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3RD SESSION, 37TH PARLIAMENT

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Afternoon Sitting

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TUESDAY, MAY 28, 2002

The House met at 2:03 p.m.

Introductions by Members

J. Weisbeck: There is a very special guest today in the gallery from Cologne, Germany: Christine Meyer. Christine is here, in Vancouver, for the next four months working on her English skills. Would the House please make her welcome.

Hon. T. Nebbeling: I actually have two introductions to make today. The first one is a considerable list of guests that we have with us in the House today, so if you'll give me the time to do that....

We have with us Hans Cunningham, who is the president of the Union of B.C. Municipalities. We also have Frank Leonard, who is known as the mayor of Saanich and is also the president of the Municipal Finance Authority of B.C. Richard Taylor, the executive director of the Union of B.C. Municipalities, is also with us. Don Lidstone, who is the legal counsel to the Community Charter Council, is known as a top expert on local government legislation. We have Gerry Kingston, who is the president of the Local Government Management Association of B.C., and Debbie Comis, who is the Local Government Management Association's vice-president.

[1405]

We also have some CAWS staff in the gallery: Bob de Faye, the Deputy Minister of Community, Aboriginal and Women's Services; Dale Wall, the assistant deputy minister, local government department; Gary Paget, executive director of governance and structure division. We have Janet Erasmus and Erin Faulkner, who both work for the Attorney General's office and who have been very instrumental in drafting the draft of the community charter. All these members have been either part of the Community Charter Council or have been advising the Community Charter Council in creating the document that will be tabled in the House right after question period. I ask the members to give them a very well deserved welcome.

The second introduction is in the short form, Mr. Speaker. We have with us the mayor of Pemberton, a village in my riding of West Vancouver-Garibaldi. She is accompanied by Bryan Kirk, who is the city clerk and treasurer for the village of Pemberton, and Lori Onyschtschuk, who is the development administrator for the village of Pemberton. They're here on an important mission, and again, I hope the House can make them welcome too.

Hon. L. Reid: I am pleased to welcome to the precinct today and to this chamber Mr. David Wells. David is leading up the British Columbia Business and Economic Round Table on Mental Health. I would ask this House to please make him extremely welcome.

J. MacPhail: I look around and see the gallery is full of a very good, healthy bunch of people, but there are two people sitting in this House today that look like they're the healthiest and the brightest amongst the bunch. They happen to be the young children of our executive director, Clay Suddaby. Olivia and Stanley are joining us for the first time, and we're so lucky to have them here. Please make them welcome.

W. McMahon: It's a pleasure today to introduce two constituents, Phyllis and Elliott Pighin, who are proud ranchers from the Fort Steele area of British Columbia. Would the House please make them welcome.

J. Kwan: I see that visiting us in the galleries today is Anne Edwards, a former MLA from the Kootenay area. I know that she is here busily working on interviewing the women MLAs particularly, in preparation for her book. Would the House please make Anne Edwards welcome.

G. Trumper: I would like to announce to the Legislature that as of 3 o'clock this morning, there were two more young Trumpers born into the world. Jackson and Nicholas were born to my daughter-in-law Ronda and son Michael Trumper. Please welcome them into the country of Canada.

S. Orr: I notice a person in the House today who is a very special constituent of mine and who is also a very active member of one of my neighbourhood association groups, called NAG. Her name is Laurie Macalroy. She is also the mother of one of our Pages, Nouri, who assists and helps us in the House. I would be remiss if I didn't also mention my mayor, Frank Leonard, who taught me everything I know. Would the House please make them welcome.

A. Hamilton: It's my pleasure to welcome to the House Beth Gibson, mayor of the beautiful and wonderful community of Colwood. Would the House please make her welcome.

[1410]

Hon. G. Bruce: In the House today are two fine young gentlemen from my former high school — the high school that I graduated from. Yes, I did graduate. They just recently won the BCAA/BCIT auto skills challenge. They are the B.C. champions. They can fix your car in an hour and three minutes — not even knowing what's wrong with it. If any of you have a car that has anything wrong with it, they know how to fix it. They check the batteries; they make sure there's gas. In fact, they're on their way to the national championship in Winnipeg. You'll be happy to know that whenever you drive through the Cowichan Valley, you get your car fixed lickety-split, because these guys know how to fix a car really, really fast. They are Ryan Woike and Arthur McKinlay. Would you wish them well in their endeavours.

Mr. Speaker, I told you that I had ten friends, and I've introduced eight of them to you. I have here today the ninth one, who's a good friend of mine, their teacher and a guy that's led my high school to seven B.C. championships, I think, and three national championships: Mr. Tom Gavaghan, who I know is still proud — I hope — to be my friend. Tom?

Mr. Speaker: Thank you. The House will be pleased to know there's only one left. [Laughter.]

**Statements
(Standing Order 25B)**

CHARITABLE AND SPORTING
EVENTS IN SURREY

D. Hayer: Today I would like to bring the House up to date on some very important functions in my riding of Surrey-Tynehead and speak of the importance of giving.

All these events are run by volunteers and include the very high profile PGA tournament at the Northview Golf and Country Club. This event puts British Columbia on the map of the golf world. It is a grand event, and I urge all golfers in the House to be sure to attend and sample the hospitality that Surrey has to offer. This year's tournament runs from August 26 to September 1.

There are a lot more things to do, and I'd like to mention a few more of them. On June 2 is the Port Kells annual spring fair sponsored by the Port Kells Community Association, followed on June 14 by the Fraser Heights fair. On September 7 there is the Fleetwood Festival and fun run organized by the Fleetwood Community Association, established in 1923.

In addition, we have some important charitable events that exemplify the generosity of the people of my community. There is a big party tomorrow at the B.C. Family Hearing Resource Centre. I have spoken about this centre before, Mr. Speaker, and about how important it is to children and families throughout British Columbia for its assistance to hearing-impaired children.

The final event I want to mention relates to the B.C. Hospice Palliative Care Association. Its Hike for Hospice is being held on June 23. The fundraising event in my riding is organized by the Surrey Hospice Society, but hikes are being held throughout B.C., and 90 per cent of the money raised will go directly to the hospice organization in each community that hosts a hike. This B.C.-wide organization does wonderful work. In closing, I urge all members of this House to participate in the hikes in their communities and support this very worthwhile cause.

OAK BAY TEA PARTY

I. Chong: In my riding this weekend, June 1 and 2, an annual event is about to take place at Willows Park. This year marks the fortieth year running of the Oak

Bay Tea Party, a fun-filled weekend community celebration of entertainment, a midway, fireworks, bathtub race and usually an air show.

The Oak Bay Tea Party began as a one-time event in the summer of 1963 when the late Allan Cox, QC, was the reeve — or mayor, as we now call it — of Oak Bay. It turned out to be such a success that it became an annual event. Originally, the Oak Bay Tea Party was run by a group of volunteers, most of whom were members of the Oak Bay Kiwanis Club, who called themselves the "Oak Bay Bored of Trade." However, in 1990 a non-profit society was formed — the Oak Bay Tea Party Society — which is dedicated solely to putting on the tea party on the first Saturday and Sunday of June at Willows Park.

During its 40-year history the tea party has had three chairmen: the late Fred Usher, the late Marcel Barsalou and currently Mr. Bill Murphy-Dyson. Volunteers are still very much a part of contributing to the success of this annual event. In addition, local service clubs remain involved, such as Oak Bay Lions, Royal Oak Lions, Oak Bay Rotary and, of course, Oak Bay Kiwanis.

[1415]

Activities get underway, beginning with the Oak Bay Tea Party parade on Saturday morning at 10:30, when the parade winds through the streets of Oak Bay from Windsor Park to Willows Park, ending there in about an hour. As with all parades, trophies are awarded for winning entries in various categories.

Entertainment is plentiful, from school choirs to a rhythm and blues band, a jazz band and a big band. Clearly, there is something for everyone. At 10 p.m. at Willows Beach on Saturday night you can enjoy the magic of their fireworks display.

A new event has been added this year: the floating teacup race between Oak Bay's mayor, Christopher Causton, and Victoria's mayor, Alan Lowe, which will take place on Sunday afternoon. Also on Sunday afternoon, weather permitting, the air show will take place. That will include skydivers landing on the beach, military aircraft, aerobatic aircraft and a sea rescue demonstration.

Certainly, I encourage everyone to find some time this weekend to come down to enjoy Willows Park and enjoy hospitality in our Oak Bay community.

RCMP CAMPAIGN TO
PRESERVE THE *ST. ROCH*

D. MacKay: Mr. Speaker, as you know, I was proud to serve with the Royal Canadian Mounted Police for a period of 28 years. One of the least-known but highest achievements of the RCMP was in the sailing of its vessel, known as the *St. Roch*, and its circumnavigation through the Northwest Passage for the first time. That historic event gave sovereignty of the north to Canada.

Today this historic vessel is on display in Vancouver and is in dire need of repair. In response to that problem, six members of the RCMP have recorded a CD in Nashville. The production of the CD was made

possible through a generous contribution from Trendwest Resorts, Inc. The proceeds of the sale of the CD will go entirely to preserve the *St. Roch*.

