-protected area of the bog?

Hon. K. Falcon: No. I'm not sure what distinction the member is trying to pull out. The lands our roads will be traversing are either designated as industrial land or designated as farmland.

D. Chudnovsky: To get back to the issue of purchases of property, I wonder if we could extend the question that we finished with last time to the whole of the Gateway project. I asked about resources available in the budget to purchase property needed for the south perimeter road. What about all of the elements of the Gateway project? Is there money in the budget for property purchases for the other elements of the project?

Hon. K. Falcon: The answer is yes. As part of the \$3 billion budget for the Gateway program, a portion of that will include land acquisition costs. Also, in the next three years, as evidenced in the service plan and laid out in the budget, some of those funds will be associated with land acquisition.

[1515]

D. Chudnovsky: Perhaps I wasn't as clear as I should have been. I apologize to the minister. Certainly, we understand that in the \$3 billion — most of which we haven't seen — there is the expectation that some of it will go for land acquisition. What I was asking — and perhaps again I wasn't as clear as I should have been — is: in the budget that we're debating now, is there money for land acquisition on the other projects?

Hon. K. Falcon: Yes.

D. Chudnovsky: How much?

Hon. K. Falcon: The answer is \$35 million in this fiscal for all three portions of the Gateway project.

D. Chudnovsky: Could we just go back to the south perimeter road for one final question, which has to do with the environmental review process? What's the time line on the environmental review process for the south perimeter?

Hon. K. Falcon: We expect to make our application in June or July of this year.

D. Chudnovsky: To change gears just a little bit, but the minister will recognize the issue. The other day

— I think in the first day we were speaking together — we talked about the \$150 million that is described as performance payment on the RAV contract. I wonder: could the minister clarify whether that \$152 million to InTransit is a capital cost?

Hon. K. Falcon: Those would be operating.

D. Chudnovsky: The \$152 million is not listed on the government's books as a capital expense?

Hon. K. Falcon: Yes. It's clearly anticipated that those would be operating expenses.

D. Chudnovsky: I can't put my finger on it for the moment. But I did quote it — a section from the report that was made public a few weeks ago, the value-for-money report. That quote — and I will find it if I have a second — referred to this amount of \$150 million as replacement for capital expenses.

I hope the minister will have patience with me for pursuing this a little bit. I take his answer seriously. He says that it's operating, but it was referred to — at least to some extent — in the report. The minister will recall that's where I started from in asking these questions. So could he explain why that reference is made in the report?

[1520]

Hon. K. Falcon: As the member will recall, in that discussion we made reference to subnote 8 on page 33 of the Canada line value-for-money report. We expressed some puzzlement on our part as to why there was a reference made to capital in that description.

We said that on behalf of the member opposite, we would approach both the Canada line — because, of course, it's not our project, so we had no control over how they made reference in the value-for-money — and the Auditor General to clarify why that was written that way.

D. Chudnovsky: Thank you to the minister for that. Yes, he reminds me of the interaction that we had the other day. I very much appreciate that. We think it's an important issue and one that we need to get to the bottom of. We'll look forward to a very speedy — incredibly speedy — response to that question.

I just want to talk for a minute or two about the Sea to Sky value-for-money report. The minister will be pleased to note that I'm going to go back to the discount rate just for a little bit. Are the minister and his staff aware that had the...? I'm sure he is aware that the discount rate that was chosen for the Sea to Sky project is 7.5 percent — interesting choice when the public sector cost of borrowing is about 4¼ percent and the British experience is 3.5 percent. Is the minister aware that if 5.8 percent or 6 percent had been chosen as the discount rate for that project, the public sector comparator would have been substantially lower than the private sector project in terms of its cost?

Hon. K. Falcon: As the member knows, we have canvassed this issue of discount rate pretty extensively.

As I pointed out to the member before, when he refers to the United Kingdom green-book rate, that rate is a real risk-free rate. That means that in addition to that rate, you must do a very extensive risk analysis. That is an add-on to the rate that is suggested in the green book. Also, you have to factor issues like inflation, etc., into that rate. When the member mentions the stripped-down rate as if it is the actual rate, that is of course not quite the case.

In terms of the Sea to Sky, again, the member knows full well how Partnerships B.C. makes decisions regarding what is the appropriate rate to utilize in terms of the discount rate. They use a weighted average cost of capital based on a model that survives the scrutiny of the Auditor General, who in the Auditor General's report made clear that the assumptions that were utilized in the value-for-money report were deemed to be reasonable. The Auditor General did not state that he found the assumptions to be unreasonable.

The 7½-percent discount rate that was utilized is a rate that reflects what the cost of capital and what kind of rate of return would have been expected by the private sector, should they be looking at alternative investment options.

[1525]

D. Chudnovsky: The minister, in his explanation of the discount rate which is chosen by Partnerships B.C., makes much of — and we have discussed before — this notion of the transfer risk. I wonder whether, using the Sea to Sky as an example, the minister could lay out for us the risks which have been transferred — in other words, the risk transfer that the people of British Columbia have purchased; the elements of risk which have been purchased by the people of British Columbia — for the Sea to Sky. And as he lays those out, could he explain to us, in each case, whether those risks could have been purchased in a more traditional design-build contract?

Hon. K. Falcon: The member is right. Some risk could have been purchased, and those risks were indeed valued. That was reflected in the risk adjustment that was made and also the discount rate that was selected.

The member asked what the distribution of risk and the risk transfer was. I'm pleased to share that with the member and ask his forbearance, because it's a bit of a lengthy list.

The risk allocation that was transferred to the private contractor includes design of highway and structures; the construction of highway and structures — risk of time and cost overruns that could be experienced by the Sea to Sky group; majority of the risks associated with environmental factors, including changes to restrictions and permitting — with the exception of permits that are to be acquired by MOT; a significant number of the operations and maintenance risks, including the risk of latent defects in the upgraded sections which are undertaken by the Sea to Sky group; increases in operations and maintenance

costs as a result of changes in the composition of traffic — for example, if heavier use of the highway by heavy trucks was to cause more damage to the highway, that's their responsibility; protest or trespass actions relating to Sea to Sky construction activities — rather germane today; geotechnical risks — for example, soil below the highway surface and site conditions, except for clearly specified reasons.

We also have shared risks. This is where there have been risks that will be jointly shared between MOT and the Sea to Sky group. That includes the adequacy of geotechnical information regarding matters such as conditions below the highway surface — MOT is responsible for the accuracy of some of the data that it provides, and Sea to Sky group is responsible for interpretation of the data provided — and also unexpected site conditions at locations where MOT has provided a benchmarking mechanism.

[1530]

We also share the requirements for moving utilities to construct the highway and structures and the risk that utility companies will not move quickly enough to meet Sea to Sky's schedule or that they will levy higher than expected charges for the relocation work. We also share the impact of delay in proceeding with construction schedule caused by the discovery of archaeological findings during construction.

We also share the increases in the future of general insurance premium cost charged by the insurance industry for the insurance required by the contract — benchmarking for future insurance premium increases. Finally, the last shared risk is changes in certain types of laws which are not characterized as discriminatory or targeted at Sea to Sky or Sea to Sky's industry.

Finally, on the public side, the risks that will be retained by the public, or MOT, are acquisition of property required for highway construction — including risks related to cost and timeliness to acquire such property; responsibility for repairing any latent defects in work which was completed prior to the contract announcement date or for works undertaken by other MOT contractors — for example, the work on Sunset Beach to Lions Bay; bringing the highway back into agreed-upon condition after the occurrence of significant natural events — such as a major landslide; and changes in certain types of laws — generally relates to those laws which are targeted at Sea to Sky or the contractor's industry and can be characterized as discriminatory.

The final risk that is solely in the public hand is requirement to undertake soils or other remediation as a result of the discovery of undisclosed contaminated soils.

D. Chudnovsky: The minister would agree with me, would he not, that every single one of those risks and every single one of those shared risks, except perhaps two that we may get into in a minute, which have to do with operations...? Set those aside. There were two that the minister listed that have to do with operations. Except for those, would the minister not agree that every single one of those could have been pur-

chased as risk transfer from private concerns in a more traditional design-build type of project?

Hon. K. Falcon: I'm pleased to be able to advise the member certain things that are significant for the member to know. For example, legislative risks cannot be purchased. Latent defects beyond one year are just not available in any insurance market. There's nobody that's going to cover off that kind of risk.

The geotechnical risks are also not insurable, and as the member knows, in the cases that I've just cited, the legislative risk is shared. The latent defects beyond one year have been transferred. The geotechnical risks are shared. Probably the most significant of the transferred risks are, of course, the inflationary costs — cost overruns, run-up in labour costs, run-up in supplies costs, etc.

[1535]

I think even the member opposite would agree that in the current market we're undertaking today, that is a significant benefit for the taxpayers of the province. Inflationary costs are some of the greatest risks, especially on a major project like we're talking about here, when you've got a project in the hundreds of millions of dollars. That is a substantial risk transfer.

D. Chudnovsky: Perhaps I wasn't as clear as I might have been in my question. My question was not whether the government of British Columbia should have kept those risks. That wasn't my question. Maybe they should have; maybe they shouldn't have. My question was: could not that risk transfer — all of them in the list that the minister has put forward — have been purchased from a construction company in a more traditional design-build structure of a deal as opposed to the more comprehensive P3 structure that the government has chosen to use?

Hon. K. Falcon: The short answer is no, you can't. Having a latent-defect provision, for example, beyond one year.... If you have a contractor that's come and done the work and disappeared.... Quite often those contractors are no longer even in business five or ten years later. Under this P3 arrangement we have the contractor also responsible for the operations and maintenance for 25 years. That is something that is unique and very important in understanding this.

You know, the other thing I would just say to the member is that I am always baffled by how they cannot grasp the significance of the risk of time and cost overruns, given the history of the member's party and government. I say that not to belabour a point but to, I guess, in a maybe offhanded way....

Maybe I'm just crazy to hope for this, but I just hoped that out of the fast ferries fiasco, one of the things — at least one of the most fundamental things — that could have been learned was that there is significant risk of cost overruns on major projects. If there is a way for the government to enter into a contract which provides cost certainty and transfers that risk of overrun and labour-cost acceleration and cost-of-

supplies acceleration and materials, etc., that ought to be something, given the horrific experience of the members opposite.... You would think that would be something that they would seize upon.

The only reason that I can think they wouldn't grasp, like a drowning man in the ocean, towards that life raft, which would rescue them from future horror stories that become the subject of business journals as case studies in how not to manage, is because they've got public sector unions, largely, that tell them that they don't want them supporting these kind of projects — like CUPE. I think that's really unfortunate, because the ideological blindness of the members opposite precludes them from seeing the very clear and compelling benefits here.

As I say to the member, you know, you cannot just purchase these risks, as the member seems to think you can. What we have here is an arrangement. We've already seen some pretty good evidence on the work that we've been seeing done around the province in terms of being delivered on schedule, on budget or, in many cases, ahead of schedule, under budget. So I would think that the member would be standing and applauding this, but that clearly is going to be wishful thinking.

[1540]

D. Chudnovsky: Just on the general proposition, it would be useful for the minister to understand that it isn't a question of not grasping his and the government's point of view. We understand very well the government's point of view. It's not a question of not grasping; it's a question of not agreeing some of the time. The minister has a habit — an unfortunate one, but we all have unfortunate habits — of suggesting, because someone disagrees with them, that someone is somehow not smart enough, doesn't work hard enough or doesn't really understand.

We understand what the government is saying and has been saying. On some things that the government says and has been saying, we see things differently. That's a healthy thing in a democracy, and we would hope that the minister would be open to the marketplace of ideas, let's call it. It's not a question of not understanding. I'm quite willing to accept that the minister understands our point of view. He disagrees with it, as he has a right to do, just as we understand his point of view and from time to time disagree with it.

In the course of his answer, the minister said something very interesting. He said one of the reasons why certain kinds of risks can't be purchased in a design-build type of contract is that the company might just disappear the next year, and then what are you going to do? Is the minister suggesting that it's impossible that the concessionaire, or the procurer, in a P3 can't disappear in the next year? That's an impossibility? What are you going to do then?

Hon. K. Falcon: I'm really pleased that the member asked that question, because one of the great things about an arrangement like the public-private partner-

ship arrangement we've entered into on the Sea to Sky Highway is the fact that it is fully secured and backed up, not only by the significant equity of the companies involved in the Sea to Sky group who are equity participants, but also by their lenders — of which, I might point out to the member, are some of the largest, most substantial companies in the world.

[1545]

Now, should some of these largest and most substantial companies of the world with major financial means — almost equivalent to the province, frankly — not fulfil their commitments, that actually wouldn't be such a bad thing for us, because we'd get the highway back, and we wouldn't have to pay for it. That would be a pretty good deal for British Columbia. I don't anticipate that happening, obviously, but I think that's important for the member to note.

The other thing that I think is important for the member to know is that the risk of the product working as intended belongs to the contractor. They have to bear that risk, as opposed to a conventional-build project, where we would hope it works — like the ferries, for example. That's a really good example of the contrast. On the fast ferries the government took on the risk, invested all the dollars and kept investing and kept investing and kept investing in the hopes that they would work.

K. Krueger: Where are those boats?

Hon. K. Falcon: I'll tell you.

The member for Kamloops–North Thompson asked where the boats are. Sadly, the boats were sold in the open market after six months — actually, longer than six months, I think — of lengthy attempts to sell them to anybody in the world that would please take them. They were sold for \$18 million, a loss of about \$430 million if my memory serves me correctly. They're currently shrink-wrapped, and you can find them over on the North Shore. But again, I digress.

K. Krueger: They cost almost what the Olympics are going to cost.

Hon. K. Falcon: A very good point. Exactly.

I think that the important thing is that what we have here is a very substantial consortium of companies — some of the largest and most successful in the world, backed by very substantive lenders — that have put their own equity into this deal, that will be responsible for the next 25 years, not only for the design and the build but for the operating and maintaining of the investment for which they have made a significant multi-hundred-million-dollar investment.

[Applause.]

Thank you to the members who are taking time to applaud.

That provides certainty for the taxpayer; protection to the taxpayer; risk transfer to the private sector proponent, where it belongs; and also certainty to me, I am pleased to say as Minister of Transportation, to know

that this major project will be delivered on time and on budget.