One of the members of the band is my good friend of 30 years, Staff Sgt. Glen McRae of Prince George. I can vouch for the excellent music of the RCMP country band. At one time I have seen over 3,000 people dancing and enjoying themselves to the band's music. Further, this band's music has also raised money for bone marrow transplants.

I would ask all my colleagues in the House and people throughout the province to support this campaign to preserve the *St. Roch*. The name of the band is Steele Heart, named in honour of another famous RCMP member, Sam Steele. The release date of the CD will be June 6, 2002, at a ceremony to take place at the Vancouver Maritime Museum. Copies of the CD can be ordered direct online at cactusjacks@direct.ca.

Mr. Speaker: That concludes members' statements.

Oral Questions

ROB ABBOTT'S CONTRACT WITH WATER, LAND AND AIR PROTECTION MINISTRY

J. Kwan: In December of last year the Minister of Water, Land and Air Protection contracted with Rob Abbott to — and I quote from the contract — "support the success of the ministry in delivering its core review shifts and strategic priorities by providing support to the minister and deputy minister." The contract was for three and a half months. He was paid \$52,900, and he's apparently on the payroll again. The contract stipulated that Mr. Abbott work a four-day week.

To the Minister of Water, Land and Air Protection: could she please inform this House just what Mr. Abbott did to earn his \$1,000 a day, and just what service is he providing to the minister?

Hon. J. Murray: When this government took office, there were serious challenges in my ministry as well many of the other ministries. We asked Dr. Mark Jaccard, who's a well-known environmental expert and professor and also a former chair of the B.C. Utilities Commission under the NDP, who he would recommend to help us make the kind of changes we needed to make. Dr. Jaccard suggested several people, including Rob Abbott. The ministry undertook a process to interview the candidates and selected Mr. Abbott, who was paid according to the consulting rates of the day.

[1420]

I am very pleased that we have Mr. Abbott working with us. I'll just let the House know some of Mr. Abbott's credentials. He was the sustainability adviser to the city of Seattle. He was a founding associate and director of strategy at the Centre for Innovation and Management at Simon Fraser University. He's been a sessional instructor at the school of resource and environmental management at SFU. He was the director of

strategic environmental management services for Golder Associates, one of the firms most respected....

Interjections.

Mr. Speaker: Order, please. Order. Order, please.

Hon. J. Murray: He was the principal in charge of environmental services for Coopers and Lybrand, one of the world's largest and most respected business advisory firms.

Mr. Abbott is helping us with a range of the change management, including changing regulations looking at....

Interjections.

Mr. Speaker: Order, please. Order, please.

Hon. J. Murray: ...including the recreation stewardship panel that is reviewing park and wildlife recreation today. I am very pleased to have Mr. Abbott working with us.

Mr. Speaker: Thank you very much, hon. minister.

The member for Vancouver-Mount Pleasant has a supplementary question.

Interjections.

Mr. Speaker: Order, please.

J. Kwan: We're seeing massive cuts to the Ministry of Water, Land and Air Protection. While parks are being closed, a former Socred minister has been appointed to commercialize those parks that are left.

Today we hear from the environmentalists that the results-based code will lead to less environmental protection. The conservation service has been cut for the first time ever. There is no Drinking Water Protection Act. There is no agricultural regulation. There's no news on the pulp mill effluent. The only thing that we know for sure...

Interjections.

Mr. Speaker: Order, please.

J. Kwan: ...is that the minister is spending \$1,000 a day on a personal consultant. To the minister once again....

Interjections.

Mr. Speaker: Order. Order, please, hon. members. Let us hear the question.

J. Kwan: Does the minister think that spending \$1,000 a day on a private consultant is a good use of the taxpayers' money, especially when it's becoming more

and more obvious that her ministry simply can't do the job that it is mandated to do?

Hon. J. Murray: Mr. Abbott is assisting all the assistant deputy ministers with a range of shifts that we're making now, including our product stewardship programs and P2 planning. What I find particularly astonishing is that the member opposite would attack Mr. Abbott's credentials...

Interjections.

Mr. Speaker: Order, please. Order, please, hon. members.

Hon. J. Murray: ...and the validity of using a consultant to increase effectiveness, particularly in light of the fact that Mr. Abbott was a consultant to the NDP. I have a note here that Mr. Abbott had a contract with the green economy secretariat.

Interjections.

Mr. Speaker: Order, please.

Hon. J. Murray: Obviously, the NDP was very pleased with his work, because he was contracted again.

Interjections.

Mr. Speaker: Order, please. Order.

Hon. J. Murray: Mr. Abbott actually also worked for the Ministry of Community Development, Cooperatives and Volunteers. Of course, the minister of that ministry...

Interjections.

Mr. Speaker: Order, please. Order, please.

Hon. J. Murray: ...was none other than the member opposite. I'm sure that the member got as much benefit and satisfaction from the increased effectiveness of her portfolio as I expect to receive from Mr. Abbott's support.

Mr. Speaker: Thank you, hon. minister.

[1425]

Interjections.

Mr. Speaker: The member for Vancouver-Mount Pleasant has a further supplementary.

J. Kwan: You know what? The minister of environment — she's supposed to be the minister of environment — does not understand the point of the question. The point of the question is: if we're spending \$1,000 a day on a personal consultant for the minister,

what results is she getting for the protection of water, land and air for this province? She has received nothing from this consultation.

I want to ask the minister this question. The minister is constantly....

Interjections.

Mr. Speaker: Order, please. Order.

J. MacPhail: His record is impeccable; hers is a disaster.

Interjections.

Mr. Speaker: Order.

J. MacPhail: You don't even get the point.

Mr. Speaker: Order, please. Let us hear the question.

Interjections.

Mr. Speaker: Order. Hon. members....

Interjections.

Mr. Speaker: Hon. members, let us hear the question.

J. Kwan: Thank you, Mr. Speaker. I want to ask the minister this question. The minister is constantly defending her scientifically based approach to environmental management, but when it came to grizzly bears, it's shoot first and then look at the signs later. When it comes to aquaculture, its tough environmental standards being watered down to keep the multinationals that run the industry and make them happy. When it comes to logging in sensitive habitats like that of the spotted owl in the Chilliwack forest district, her scientists are being muzzled and then relocated so that the industry can have their way.

Why is the minister so willing...

Interjections.

Mr. Speaker: Order, please.

J. Kwan: ...to kowtow to industry-first colleagues? Why is she so willing to abandon her ministry's mandate and her expert staff opinion? Is it because this is just the kind of advice that she is getting from her \$1,000-a-day consulting services?

J. MacPhail: Or are you ignoring his advice?

An Hon. Member: Who's asking the questions?

Mr. Speaker: Order, please.

Hon. J. Murray: There are a number of challenges that this government inherited, and my ministry is no

exception. I have a consultant with the highest credentials who is participating and assisting in a review process for the contaminated-sites regime, is working on the development of a permanent science advisory panel for government so that...

Interjections.

Mr. Speaker: Order, please. Order, please.

Hon. J. Murray: ...we can increase the use of science in decision-making.

Interjections.

Mr. Speaker: Order. Order, please.

Interjections.

Mr. Speaker: Order. Order, please. Order. Question period will continue when we have a little decorum in this place.

Please continue.

Hon. J. Murray: Mr. Abbott is assisting the ministry in developing a business case for sustainability in government in support of the government's initiative...

Interjections.

Mr. Speaker: Order, please.

Hon. J. Murray: ...is assisting the ministry in long-term strategic planning and is working on the establishment of long-term environmental goals and indicators.

Mr. Speaker, this is a consultant who has a record of having worked with Alcan, B.C. Buildings Corporation, B.C. Gas...

Interjections.

Mr. Speaker: Order, please.

Hon. J. Murray: ...B.C. Hydro, B.C. Rail, the city of Seattle, Tolko Industries Ltd., Environment Canada, Crestbrook Forest Industries. This is a person with the highest....

Mr. Speaker: Thank you, hon. member.

Hon. J. Murray: ...who clearly was appointed again and again by the NDP because of his effectiveness.

J. MacPhail: We took his advice. Are you? No, you're not.

Mr. Speaker: Order, please.

Hon. J. Murray: We appreciate having someone of Mr. Abbott's calibre assist us...

Interjections.

Mr. Speaker: Order.

Hon. J. Murray: ...in making effective changes and improvements to our regulations and policies.

J. MacPhail: Well, let's see, Mr. Speaker. The minister who we just had answers from was giving the past record of advice taken without saying anything of what she's doing with that advice.

[1430]

NEGOTIATIONS WITH PHYSICIANS AND DELISTING OF SERVICES

J. MacPhail: There's also now other advice being given to the Minister of Health Services. The media is reporting that the Minister of Health Services said yesterday that he would sweeten the pot if the doctors returned to the negotiating table. This morning, we understand, negotiations have resumed — good news for British Columbians.

Now, what advice is he receiving? Can he tell the House if the government or the doctors have put forward any plans to settle the dispute by delisting medically necessary services so that doctors can make extra money by billing British Columbians for those services directly? What action is he taking in this area?