The Chair: May I remind members to have respect for the people asking questions, for the members and for the answers.

D. Chudnovsky: I note that the value-for-money report for the Sea to Sky was released on a Friday immediately prior to Christmas, and the value-for-money report for the RAV was released immediately prior to Easter. In the interests of multiculturalism, can we expect that other value-for-money reports will be released immediately prior to Ramadan, Vaisakhi and Passover? Is that something we can look forward to?

Can the minister tell us whether these reports having been released immediately prior to holidays is a coincidence? Or was that some plan that somebody had?

Hon. K. Falcon: I see that the grassy knoll theory of NDP opposition is coming back. I can assure the member that they get released when they're finished and we release them. There's no magic to this. The reports get released. I'm very proud of that report; \$130 million in additional benefit for the taxpayers of British Columbia is something I'm pretty darned proud of.

The fact that we're getting 33 percent more passing lanes than we would have anticipated had we gone forward and built it ourselves is something I'm pretty proud of. The fact that we're going to have 68 percent more rumble strips, which are a huge safety feature up and down that corridor, is something I'm pretty proud of.

The fact that we're going to have 80 percent more median barrier along this corridor than we would have been able to do under a traditional government project is something I'm very proud of, especially considering the impact that head-on collisions have had on that very dangerous corridor.

The fact that they are going to be utilizing.... This is what I love about the private sector. This is what I love about the innovation they bring to the table.

The fact that they are going to be investing upfront in things like highly reflective lines, painted lines.... The reason that's important on that corridor, where you often have very inclement weather and where the conditions can be very dark, etc., is that it's a huge safety feature.

They're doing that because they want to ensure they have the highest possible safety outcomes. Why do they want to have the highest possible safety outcomes? Because they get performance payments based in part on how well and how safely people are travelling on this highway, for which a major investment is being undertaken.

[1550]

Those are the kinds of things that I'm very pleased to see. I can assure the member that when that report gets released.... I wish we could have had a parade

around that report, but we release the report when it's ready to be released.

D. Chudnovsky: The minister travelled to California, as we understand it, to investigate transportation issues. I wonder whether the minister could tell us a little bit about where he visited while he was on the trip in California.

Hon. K. Falcon: Yes, I had an excellent visit to California. We visited the Port of Long Beach and the Port of Los Angeles.

D. Chudnovsky: With whom did the minister meet in California?

Hon. K. Falcon: It's a very lengthy list. I haven't got the list in front of me, but it included officials like the mayor of Long Beach, officials from both the port corporations. It included railway representatives. It included representatives from PierPASS, which is an independent, non-profit group that operates to the benefit of both ports. There was, basically, meeting after meeting after meeting on both days that we were there.

D. Chudnovsky: Could the minister tell us which staff members accompanied him on the trip?

Hon. K. Falcon: I was joined by my deputy minister and also by Lisa Gow, who's the executive director of the Pacific gateway strategy in the Ministry of Transportation.

D. Chudnovsky: What was the total cost of the trip?

Hon. K. Falcon: I haven't got any of those numbers on me, but can I tell the member that the costs would include our flights and accommodation and transportation. That would be it.

D. Chudnovsky: I wonder if the minister could lay out for us the lessons of the investigation. What were the items that were learned? What does he see as having been, first of all, the purpose? What was the point, and what were those things that were learned and could be brought back to be used in our jurisdiction?

Hon. K. Falcon: The reason why we wanted to go and visit Los Angeles-Long Beach ports.... I must say on the record that they were extraordinarily helpful and very incredibly neighbourly and receptive to our delegation — in fact, incredibly so. It's a real testament to them, and I hope if they ever come north that we will show them the same kind of hospitality and time that they provided to us.

They are the largest port, as the member probably knows, in North America. They are easily our biggest competitor by far. As we undergo what is a global realignment and as container traffic to North America will continue to grow from China and India, we have

to recognize that, as usual, the Americans are very aggressive in making sure that they are going to capture a significant portion of that container growth, which we estimate to be somewhere in the range of 300 percent in the next 20 years.

[1555]

What we need to do in British Columbia and what we are doing under the leadership of our Premier and the government, in preparing a B.C. port strategy and undertaking the Gateway transportation investment program, is being bold and making sure that we are going to have the opportunity to capitalize on what we know is coming. The reason why we're not going to stand still and why we're not going to just process everything endlessly and have debates and discussions and do everything but make decisions....

The reason why we're not going to follow that model, which was so eminently typified by the opposition while in government, is because we want to make sure that our main competitors — like L.A.-Long Beach and Mexico, which is considering a superport with some very significant investment by Li Kai-shing.... If we are to, in fact, ensure that British Columbia does become the Pacific gateway to North America for the Asia-Pacific, then we actually have to make some moves and move boldly.

The purpose of going to see the L.A.-Long Beach port is to find out: what they are doing? Are there lessons that we could learn in British Columbia from the ports of L.A. and Long Beach so that we could sort of steal some of the best ideas or best practices from those ports and apply them here in British Columbia?

What we learned down there, I thought, was just fascinating. L.A.-Long Beach, of course, and California have an enormous population, much greater than British Columbia or even Canada. As a result of that, they are way ahead of us in terms of dealing with issues of congestion; creative ways on how to move goods; how to achieve the best utilization of land, particularly the intermodal part of that, the trucks and the rail and how they're going to move goods in and out of ports as efficiently as they can.

The utilization of technology there was fascinating to me. They are literally way ahead of us. I think that there's a great opportunity for our governments.... I say governments, plural, because the federal government, of course, has jurisdiction over the ports, but we are working very, very closely with the federal government on that area. One of the things that we would like to see is a greater utilization of technology that could help goods movement in and out of ports.

To give the member opposite one example of that, when we were visiting one of the ports there, one of the port operators has utilized technology in the most incredible fashion. There's virtually no human being when you drive onto the port lands. A truck driver pulls up, there's a camera that does an identification of the truck driver, they put the driver's licence into a slot, and it automatically reads their photo and confirms it with the cameras there. There's another camera that's immediately taking a photograph of the number on the

container on the back of the truck, which immediately provides a slip of paper that directs them exactly where to go on the port so that he can take the container to exactly where it needs to be. They have traffic moving in and out of there like you would not believe. I mean, it is extraordinary.

Interestingly, they used to have exactly the same problem there that we are experiencing right now in our ports, where you have a lot of trucks queuing up. You've got all that inefficiency. You've got all of those truck drivers sitting there in great frustration, because time is money. They don't get paid on an hourly basis; they get paid on a per-trip basis. So the more you can cycle that traffic in and out of the ports, the more efficient you are, the less environmentally destructive you are, etc. That was an example of the kinds of things that they're undertaking.

The other thing that I found interesting was what they are doing environmentally. The Port of Long Beach, in particular, has what they call a "green port" strategy. We're following up with them to have them send us information on that, which we're sharing with the Vancouver Port Authority.

I really appreciated some of the things they were doing in terms of creating a green port. Not all of these are transferable to B.C. necessarily, I might point out. For example, they require the vessels to slow down to a certain number of knots that is much slower than the vessels normally would go, as they're approaching into the California bay there, the bay of the ports of Long Beach and L.A. The reason they do that is because it burns much less fuel and creates much less in terms of emission.

The final thing I'll say.... I apologize to the member. Give me the nod if you want me to sit down, because I don't want to eat into your time. I know your time is valuable. But I do think the member is genuinely interested in this.

[1600]

The final thing I would say that I found interesting was the PierPASS program, a program that is driven through market mechanisms to change the behaviour of shippers. The way they did that was by applying a cost associated with the containers. Any containers that are being delivered or picked up at the ports of L.A. or Long Beach during daytime hours pay a premium.

What that does is change the behaviour of the shippers to say: "Well, wait a minute. We'd rather not pay that premium. We'd rather have them come during off-peak hours." That has removed about 40 percent of the daytime traffic into non-peak period hours of traffic. That, I think, is also something that is very significant.

I've just been handed, for the member's benefit, the individuals that we met with. Would you like me to read that into the record?

D. Chudnovsky: You could give it to me afterwards.

Hon. K. Falcon: Okay. I can give it to you afterwards. It's a pretty extensive list. There are 26 different individuals, but they're all listed here for the benefit of the member.

D. Chudnovsky: Thanks to the minister for that. Perhaps we'll have another opportunity to talk about that in some detail. I'm noting the time. There are a couple of colleagues who want to ask a couple of questions. I think that the agreement through the House Leaders gives us another 12 or 13 minutes, during which I'd like to give a couple of people a chance to ask some questions.

I have one or two really quick things to deal with at the end. I do want to say that I'd like to pursue with the minister at some point — for sure we'll have a chance, at the very latest, in the next estimates but probably before that — the commuter, other side of the coin, of the trip to California. I think that we want to learn what we can, both positively and negatively, from that experience as well.

My questions are very quick. The first one is that in the last estimates I asked about some correspondence that I have received and that I know the minister has received, because I got a bunch of copies, from a Ms. Sleeman in North Vancouver. The commitment was made by the minister and his staff to pursue that. I just wanted an update from the minister on that. I'm not asking for this now.

Hon. K. Falcon: What was the issue?

D. Chudnovsky: It had to do with the Upper Levels Highway. There were some maintenance issues and some cleanliness issues around the Upper Levels Highway. I know that the minister has communicated at various times with Ms. Sleeman, but I understood that we were going to get a report back from the ministry staff on where that case is. I just want to flag that for the minister and ask one final question.

This has to do with trucking safety. I have received in my office, over the last couple of months, questions and concerns, more than I would have expected, about trucking safety in general. What's the program? What is the ministry's approach around testing of vehicles, around improvements in trucking safety across the province? These happen to be questions from people in the lower mainland and south Island, but there have been more of them than I would have expected.

I'm wondering if the minister could just talk briefly — and I would ask that it be briefly — about the strategy around trucking safety. Then we'll go to the member for Alberni-Qualicum for a quick question and then Cariboo South for a quick question.

Hon. K. Falcon: I thank the member for the question on truck safety, because it is a question that is very dear to my heart. I grew up in a community which had a couple of very high-profile incidents of trucks barreling down very steep hills with no brakes, and we had individuals that died and just shockingly horrific situations.

The member's colleague from Surrey-Newton, as the member knows, was just here the other day asking me about the dumptruck industry and, you know, how we're being, potentially, too tough on the dumptruck

industry. They were concerned about that, or at least about the issue of point-of-load and load-shifting, etc., in the sense that they felt there was harassment.

[1605]

I guess what I would say to the member opposite is the same thing I say when I meet with the truckers, and I meet with them on a fairly regular basis. That is that they need to know this from me: I have a zero tolerance for people that are not maintaining their equipment and their vehicles in a safe manner. They should know that I expect staff from the commercial vehicle inspection unit to be extraordinarily tough on people who are not properly maintaining their vehicles on issues that are very germane to safety.

I have been very clear with my staff that I want them to make sure that they are focusing their resources on the issues that are directly related to safety like brakes, for example, lights — issues that are pretty clearly safety-related. I want the member opposite to know that will continue.

The spot checks will continue. We are focusing attention on sectors of the trucking industry that have very high non-compliance rates. Unfortunately, the dumptruck industry is one of them. We will continue to do that. If the member opposite has any suggestions to make in that regard or has any correspondence that has thoughtful suggestions, please forward it to me. It's something that I do take time to look at and ensure that we're doing everything we can provincially to follow up on that. I thank the member for the question.

S. Fraser: I know I've got to be quick here, so a total switch of gears, if I may. It's a constituency question. I'm from Alberni-Qualicum, west coast of Vancouver Island. I have a lot of issues. I've narrowed it down to one, considering the time.

The road to Bamfield. This is a road that goes through Island Timber land, I think. It's private land. It goes from Port Alberni to Bamfield and the Huu-ay-aht First Nation also. The road is basically on private land. It's a bit confusing. It's nearly impassable many times of the year, and it's a big problem. Could the minister respond to this?

I have a couple follow-ups that I'm going to....

Hon. K. Falcon: I know we're tight for time, so I don't want to take up too much of the member's time except to say that we're going to have to get you some more information on that. The member is right in his characterization. It's a private road. I believe it's owned by one of the forestry companies; I forget which one. We think we have an agreement where we make a small contribution towards the road, but we'll have to get the details for you so that we can more thoughtfully answer that question.

S. Fraser: Thank you to the minister. If it's appropriate, I will follow up.

I just want you to know that it is, I think, a unique situation. I'm not aware of another one. But there is a community, the town of Bamfield, at the end of the

road. There is the Huu-ay-aht First Nation at the end of the road. This is the only access route for school buses, emergency vehicles. The Bamfield marine station, a world-class marine station, is at the end of the road.

I've made a point of travelling it this winter, and it is dangerous. So in keeping with the minister's commitment on zero tolerance with safety issues around trucks, I hope we can reflect that on zero tolerance towards safety issues around a road here. This road is not safe, and it's not adequate for public safety or for access purposes. With that, I will follow up with the minister on this soon afterward.

C. Wyse: Once more, there will be two local constituency concerns to draw to the minister's attention. Through my office I have been in touch with the local Ministry of Transportation officials. So have the constituents that I will be referring to shortly.

With regard to those areas that deal specifically with maintenance and issues of that nature, my office will continue to pursue those. Should we not receive any satisfaction at the local level, I would like to advise the minister that we will come back to his office so that he has a heads-up on it.

Now, the question that I have — and I will put the two situations into the same question.... The area from Horse Lake-Lone Butte cutoff to Garrett Road has been promised road repairs for 15 years.

[1610]

The second situation is that Mahood Road from Horse Lake Road through Burgess Road continues not to be safe and reliable, and new pavement is being requested. My question is: do I have your commitment to investigate and address these two concerns as requested by the local residents?

Hon. K. Falcon: Yes, I'd be happy to look at that situation for the member and gather information. We do come across these requests, as the member can imagine, all the time. Naturally, we've got scarce resources that we try to allocate as best we can, based upon things like usage and safety returns and all those kinds of things. But I'd be happy to get that information from the member and look into it for you.

D. Chudnovsky: We will finish now. Before we finish, I want to thank the minister and his staff for their participation in this very important process. We appreciate the answers we got, and I think I can honestly say that there was.... Well, I won't say it was a pleasure. I could say there were elements of pleasure in this time, and we thank them very much for that.