Hon. C. Hansen: At no time yesterday did I say that we were sweetening the pot. What I did say was that we were prepared to show flexibility if the negotiations could resume. Certainly, there are some discussions involving officials at BCMA and officials with government today. We're hopeful that we can move this forward and resolve these issues and get back to providing good patient care. There is no discussion around any delisting.

Mr. Speaker: The Leader of the Opposition has a supplementary question.

J. MacPhail: Yes, this morning we heard that there was going to be greater flexibility in return for resuming negotiation. Given the increasing bitterness of this dispute, one would assume that he meant something more than his goodwill. One would assume that he has something concrete to offer the doctors. If it's as the minister insists — that delisting medically necessary services is not on the table....

An Hon. Member: Did you not hear the answer?

J. MacPhail: I just repeated the minister's answer.

Interjections.

J. MacPhail: Perhaps he might have been spending too much time out in that hallway; I don't know. Maybe his ears are cauliflowered.

If it's as the minister insists — that there's no delisting of medically necessary services on the bargaining table....

Interjections.

Mr. Speaker: Order. Order, please. Let us hear the question.

J. MacPhail: Can the minister please tell the House — his own colleagues — if the government or the doctors have put forward in any other venue plans to delist medically necessary services so that doctors can make extra money charging directly for those services? If so, can he tell British Columbians how much those plans would be worth to the doctors?

Hon. C. Hansen: Certainly, in terms of the discussions with the BCMA to try to resolve this fee issue, there has been absolutely no discussion around delisting of services. As to whether or not the BCMA has put forward suggestions around delisting of services, I am not aware of it, but I would certainly check. I'll get back to the member if she's interested — but none that I am aware of.

[End of question period.]

Ministerial Statements

DRAFT COMMUNITY CHARTER

Hon. T. Nebbeling: I rise today to make a ministerial statement and to table a White Paper entitled *The Community Charter: A New Legislative Framework for Local Government*. It is indeed an honour for me to present this draft of the community charter, a new legislative framework for local governments, to the Legislature and to the people of British Columbia.

The community charter will change the way the municipal system works by providing for increased empowerment. Municipal empowerment means more self-determination and greater self-reliance. Increased empowerment will be balanced by enhanced citizen accountability and protection of provincewide interests like public health, environment and economic development. It will set in place a new approach to the relationship between the province and local governments based on cooperation and mutual respect.

[1435]

The community charter is one way in which the government will fulfil its commitment to developing a stable and predictable business environment for our communities. The community charter, in its final form, will rewrite and remove hundreds of sections of the current Local Government Act and replace them with simpler and more concise legislation.

With the community charter, British Columbia is moving towards the twenty-first century model of empowering local government and involving citizens. For cities to function in a modern way, they need the au-

thority to create the best environment for economic and social change to occur. The community charter will enable municipalities to develop the tools they need to do their day-to-day business in a fairer, more modern and efficient way, and it will enable them to make local decisions locally.

Under the community charter, municipalities will have more autonomy and better tools to reduce property tax pressures and enhance community stability. Mr. Speaker, there's been a long and hard road to travel to bring the draft of the charter to the House today, but it was worth every step on the way. The community charter will be an important tool to improve the quality of life in communities and the things that really matter in people's lives on a day-to-day basis.

Tabling Documents

Hon. R. Neufeld: I'd like to table the year 2000 report on Power for Jobs activity.

Reports from Committees

B. Penner: 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 28, 2002:

"Hon. Speaker, your Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills begs leave to report as follows: that the preamble of Bill Pr402, intituled Sea to Sky University Act, has been approved, and the committee recommends that the bill proceed to second reading.

"All of which is respectfully submitted.

Barry Penner, Chairman."

B. Penner: I ask leave of the House to permit the moving of a motion to adopt the report.

Leave granted.

B. Penner: I move that the report be adopted. I note that the member for West Vancouver-Capilano would like to also address this issue.

R. Sultan: I move the Sea to Sky University bill be considered for the second time now.

Mr. Speaker: We must adopt the report first. The motion has been made by the member for Chilliwack-Kent — adoption of the report.

Motion approved.

R. Sultan: Is it appropriate that I move the Sea to Sky University bill be considered for the second time now?

Mr. Speaker: That will have to happen tomorrow.

Bill Pr402 ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

Petitions

Hon. G. Plant: I table a petition addressed to the Victoria Legislature, signed by 566 residents of British Columbia advocating family law and justice reform.

J. Kwan: I rise to table two petitions, one containing 181 signatures asking the B.C. government to include chiropractic doctors in the B.C. Medical Services Plan. The second petition is a petition with 51 signatures from the Philippine Diamond Society of B.C., calling on the government to keep its hands off of medicare and to say no to privatizing health care.

J. Les: I rise to present a petition on behalf of 10,717 residents of the Chilliwack area opposed to the closure of Parkholm Lodge.

[1440]

K. Stewart: I rise today to present two petitions. The first is a petition to the B.C. government to include chiropractic doctors in B.C.'s medicare plan on a basis equal to medical doctors, signed by 130 people. The second is petitioning both the provincial and federal governments to take immediate action to support the employees and companies of the independent lumber remanufacturers who are being adversely affected by the unreasonable U.S. trade actions.

J. MacPhail: I rise to seek advice from you as Speaker about events that have occurred this week.

I am aware that Erskine May provides that select committees may consider and report to the House resolutions recommending an outlay of public money for a specified purpose, "without the previous signification of the Queen's recommendation." I am not, however, aware of the authority granted anywhere in the parliamentary jurisprudence for a select committee to unilaterally take action on its own resolution without first reporting to the House. I therefore seek your guidance, Mr. Speaker, regarding the events and the actions taken by the Special Committee to Review the Police Complaint Process.

We know that discussions took place between the Chair and the former police complaint commissioner regarding his resignation and severance provisions. I'm seeking the advice from the Speaker to provide recommended reading regarding the authority of the committee to actively engage in this kind of negotiation. The matter of expending public funds and from what budget — in this case, approximately \$100,000 — should have been reported to the House, where the recommendation would have been considered and voted on.

As I understand it, the sum has been taken from vote 1, even though neither the Legislative Assembly Management Committee nor the Legislature has considered that expenditure.

I seek your advice, Mr. Speaker. I know you'll rule on this at a later date on how to proceed in examining this matter.

Mr. Speaker: Thank you. The Chair appreciates your question and will respond in due course.

Hon. G. Collins: If I could perhaps provide some input or suggestions on this issue and some comment.

The severance and the accommodation that arose from the police complaint commissioner with his letter to you, the Speaker.... In order to move that ahead, the financial accommodations — it is my understanding — would come out of the vote that's already been appropriated by this House to defray the expenses of the office of the police complaint commissioner. That would be the normal process, as it would if anyone within that office were to be severed and require some sort of financial compensation for that.

If at some time in the future the commission decides that it cannot live within its budget, then the past practice of this House has been that those officers of the Legislature would present themselves to Treasury Board and request access to contingencies. This government has tried to improve upon that process and the independence of the officers by having them present to a committee of the Legislature and for that committee to take that up with government if that's what they chose to do.

My understanding is that the commissioner has left. There has been a severance that's part of that accommodation. The letter was given to the Speaker, and any costs that are incurred as a result will come out of the previously voted appropriation for the office of the police complaint commissioner.

I'm also surprised a little bit by the Leader of the Opposition's comments and her lack of certainty around this issue, given that the member for...

Interjection.

Mr. Speaker: Order, please. Order, please. Please continue.

Hon. G. Collins: ...Vancouver-Mount Pleasant was a member of the committee and did not attend one of the meetings. She was kept informed diligently by the Chair, despite no need for him to do that. He kept the member in the loop and informed on a regular basis.

Interjection.

Mr. Speaker: Order, please. Order, please. The Chair appreciates everyone's comments and will take them into consideration and bring back a ruling in due course.

Interjections.

Mr. Speaker: Enough, please. We have had quite enough informal discussion. Please address your remarks through the Chair.

Tabling Documents

[1445]

Hon. G. Bruce: I'd like to submit the annual report for the Labour Relations Board for the year 2001, the annual report for the Ministry of Labour for the fiscal year 2000-01 and the previously distributed annual reports of the fiscal years 1998-99 and 1999-2000, fulfilling my obligation as the current minister responsible.

Point of Order (Speaker's Ruling)

Mr. Speaker: Hon. members, on Monday, May 27, the Government House Leader rose under the provisions of standing order 81.1 and advised the House that an agreement had been reached in relation to time allocation for the conclusion of government business. The Leader of the Opposition rose on what she characterized as a point of order, which in essence was a disagreement with the circumstances as outlined by the Government House Leader. The Government House Leader then responded to the objections raised by the Leader of the Opposition, and the Speaker advised that the question would be taken under advisement.

An examination of the transcript leads the Chair to conclude that the matter raised by the Leader of the Opposition does not constitute a valid point of order but simply a disagreement between two members involved, relating to the circumstances surrounding the motion made under standing order 81.1. Accordingly, no further action from the Chair is indicated.

Tabling Documents

Hon. G. Collins: Pursuant to the Financial Administration Act, I am pleased to present reports for the fiscal year ended March 31, 2002, on amounts borrowed by government for making loans to government bodies as well as the corresponding report on loans to government bodies, amounts reported in foreign currencies and amounts borrowed for authorized disbursements. These reports provide an overview of the province's borrowing activity in the fiscal year 2001-02.