Hon. K. Falcon: Just before I rise to report, I would like to add some final comments.

First of all, I want to thank the member opposite for his questions too. The member well knows that I can be passionate about certain subjects, and I can also be partisan when I need to be. Though we had some substantial disagreement, I think it is safe to say that the member opposite and I have the pleasure of being able to

disagree disagreeably. I very much appreciate that. I also appreciate the other members, many of whom aren't here but who asked questions. They do so in a respectful manner, and I very much appreciate it.

The final thing I would like to say is really a message for my staff — first of all, the staff who are joining me here today — both on the sidelines and with me here today. I am extraordinarily proud to be a Minister of Transportation for a ministry that is filled with extraordinarily capable individuals, who make me proud every day to be able to represent them and, frankly, to take a lot of credit for the hard work they do.

They work tirelessly day in, day out, in every office right across this province. They make the government, the opposition, the Premier and all of us look very good. I want to take this moment to recognize their efforts and to let them know how much I and the Premier and government and I'm sure the opposition appreciate the efforts they make on behalf of all of British Columbia.

Vote 41: ministry operations, \$839,458,000 — approved.

The Chair: Committee A will take a five-minute recess.

The committee recessed from 4:14 p.m. to 4:21 p.m.

[J. Nuraney in the chair.]

ESTIMATES: MINISTRY OF HEALTH
(continued)

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

C. Wyse: I look forward to our time while we pursue discussions around mental health. I would like to advise the minister that I have a few comments to open up with. I'm sure that the minister, through the discussions, will have ample opportunity to respond to these comments.

As the minister is very much aware, the Kirby report, *Out of the Shadows at Last*, has just been released. It is the final report on mental health, mental illness and addictions. Contained in that report, it describes the situation that faces the vulnerable section of our society — those people that suffer from mental illness. It points out that there is a large portion of our society — 1/5 — anywhere here within Canada, including British Columbia, that is subject to mental illness.

When we apply that to B.C., that means we are talking of approximately 800,000 people — a very large number of individuals — that are affected by this group of illnesses. Of that 20 percent that we're referring to, about 3 percent are identified as suffering from a serious mental illness, with approximately 17 percent from a mild to moderate illness throughout their lifetimes.

Senator Kirby — and I do wish to quote him — states: "I was shocked by how fragmented our system

of mental health care is and saddened by the effect of that fragmentation on persons living with mental illness." In British Columbia the delivery of mental health services is assigned to the six health authorities, and there is no coordinated, comprehensive provincial mental health plan.

Since 2002 in British Columbia, the mental health advocate has been eliminated and the Minister of State for Mental Health has been eliminated. The Minister's Advisory Council on Mental Health — eliminated. The Riverview Hospital board — eliminated.

Further confusion has been caused by merging addictions with mental health and by not evaluating outcomes or processes. The province does monitor two outcomes. However, the province does not report on adherence to standards, increasing compulsory hospitalizations, changes in death rates or the overview of the forensic caseload.

Cuts in the budget to the coroner have led to elimination of inquests of deaths in custody, most of whom are mentally ill. Cuts in the Attorney General's department have led to the elimination of the mental health Crown position, elimination of the mental health screening on admission to B.C. jails and the elimination of the Vancouver Pretrial.

Now, the Kirby report proposes as a goal that there should be parity between serious physical illness and serious mental illness. I know that's a goal that is shared by all of us here within the room. I'm hoping that by this process we undertake here, we will be able to find our strengths and weaknesses in the provision of mental health services for those that are mentally ill.

My first question to the minister is: what is the mental health plan?

[1625]

Hon. G. Abbott: I thank the member for his question and for his introduction. I think it's useful and appropriate that the member begins by referencing the work that has been done by Sen. Michael Kirby. I've had the pleasure — and I know my deputy has had the pleasure more times than I — to meet with Senator Kirby to discuss the mental health issues he has been leading work on in the Senate. It's certainly my view — and I think the view is shared by the ministry — that the work Senator Kirby has done is remarkably constructive, remarkably balanced. We are very supportive of the initiatives that we have seen proposed by Senator Kirby.

I do have to tell the member — and again, I'm not going to try to be partisan in this discussion — that the senator is actually very, very complimentary of the work that we have done in British Columbia in respect of mental health issues as well. The member may know that we expend over \$1 billion a year in British Columbia on mental health and addictions issues.

I think there is far more cohesion, direction and cooperation across the issues of mental health and addictions than there has ever been before in this province. I must say that not only do we have a mental health plan in this province — it's a very good mental

health plan, and I look forward to discussing many of the dimensions of it with the member here — but we fund that mental health plan. We've had mental health plans in the past, as the member knows — one from 1996 that was never funded. This one is. I'm proud of it, and I'm proud of the work that is being done across the spectrum on mental health and addictions issues.

The reason why we would talk about mental health and addictions issues — and I know the member knows this — is that too frequently there is a strong relationship between mental health issues and addictions issues. There is a strong correlation. Depending on which clinician you talk to, you may have varied estimates about the correlation between those two things of perhaps between 30 percent and 60 percent — perhaps even higher. But we do know that there's a strong relationship, and it's entirely appropriate to try to think in terms, particularly in managing addictions, of also managing mental health issues.

These are very important issues. I know the member opposite has a passion for these issues, and I do look forward to hearing his constructive suggestions and comments in respect of this. I know the role of the opposition, because I've been there, is that you have to come out and fire all the guns and level all the criticisms and so on.

I know this particular member's natural inclination is to be constructive, so I think he is going to have a difficult time sustaining that kind of momentum through the course of these debates. Perhaps he'll surprise me, but I suspect that his natural inclination towards being constructive and cooperative in these matters will win out very quickly. I do look forward to explaining some of these things from the government's perspective.

[1630]

Let me begin with just a few notes on the issue of the mental health plan. The member said that we might think in terms of 800,000 for those who could potentially be affected by a mental disorder. Our estimate is in the neighbourhood of 632,000 adults, with the children added on — children being MCFD's responsibility. Obviously, there's lots of cooperation between the ministries on this point. So 632,000 adults are receiving some treatment for a mental illness or a substance use disorder. The related operating expenditures across the health system are in excess of \$1 billion.

[B. Lekstrom in the chair.]

Over the last five years much has been done in each of the health authorities to establish a full continuum of mental health and addictions services. I think it's fair to say that this remains a work-in-progress. We look forward to hearing from all members of the Legislature about where they are seeing continuing gaps or growing problems that need to be addressed. I think we'd very much welcome that, because this is an area that is constantly in flux, to some extent, in terms of addictions issues and mental health issues. We're very much

looking forward to hearing from members in respect of that.

The continuum, though, that's being built across the health authorities includes prevention, both primary and secondary; outreach and early intervention; withdrawal management programs; and treatment and rehabilitation. For those who want to manage a mental illness or for those who want to move beyond an addiction, we do need to have that continuum of services in place hopefully in a timely way. This is a big challenge, but hopefully in a timely way we can provide those supports for those who want to move on.

Other support programming includes crisis stabilization and family support. We cooperate with other ministries — Children and Family Development, Employment and Income Assistance, and Health, of course — in supportive education and employment programs and in a full range of supported housing, independent and long-term residential care. All of those are important pieces on the mental health and addictions side.

In 2001 the mental health plan that we began to implement focused on three things: first, developing tertiary mental health facilities across the province; second, strengthening evidence-based community mental health services for people with significant mental illness.

In 2002, in recognition of the strong link between mental illness and addictions, the scope of reform advanced to integrate policy, planning and service delivery for addictions and mental health moved to the Ministry of Health and across the health authorities.

Another notable step, because it's one of the pivotal works... I'm sure the member is familiar with it. In May 2004 the provincial government released the publication *Every Door is the Right Door: a British Columbia Planning Framework to Address Problematic Substance Use and Addiction*. That was released to assist health authorities and their partners to plan, implement and evaluate integrated and evidence-based responses to problematic substance abuse and mental disorders.

Over the last four years B.C. has established an integrated mental health and addictions system that includes all of those things I talked about — from outreach, early intervention, outpatient services, case management and withdrawal management to in-patient residential detox, home detox, residential treatment, rehab, support recovery programs, methadone maintenance programs and harm reduction services. There is a very, very broad continuum involved in our support of both mental health and substance abuse issues.

That is just the opportunity to open this discussion, and I do welcome this member's questions and all members of the Legislature in respect of these important issues.

[1635]

C. Wyse: I'm appreciative of his response. I thought if I opened with a broad statement, I would provide you with the same opportunity to respond in kind. I'm looking for an overview of a provincial mental health

plan or strategy. There has been discussion of the assignment of the responsibilities to the health authority. My question comes back now to: is there any plan to develop a provincial mental health plan or strategy?

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

Just to be clear, to begin: the distinction between the role of the Ministry of Health and the role of the health authorities in terms of delivery of mental health and addiction services.... Basically, and I don't want it to sound trite, the distinction is that the ministry doesn't do the rowing. The ministry does the steering. Effectively, we set out the parameters around policy development, legislation, strategic direction, data support, and resources — the dollars that are required to provide these programs. We take care of that steering side of the issue.

Obviously, the health authorities do some steering, but they are the delivery agent of this. The Ministry of Health does not directly deliver these services. We use the folks who are on the ground, who are immediately adjacent to the consumers, and they provide the delivery of those services. They have to provide those services, though, in a way that is consistent with the plan that we have developed, consistent with the policy development, legislation, strategic direction and resources that we have. All of that is very important.

As stewards of the health care system, the ministry undertakes planning, best practice development and performance management activities consistent with the strategic priorities outlined in the Ministry of Health's annual health service plan. The service plan is really the key document here.

The ministry's performance agreements with the health authorities ensure that improvements and enhancements in the health authorities' programs and services are consistent in the direction that is articulated in the health service plan. The health service plan and the performance agreements include mental health and addictions performance measures that are regularly monitored by the Ministry of Health. So if we see a health authority not achieving the goals and benchmarks which we set out for them, then we will work with them to achieve that.

[1640]

The Ministry of Health also monitors other indicators across the continuum of care, including physician, community and hospital services for mental health clients and those that relate to the utilization of mental health residential care and treatment beds. The development of evidence-based provincial and regional mental health indicators, quality indicators, and establishing assessment and monitoring processes are fundamental to improving service delivery.

That, essentially, is how it all ties together. We set out the strategic direction. We set out the goals. We set out our expectations of what will be provided, and the health authorities work to do that. Again, there is an ongoing accountability around the health authorities delivering on the expectations that we set out for them.

In terms of the continuum, I talked a little bit about the continuum here earlier, and I just want to go into a little bit more. On the prevention side we would have community-based programs, we would have school-based programs, and we would have some of the specialized kinds of programs like the needle exchange. There aren't needle exchanges in most communities in the province, but it's a very important program in downtown Victoria, downtown Prince George and downtown Vancouver, obviously, and some others as well — not in every community. But it is a very important harm-reduction tool that has been incorporated on the prevention side.

The supervised injection site would be another example of a specialized facility that aims at harm reduction. There's only one of those in Vancouver, and it operates under permits from Health Canada and others.

On the outreach-early intervention side. Again, it's just one step past prevention. We have school programs, community programs, and community health centres and primary care to reach out, where we see a problem, and try to provide some early intervention that hopefully will result in better health outcomes for those who might be affected by mental health or addictions problems.

In withdrawal management we have out-patient and home detox and in-patient detox. On the treatment side we have case management services, out-patient services and day programs. We have methadone treatment programs, short- and long-term residential programs for those who need to go into a residential facility in the management of their addictions and then, of course, the acute care and tertiary care in those areas.

I hope that is helpful in providing the member with some background on how this all works.

C. Wyse: I always appreciate information. One of the comments that was made by Senator Kirby is the fragmentation that exists in the health system. The way I understood the answer was there's some steering and delivery at the provincial level, and there's likely some steering and delivery at each of the health authorities level, so I am beginning to get an understanding of the fragmentation, and I do appreciate the assistance of the minister in helping me understand that.

The next question I would have is: are there regional mental health plans?

[1645]

Hon. G. Abbott: Again, I thank the member for his thoughtful question. In terms of the issue of cohesive versus fragmented programs, we're well aware of Senator Kirby's views around that. When he was discussing fragmentation he did not have British Columbia in mind, I think, because he's been quite complimentary of the work that's been undertaken in British Columbia in terms of having a cohesive delivery model based on the organization of the health authorities that we have in British Columbia.

I think one of the reasons why Senator Kirby would have that concern is that other provinces have not yet gone to that organized health-authority structure that we have in British Columbia. A lot of them are still, as we were pre-2001, comprised of a lot of — in British Columbia's case, I think it was 52 — health authorities across the province, with a lot of different jurisdictional boundaries and lots of confusion about who is responsible for what.

Now, I'm not suggesting that what we may have is perfect, nor am I suggesting that our implementation and management of mental health and addictions programs are yet perfect. I think we've got lots of room for improvement. That having been said, having now that well-defined organizational structure called the health authorities — and then having, from the ministry, some very clear expectations of them in terms of health care delivery for mental health and addictions — has provided some cohesion, I think. In fact, it has moved far closer to the ideal kind of model that Senator Kirby might have in his mind than, perhaps, other jurisdictions in Canada have been able to achieve, so I think that's very important.

I don't want to pretend that it's perfect, because it's not. There's lots of room for improvement. Each and every day we have to listen to suggestions. No, we don't have to listen; we want to listen to suggestions from the opposition mental health critic. We want to hear from clinicians. We want to hear from patients. We want to hear from everyone about how we can improve this very vital bundle of services we call mental health and addictions. I think there is some cohesion building as health authorities mature and build their programs year over year. We're very encouraged by how we've progressed, and we look forward to progressing further. We obviously welcome the constructive suggestions about how to do that.

In addition to those strategic directions that we've set out and that I discussed earlier in our discussion, I think it's important for me to advise the member that annually we do a health authority redesign plan as well. The redesign plan is really for how we are doing in terms of meeting the goals that are set out in the mental health plan. For example, if we know that in the central Okanagan we have a gap around the treatment of adolescent psychiatric issues, and if that's highlighted as a problem that needs to be resolved, the health authority could point to the recent opening at Kelowna General Hospital of the adolescent psychiatric unit there that is now going to serve the young people with psychiatric disorders in the Okanagan and Thompson areas, so that's very useful.