Orders of the Day

Hon. G. Collins: I call second reading of Bill 58.

Second Reading of Bills

CARRIER LUMBER LTD.

FOREST LICENCE COMPENSATION ACT

Hon. M. de Jong: I move that Bill 58 be read a second time now.

I should say in my comments today that it is, of course, unfortunate that we would need to be here and that the House would need to debate a bill of this sort. I think the circumstances that give rise to the need for this bill and this settlement with Carrier Lumber Ltd. are fairly well known. The events date back a number of years. Suffice to say, the Supreme Court of British Columbia rendered a judgment in 1999 wherein it found in favour of the plaintiff, Carrier Lumber Ltd., and assigned liability against the Crown for actions and activities that it described in a very unflattering way — terms like "deceptive practices" and "bad faith."

We could spend a lot of time here today assessing and reviewing how that came to pass and the conduct of the previous government in placing the Crown and, more particularly, the taxpayers of this province in a vulnerable circumstance that gives rise today to the expenditure of significant resources from the public treasury. I'm not sure what we would achieve by doing that. Suffice it to say that by virtue of introducing Bill 58 today, this government is resolved and is taking steps to end that long-running dispute, that long-running case with Carrier Lumber, and bring closure to this matter.

[1450]

The first thing I'd like to do is just put on the record the specific details of the settlement and then conclude by emphasizing what this bill does to give effect to those settlement provisions.

The key question relates to the cost to the Crown of this agreement. We estimate that to be just shy of \$75 million. It consists of that settlement of \$30 million in cash; two parcels of land transferred from B.C. Rail — that is, the Crown purchases that land from B.C. Rail and will transfer it to Carrier Lumber; and also a five-year forest licence to harvest 1.5 million cubic metres of timber, and significantly, that timber would be harvested free of any stumpage charges.

The province paid B.C. Rail, with respect to the B.C. Rail lands, \$2.6 million to transfer those lands to Carrier Lumber. Parenthetically, the land — the Tabor mill site in Prince George, as it is referred to, a neighbouring property.... Previously, Carrier had leased the mill site. They will assume ownership. As well, B.C. Rail has forgone some rail bed gravel on the property, which the Crown will replace from another yet-to-be-determined site. We have assigned a value of approximately \$1.1 million to the cost of that gravel replacement.

The Carrier Lumber Ltd. Forest Licence Compensation Act, which we are debating here today, will authorize the government to directly award to Carrier Lumber a forest licence that provides 1.5 million cubic metres of green beetle-attacked timber in the Prince George timber supply area free of stumpage and rental charges. Happily, arising out of an obviously unhappy situation, that will allow us, I think, to bring some additional resources to bear on trying to slow the advance of the mountain pine beetle infestation. We have calculated — and this is not a particularly exact science these

days — as best we can the value of that timber licence to be in the range of \$41.1 million.

This bill enables the government, as part of the settlement agreement with Carrier Lumber, to award this forest licence specifically in replacement for the forest licence that the B.C. Supreme Court ruled in 1999 the Crown had cancelled illegally. As was the case with the original licence, as I pointed out, the forest licence will concentrate on harvesting in the beetle-infested areas.

Bill 58 also contains a number of provisions which allow the government to implement the settlement agreement with Carrier. I will list them briefly. The bill allows the Minister of Forests to directly make the award. It also includes some special terms and conditions as part of the forest licence. Specifically, stumpage will not be payable. We will ensure that the licence provides Carrier with a guaranteed volume of timber. The licence is not subject to any allowable annual cut reductions that may be imposed on other licence holders located in the same timber supply area as the Carrier licence. Carrier is not required to pay annual rent under the licence, and the licence must provide for the identification and special selection of timber harvested under it. That also assists us in allowing the licence to be directed at beetle-infested timber, while giving Carrier some input in the location of timber harvested under the licence. Bill 58 specifies that this forest licence is to be for a term of five years and is non-replaceable.

On the positive side of the ledger, it bears mentioning that according to Carrier Lumber, they believe the awarding of this timber licence will provide them with the means to employ an additional 60 jobs — some in the harvesting sector and some on the processing side.

People will see that the bill specifies that the law which applies to the licence is the law in place when the settlement agreement was signed.

[1455]

This legislation clearly would not have been necessary but for the exercise of political interference that the court has now ruled on and made decisions around. Those decisions have visited upon the taxpayer of the province in a very significant way. We estimate, as I've said, close to \$75 million.

We can't change the past. We can move forward, but as we move forward — I think that is the intention on the part of Carrier Lumber; it is certainly the intention on the part of the Crown — it bears repeating that when governments, any governments, abuse their authority, at the end of the day it is the citizens that lose and the taxpayers that pay.

This is a significant settlement. These negotiations were not easy. We think the settlement that has been arrived at represents a fair and equitable approach to resolving injustices identified by the Supreme Court of British Columbia, but at the same time it is a significant award of a lot of money.

Those are my comments on second reading, and I do move second reading of Bill 58.

Motion approved.

Hon. M. de Jong: I move that the bill be referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

Bill 58, Carrier Lumber Ltd. Forest Licence Compensation Act, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

Hon. M. de Jong: I call Bill 26.

Committee of the Whole House

EMPLOYMENT AND ASSISTANCE ACT

(continued)

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

The committee met at 2:59 p.m.

On section 2 (continued).

[1500]

J. Kwan: Earlier this morning we were engaging in discussions around the eligibility of family unit, section 2 of Bill 26. I was asking the minister questions, particularly related to the issue around refugee claimants. I want to close off those questions with this letter that was sent to the minister. This is a letter from an individual who's received support as a refugee claimant. The letter reads:

"Dear Sir:"

I'm not going to say her name. It says: "My name is...." I'm not going to put her name on the record, for her privacy protection. It goes on:

"I came to Canada with two children as a refugee claimant. When I arrived in Canada and reported to Immigration Canada to make a refugee claim, I did not have any money for food or rent. I spent all the money and resources I had to come to Canada and arrived here with only my life.

"I received some initial financial assistance from the Inland Refugee Society of B.C. in Vancouver, which helped cover costs of food, photos for immigration and transit for the first few days. I applied for and received welfare after a few weeks.

"It is only with the help of the B.C. government that my life is where it is today. I've been through the refugee claims process and have been determined to be a convention refugee. I've been able to live through the past year and provide for my two children because of the generosity of the B.C. government.

"I want to express my thankfulness, but I cannot remain silent. There are many refugee claimants who will be coming to B.C. in the future, and I must speak for them. They need your promise of support and help. Please do not make it difficult for refugee claimants to receive financial support.

"I want to thank you for helping my family and me. Please help those who are still coming.

"Sincerely"

It's signed by this individual. The letter was written to the Minister of Human Resources.

The reason why I want to put this letter on record is this. Prior to the lunch break I asked the minister, on the section under eligibility of a family unit, whether or not refugee claimants will continue to receive assistance from government under Bills 26 and 27 and with the new regulations that we have not yet seen. The minister advised that he'll be engaging in discussions with the federal government trying to seek additional dollars from the federal government. I replied: "Fair enough, but irrespective of that, it is the government's responsibility to ensure those who need assistance receive assistance. In this case, we're talking about refugee claimants." The minister was unable to give confirmation of that, irrespective of the outcome of the negotiations with the federal government.

The reason why I want to put this letter on the record is to illustrate the point that where assistance is provided, it does make a difference in people's lives. This individual has shared her own personal story on how it made a difference to her. She's now advocating for the future refugee claimants who may need government assistance.

I hope the minister will take this to heart because it is the government's responsibility to make sure that people who need assistance are provided with assistance. The regulations that are still to come will spell out who is eligible. The legislation does not indicate that, but the regulations will. The minister needs to make sure that when the regulations are before British Columbians for review, those regulations do not exempt refugee claimants from eligibility for income assistance.

I now want to turn to another issue under section 2 of Bill 26. Under the previous B.C. Benefits (Income Assistance) Act, section 2 dealt with the Income Assistance Advisory Council. The Income Assistance Advisory Council is no longer in the new Bill 26. Could the minister please advise what's happened to that council? During times of such extreme changes, wouldn't it be beneficial to keep the Income Assistance Advisory Council to ensure that changes are not harming people?

Hon. C. Hansen: I seek leave to make an introduction.

Leave granted.

Introductions by Members

[1505]

Hon. C. Hansen: In the gallery just joining us is a grade 10 class from York House School accompanied by their teacher, Mr. David Kerr. I hope the House will make them welcome.

Debate Continued

Hon. M. Coell: Under the former government the advisory council sat empty for a number of years, and

no one was appointed to this council. But I will take the member's suggestion under advisement.

J. Kwan: Actually, when the government was contemplating changes to the former income assistance act, the advisory council was put together, and a variety of people were on this council to advise the government in terms of what direction they should or should not take. So in fact, when changes were being brought about, that council was actually very active, contrary to what the minister is implying at this point. I just want to be clear on that.