[1650]

As well, in an evolving area of addictions like crystal meth, we might ask the health authorities: "How are you going to make use of the most recent \$2 million that we set out for crystal meth addictions among youth — that and the \$6 million additional for other addictions issues?" We know that in some communities we're seeing a dramatically growing crystal meth problem. In others we're not.

In other communities, alcohol is sometimes the big addiction issue, and in yet other communities it might be cocaine. We know there are different issues in different communities, and what we really want to do is to work with the health authorities to find the right recipe to deal with those issues in those different communities. I think we've come a long way in respect of that, but the redesign plans are that sort of regular accountability opportunity that both sides have.

Our Ministry of Health service plan also provides some clear direction around these issues. For example, on page 18 of the service plan....

I think the member has the service plan. I'd certainly be glad to provide it.

Interjection.

Hon. G. Abbott: Okay, great.

On page 18, I'd refer him to the ministry service plan, as an example, under goal three: "Continue to enhance mental health and addiction services across the province and participate with other ministries, health authorities, B.C. Housing, municipalities and community organizations to develop and implement strategies to address mental health, addictions and homelessness."

Another example is on page 29 of the service plan: "Key strategies include..." Again, one example would be: "Providing a full continuum of high-quality mental health and addiction services within each health authority which better integrates primary, secondary, community and tertiary care and is integrated within the larger care networks."

Those are the kinds of things that create the framework into which the health authorities pour their efforts and resources to try to get the outcomes which are stated in the service plan and elsewhere, though a final point I would make is that mental health and addictions issues don't exist in a different sphere of their own. Not only are there relationships between mental health and addictions issues, as I mentioned earlier, but mental health and addictions issues also tend to be inherent in other chronic-disease issues as well.

For example, we might see mental health issues, depression issues, for those who have been waiting an extraordinarily long time for a surgical procedure, or we might see depression as an issue among those affected by diabetes or another chronic condition, so the separation between the psychological issues and the physical or physiological issues that might affect clients is not sharp either. We do have to think of these things in holistic terms and try to address them in holistic terms.

C. Wyse: Out of a very simple question, I'm not certain that I understood whether the minister came anywhere near the health authorities, where I asked him whether they actually had a mental health plan. I'm not going to go back there. I don't want to take a chance that that will go off all over the place.

I'm now going to move over to the expenditure of funds. The minister had referred to the \$1 billion. In 2001 there was \$600 million as a line item for mental

health and addictions. It stood out very clearly, and you could track where those funds were spent. That is much more difficult to do underneath the existing system, so I have a series of questions to try and determine where the approximately \$1 billion is spent in this area of mental health and addiction.

[1655]

My first question is: how much of that money has been spent for acute care for the mentally ill?

Hon. G. Abbott: I apologize to the member, and I apologize sincerely, that my answer was perhaps more comprehensive than the member really set out to secure from me. I appreciate that often a simple answer communicated quickly is a satisfactory one. I'm happy to do that. The regional mental health plans are contained in the redesign plans, which I referenced in my rather longer response.

In terms of the member's question, to be precise, the answer to the member's question in terms of the portion of the \$1.060 billion that we expend in this area: \$270,487,197 is the acute and tertiary portion. I can break that down a little bit more. About \$115 million is for acute care services for mental health. About \$12.465 million is for acute care services for addictions, and \$143.022 million is for the Provincial Health Services Authority, specialized services for mental health and addictions.

C. Wyse: Maybe I should have gone to the numbers questions first. How much for community-based care for the mentally ill?

Hon. G. Abbott: I'm being extremely concise here. It's \$382,599,428. I don't have the cents, but that's, I hope, close enough.

C. Wyse: I'm not going to go to whether the minister has "sense" or not; I'm going to stay to my questions. How much for Riverview?

Hon. G. Abbott: The pattern of easy answers is about to discontinue. In terms of Riverview, we need to make a distinction between Riverview as it exists today.... As the member knows, Riverview has changed considerably in recent years. In terms of understanding the funding for that, one would look to the Provincial Health Services Authority, specialized services, mental health and addictions, which I just referenced: \$143 million. A significant portion of that would be for Riverview.

In terms of the community-based mental health and addictions services, a significant portion of the \$382 million, almost \$383 million, under community-based mental health and addictions services would reflect those portions of Riverview which have devolved regionally. Again, we can provide more detail to the member on that. I'm not sure what level of detail he's looking for, but those are the two areas where one would generally see the Riverview-type issues.

C. Wyse: I appreciate the offer that the minister has made. I request for his staff to provide me the breakout

from those two figures and those two different areas — just being sent to my office. How much for Forensic Psychiatric Services?

[1700]

Hon. G. Abbott: Again, referencing the PHSA specialized services mental health and addictions of \$143 million, or just over \$143 million, the largest portions of that \$143 million would be for Riverview and for Forensic. There's also some provision in that \$143 million for children's mental health and for eating disorders, but on a magnitude basis those would be considerably smaller than Forensic and Riverview, which would comprise the largest portion of that \$143 million. If the member wishes, we can try to get a more precise breakdown, but that's the magnitude.

C. Wyse: I'm going to take up the minister's kind offer to have his staff do such, because it will then allow me to compare \$1 billion revenue as it's disbursed into the '80s versus 2001 where it was being disbursed. So any time that these questions come up.... I would just follow up on the minister's offer.

How much for medications — Pharmacare?

[J. Yap in the chair.]

Hon. G. Abbott: The current-year budget for Pharmacare in this particular area of mental health and addictions largely, as I understand, revolves around plan G. The budgeted figure for that Pharmacare is \$153.5 million.

C. Wyse: Thank you, Chair. Good to see you. How much for general practitioner services?

Hon. G. Abbott: I thank the member for his question, and I do want to clarify my answer on the last point on the Pharmacare piece. Of the \$153.5 million, about \$23 million of that is plan G. The balance of that is in, I guess, what we would characterize as psychiatry drugs — anti-depressants and so on. I just wanted to make that point clear.

In terms of physician services, the figure for physician services: fee-for-service, about \$145 million; and for salaried and sessional services, about \$43 million, for a total of \$188.032 million for physician services.

[1705]

C. Wyse: How much for psychiatric services?

Hon. G. Abbott: The cost of psychiatric services would be included in physician services. I'm advised that it would tend to be found disproportionately in the \$43 million for salaried and sessional physician services. That would be where we'd largely find the psychiatric services, but some will be found in fee-for-service as well.

C. Wyse: Does the same offer go — for your staff to break those figures out to be sent to me?

Hon. G. Abbott: To the extent that we can, we will do that.

C. Wyse: Again, I thank the minister. How much funding is going to each health authority for mental health and addictions?

Hon. G. Abbott: We don't have a breakout by health authority.

The health authorities are funded based on the global budget here for mental health and addictions of \$1,060,743,000. We have a population-based, population-needs funding formula that would be used to determine what portion each of the health authorities would receive from that. The formula looks at issues like the age of the population, the aboriginal component of the population, the gender breakdown of the population, the disease burden that's inherent in the population and whether it's rural or urban. We also build in a factor for complexity of cases. That is the way that the allocation is determined.

C. Wyse: I think I understood the minister to explain how the sum of money was arranged that went to the health authority, but I didn't hear whether those funds were then targeted for mental health and addictions when they went to the health authority.

When we started off I thought I heard that there was approximately \$1 billion for mental health services and addictions. Now I'm trying to find out what happens to those funds for mental health and addictions when they go to the health authority, and I'm not certain that I picked up that it is directed to those targeted services.

[1710]

Hon. G. Abbott: I'll take a stab again at trying to explain this, though, as was noted to the member, the current-year budget for mental health and addictions services is the \$1,060,743,000. That's what we will have to provide those services in this year. Pardon me. It's the spending level, not the budget. The 2000-2001 spending level in this area was \$854.623 million, so there has been a substantial increase over time in the spending level for these issues.

The formula which I just outlined in the last question — age, aboriginal component, rural, etc. — would be the framework that would help to determine allocation. But, also, recall that within that area we have an allocation for Pharmacare and for other elements that wouldn't involve moving out to the health authorities.

C. Wyse: The minister has gone back to 2001, so I believe that allows this next question then to become appropriate.

I'm still attempting to determine whether these funds that have been given to the health authorities are actually going to end up looking after mental health and addictions. That is what I'm attempting to find out — how the ministry ensures that it does. I understand the funding formula. I understood that clearly, but that

isn't what I'm asking about. I will have a couple of questions around this area, so the minister has a heads-up on it.

How much of these spending levels has been going out over the last five years, going back to 2001, to each of the health authorities that was set up to address mental health and addictions in those particular health authority areas?

Hon. G. Abbott: I think we understand where the member is going in the line of questioning, so I'll try to offer this up so that there's a clear understanding. There may well be a difference in terms of how this was managed under the former New Democratic Party government and how it's managed today. I think it's important to note that, if in fact that's where we're going here.

[1715]

The \$1.06 billion is what was expended in '05-06 in relation to the mental health and addictions area. That was an important component of the overall approximately \$6.5 billion that went out from the ministry to the health authorities for the purposes of providing acute care hospitals, emergency rooms, residential care, mental health and addictions. All of those things were subsumed in an overall \$6.5 billion allocation to the health authorities.

We do not have, unlike in 1999 or other years, a specific subvote around mental health and addictions, and there's a reason for that. We do want the health authorities to have some flexibility in terms of how they manage their budget. We set out for them very clearly — in performance agreements, service plans, redesign plans and other mechanisms — the expectations of what they can and must achieve in terms of their mental health and addictions services. That's set out very clearly, and they are held to account for those.

We do believe that it is important that health authorities have the opportunity and the flexibility, if they see an emerging challenge, to actually be able to take resources and move them to dealing with that challenge. Perhaps a good example: if they saw crystal meth emerging as a particular element, we need to give them some flexibility so that they could actually move forward and not be bound within tightly sealed envelopes that would prevent them from using some element of common sense and discretion in dealing with those issues.

That's perhaps where the member was going with this line of questioning. I hope that clarifies it. It is a little different way of looking at these things, but I think it is actually a good way to have some flexibility in working through not only mental health and addictions issues but the range of issues which confronts us in the health care system.

C. Wyse: Having understood the distinction under the word "flexibility," I'm still attempting to determine, outside of one or two performance agreements, how the accountability is put into place to ensure that those people, particularly with mental illnesses, are receiving

services for the funds that the minister keeps referring to. It is the minister who keeps saying that there's over a billion dollars, and now I'm attempting to determine how the minister is ensuring that those funds in actual fact are going to provide those particular needs and are not going off into other areas under the guise of flexibility.

Hon. G. Abbott: We know that the \$1.06 billion-plus — the figure that we've been using here — is what they actually spent in fiscal '05-06 for mental health and addictions programs. We anticipate that in fiscal '06-07 the expenditure in this area will be in the neighbourhood of \$1.138 billion, a substantial increase over the past, but there might be some modest shifting in relation to that number if they see, for example, some unusual mental health or addictions challenges that they feel they need to respond to more quickly.

British Columbia is a big place and has over four million people. It has a lot of diverse communities, as the member knows well. I think it is important that the health authorities have the opportunity to have a flexible response to those things, because it's not going to be a one-size-fits-all challenge. In some communities, as I noted earlier, it may be alcohol. In another it may be crystal meth. In another it may be crack cocaine. So we need to have that opportunity.

[1720]

C. Wyse: The minister's examples often end up concentrating upon the addiction aspect of it. I've been attempting to put an emphasis upon the mental health aspect of it, so I'm going to, then, ask some questions to try and target in on the mental health-related issues. They fall into the very broad area of who is being treated with that money. My first question: does the ministry know the number of people, the different diagnoses in each region — be it bipolar, major depression, schizophrenia and the like?

Hon. G. Abbott: The member is right. I tended in my answers to focus on the addiction side as examples of why flexibility is needed.

To give you an example on the mental health side of how the health authorities attempt to respond to mental health challenges in particular communities in the area that they serve.... The member and I are both part of the Interior Health Authority and can probably best relate to some of the examples I might offer here.

For example, there's a program to provide education and support for family caregivers of clients with dementia in the East Kootenay health service area. There's an eight-unit supportive living home in Salmon Arm — which I actually had the exceptional honour of helping to open a couple of years ago — that provides important services to people with mental health challenges in Salmon Arm.

The relocation of the 76-bed shelter operated by Union Gospel Mission in Kelowna. Again, some of that is addictions; some of that is mental health. A new six-bed adolescent psychiatric unit, which I referenced

earlier — Kelowna General Hospital. There is \$1.4 million for additional staff in the following areas: early psychosis in youth-to-adult transition, elderly services, concurrent disorders, acquired brain injury, anxiety disorders, etc. in the Okanagan.

Funding increases for telepsychiatry. One of the interesting challenges we have.... Perhaps interesting is not the appropriate adjective, but I'll use it here. One of the important challenges we have is that we have a much higher per-capita rate of psychiatrists in Vancouver Coastal Health Authority than we have in the Northern Health Authority — by a huge margin. So if we're going to come to grips with the psychiatry challenges in Northern Health, it may be difficult persuading a lot of psychiatrists to move out of Vancouver and up to Burns Lake or Prince George. Telepsychiatry is one way we can try to address that.

Another example: as part of the Riverview Hospital redevelopment project, Interior Health has seen the opening of South Hills Tertiary Psychiatric Rehabilitation Centre and the Hillside Adult Psychiatric Centre in Kamloops. We've also had mental health beds opening in Cranbrook, Trail, Osoyoos, Kamloops, Penticton and Vernon.

There is much good work being done by Interior Health. Interior Health is just an example. The other regional health authorities and PHSA are doing a great job, too, in expanding the menu of facilities available in their health authorities to the people that they serve.

[1725]

In terms of mental disorders by health authority, I'll start with the estimated prevalence of selected mental health disorders in B.C., just to give the member a sense of the respective challenges we have around the prevalence of those issues. For example, anxiety has an estimated prevalence rate of 12.2 percent, so we'd estimate about 365,000 individuals across the province are affected by that. Bipolar, 2.6 percent, or about 87,000 people; major depression, a prevalence rate of 6.7 percent, approximately 223,000; and schizophrenia, 0.03 percent. We would estimate about 13,000 across the province as the number of individuals that would be afflicted with schizophrenia.