I want to add the point of the member for Vancouver-Langara with respect to the need for an advisory council. Here's what he had to say in 1996:

"Since the government, in overall perspective, is very conscious that people who are using the services have a strong input to the services, is there a principle where a third, a half or a fairly high representation...? To say there's one or two token people there would not be satisfactory. But is there a high representation of persons from across the province who would be able to tell you the urban and the rural and the other settings, who are recipients and can therefore reflect on how the service actually operates? It would seem to me important that, on principle and in guidelines, there should be a certain guaranteed, if you like, representation of those people."

This was during the debate in 1996 relative to the income assistance act, and the member for Vancouver-Langara was arguing that there should be representation, particularly broad representation, for people across B.C. so that they could bring forward their perspective on changes to income assistance. I do want to note that for the minister.

Section 2 also states that the entire family unit on whose account the assistance is provided must satisfy the initial and continuing conditions of eligibility. Without knowing the conditions of eligibility, what requirements will this impose on family members? And how will requiring all family members to submit information ensure that the applicant is receiving the support they need?

[1510]

Hon. M. Coell: This is a definitions section. I'll just try and summarize for the member. The section sets out a general rule respecting eligibility applicable to all sections of the act. It states that the eligibility of a family unit for a form of assistance is subject not only to the eligibility of each family member for whom the form of assistance is provided but also to the whole family not having been declared ineligible for some other reason. In other words, if assistance is provided for three people, all three people must maintain their eligibility for that form. If the assistance is provided to one person in a family of three, that individual must maintain eligibility for that assistance.

I could give an example, maybe, that would be helpful. Each individual receiving a benefit must be eligible. As an example, if a person receives a diet allowance that is individualized, they must continue to

be eligible in order to continue to receive that benefit as well.

J. Kwan: Let me ask the minister questions relating to section 2 for the issue around children in the home of a relative. I believe section 2 may provide the legislative authority for the Child in the Home of a Relative program. If in fact it does, I have some questions regarding the proposed changes to that program.

The Minister of Children and Family Development made it clear that when a child is placed in the custody of a family member on an interim basis due to child protection concerns, that family will be able to access support through the Ministry of Children and Family Development. However, under the changes to the Child in the Home of a Relative program, legal guardians or anyone who has entered into a written agreement with the director as described under section 8 of the Child, Family and Community Service Act will no longer be eligible for the Child in the Home of a Relative funding. This will impact families with little disposable income who have taken on the financial and emotional responsibilities of caring for that child.

If there is no concern expressed to the Ministry of Children and Family Development about the protection of that child, no funding will be available to those people. The effects of this change in policy directly and negatively impact children.

The Minister of Children and Family Development also said during the throne speech debate: "Time and time again, research tells us that the safety and well-being of children are better secured by promoting family and community capacity. In our ministry this means we will strive to keep children with their families where possible, by putting the necessary supports in place." That's directly from the throne speech debate.

What alternatives is the Ministry of Human Resources developing to ensure that low-income working families receive income assistance when they need it? Could the minister please advise on the progress he's having with discussions with the Minister of Children and Family Development on the possibility of maintaining the Child in the Home of a Relative program?

Hon. M. Coell: I also have the Minister of Children and Family Development with me at this point.

Children will still, of course, have access to the services of the Ministry of Children and Family Development. The Child in the Home of a Relative program is going to continue. We had proposed to make some changes with regard to legal guardians. It was pointed out to us that that may be problematic, so we have asked both ministries to review that decision and to bring back some options for us at the end of June.

J. Kwan: At the end of the June period, will the minister make that information available to the public and to the opposition? The opposition would be happy to work with the minister on this issue. It is a very important issue. I think we both stand on the same ground — that children should not be jeopardized to

save a small amount of money. Therefore, the Child in the Home of a Relative program is essential to ensure that children are not put at risk. I would urge the minister to keep that program, and the opposition will offer any assistance we can to work with the ministers in achieving that goal.

Hon. M. Coell: I was just going to thank the member for that observation. I appreciate it, and I'll take her up on the offer.

Sections 2 and 3 approved.

On section 4.

[1515]

J. Kwan: Section 4 deals with income assistance and supplements. Could the minister please advise the supplements that would apply for top-up of individuals on income assistance? What are those supplements?

Hon. M. Coell: This section actually sets out a broad authority to provide income assistance and supplements that are the same as the BC Benefits Act provision. The supplements are generally provided to families in receipt of assistance. Examples would be clothing moneys for persons in a care facility, diet allowances and moving costs.

Some supplements are not conditional on receipt of assistance. These would include the bus pass and burial costs.

J. Kwan: In the regulations that will spell out what those supplements are, given that we don't have the regulations before us, could the minister please advise: are there any items that will be deleted from the existing list of supplements being provided to income assistance recipients? Will the amounts also change and, if so, in what way?

Hon. M. Coell: It's similar to the list that I provided for Bill 27. I'll endeavour to get the list corresponding to this for the member if she wishes.

J. Kwan: I want to be very specific around these issues, because time is of the essence. The government has brought in closure. I'm feeling very anxious at this time, to be frank with you. I have less than three hours to debate Bill 26. There are many sections and many changes that will impact people's lives very fundamentally. We're not talking about the lives of people who are endowed with all kinds of supports. These are individuals who are basically just barely surviving, given the limited support that they can receive from government.

I want to be very specific with the minister in terms of what changes British Columbians are going to be faced with in Bills 26 and 27. In this instance where supplements are being referred to, I want to know specifically what supplements will be eliminated, if any; what amounts will be changed, if so. And what are those changes?

Hon. M. Coell: I will provide that list to the member. The regulations for that list are still under development.

J. Kwan: You know, the answers that the minister is providing are not good enough. I have to say this in this House. Every question that I ask of the minister, he advises this House: "That work is being developed. Don't worry; everything is essentially, substantively, the same."

But it's not going to be the same. Changes are coming. The minister himself has said that changes are coming. There are substantive changes impacting people's eligibility and what they're eligible for.

We're talking about supplements. I want to know what supplement supports will be eliminated, if any, and what amounts will be reduced, if they will be reduced.

Surely the minister has some sense of what's coming before him. Or does he not know at all? If he doesn't know, then this bill should not be in this House for debate, and he ought to know that. He ought to know that, because he's got his budget, and in his budget he's made cuts. He's anticipating that those cuts are going to come from reduction in services and eligibility for people on income assistance.

[1520]

Will he come clean and tell this House, on the issues around supplements, who will be cut off, what supplements will be eliminated and if the rates will change or not?

Hon. M. Coell: We have tried to be, I think, as transparent as possible in the three-year service plan and with the changes announced. I gave the member examples of the supplements — the diet allowance and clothing allowance for people in care facilities, bus passes, funeral costs. Those sorts of issues are there now and will be there afterwards. A lot of the detail you're asking is under development in regulations.

J. Kwan: Let me ask the minister a specific question. What about seniors who are on Canada Pension? They're on the Canada Pension Plan, and the money which they receive does not reach the equivalent amount to those who would otherwise be on income assistance. Formerly, there would be a top-up under the supplements category. Would those seniors still be able to receive a top-up from this ministry?

Hon. M. Coell: I think the member is referencing the seniors supplement. There will be no decrease in the amount that people are receiving over the next three years, but there will not be an increase either.

J. Kwan: Would the people who are applying now qualify to receive a supplement?

Hon. M. Coell: Yes, it's based on income.

J. Kwan: With the passage of Bill 26 and Bill 27 and the new regulations that would be in place, the people who then apply for income assistance on CPP, who re-

quire top-up from the government, would continue to receive that top-up. Is that what the minister is saying?

Hon. M. Coell: If the member means on top of the OAS and GIS, the answer is yes.

J. Kwan: I'll ask the minister this question, then, on the issues around supplements. There is a letter that has been written to the minister regarding child care subsidies. I'm going to put the letter on record, because this ties into the supplement piece:

"I'm writing to voice my profound concern about the changes to subsidy eligibilities for low-income families. These changes are especially disappointing because they were implemented despite evidence of their detrimental effects.

"Let me remind you of the impacts of the changes you have prescribed. Reducing the income threshold for subsidy eligibility by \$285 per month means that parents will implement cost-savings measures that will compromise the care of their children.

"You further trivialize the hardships of low-income families by establishing a rule that abandons a subsidy claim of \$50 or less. This amount of money or less can easily provide nutrient-rich foods such as milk, cheese and bread that are important for growth and development. Your changes will no doubt increase the number of hungry children. Let me know why it is that you believe the above changes will actually improve the well-being of children in the province of British Columbia.

[1525]

"One of the barriers to employment for parents of young children is access to good quality, affordable child care. Their inability to meet child care needs greatly reduces their opportunity for success, the opportunity for them to move away from an income assistance-requiring existence. All children, regardless of their parents' income, have the right to quality care.

"Quality includes (1) caregivers who are able to develop healthy working relationships with parents and caring relationships with children; (2) a stable and stimulating environment that nurtures emotional, intellectual, physical and social needs of children; (3) consistent and educated caregivers; and (4) caregivers who are connected with the professionals and resources in the community."