You take those estimated prevalences by selected mental disorder in B.C. and then apply that model to the health authorities, based on the most recent population numbers we have, which are 2004, and estimate the population 18 and over within those areas. So taking that, if you look at Interior, which has an adult population of about 561,000, our estimation of individuals with a mental disorder would be 146,000. In Fraser, with an adult population of 1.11 million, estimated individuals with mental disorder around 290,000; Vancouver Coastal, population 857,000, estimation of mental disorder, 222,000; and so on. So there's that breakdown.

To get the most accurate estimate of what, for example, we might see in terms of schizophrenia among the regions, we would then apply that earlier prevalence estimate against the population of those health authorities. Those are probably the most accurate

numbers we can get on those. There will be some probably relatively minor variations from that estimation, but that's probably going to be a reasonably reliable number of what the magnitude of challenge for those various mental disorders will be in those health authorities.

C. Wyse: I thank the minister for that information.

Let me try this question, and it may be rephrased. Is there any way that the ministry knows whether the funds are being directed towards those specific mental illnesses in the various areas so that they get the support they need?

[1730]

Hon. G. Abbott: This is an interesting point and a challenging one. I understand that nowhere in the nation is there precision around that point. Every jurisdiction, at least that have these programs, can take the data that might be available through Medical Services Plan, layer on the data available from Pharmacare, layer on the data from the front-line mental health workers, etc. But it's difficult to say with precision where exactly everything goes.

We are working with Simon Fraser University and others to try to build a more comprehensive model in respect to understanding the flow of resources to specific areas and specific patients and so on, but we don't have the sophistication of data to do that at this point.

C. Wyse: I'm going to ask the question. I beg the minister's indulgence, because I want to move to the other category of mental illness from the more serious that we've just talked about. My other question: how much for people not yet in crisis and functioning in their daily lives but who still need assistance to stay on track and not deteriorate further with their mental illness?

Hon. G. Abbott: I'll offer some examples of where these things could be targeted more precisely. If we take, for example, methadone Pharmacare costs, the actual for that was in the neighbourhood of \$24 million in '05-06, and we estimate in '06-07 probably \$25.5 million. In methadone treatment: just over \$5 million in '05-06, and the same again in '06-07. The drugs of abuse laboratory screening: about \$2.7 million and, again, expect it to be about the same next year, or actually in our current fiscal year.

Prevention and wellness, which is part of what the member was asking about — trying to deal with people on an early intervention basis. We've got the alcohol and drug information line. We've got Prevention Source B.C. We've got the telemental health initiative. All of those are in the neighbourhood of \$200,000, \$245,000, \$383,000. All are going up. Particularly, the mental health evaluation and community consultation unit is going up. There is work being done in all of these areas.

Again, it's difficult to pull all this out in a precise way by health authority. The object of these programs is for the health authorities to meet the goals that are

set out for them in the performance agreements, their redesign plans and the service plan of the Ministry of Health.

[1735]

C. Wyse: I appreciated the comments around addictions. My question was dealing with people with mental illnesses that are not in crisis. That, as the minister knows, is very important in order for people with these serious mental illnesses.... Wellness would say increasing the period of time between crises is what mental health service is about. So I'm going to take the liberty once more of giving that question back to the minister and asking him to deal with the mental health aspect of how much for people who are not yet in crisis and are functioning in their daily lives but still need assistance to stay on track. Otherwise, they would deteriorate.

Hon. G. Abbott: There is lots of work being done across the province in respect of this. This is not an exhaustive list of the things that are being done, but they're some of the important ones.

For example, I'd call the member's attention to mental health literacy. The government has developed an information plan and initiated a partnership across the health authorities and agencies to disseminate information in conjunction with folks like the Canadian Mental Health Association, the B.C. Schizophrenia Society, the Anxiety Disorders Association of B.C., the Mood Disorders Association of B.C. and so on.

As well as the partnership with those agencies and with the health authorities, we have initiated a 24-hour mental health and addictions information line, so people could call for either side of that equation for support. There is a website, as well, to support mental health literacy and a series of information sheets, practical self-management toolkits, etc., that are all part of the support work.

A second I want to point out is outreach and early intervention services. Outreach and early intervention is available through street youth peer-based programs, street nurses and outreach workers. All health authorities, in partnership with MCFD and its child and youth mental health regional programs, have established early psychosis intervention programs. Other examples include the new integrated youth outreach team and the community rapid consultation clinic for psychiatric consultation in Richmond.

There's also enhanced street-level outreach and realignment of contracts to support rural outreach in the interior. Pharmacare plan G — we talked a little bit about that earlier — is an important part of assisting people with mental illnesses, whether it's onset mental illness or well established.

A final point I would note is community residential and family care homes and supported-housing programs. Community residential and family care homes, as well as supported-housing programs, complete the mental health and addictions service continuum. Progress has been made in integrating community services

to best meet the needs of clients, and a number of residential housing best-practices initiatives are underway through health authorities. I mentioned one of those in relation to Salmon Arm.

Table six, which I'm glad to share with member, shows the provincial housing capacity for mental health and addictions clients from 2001 to 2006. I can go into detail on that. There are 219 psycho-geriatric long-term residential beds as well, which are included in the numbers. I'm glad to give that level of detail, should the member wish it.

C. Wyse: I would accept.... If the minister encounters anything else, other than the programs he has listed here, for supporting those people to stay out of crisis, I would appreciate that his office would send them in my direction, to my office, because, being judgmental, there would be huge gaps in the examples, and I don't wish to spend any more time there. So I will wait for more examples to come my way, because I'm sure that isn't the exhaustive aspect of support available in the province in this particular area.

[1740]

It's a question I thought of. I don't know what the answer to it would be, so I would like to ask the minister: how many people are diagnosed with two mental illnesses?

Hon. G. Abbott: We just want to clarify the member's question. We would not know, for example — if the member was asking — how many people who had schizophrenia would also have a bipolar disorder. We don't have the answer to that. We don't know that.

By far the biggest challenge we have in terms of concurrent disorders is that an estimated 30 percent of people with a mental illness will also have an addiction issue. On the other side of the equation, approximately 70 percent of people with substance abuse or addictions issues will have a mental disorder. So that's clearly a big challenge in terms of concurrent disorders or concurrent challenges.

The Chair: Member, noting the hour.

C. Wyse: What would you like me to do, Chair? Recess us?

The Chair: Go ahead and ask the question, and then I'll recess.

C. Wyse: Thank you. And thank you for taking me to the next question, because that was exactly where I was going with mental illness and addiction.

How many people with mental illness and addiction — an actual number? And how many people are actually receiving treatment?

Hon. G. Abbott: I thank the member for his question. It's a very good one. We are going to take the supper hour to get him as precise an answer to his question as is possible.

Noting the hour, I move the committee recess until 6:45.

The Chair: We're recessed until 6:45.

The committee recessed from 5:45 p.m. to 6:45 p.m.

[H. Bloy in the chair.]

On Vote 35 (*continued*).

Hon. G. Abbott: The member asked questions earlier in estimates that we now have some additional information for. I'll just explain the tables, and we'll provide the member with copies of the tables rather than taking too much time in estimates here to go through it all.

The first table we have here is general practitioners and patients per 100,000 population, by disorder and by health authority. It breaks down.... For example, in the Interior Health Authority we saw: GPs per 100,000 population, 89 for anxiety disorder; 66 in Fraser; 93, Vancouver Coastal; 109, Vancouver Island; 81, Northern; etc. The B.C. average is 85.

Then patients per 100,000 population, and again, to use anxiety disorder — Interior, 3,674; Fraser, 3,673; Vancouver Coastal, 3,257; Vancouver Island, 4,202; and Northern, 2,347. The provincial average is 3,592. That's the kind of information that can be gleaned from that, and we will forward that to the member.

The second set of tables I have are 2004-2005 mental health patients, ages 15 to 65. This is discharge data as of August 15, 2005. It goes to the question the member posed earlier about concurrent mental disorders. For example, the table would show, for those affected by bipolar disorder, if we take 100 as the base, that two might be affected by schizophrenia, three by major or minor depression, three by anxiety disorders and two by substance abuse disorders, and so on. It goes through and lays out some of the common concurrent disorders that might be found.

The next table goes to the number of patients and comorbid conditions. It provides some more information in respect of the actual numbers who have been assessed as bipolar and the numbers who have the concurrent disorder. That will answer the member's question with a thoroughness that he perhaps never even hoped for in these estimates, but we will forward that table on to the member as well.

We are still working on the question that had been posed by the member at the break. We'll get that to him as quickly as we can, but we can continue for now.

C. Wyse: I'm always appreciative of the brevity of the answer when the information is readily available. I appreciate that.

I'm going to advise the minister that I'm going to switch topics here, so there's a bit of a heads-up. This is in the very broad area of who decides what with regard to treatment for the mentally ill. What sort of input goes into deciding which treatment is available for

the mentally ill? There is a range, as the minister already knows, so I will turn that over to him.

[1850]

Hon. G. Abbott: There are probably four or more ways that someone with a mental illness might present and move into the systems of treatment that we have. For example, they might go to their general practitioner and seek the advice of that practitioner. The practitioner may refer the patient to a community mental health team or, alternatively, to a specialist like a psychiatrist for further evaluation or to a psychologist, in some instances, or to another general practitioner who might have more specialized knowledge in the area.

Another area where they might present, for example, would be an emergency room. That does happen, on occasion, where someone who is having a psychotic episode will present there. Again, the emergency room may refer them on to a GP, a psychiatrist, a psychologist or a community mental health team.

Similarly, all the same options would exist if they called NurseLine. NurseLine would attempt to understand the nature of the challenge that the patient had and then would refer them on appropriately, as would the mental health partners phone line, which can provide that. So that would be, in a generalized way, the range of areas that one might be referred to.

There are some different programs, of course, through MCFD at the youth level around mental health issues. There are youth and kids school programs there, and there are social workers with special skills in relation to youth mental health issues, which the member may have canvassed already with the Minister of Children and Family Development.

C. Wyse: Who takes the lead in developing effective mental health programs across the province?

Hon. G. Abbott: In terms of best practices, it's the ministry that takes the lead there, but we do have an extensive list of partners. I won't go through them all, but it is important to note some of them, because in British Columbia there has been assembled a very impressive body of expertise that assists us in producing some of the publications that are enormously useful for general practitioners and others as they attempt to assist their patients or their clients in dealing with their health issues.

[1855]

In the academic community there's the Centre for Applied Research in Mental Health and Addictions at health sciences, Simon Fraser University. They really do outstanding work there. There's the Centre for Addictions Research at the University of Victoria, established by an endowment from the B.C. Addictions Foundation. They are doing some remarkable work in both of those research establishments.

B.C. Women's Hospital and Health Centre is a very important partner. The Centre on Aging at the University of Victoria; the Mood Disorder Centre of Excellence at UBC; the Brain Research Centre at UBC, part of

the faculty of medicine there; the Vancouver Coastal Health Research Institute; and the B.C. Mental Health and Addictions Research Network — these are some of the key partners in terms of that.

I'll draw the member's attention to this publication, *Every Door is the Right Door*, which we mentioned earlier. In there one gets a sense of the kind of range of people who have supported us there — the Kaiser Foundation, University of B.C., University of Washington, Canadian Mental Health Association, and so on. It is a remarkably impressive group that we have enlisted support from on a range of projects.

I don't want to go on at length, but I think it is important to acknowledge some of the best-practices guides that have been assembled, because I think we should be proud of this, and I think we should understand just how important this is to clinicians, to physicians and others as they attempt to provide the best course of care they can to the mental health community in British Columbia.

We've talked about *Every Door is the Right Door*. Another publication that I think is very important is *Crystal Meth and Other Amphetamines: An Integrated B.C. Strategy*, a publication of August 2004. It's a publication that's based on important contributions from a number of the partners that I mentioned earlier as well.

One that I think I may have mentioned to the member last year is the clinical practice guidelines, *Diagnosis and Management of Major Depressive Disorders*. I won't even give you the full title. It goes on and on. This is a very important piece of work. One of the concerns that we often hear is that general practitioners sometimes aren't well equipped to deal with issues of depression or other mood disorders in their offices. What we are able to do with a publication like this is really to far better equip general practitioners when they come in contact with someone from the mental health community that needs their support. So this is very good.

We also have a guide for general practitioners, families and individuals on depression, anxiety disorders, early psychosis and substance-use disorders — aimed much like the last publication. More recently — and these are ones that I wouldn't have mentioned to the member on another occasion — we've got several new publications that have been prepared for '05-06: *Core Information Document on Cognitive Behavioural Therapy*; second is *A Perinatal Depression Framework; Planning Guidelines for Mental Health and Addictions Services for Children, Youth and Adults; Best Practices Guide for Clinicians Working with Suicidal Adults*; and so on. There are several more, and I won't go through them.

I think there's a remarkable amount of work being done, a remarkable amount of work continuing in this area, and I think British Columbia can be quite proud that we are equipping our physicians and our clinicians as well as they possibly can be to deal with what is, as the member acknowledged at the outset, one of the most pervasive challenges in our society, that being mental health challenges.

C. Wyse: In the answer I lost the minister's response, because I asked who had taken the lead, not how. Maybe I could have the answer to my question.

Hon. G. Abbott: The Ministry of Health, province of British Columbia.

C. Wyse: I very much appreciated the succinctness. There is a fair bit to get through, and if we could maybe keep the focus, it might help. At least, it would help me.

[1900]

My next question to the minister is: was there any stakeholder input provided in the development of these plans?

Hon. G. Abbott: In the interest of being succinct: yes. And extensive.

C. Wyse: And greatly appreciated.

From a previous answer I received from the minister, I inferred from his answer that not all the same services are available in all the authorities throughout the province. That's an inference that I took from previous questions. Assuming that my inference is correct, why are the same services not available in all authorities for mental health?

Hon. G. Abbott: The member is basically correct, but it is important to provide a slightly fuller description of that. I think it's fair to say that the Vancouver Coastal Health Authority at its inception — I guess, January of 2002 — would have had the most advanced continuum in terms of the range of mental health and addiction services that one might hope to have. They've had probably more longstanding challenges, particularly in the substance abuse area. They've had a more sophisticated continuum of services through that period. They've also had the highest number of providers, historically. That's more psychiatrists. There's been a broader, deeper system for providing that continuum than in other health authorities.

However, one of the things we've done since 2001, when we brought mental health and addiction services securely under the Ministry of Health, is build that continuum in all of the health authorities across the province. I've described earlier in these estimates some of the efforts that have been made by Interior Health Authority to build the range of services that exist in communities and mental health. Certainly Fraser, Vancouver Island and Northern have also been building their continuum of mental health services, just as we described at the outset of estimates here today.

The continuum is not identical. If one compared Vancouver Coastal to Northern, it would still not be the same. It can't be. Because when one looks, particularly if one has one's glasses, at this important table on psychiatrists per capita in British Columbia — and it's an important one — we have a psychiatrists per-capita of 2.85 in Vancouver Coastal. That's 2.85 per 10,000 of population. In Northern Health it's 0.44 percent, so

quite a small fraction in Northern Health compared to Vancouver Coastal.

[1905]

What Northern Health have been doing and what Interior Health have been doing to try to deal with that disparity in terms of the number of psychiatrists that are available to them is to work toward building collaborative mental health support teams, sometimes comprised of GPs, nurse practitioners, registered nurses or psychiatric nurses.

They will bring those resources together in a collaborative way to provide supports to those who need the mental health supports in their communities. While the number of psychiatrists is going to vary, the health authorities, in fairness to them, have been working in a number of innovative ways to try to assemble what the patients need.

An example here: the rural education action plan, REAP — a remarkable acronym — provides students with rural practice experience and assures rural medical doctor participation in the medical school selection process. The northern medical program began training physicians in January 2005 at the University of Northern B.C. in Prince George, and the rural retention program supports that, including supports for specialist psychiatry services.

They also use, as we talked about earlier, tele-mental health, which is fully implemented in Northern Health. They're actually the leaders in the province on this, in 42 sites provincewide, so that has been a big help.

As well, as I mentioned, Northern Health has been working very hard on the interdisciplinary psychiatry services teams, where they can make the best use of the psychiatric base that they have in the north, use them effectively in these broader teams with other health practitioners and thereby provide services that are very much needed in the north, just as in any other area of the province.

C. Wyse: I thank the minister for the information. As the minister already knows, the population of British Columbia is very fluid, and there's mobility throughout the province, so it's important that there be accessibility to medical services, regardless of where we are within the province.

A follow-up question to the minister: what evidence is there that the services on offer are the result of well-designed local plans and not just an ad hoc response to shortages of personnel, facilities, geography — whatever the differences are that are found across the five geographical health authorities?

Hon. G. Abbott: The member's question, as I understood it, was basically around how we know when people are being afforded the kind of treatment they hope for. I guess this could be answered at a number of levels. One is anecdotal. What I typically find when something bad happens is that my contact information is always well known, and I almost always hear about it, sometimes about 2:15 in the afternoon — not always, but sometimes.

[1910]

When things aren't working, I often tend to hear about them one way or another. It may be through letter, or it may be, you know, questions or so on. I think that would be one way we would detect if there were problems that weren't being met.

A second point is that we do develop the best-practices model we've talked about at some length here. We try to build those best-practices models into our service plan, and we try to build the best-practices model into the redesign plans from each of the health authorities. Really, it's in the redesign plans that one gets the regional mental health response to the issues that are set out in the service plan.

There's a careful plan evaluation. When we look at plan evaluation, we look at things like building capacity across the continuum, strengthening community mental health services, integration of mental health and addiction services, improving access to urgent or emergency and in-patient psychiatric services, strengthening prevention and treatment resources for children and youth, providing services focusing on depression and anxiety disorders, developing tertiary mental health facilities through the Riverview devolvement project, improving quality through evidence-based services, and so on.

There's quite an extensive body of work that is gone into on the plan side. Further, in addition to evaluating the plan, there is a comprehensive and evidence-based analysis that goes on around the performance. That is: how well did the plan become implemented? There's a lot of evidence-based work that's done around that. I think our staff feel that this is some of the leading-edge work in Canada on evaluation of these mental health services and programs, right here in British Columbia.

C. Wyse: To give the minister a heads-up, I'm switching general topics again, on the very broad category of frozen or static funding for community mental health offices, whether they're sponsored by CMHA or B.C. Schizophrenia, or bipolar — in that broad category.

I've been advised in discussions that the responses to calls for more money have been to say no, on the grounds that the centres are supportive, not curative, and that the money should therefore be moved to other programs that will help cure people and, by doing so, reduce the number of people hospitalized for mental illness — the only performance measure.

My question is: what treatment or support is available for people living within the community, given that these offices are often the only available direct contact with people that are in a relatively stable set of circumstances?

[1915]

Hon. G. Abbott: I'd be fascinated to know who the member's source is for that particular suggestion. The suggestion is not on base at all, but I'd be glad to have a look at the apprehension that whoever sponsored that notion had.

In the first instance, I would find it difficult to imagine, certainly, anyone in this ministry or in any

way connected to this ministry suggesting that we're only giving money for cures, rather than for treatment. In most if not all of the instances we have in respect of this area of mental health, they are treatable disorders, but they are disorders that are rarely if ever cured, so it would be a remarkably uninformed notion to suggest that we wouldn't be supporting those things because they didn't provide a cure. The member is free to provide me with more on the source, and we can go from there.

A second point that's very important here is that we have very strong partnerships in this province with a number of organizations. The mood disorders foundation, for example; B.C. Schizophrenia Society; Canadian Mental Health Association, B.C. division: these are all very strong partnerships that are either funded by the Provincial Health Services Authority or funded through the regional health authorities, and in some cases both. As well, on substance abuse-related issues — HIV organizations, hep C organizations and so on — again, there are very strong partnerships between the province and those groups.

We have quite an exhaustive list of these, if the member wishes them. Again, I'd have to say that whoever came forward with that comment... We don't understand it, but perhaps in a different context, if we had the full concern, we might be able to provide further guidance around it.

C. Wyse: With no disrespect, there hasn't been a community that I've visited over the last several months that has not told me that they have had to reduce services, restrict their hours of operation, drop programs or lay off staff by these various community associations because they have not received lists in their contracts for several years. That includes these community-based services, and that has been very consistent wherever I've been, whether it's been Prince George, Kamloops, Kelowna, Williams Lake, Penticton — and the list goes on.

They have felt the squeeze of only recently receiving any type of inflationary increase in the contractual salaries, and that has been the effect in these communities. The outreach that takes place by them for those mentally ill individuals that are not in crisis... Their available support services are being restricted greatly. That is where the information has come from, and it has been consistent across the province.

Hon. G. Abbott: Again, I don't want to indicate any disrespect to those the member may have been talking to. I know that, often, community-based organizations will be focused on a particular area of mental health or public health, and they will be very passionate about wanting to help more people and to have more comprehensive contact and support for people and so on. That passion sometimes leads them to be frustrated that they have to work within a particular budget.

[1920]

I do have to note, though, in fairness, that there have been substantial increases over the period from

the 2000-2001 fiscal year through to 2005-2006. Back in 2000 and 2001 the community-based mental health and addiction services budget was \$287.572 million. That has increased to the actual in '05-06 of \$382.599 million. So the incremental lift over that period of time has been \$95.027 million, or an increase of 33 percent.

Further, we are contemplating an additional lift in '06-07 to \$413 million. So there's a huge, huge investment in those community-based mental health partnerships.

While I appreciate that some might say they'd like to do more, I hope the member can appreciate that we're doing a lot, and that on an annualized basis we are increasing the support through this budget line substantially year over year.

C. Wyse: I guess it does require one more question. I'm looking for the assurances from the minister that the increase in funding he refers to actually works its way down through the system, leading to an increase at the office area — so that the increase in funds works its way all the way through into the offices. Very clearly, that is not the message I'm receiving. It is not getting into the office area.

Hon. G. Abbott: The numbers that I quoted, the increase from \$287 million through \$382 million in '05-06.... The first figure was 2000-2001. That reflects the actual spending in this area in each case. It may be possible that what the member is feeling or referring to is maybe the support from the federal government or from others. I don't know. It does not square with the suggestion that there's a cut in this area. If a 33-percent increase is a cut, then we're going to have some difficulty explaining this.

C. Wyse: As I mentioned earlier, when we started off, the system is fragmented, and the minister did refer that it isn't just the provincial area that has contracts with these particular organizations. The health authorities also have them. So, having already tried to pursue information with regards to the health authorities and the distribution of their funds, and with the response that I've received, I'm going to leave that and move on.

How many community health teams are there in B.C.? By community health team.... Whether it's, you know, the counsellor, the social worker — that type of group for supporting the mentally ill....

[1925]

Hon. G. Abbott: We don't have a figure on the number of community health teams, and I'm not sure we'd be able to gather that. It's not data that we would collect. Typically, we would see those community health teams attached or associated with the different public health units in the province, but we don't know whether every public health unit would have one, nor do we know whether, in some cases, there might be multiple health teams out of some of the larger units.

One thing I can advise the member of, though, is that the recently ratified B.C. Medical Association

agreement is one that will be supportive of physician participation in those community mental health teams. We will, through the provisions of the agreement, see physicians be able to spend more time with the chronically mentally ill.

That will be, I think, of enormous value. Just as in other areas of chronic disease management, you often need longer than a ten- or 15-minute visit to be able to establish a pattern of treatment which is going to be effective. Again, by assenting to that in the new agreement, I think it will be valuable in ensuring that physician participation on those teams will be enhanced and supported.

C. Wyse: I thank the minister for his candidness on it. Also, thank you for the information with regards to physicians. It's not always wanted to just load the physicians up with being the only individuals to provide support in these areas. We have many people with mental illnesses who have long periods of times and varying periods of times of stability between crises. Therefore, having access to those support services other than, as you're referring to, the medical part is the reason for my line of questioning in this area.

I would have gone on wanting to know how many of these teams existed in each area, and I'd want to know the number of full-time-equivalents, what professions are involved, what their caseload is and how many clients they have. That would have been the type of information that may have provided information down the road with some merit.

With the frankness of your answer — and I appreciate it — I'm going to move on. The government website lists assertive community treatment as a best practice to support people who are intensive users of the health system. I wish to go back and emphasize that I'm now dealing with intensive users of the health system who have a serious and persistent mental illness. My question is: is this treatment approach currently being used in British Columbia?

[1930]

[R. Cantelon in the chair.]

Hon. G. Abbott: Notwithstanding the thought that I would not be able to get the information the member requested two questions ago, through the miracles of technology and the miracles of having skilled craftsmen available in some tiny room here in the Legislature working on all of this.... There are approximately 60 mental health teams across the province, and there are additionally about six forensic teams across the province, so that gives you, I guess, a sense of the magnitude — not a precise number but very close.

There are some indicators that we work from around community mental health and addictions services. For example, I'll give three indicators.

Percentage of individuals with severe mental disorders who receive all of their care in community during the year has been increasing and is currently around 76 percent. That's people with severe mental

health disorders who are receiving their support in their communities — 76 percent, which I think is a very encouraging figure. Of course, if we go back 30 or 40 years to a full-blown Riverview, the number would have been much, much lower.

Recidivism rate among those hospitalized for mental health or substance use disorder has been declining and is currently around 11.4 percent. So that's very encouraging.

Percentage of adult psychiatric patients discharged from hospitals and followed up in the community has been increasing and is currently over 76.3 percent. That again, I think, is an excellent figure. The benchmark for that is 73, so it's very encouraging that there is very strong follow-up after discharge of mental health patients.

Those, I think, are useful. And the answer to the member's most recent question is yes — absolutely, yes.

C. Wyse: I appreciate the minister reminding me that he was answering two or three questions concurrently, because I'd lost track of that.

With the answer yes, then a multiple question back. Where and how many are served, and how is success measured for these concerns?

[1935]

Hon. G. Abbott: The best number we can provide for the number of people who are affected by chronic and severe mental disorders — and again, obviously, it's going to be up and down a little bit, but this will certainly give a sense of magnitude — is 65,673. Those would be the people who I referred to in the previous answer, which is that 76 percent getting care for their severe mental disorder in their community.

Only 11.4 percent — and this is very encouraging — relapse and have to go back into hospital. The percentage that gets follow-up in the community after discharge from hospital or psychiatric institutions is 76.3 percent. That would give you some sense of the magnitude of the challenge and the success to date in meeting that challenge.

C. Wyse: I thank the minister for having listened to my question and having answered it. I'm advising that I'm switching topics again.

Advocacy and support — three or four questions, minister. What has been done to address the gap left by the cancellation of the mental health advocate?

Hon. G. Abbott: I think the best answer around what we do in the absence of a mental health advocate is that we have partnerships with a range of organizations that do quite a remarkable and intensive job of lobbying and advocating on behalf of the groups or the patients that they represent. I know that because I've probably met with most, if not all, of them, and they do a great job of advocating. Whether it's mood disorders or schizophrenia or any of the other mental health advocacy organizations in the province, they work hard, and they make their views well known.

We support that continuing relationship with them through funding, often with the Provincial Health Services Authority but sometimes, as well, through health authorities. They educate us on their concerns and advocate their concerns to us, and whenever we have issues or forums that would be applicable to the concerns of these organizations, we try to include them.

[1940]

It's interesting, given that the member mentioned Sen. Michael Kirby earlier. I'm delighted to advise the member that Senator Kirby will meet with about 150 people, including Ministry of Health staff, in Vancouver on May 18 in his first meeting with the provinces since the release of his report.

The forum is organized by Dr. Elliot Goldner with the Centre for Applied Research in Mental Health and Addictions at Simon Fraser University, which we mentioned earlier. We're looking forward to seeing researchers, academics, agencies, stakeholders and advocates all represented at that forum with Michael Kirby. This will be an opportunity for them to review the work that's been done by the senate committee and to, again, advocate on behalf of the clients that they serve.

C. Wyse: One interpretation of an answer that was given is that the responsibility for advocate for the mentally ill has been contracted out to organizations rather than being on a full-time paid responsibility to look after such. We've had....

Hon. G. Abbott: That's one interpretation.