Could the minister advise, then, please: under the supplements category what changes are being made, particularly in the area of child care subsidies? And what are the rate reductions? The information I've received indicated that at least we're looking at a reduction of the threshold for eligibility for subsidies by \$285 per month, as has been pointed out by this letter from the Regional Child Care Council of the capital regional district. Also, in our discussions with the minister in the estimates, I understood that there would be a reduction in the threshold for eligibility for child care subsidies.

Hon. M. Coell: The child care legislation is with the Ministry of Community, Aboriginal and Women's Services. We administer that service. There are no changes in either Bill 26 or 27 that would affect that legislation, but the member is correct: there was a change in the

criteria that we discussed in estimates of lowering the threshold by \$285. That's already taken place.

J. Kwan: By lowering the threshold, how many people does the minister anticipate will be impacted?

Hon. M. Coell: That really isn't part of this legislative package in front of us.

J. Kwan: Yes, it is before us right now. Right now we're talking about the income assistance and supplements and about who is eligible and who is not eligible. Part of the supplement is for child care subsidies. The minister has brought about changes in the threshold for eligibility for those who need child care subsidies; therefore, people would be impacted. Did the minister not know, before he even brought in legislation, how many people would be impacted and how they would be impacted?

Hon. M. Coell: The changes are a separate act. It's the child care subsidy act. The child care legislation is within the Ministry of Community, Aboriginal and Women's Services.

J. Kwan: You know, it's funny. When questions were asked of the Minister of State for Women's Equality on these issues, you know what she said? "It's not my responsibility. Go and talk to someone else." So here we are asking the Minister of Human Resources, who is administering this act, who is making people eligible or not eligible. It's this minister's responsibility to make that determination, and through his determination he's cutting the threshold of eligibility for people.

Surely he must have some sense in terms of how it is impacting people in this regard. Surely he must. Given that it is this minister's mandate to make sure and work towards helping people to get off of income assistance and into the workforce, he must understand that there's a relationship between getting to work and the availability of child care subsidies to parents who need those child care subsidies so that they could get to work.

If the minister has no understanding of that, then how could he say that these acts, Bills 26 and 27, that he's bringing forward in this House, and cutting eligibility thresholds for children and parents and families who need the child care subsidy, would not impact them in terms of their future opportunities of gaining employment? How could he possibly say that? How can he possibly say that Bills 26 and 27 and the changes that are being brought about are actually good for the people who need income assistance and child care subsidies from government?

Hon. M. Coell: Section 4, which we're on, of Bill 26 does not have supplements or subsidies in it for child care. That is clearly the child care subsidy act. That legislation is with another ministry.

J. Kwan: I'm just going to read section 4 into the record, "Income assistance and supplements."

[1530]

"Subject to regulations, the minister may provide income assistance or a supplement to or for a family unit that is eligible for it." I asked the minister the questions around what the supplements are. Will there be changes to the existing supplements that are already available? What changes are in the rates and eligibility for those who would be eligible or need supplements?

The minister was not able to give me a full list of what those supplements are, what those rate changes are and around what those eligibilities are. He says those are all under development. The only way British Columbians will know or have any sense of what the intent of this government is, is for him to now say on record who's eligible and who's not eligible and what those changes are.

For the minister to suggest that it is not his responsibility under this section of the act is absolutely ludicrous. It's ludicrous for the minister to say that, save and except that the minister has no sense of what his mandate is or how he is going to achieve that mandate. His only driver, then, is to cut programs, cut rates and cut eligibility, irrespective of what the impacts are. You know what? I'm afraid that's what we're seeing right now before us in this Legislature with this minister.

Hon. M. Coell: I think the member fully understands the role of legislation and the role of regulations. Clearly, section 4 gives the government or the minister the authority to provide supplements and income assistance for specific areas. I outlined the areas. A child care subsidy is not a supplement under this act.

J. Kwan: You know, the minister says that legislation is before us and that we're guided by what the legislation says. He says that regulations will accompany the legislation that will clearly define what falls within the legislation. The minister said during estimates that he would provide the regulations accompanying Bills 26 and 27 when they are before the House for debate. Well, to date we have not seen the regulations before the House when we're engaging in debate. The opposition asked the minister to stand down the bill and wait until the regulations are before the House so that we can all know what this bill means relative to the regulations. You know what? The minister rejected that at every turn.

It's not just me who wishes to know the answers to these questions. I see many people visiting the gallery today who are here seeking these answers from the minister as well. And those who are not here in the galleries today want to know what the answers are, because the impacts of these changes are very fundamental to people's lives. It makes a difference in people's lives.

Here we have a minister who does not know the answer to the questions, and in spite of that, he wants to ram through legislation in less than two and a half hours. In less than two and a half hours the government is going to bring in closure to shut down debate

on Bill 26, impacting hundreds of thousands of people who are on income assistance.

Hon. M. Coell: We've had this discussion before. When B.C. Benefits came into effect, the regulations were not tabled until a year later. I've made a commitment to timely regulations so that people can see them. We're working on them, but I can tell you it certainly won't be a year, as the previous government took for their regulations for B.C. Benefits.

J. Kwan: You know what? It's not the opposition who want to see the regulations before this House. Your own members want to see the regulations before the House before it has been debated. The member for Vancouver-Langara asked for the regulations and criticized the government for not bringing the regulations before the House for debate. It's not just the opposition who have these criticisms. The government members — the government member for Vancouver-Langara — have criticisms.

[1535]

The minister can defend all he wants, but the fact of the matter is that before this House, the minister himself does not know the answers to the questions. I want to ask the minister how he can pass a piece of legislation when he himself doesn't know what the ramifications of it are.

Section 4 approved.

On section 5.

J. Kwan: Section 5 deals with hardship assistance. Hardship assistance is provided, subject to regulations, to families who are eligible for it and who are not eligible for income assistance.

Could the minister please advise how eligibility for hardship assistance will be determined?

Hon. M. Coell: In short, the regulation will set out the circumstances in which persons who are ineligible for income assistance for specific reasons may be considered for hardship assistance. For example, a person ineligible for income assistance because he or she cannot supply a social insurance number may receive hardship assistance as it is today.

The issuing of hardship assistance is and always has been discretionary. Hardship assistance is typically provided, as I said, where authorized by regulation when a person has no other resources and is taking steps to rectify the problem that made the person ineligible for income assistance.

J. Kwan: Would the person applying for hardship assistance have to wait three weeks before they're eligible?

Hon. M. Coell: As the member has noted, hardship assistance is for those ineligible for income assistance. There is a separate process, which is an emergency

needs assessment, which is done when someone shows up at one of our offices. Again, it's for people who are ineligible, and there's an emergency needs assessment done.

J. Kwan: Is the minister then saying that there is no waiting time for someone who is in need of hardship assistance, and they would therefore be able to get hardship assistance immediately?

Hon. M. Coell: I think I understand the question. If someone comes into an office, they would apply. If they were, in their conversations, looking for hardship assistance, they would have that emergency needs assessment done that day.

[1540]

J. Kwan: Eligibility for hardship assistance. Is the minister then saying that the eligibility for hardship assistance under Bill 26 and the regulations that we have yet to see will not further limit people who are seeking hardship assistance from the ministry? That is to say, the criteria for eligibility. It would not be harder than what it already is right now for people to qualify for hardship assistance. Is that what the minister is saying? He's giving the commitment that the regulations, when they come into place, will not make it harder for people to get hardship assistance from the ministry?

Hon. M. Coell: I think the answer is that if there is an emergency need, they would receive hardship assistance that day. To give an example, if a refugee claimant comes into the office today and there is an emergency needs assessment done, that would be the same in the future as well.

J. Kwan: Is the minister giving me the assurance that there will be no changes then to the eligibility criteria for hardship under Bills 26 and 27 and the new regulations that will be brought before the House at a later date?

Hon. M. Coell: I think the member knows that I'm not able to make hard-and-fast commitments on regulations that are under development.

J. Kwan: Well, that's why we're in this process — for me to try and get answers from the minister. The minister has not been able to give me any answers to the questions that I've posed to him. He wants to make it sound as though everything is the same, so don't worry because people will still be eligible for income assistance, and people would be eligible in this instance for hardship assistance — this when, in fact, things are going to change. What I'm trying to get at is this: what changes are forthcoming? The minister needs to give these answers to British Columbians. He needs to give answers to the people who are sitting in the gallery, watching the minister for the answers. The minister needs to give answers...

[Interruption.]

The Chair: Excuse me.

J. Kwan: ...even to his own members.

The Chair: Member, would you be seated, please. I have to remind the gallery that there's no interaction between the gallery and the House. In future, would you please keep your comments to yourself? Thank you.

Member, proceed.

J. Kwan: The minister needs to give the answers to his own members. I've got the member for Victoria-Hillside whispering to me, saying that things are the same and there's no changes. So I want to know if there are changes forthcoming. If so, what are they? The member behind me, for Cariboo South, is saying that there are no changes and that people are able to get hardship assistance. Well, that is the case now, but with Bills 26 and 27 and new regulations coming forward, I want to know who's going to be impacted. Is it going to be harder for people to receive hardship assistance? If so, what is it? The minister needs to come clean and tell us in this House now.

Hon. M. Coell: I think during second reading debate on both Bills 26 and 27, I was very clear as to the direction the government is moving.