C. Wyse: That's one interpretation.

We also have heard for a period of time that the responsibility is the delivery and steering — that being the definition of the responsibility of the ministry. There is a role in there, assuredly, for advocacy. We don't have to explore in any great detail what happens when that responsibility isn't assigned and is accepted as being the responsibility overall for government in order to look after the needs of vulnerable groups of individuals within our society.

Having made that statement in response to the answer, my next question will be: does the government have a provincial mental health advisory board?

Hon. G. Abbott: We're still putting together the advisory organizations at the health authority level. The broadest group in terms of advisory to the ministry and to health authorities and to those who are in the business of providing mental health services is the child and youth mental health network, comprised of key representatives from key child- and family-serving organizations; leaders in evidence-based research, etc.; oversight bodies; stakeholder client advocates; the B.C. provincial health officer; the B.C. children's officer; health authority representatives; aboriginal representatives; ethnocultural representatives and so on.

There's a broad-ranging advocacy organization in respect to that aspect of mental health. If the member wants to move on to another question, we'll get the

additional information for him, hopefully, as we proceed here.

C. Wyse: In my research I found listed another government board and best practices for increasing consumer involvement initiatives. The statement for a provincial mental health advisory board, and if I understood the minister correctly, one doesn't exist.

My question is: why does it not exist?

[1945]

Hon. G. Abbott: The philosophy behind the way in which the contributions of advocates, experts, clinicians and so on are drawn together is based on the notion — depending on whether we are trying to prepare our best-practices guide on mood disorders versus trying to assemble a clinician's guide for the management of schizophrenia — that who we might most appropriately lean on or expect support from will vary between those two goals. The cast of players — the advocates, the clinical experts and the research leaders — will be different, so rather than have a fixed body that tries somehow to pull all of those pieces together, we found it more effective to have the advisory groups essentially shift with the task that we have at hand in preparing to better resource this area.

C. Wyse: I appreciate the answer, but it sounds to me that when you talk about advocacy, we're now talking about it being fragmented. Because in order to be an advocate, you have to see the full lay of the land on a continuing, ongoing basis. That's my observation to the minister.

My question, then, is: how can the government ensure that the voices of those with mental illness are heard by the government without a mental health advocate or provincial mental health advisory board?

Hon. G. Abbott: We ensure that we have the helpful advice, support and direction of the advocacy organizations by including them in the full range of ministerial and other meetings that I might have or that senior staff might have around particular issues.

I'll give you an example. I recently had a meeting with respect to the national pharmaceutical strategy. Among the range of groups represented in that broad-based discussion about the national pharmaceutical strategy were the Schizophrenia Society, the Alzheimer Society, the Mood Disorders Association and so on. In fact, we are engaging them and engaging their views on a regular basis.

[1950]

Further, as I mentioned in my previous comments, having a more fluid set of advisers in respect to whatever the task is at hand has, in our experience, provided some very good results in terms of getting quality products produced to help meet the needs of those different mental health organizations and mental health users.

C. Wyse: I'm going to shift topics to mental health and housing. My question to the minister is: what is

being done to address homeless people with mental illness?

Interjection.

C. Wyse: You bet. I've switched topics to mental health and housing, and I have a series of questions there. To the minister: what is being done to address homeless people with mental illness?

Hon. G. Abbott: There is a very broad range of initiatives underway across government with respect to the often well-linked issues of mental illness and addictions and homelessness. I know from my past experience as a Minister Responsible for Housing and for B.C. Housing in the former Ministry of Community Aboriginal and Women's Services that we were certainly working towards goals around ensuring that when people were trying to move beyond and to cope with their mental health issues or trying to move beyond their addiction.... Often one of the strongest determinants of whether they will be successful in either shedding their addiction or being able to manage their mental health issues on an ongoing basis is the availability of supportive housing to them.

There's been much work done there — some excellent work, I think — by B.C. Housing, and there are many facilities that are a tribute to the work that B.C. Housing does with a broad range of non-profit societies in the province aimed at meeting those needs.

There has also been, I should note, a Premier's Task Force on Homelessness, Mental Illness and Addictions, which I've been fortunate to be a part of, first as Minister of Housing and today as Minister of Health. There's been much work done in partnership with larger municipalities in the province in relation to supportive housing for those afflicted by mental health issues or addictions issues.

In terms of moving forward with housing, considerable progress has been made since 2001, and the total number of housing units reflects that. Between 2001 and 2006 we have seen an increase in British Columbia, from 4,940 housing units for those subject to serious mental health or substance-use disorders, to 6,391 of those units, again, for those people who are afflicted with those disorders. So there has been a substantial improvement in respect of that.

[1955]

There have been a number of projects that have been brought forward specifically by the Premier's task force: in New Westminster, 22 units operated by the Salvation Army — a good example of a non-profit involvement here; in Surrey, 62 units run by the Phoenix Alcohol and Drug Recovery and Education Society; in Kelowna, the Gospel Mission emergency shelter; in Vancouver, an additional 100 units for the former Woodward's department store redevelopment, which will be very important, and so on. One can also find comparable units in Vancouver Island Health Authority, Northern Health Authority and so on. So that's been useful — 533 units have been initiated under that

Premier's Task Force on Homelessness, Mental Illness and Addictions.

I can also provide the member with more detail on other projects, but perhaps I've gone long enough on this question, and I'll turn it back to the member for further direction on where he'd like to go now.

C. Wyse: Again, I appreciate the information provided by the minister. Making a distinction between announcements and actual facilities being built I'll leave for another day.

I would like to read to the minister some information from one of these groups that he's referred to:

Since the downsizing of Riverview began, growing numbers of patients with serious and persistent mental illness have been neglected and abandoned to our streets. Many have been trans-institutionalized — that is, shifted from the health care system to the criminal justice system. The most severely ill are caught in a revolving-door syndrome: hospitalization, stabilization, discharge into the community with inadequate support, predictable relapse, rehospitalization or jail, and on it goes.

This is not only unacceptable from a humanitarian point of view but also from an economic perspective. Taxpayers do not save money when courts, police, ambulance and other emergency services comprise the care system for people with serious and persistent mental illness.

Having given that information to the minister, going back to the care providers in this area being the health authorities.... Do the health authorities know how many homeless people with mental illness are in their region?

Hon. G. Abbott: Staff can work on that. I'm going to respond vigorously. I'm not sure who said what they did in the passage that the member just quoted, but the suggestion that is contained in that passage is both unfair and invalid. I'd be happy to see the presentation in context and look at it.

The fact of the matter is that I think we have come a long ways in this province in respect of how we manage those with mental illnesses when they are either discharged from Riverview or moved from Riverview to community-based organizations or moving from those community facilities back into the community.

We have a number of remarkable facilities: Seven Oaks in Saanich; Iris House, Prince George; South Hills, Kamloops; Seven Sisters, Terrace; Delta View in Delta; and others; and, of course, the new Kamloops neuropsych centre. There's lots of investment ensuring that we have facilities that are appropriate to the needs of the mentally ill.

I'm told that the instances would be rare, if any, where people are discharged to the community without supports. I spoke of those statistics earlier on, where obviously we would like every person who is discharged to be followed up, and most of them are followed up. In some instances they may not be. I suspect many of the homelessness that one might see on the street might be a product of earlier ages of managing this issue. We have always had discharge plans for

those who are released from Riverview and elsewhere, and every effort is made to follow up on those discharge plans.

I know staff is preparing more information in respect to that, but I should also note for the record, just so there's no confusion around the point.... I promised that the advisory committees and so on that were created at the health authority level did exist; we just didn't have the information at the time. I do now, so I'll note them for the record.

[2000]

In the Northern Health Authority a consumer and family advisory committee for mental health and addictions is in place, and it seeks input from stakeholders, families, supporters and so on.

The Fraser Health Authority — a comparable organization that engages with families, consumers, service providers on mental health and addictions services. The Riverview Hospital devolvement planning team, also, has representation.

In the Interior Health. Interior Health's met with community groups, participated in seniors forums, etc. Patient representatives in each of the four health service areas serve as a liaison with patients, clients, residents and Interior Health regarding concerns around patients' complaints or needs.

In Vancouver Coastal Health Authority long-standing family councils and consumer councils are utilized, and they're also participants on the Riverview devolvement team.

Mental health advisory committees exist in each of the health service areas. In IHA — I noted that — and Vancouver Island they have a health advisory committee, which again includes a mental health advisory committee. That's important.

The member may want to advise me of who the source is for the criticism. It may help us understand why those suggestions are being made.

C. Wyse: I will check with the organization and assure that if I have their permission, I will forward it on to the minister. I will advise the minister that it's been contained in correspondence that has been sent to his office previously.

Going back to my previous question.... I apologize if I've missed the answer. I thought I'd asked: do the health authorities know how many homeless people with mental illnesses are in their regions, and I received a number of support groups that are around it, whereas I was looking for numerical information.

Hon. G. Abbott: We do not have, and it may be very, very difficult to actually establish a precise number around the number of homeless people by health authority that would be affected by a mental illness. Often people in those circumstances are reluctant to share much information about themselves. We know their situation is unfortunate and sometimes tragic. It's difficult to gather precise information.

[H. Bloy in the chair.]

The best information we probably have is in Vancouver Coastal Health Authority. The estimate of the homeless, which would include those who are mentally ill as well as those not mentally ill, is about 1,200. I suspect that that would be the largest number in the health authorities, just based on climate, but it would be difficult to know that with precision. We are working with the Attorney General, the Solicitor General, the Ministry of Children and Family Development and the Ministry of Employment and Income Assistance to try to better understand that challenge and meet it, but as of now, most of the guesses would be precisely that: guesses.

C. Wyse: The number provided would be slightly lower than the number that I've encountered for the Vancouver area. I've consistently encountered the number of about 2,000 people being homeless in Vancouver, of which about 750 would be likely with a mental illness.

[2005]

For the minister's information, late last year a Pentticton representative advised me of 140 individuals with mental illness who are homeless. In any 30-day period of time 70 percent — or 105 — of those people are still without any type of shelter at the end of the period of time. Williams Lake has 13 people with mental illness who are waiting for housing, shelter and so on.

Without the information we don't know how large the problem is, and that is one of the aspects that Senator Kirby's report also identifies as being important in being addressed. I thank the minister for having allowed me to share that information back and forth with him. My question, then, is: what measures are in place to support the homeless people with mental illness? You may have already partly answered that from two questions ago.

Hon. G. Abbott: Again, I thank the member for his question. I don't think anyone would want to discount or otherwise diminish the very real challenge that exists around mental health and homelessness. I have no reason to question the figures the member has brought forward. I think what we are all committed to as members of the Legislative Assembly is to work through the opportunities we have, such as the Premier's council on homelessness, mental illness and substance abuse, to try to and find partnerships, community-based partnerships particularly, that can help to meet the needs of the homeless.

I guess in the first instance we need to have mental health facilities available to the homeless affected by a mental illness when those are required. If they have been discharged with a plan — which they would have — and, notwithstanding that, concluded that they wanted to move on to a life on the streets or otherwise, again, we need to be sympathetic to the situation they have. We need to have appropriate resources in place for those times when they want a shelter and when they want the supports.

As I tried to indicate in my original answer, when people come to us, they often come in quite desperate circumstances, and it may not be just a matter of attention to their addiction. It may be attention to their mental illness. It may be attention to their housing needs. It may be attention to their physiological challenges; they may have a disease as well as a mental illness. Those concurrent challenges are not at all unusual. We also need to engage, through Ministry of Employment and Income Assistance, opportunities for them — when they are able — to secure employment.

All of those things are important factors in turning people's lives around. Now, sometimes it's very difficult to do that. Often, one of the symptoms or elements in a mental illness will be a psychosis which makes the individual extremely distrustful of authority. As a consequence, they are not inclined to use shelters, and they are not inclined to use second-stage housing. Nevertheless, we need to have those opportunities available to them so that, at some point, should they conclude that they want to embrace those resources and try to stabilize their lives, those opportunities are there for them.

[2010]

I've got a number of examples of the kinds of facilities that have done just that, and of course, I'd particularly want to acknowledge the efforts of organizations like the Salvation Army that do just a remarkable job of often helping people through these particularly difficult times in their lives. There are lots of great initiatives happening in all of the health authorities in respect of that, and I think we are moving forward with harm reduction models in a number of areas which are very important to both the mentally ill and the addicted.

I think we've come a long way. Do we have a ways to go yet? Yes, I think we do. But I think we can take some pride in the resources that have been added and the improvements that have been made, and we'll want to build on those.

C. Wyse: Given, maybe, some agreement with the need for housing, I would like to advise the minister that I'm now going to actually give him a specific case. I stayed away from doing such, but Hampton Court, which is at Wolfe and 15th Avenue in Vancouver, is an 11-member group home for the mentally ill. It is funded by the Ministry of Housing and the Ministry of Health. It is scheduled to be shut down at the end of this year. The owner of the facility has, to my understanding, agreed to do whatever modifications or improvements to the facility in order to keep the facility open but has been rejected. The offer has been refused.

To the minister: I would look for his assurances that he would investigate that particular set of circumstances and advise me on why that particular facility is being shut down.

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

It would, I think, be inappropriate for me to speculate with respect to Hampton house. I don't know any of the details with respect to it. It may well be that B.C.

Housing or the Ministry of Housing might be the more appropriate bodies to comment on that.

However, I will say, though, that we have seen a very substantial increase in Vancouver Coastal Health Authority for supportive housing, an increase from 1,769 in 2001 to 2,175 today. That having been said, what one.... I'm not talking of Hampton house here, because I know nothing of its history and whether it has been a top-quality provider or not. I know nothing of that, but there are, among aging facilities, those that are often scheduled for replacement. This may be one of those instances. I don't know.

I certainly have no reluctance in taking the member's question under advisement, and we will try to ensure that the appropriate authority, whatever it may be — it may be B.C. Housing or otherwise — is aware of this and is aware of the member's concern.

[2015]

C. Wyse: Just for the record, it's Hampton Court, Wolfe at 15th Avenue.

Once more, switching topics to youth and mental health. How many youth treatment beds are there in B.C.?

Hon. G. Abbott: Youth mental health issues are a responsibility that rests with the Ministry of Children and Family Development, so we don't have that information readily available to us here.