We want to have a bill that provides assistance for those in need and opportunity through job placement and training programs. It provides independence. It develops the human potential. I understand the member's consistent desire for regulations that aren't developed. We're dealing with legislation here. We're dealing with the principles of moving forward with assistance, opportunity, independence for people and developing the human potential. I understand where the member is coming from, but I think she has to realize that the direction of this bill, and the direction of Bill 27, is to enhance people's ability to be independent and to have the opportunities there for them.

We're going to spend \$300 million on job training programs over the next three years. As a matter of fact, in our mandate over the four years we'll spend \$6.6 billion on income assistance. There are many people on income assistance who want to work. We're going to, I think, add to the programs that the member and her former government started. We hope to see people being able to access jobs through the training and placement programs that we have.

[1545]

J. Kwan: It's clear; it's becoming clearer and clearer to me that the minister doesn't have the answers. He does not know what the answers are. If he does, he doesn't want to tell the public. He keeps on trying to imply that there are no changes — so don't worry; be happy — when we know the difference. We know what Bills 26 and 27 are going to do. A lot of people are going to be cut off income assistance. Their rates are

going to be reduced. Eligibility is going to be harder. There's no way of getting around it.

All we want to know in this House as we engage in this debate is how people are going to be impacted. What's becoming clearer and clearer is that the minister has no idea whatsoever what the answers are. This is not good enough, minister.

I have to say, because every time I look over.... I'm watching the clock. It's now a quarter to four, and I'm feeling increasingly anxious because I have so many questions. I have binders and binders full of questions to ask the minister, and by 6 o'clock there will be closure in this House, and those questions will not be asked in this House. British Columbians will not have an opportunity to find out what the intent of the government is under Bill 26. I'm becoming increasingly anxious with that.

On that note, Mr. Speaker, I want to say very clearly that I do have a lot of questions around income assistance relative to section 5 on the hardship assistance eligibility, but I feel that I'm under much duress and that I'm not able to ask all of these questions because of time limitations.

I also want to say thank you very much to the people who have taken time out of their lives to come to the gallery today to witness this undemocratic process that the government has put before us, bringing forward closure and impacting people's lives. I very much appreciate them taking the time out of their lives to do that.

I also want to say that we respect the rules that accord to this House. Thank you for guidance from the Chair that the gallery is not to participate in the debate by comments and the like. We appreciate that, and we will respect the rules of this House. But you know what? We also expect the minister to provide answers to the questions in this House.

Sections 5 to 7 inclusive approved.

On section 8.

Hon. M. Coell: I move the amendment to section 8 standing in my name on the orders of the day.

[SECTION 8, by deleting the proposed section 8 (1) and substituting the following:

- (1) For a family unit to be eligible for income assistance, at least one applicant in the family unit must have
 - (a) been employed for remuneration for at least the prescribed number of hours in each of two consecutive years,
 - (b) earned remuneration for employment in at least the prescribed amount in each of two consecutive years, or
 - (c) been employed for remuneration for a portion of two consecutive years and for the balance of those years either
 - (i) served a waiting period in respect of, or received benefits under, a claim under the Employment Insurance Act (Canada), or
 - (ii) received income under a public or private income replacement program or plan.]

R. Stewart: I ask leave to make an introduction.

Leave granted.

Introductions by Members

R. Stewart: It is my pleasure today to introduce some visiting students from my riding: Mr. Shong, their teacher, and 40 grade 5 students from R.C. MacDonald Elementary School, just a few blocks from my home in Coquitlam. I just had a tremendously interesting barrage of questions from these students, and I would ask the House to please make them welcome.

Debate Continued

On the amendment.

J. Kwan: Could the minister please advise: what is the difference with the amendment and what is outlined in the bill?

Hon. M. Coell: The former was too strict, and the amendment makes it easier for people to qualify.

J. Kwan: Could the minister be specific?

Hon. M. Coell: Simply, it allows an annual total rather than a number of hours per month.

J. Kwan: Let me ask the minister this question. Formerly, under section 8 the requirement was for two years of employment. Is the minister now saying that that two-year requirement is being reduced? If so, could he please advise what the length of time is now?

[1550]

Hon. M. Coell: There is still a requirement for two years, but the way you count up to the two years has been broadened.

J. Kwan: In what way?

Hon. M. Coell: It's the annual total of hours instead of a monthly total of hours.

Amendment approved.

On section 8 as amended.

J. Kwan: This issue has been brought up to the opposition by one community group in terms of concern around the changes. Here's what they have to say on the proposed years of continuing employment or EI eligibility prior to applying for income assistance. They say that this is outrageous and clearly discriminates against women so that now when a battered woman who has been doing unpaid work in her home tries to leave, there'll be nothing for her. They'd like to have the minister explain how this is not going to cost women their lives.

Hon. M. Coell: There are a number of exemptions, and I will go through them for the member. Exempt would be a person fleeing abuse, families with children, children in care at age 19, a pregnant person, persons with a two-year diploma or bachelor's degree, a person with a medical condition that prevented them from working, a person leaving prison after at least six months and a homemaker supported for at least the last two years.

J. Kwan: How many individuals or families does this minister expect this change will impact?

Hon. M. Coell: It is hard to say. The purpose of the section is to reduce the likelihood of young people transitioning from home to welfare without having any employment attachment and, as a result, becoming dependent on welfare.

J. Kwan: The minister says that it's hard to know. Surely the ministry must have done some projections in terms of what the impacts might be before changes are being brought about. They must have some projections and some sense of who's going to be impacted and how many people would be impacted in the community.

Hon. M. Coell: That's really speculative. I think what we were looking at was getting young people into the job training and placement programs rather than leaving home and going on income assistance. It will more than likely affect that age group, but the idea is for us to help them find employment through government programs.

J. Kwan: The people who I anticipate will be impacted by this are the applicants aged 19 and over, who will now be required to be independent for two years after leaving their parents' home to be eligible for income assistance. Is that the intent of this bill — targeting that age group?

[1555]

Hon. M. Coell: The intent is not to target that age group in the bill. It is to give some incentive for that age group to take part in job-training or placement programs or go back to school, if they have left school.

J. Kwan: I just want to say on record that what the minister calls incentive, others would call coercion. The minister would like to say that it is a way to help people to get off income assistance. Others would say that what the minister is doing is creating further hardship for individuals who need income assistance, particularly in the group we're talking about. Those who are 19 years old who may not have lived independently for two years may not be eligible to qualify for income assistance. This actually restricts their eligibility. That's what this clause is all about.

You know what? I disagree with the minister when he says it is an incentive to help people to stay off in-

come assistance. There are situations out there in the broader community where I have to say: "Thank goodness that I have never had to experience that." There may well be people who are experiencing tremendous hardships, perhaps traumas, in the home, and other situations may be occurring to them. As a result of that, they may have to leave the family home. They may not be able to have employment. They may not be able to find work and maintain work for two years before they can apply for income assistance.

For the government to now put in legislation to say that those people will not be eligible for income assistance unless they've been employed for a consecutive period of 24 months is wrong. It is not an incentive at all. It is actually assisting people to live in hardship. That's what the government is doing. Let's just be clear about that.

The opposition will not support the government's attempt to cause more hardship for the people who are in need of income assistance from government.

Hon. M. Coell: I just want to go over again the list of exemptions, because I think they go a long way to satisfying the comments that the member made. People would be exempt from that two-year requirement who are fleeing abuse, whether they be male or female; families with children; children in care at age 19; a pregnant person; persons with a two-year diploma or a bachelor's degree; persons with a medical condition that prevents them from working; persons leaving a prison from at least six months; and homemakers who have been supported in the home for the past two years.

J. Kwan: It's fine for the minister to say that he has a list that exempts certain categories of people, but what he hasn't put in place, of course, are the people who don't fall into that list. That those people don't fall into that list doesn't mean that they won't face hardships. It does not mean that at all.

For the minister to pretend, just because he's got a list.... He says, "Here's the list of people who won't be impacted," but over here there's another, greater list of the people who will be impacted. The minister is just closing his eyes, and he can't even see that. Somehow he thinks that is okay.

You know what? For the opposition, it isn't okay. Income assistance is supposed to be there for the people who need it the most, irrespective of whether or not they are pregnant or otherwise. There is no justification to say only some people will qualify and others will not. If they are faced with the same kinds of financial challenges, they ought to qualify. It's as simple as that.

I ask the minister to simply understand this principle, a principle that's widespread. That is to say: for a country as rich as ours, there is no acceptable reason whatsoever for us to find anybody sleeping under a bridge. It is a basic principle, and that basic principle applies to the people who need income assistance.

For that, the opposition will be voting against this section of the bill.

[1600-1605]

Section 8 as amended approved on the following division:

YEAS — 56

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Santori
van Dongen	Barisoff	Nettleton
Masi	Lee	Thorpe
Hagen	Murray	Plant
Bond	de Jong	Nebbeling
Stephens	Abbott	Neufeld
Coleman	Chong	Penner
Jarvis	Orr	Harris
Brenzinger	Long	Chutter
Mayencourt	Trumper	Johnston
Hayer	Krueger	McMahon
Bray	Les	Locke
Nijjar	Wong	Bloy
Suffredine	MacKay	Cobb
K. Stewart	Lekstrom	Sultan
Hamilton	Hawes	Kerr
Manhas		Hunter

NAYS — 4

Anderson	MacPhail	Kwan
	Christensen	

[1610]

[H. Long in the chair.]