C. Wyse: Dealing with the fragmentation of the delivery service, I will try another question. Does the ministry plan to stop the practice of moving adolescent patients from Surrey Memorial Hospital emergency room to the adult psychiatric ward instead of developing an adolescent psychiatric ward, and if not, why not? I'm asking the question because we're in the health system.

Hon. G. Abbott: I won't comment on the validity of the thrust of the question, but I will note this. In the hours ahead we may come upon more information, as well, which we can report back later in estimates. In terms of Fraser Health Authority and their management of adolescent psychiatric issues, the first point to note is that adolescent crisis stabilization programs are located in Fraser north, south and east, and a ten-bed adolescent psychiatric unit situated in Surrey strives to serve all of Fraser Health Authority.

Fraser Health Authority provides two withdrawal management facilities. Maple Cottage Detox Centre, temporarily located in Burnaby, has increased from 22 to 25 beds, with three beds designated for youth. When the new Creekside withdrawal management centre opens in Surrey to replace Maple Cottage Detox in 2007, capacity will be expanded to 30 beds, with a total of six beds for youth.

[2020]

A new ten-bed withdrawal management unit opened in July 2005 at Chilliwack General Hospital and includes one dedicated youth bed. In addition, a youth

home detox pilot program is being implemented in the Ridge Meadows communities. Average wait times for detox services are one to two weeks.

A final note. Fraser Health is also in the process of evaluating treatment models for youth addictions. Fraser Health Authority piloted a youth concurrent-disorder therapist position in Abbotsford and will be expanding this service across Fraser Health in partnership with MCFD. Up to six FTE youth outreach workers are being recruited using the new funding to reach youth at risk for crystal meth use and homeless youth already using this substance.

I hope that answers the member's question. Again, I'm not sure if the premise of the question was accurate. If I didn't answer the question appropriately or if we've missed some essential element, perhaps we could get whatever information the member has around the concern, and we can try to get more information on it as we move through these estimates.

C. Wyse: I appreciate the minister's sincere effort to answer a question of that nature.

Minister, I'm going to describe a scenario. I don't have permission to use the name, but it is a situation where the individual has been in correspondence with you.

A brief description: a youth was suicidal and required relatively rapid treatment. The wait-list did not allow the youth to access public facilities relatively quickly. The wait-list to get in for treatment if there had also been addictions involved would have been a 90-day wait. With the individual being suicidal, the question came up about whether there was a choice of services available in that set of circumstances — waiting 90 days with a suicidal youth or moving into the facility that was readily available. The response was.... Basically, the choice was made by the parent to move into the private facility.

The question I put in front of you is a contradiction of there being a choice, in that situation I've described, for accessing services. I would like to hear from the minister his explanation for that response.

[2025]

Hon. G. Abbott: I thank the member for raising this issue, because it's a very important one. It's an area where we continue both to build best practices and to build that continuum of supports that is so essential when one is confronted by a combination of mental illness, drug addiction and a suicidal tendency. These are concurrent disorders, as we were speaking about earlier.

Just a bit of background in terms of how we are trying to move forward in partnership with the Ministry of Children and Family Development on issues like the one the member raises. The ages between 17 and 21 often tend to be difficult years for youth, particularly when they are beset by one or by a combination of the issues which we've been describing here.

In the case of the youth who was suicidal, I appreciate the member advising me that the young person

had contacted me. I do get a lot of correspondence, so it's tough to know exactly who we might be talking about here. I can only speak generally. I would say that in most cases what we try to do if we have a seriously suicidal youth is try to get a hospital admission, so we could try to deal with their psychosis in that setting.

That having been said, a hospital is anything but the optimal location to do those things. Community-based facilities tend to be far better, far more effective and far more sustainable from a health-outcomes perspective than a hospital. What we would try to do is — again, in concert with the MCFD, because through that period from 17 to 21 we don't make a sharp distinction about when you turn 19 and say, "Sorry, now you have to go on to the Ministry of Health" or "No, you're two weeks short of your birthday; therefore, you're MCFD..." We try to work together on that and try to give seamless support there.

Recently, in addition to the \$2 million for crystal meth supports that we've added, we have added another \$6 million for new-facility, new-beds support for addictions treatment and residential treatment of youth and adult addictions. We know we're going to be adding beds as a consequence of that investment. We should also note that in partnership, Fraser Health Authority and Vancouver Coastal Health Authority are working jointly on what's termed a "portage project," which we believe will be very useful in informing best practices around the management of mental health and addictions issues for youth across the province in the future.

Again, I appreciate the member raising this issue, because it is an important and difficult one. This is an area where I think we need to be very receptive to the ideas and suggestions of all British Columbians about how we manage these things. Often we really need to build best practices one day at a time, because our understanding of challenges like crystal meth is often incomplete and imperfect. We need to keep building best practices based on the success stories that we sometimes see in respect of these issues.

[2030]

C. Wyse: So the minister knows: this was youth, not bridging, transitioning. Fortunately, he had the support of family that was able to stay with him and afford the cost of the private facility.

I recognize that I have very limited time left here, minister, so I'm going to give you one more question. Then I have my colleague here, who has some questions for you around addictions.

This doesn't fit into any particular topic that we've dealt with — schizophrenia. The information that I have is that few illnesses are as chronic as schizophrenia, which begins in the late teens or early 20s and lasts a lifetime. Modern treatment is available, and it works. However, many B.C. physicians don't follow current standardized clinical practice guidelines for proper management of the disease. Being on the B.C. chronic disease management list will help improve professional adherence to best practices and up-to-date treatment.

My question is: what is the status of placing schizophrenia on B.C.'s list for chronic disease management?

Hon. G. Abbott: The ministry does recognize schizophrenia as a chronic disease. Major mental disorders such as schizophrenia, severe depression and anxiety disorders have all been identified as major causes of disability. Our discussion with the B.C. Schizophrenia Society continues around how these issues will be managed into the future.

It is notable that the Ministry of Health has developed a guide for physicians to provide evidence-based information on prevention, early intervention, self-management, treatment, crisis management and so on. So that will be useful material.

In terms of leadership around early psychosis services, B.C. is clearly a leader in respect of that. Fraser Health Authority is in the forefront, particularly with a project known as the Fraser South early psychosis intervention program. They look at a whole range of best practices around early intervention following an initial psychotic episode, so that our management of those issues begins right away — whether it's pharmacological or therapeutic — in any number of ways.

[2035]

There's a range of activities underway here, and I think it is worth noting that the new agreement with the B.C. Medical Association will be very supportive and create a kind of platform on which physicians in this province will be able to be supportive of the psychiatrists in this province in helping to manage mental illnesses, including schizophrenia.

C. Wyse: I'm sure the B.C. Schizophrenia Society will wade through the response and determine themselves how close they are to being placed on the B.C. chronic disease management.

At this time, I would like to turn it over to my colleague the member for Vancouver–Mount Pleasant.

J. Kwan: I have two questions, I think, for the minister. First of all, it relates to, of course, the safe injection site issue in my riding. The trial is underway, and I would like to know from the minister what his thoughts are around the site. Given that there is a change with the federal government, there is concern in the community on whether or not continued support will be there and whether or not the minister...

Perhaps the minister already has spoken with the federal government to urge them to continue support of the safe site. Perhaps he's done that by letter or met with the minister; I'm not sure. I'd like to get the minister's comment, first of all, on that.

Hon. G. Abbott: I thank the member for her question. I'd say that I'm quite encouraged by the results that we have seen to date from the supervised injection site. We have a range of information. Actually, it's very interesting information, and you may wish to canvass it further. I know we're kind of running out of time

today, but there are a lot of interesting results that have come out of that work to date. By and large, the results are of an encouraging nature, so I'm certainly supportive of that continuing.

The ministry has written to the federal Ministry of Health to indicate our support for continuation of the permit that allows the supervised injection site to operate in Vancouver. I'm optimistic, notwithstanding some of the stuff a few months ago around this, that we will see the continuation of that site. I think we will continue to learn a good deal about how to manage these issues as a result of the experience of that supervised injection site.

J. Kwan: That's good to hear, minister. That certainly is reassuring, given that I know the member for Vancouver-Burrard had a different point of view around that from that of the minister. Having said that, I take the minister's word for it, and I take the ministry's word for it, because their decision, of course, is based on scientific information that's forthcoming. So that's good news.

I wonder if the minister could forward me a copy of the correspondence that's been sent to the federal government so that I could have it on record and also just keep track in terms of what's going on there, and any other documentation that the minister thinks might be useful and helpful as we're working on this file jointly.

The other question that I have for the minister. I'm just noting the time. I think I have one minute to ask the minister this question, and it is about the latest proposal from the mayor of Vancouver, Mayor Sam Sullivan, with respect to a heroin maintenance initiative. He's brought it out to the public as something he supports. I wonder whether or not the minister has had any opportunity to reflect on that concept and whether or not he has a position on that.

[2040]

Hon. G. Abbott: Further to the member's question, I think the NAOMI trial is largely a federal initiative to try to understand how a heroin maintenance program would work in terms of the social and economic outcomes in the lives of the heroin users. The trial is in its early stages.

Our Dr. Perry Kendall, the provincial public health officer, is certainly a support to the trial. Dr. Kendall is widely recognized as a leader in harm reduction in this province and in this nation, as the member well knows. In fact, we were delighted that Perry was in receipt of a Kaiser Foundation award for harm reduction at a recent event in Vancouver that our ministry was supporting, and the government was supporting, as a partnership with the Kaiser Foundation aimed at harm reduction.

I think it would be premature of me to suggest that conclusions could be formed about the NAOMI trials. We have enough experience behind us now around the supervised injection sites to say that those results are of an encouraging character. Obviously, we'll want to follow them and make appropriate decisions in the future based on the longer-term experience with that.

In terms of the member for Vancouver-Burrard, he canvassed this area quite closely in the last estimates, last fall. I don't know whether the member's characterization of his views in respect of this is accurate or not. I have no reason to conclude that, based on the discussion we had in estimates last fall, but the other member can correct his position on this if he takes umbrage with the characterization that's been provided by the member for Vancouver-Mount Pleasant.

J. Kwan: Those are encouraging words. I'm going to leave it at that. There's no point in dwelling on that. It's unimportant, really, in the scheme of everything.

On the NAOMI project. Yes, it is by and large a federal initiative.

I also note, though, that there are some folks who are on that initiative, on that trial. They're coming to the end of the year period that they're entitled to be a participant. Of course, they run the risk of actually having to leave the initiative. Therefore, they will no longer be part of that trial. These are individuals that, during this period, are showing very positive signs of success, if you will, under the trial. I'm very concerned that when the trial comes to an end for them, they will have to lapse back into some of the challenges that they faced before and therefore will engage in risk behaviours that may harm them as well as the broader community.

To that end, there are some components which I think require further thinking as the Minister of Health contemplates this. At the end of the day, I think part of that trial and the whole safe site and harm reduction initiative is to look at drug addiction as a health issue and to try to tackle it as a health issue. When the individuals come to the end of their trial, they will have to try to manage without that medical treatment under the trial, which will put them back into potential risk behaviours that we don't desire for the individual, as well as for our broader community and our health care system.

To that end, what do we do, and how do we deal with that? I think there's an ethical question here, which is a challenge for us, for the minister. That is to say that if there's success shown for these particular individuals, when the trial comes to an end, what do you do? We have to recognize that in the NAOMI, these individuals only got to be participants after they were shown to have had addiction challenges for many years and had tried a variety of treatment options, including methadone and so on, and had failed. We know those other options have failed for them. At the end of the trial, what do we do for them? How do we address that?

I think that Mayor Sam Sullivan raises a very good question at this juncture around the need for a maintenance program, and not for trial purposes. As the NAOMI is happening, across different jurisdictions they have also come forward with conclusions of trials that have shown that their maintenance programs have been successful in reducing harm both for the individual as well as for the community. In fact, some jurisdictions are now talking about making sure that the trial

becomes a permanent program. I think we can learn from that too.

[2045]

It's always curious to me, with respect to a drug addiction challenge, that we deal with it from this perspective. In every jurisdiction we somehow have to try to see and test whether or not the end results will be successful — with a safe injection site, with a heroin maintenance initiative — even though in other jurisdictions they have already done that. It's been proven to be efficacious.

We don't do that with any other medical treatment — cancer treatment, for example. We know that chemotherapy can be efficacious for some people. We know insulin, for example, is efficacious for people with diabetes. But we don't sit here and say, "Oh well, we'd better have a trial on that treatment to see whether or not it's efficacious," when it's been proven in other jurisdictions that, in fact, they are.

To that end, I'm asking the minister this question: what do we do for those individuals who are coming to the end of the NAOMI and will be finished with the trial program? What do we do for them in the meantime, as we're trying to struggle to find out whether or not the NAOMI has really been successful for British Columbia, even though NAOMI trials as such have been tried in other jurisdictions and have been proven to be successful?

The Chair: Minister, noting the hour.

Hon. G. Abbott: These are complex and difficult ethical questions to deal with, particularly when one is

noting the hour. However, let me say again that I think we've learned lots from the experiment with the supervised injection site — some of it very encouraging.

I'm sure that some things have been learned from the NAOMI trials. The NAOMI trials have been much more contained in terms of experience and time. I think that it would be premature to form conclusions from the experience of the NAOMI trials to date.

I would say without hesitation that Vancouver and British Columbia are leading North America and are comparable to some of the more — I hope the member doesn't recoil from this — liberal jurisdictions in Europe around the management of addiction issues. I think society has come a long way in terms of accepting the premise that addiction issues are often an illness in themselves but are often, in fact, quite compelling linked to mental health issues specifically.

We've come a long ways. Dr. Kendall looks forward to working on this issue. I look forward to working on this issue. There's more to learn. I don't believe we've got the answers to the entirely appropriate questions the member raises tonight.

Noting the hour, hon. Chair, I move the committee rise, report resolution and completion of the Ministry of Transportation and progress on the Ministry of Health and ask leave to sit again.

Motion approved.

The committee rose at 8:49 p.m.

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Published by British Columbia Hansard Services, and printed under the authority of the Speaker by the Queen's Printer, Victoria. Rates: single issue, \$2.85; per calendar year, mailed daily, \$298. GST extra. Agent: Crown Publications Inc., 521 Fort St., Victoria, B.C. V8W 1E7. Telephone: (250) 386-4636. Fax: 386-0221.

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