B. Penner: I seek leave to make an introduction.

Leave granted.

Introductions by Members

B. Penner: It's my privilege to introduce to the House a class from the riding of Chilliwack-Kent from the Mount Cheam Christian School. Mr. Adrian Stoutjesdyk, at one time a teacher of mine, is here today along with 15 grade 12 students as well as some grade 4 advanced students, if I'm not mistaken. They're here for a tour, and I look forward to speaking to them in a few minutes. Would the House please make them welcome.

Debate Continued

On section 9.

S. Orr: I just want to say a couple of things. I want to talk about section 9, which is the employment plan, but I also want to say that I appreciate and understand the changes that are being made in this bill. I also recognize that in a lot of the sections that we just went through, there are great similarities to what we had previously. The issue is that I took the time to go ahead and meet with the minister and his staff. That was open to everybody and not just to me. That was a very worthwhile thing that I did, and I did it over a long period of time. It answered a lot of questions. I think in the essence of saying that there's no time, I find that quite frustrating because, in fact, there was a lot of time to get a lot of answers.

What I want to get to now is the employment plan. I've read this very carefully, so my questions are quite succinct, and I don't need to go through each section because I've looked over the whole plan. Where I'm having trouble is.... I'm assuming, Mr. Chair, it's okay for me to go to No. 7.

The concerns that I've been getting from my constituents are twofold. One is the concern of the employment plan not being appealable. I'll explain to you why the concern about the employment plan not being appealable. This is not a perfect world, and clients don't necessarily always have a good relationship with their worker. I realize that they try, but it's life, and that happens. My concern is that somebody goes to set up an employment plan with the worker, they have a bad relationship, and the worker basically, after so many attempts, says: "You will take this employment plan, and if you don't take this employment plan, then you are cut off." That is my concern, because that person has nowhere else to go — unless I'm wrong and the minister can explain to me for my constituents that there is some process if that situation happens.

[1615]

Hon. M. Coell: I'll try to explain this in a couple of ways. The employment plan isn't appealable to the tribunal, but within the ministry we have a whole service quality process. In addition, the decision can go through a reconsideration which is in this act at the stage and the ministry will outline in administrative procedures. That shouldn't take place.

Just to expand a bit on the new provision for income assistance, the Youth Works referral used to be formalized into an employment plan and extended to income assistance. It's similar to the Youth Works act, where a referral could not be appealed.

J. MacPhail: I'm making a request to the House and to the committee Chair to consider this. Given time allocation and the closure that's being brought forward on this bill, there is an incredible number of very important sections on which we wish to register our vote. The fact of the matter is that if we did that, all of our time would disappear.

I propose this: that we name the sections upon which we wish to vote by division, that all be called

together at a time where we may conclude a certain part of our debate on this before third reading and that division be called once we waive our time limits, but that each vote on each section be held separately.

The Chair: Is the committee in agreement on the request?

Some Hon. Members: Aye.

The Chair: Then we will proceed.

Interjections.

The Chair: Government House Leader?

Hon. B. Barisoff: What's the problem?

The Chair: There has been a request by the opposition that we not have a division on each and every section of this bill, that we wait until the end of the bill and vote on each section at one time in this House without calling everyone back — with one division.

Hon. B. Barisoff: That's fine.

J. MacPhail: I want to clarify that it's one time for division, but we name the sections — I can give you the sections right now — and call a separate vote on each one, but all at once without.... Waiving the time limits....

The Chair: I was well aware of your request, and now I think the minister is. Minister?

Hon. B. Barisoff: That's fine.

The Chair: There is agreement.

J. MacPhail: Thank you, Mr. Chair.

J. Kwan: On section 9, which deals with the employment plan, under section 9(1) not only must the applicant in the family enter into an employment plan, but every applicant and recipient must do so at the request of the minister.

How many people will now be required to enter into an employment plan? What problems may arise because of inadequate time and expertise of the government worker to properly assess eligibility? This may well result in an employment plan that contains unhelpful conditions or conditions that are impossible for a person to meet.

Could the minister please address the question of problems that could arise from this requirement? How many people will be required to enter into an employment plan?

Hon. M. Coell: One or both adults would be required to enter into an employment plan. It does not include children.

J. Kwan: The minister may also require dependent youths to enter into employment plans. A dependent youth means a dependent child who reaches the age of 16. In what circumstances will a dependent youth be required to enter into an employment plan?

Hon. M. Coell: Simply if the child is not in school.
[1620]

J. Kwan: It's irrespective of age, then. It is just whether or not the child is in school. I'd have thought that if it's a school-age child who is supposed to be going to school but is not, in that instance that child would have to enter into an employment plan. Is that what the minister is saying?

Hon. M. Coell: A child who is under 16 comes under the School Act, so there is a separate set of regulations and legislation. This is specifically for people 16, 17 and 18. If they've left school, then we would want them to have an employment plan. That employment plan could have an educational side to it as well as a training side to it.

J. Kwan: If the dependent youth does not comply with the requirements of the employment plan, the amount of income assistance provided to the entire family will be reduced by the prescribed amount of the prescribed period. Could the minister please explain, then, how that reduction would take place? We canvassed this briefly in estimates. The minister had advised that when the legislation was tabled, he'd be able to provide the answer to the House. The legislation is now tabled. Could the minister please, then, provide the answer to the House? What kind of reductions would the family be faced with, and how would that work?

Hon. M. Coell: It's a discretionary application. If the person was non-compliant, that could mean a reduction of \$100 a month until they were compliant. The issue here is to hopefully have 16-, 17- and 18-year-olds either in school or in some sort of training or education program that would be part of the employment plan.

There are a couple of issues that I would like to touch on with regard to families, and that's with regard to rates. We talked about this earlier. Let me give you an example. An employable single parent with four children in British Columbia has a monthly net income of \$1,980. They also have the Healthy Kids dental and optical program, and they also would not pay MSP costs. That's the employable single person with four children, at \$1,980. An employable single parent with three children would have a monthly income of \$1,695 and would not pay MSP and would have the Healthy Kids dental and optical program.

The option here is with people with children. If they're 16 to 18, we want to see them have some sort of planning for their future or remain in school and finish grade 12. As I think the member knows, there is

a very high percentage of children on income assistance who aren't finishing school. We want to make sure we can somehow correct that.

J. Kwan: The minister didn't answer the question, though, on people who would be reduced. In terms of the rates that would be reduced, how would that work? Let's say you were in a family of five, four of which are children. As the minister knows, the rate with each of the children varies. With the number of children, the rates increase differently, and there's a different differential. If one of those children of the family of five is not complying with the act as per the employment plan requirements, there is a reduction in that family unit's rate. How much money would be reduced in that particular family unit, as an example? How would that rate reduction take place?

[1625]

Hon. M. Coell: Using the member's example of a family of five where four are children — so you'd have a single parent with four children.... As I say, it's a discretionary application, but we are looking at \$100 per child. I think it's very unlikely you would have a family with a 16-, 17- and 18-year-old on income assistance. But they would be looking at a \$100-per-child reduction if they did not comply with the employment plan. That would only last as long as the child was out of compliance with either re-entering school or being part of the employment plan process.

J. Kwan: Will people on income assistance under section 9(7) of the act be able to appeal internally to the district supervisor? As we understand it, all decisions made under this section are final and conclusive. They're not open to review by a court on any grounds or appeal under section 17(3). So will people be able to appeal internally to the district supervisor, or what recourse will be available for people for appeal?

Hon. M. Coell: You would be able to have reconsideration and also appeal to the district supervisor. What we want to have is a whole quality service process, where a decision can go to reconsideration within the ministry. That is outlined in the act.

J. Kwan: What happens when an individual is unable to meet the conditions of the employment plan, if those conditions are impossible for the individual to achieve? Would they be able to alter those conditions with the ministry — appeal those conditions? What due process will be afforded to them?

Hon. M. Coell: The provision we're discussing here is only if someone is unwilling to take part in an employment plan. I think what we're looking for is that conditions could be revised and, I'm sure, will be revised. The section really deals with people who are unwilling to be part of an employment plan.

J. Kwan: The question is not for people who are unwilling. The question is for people who are unable to meet the conditions of the employment plan. What provisions would be available to them to alter that employment plan so that they're able to meet those conditions so that they would not be penalized because of this ridiculous requirement of the government?

Hon. M. Coell: I guess the simple answer is that if someone was unable to meet the conditions, those conditions could be revised. If it's not appropriate, it wouldn't be imposed.

J. Kwan: Well, in the real world there are lots of situations where people are imposing conditions which people cannot meet. In Bill 27 we're going to talk about that — how people with disabilities would not be able to meet some of the eligibility criteria that the minister has brought forward under Bill 27. Nonetheless, those things are being imposed on the people.

We're going to face the same situation here with the employment plan, so the question is not about whether people are unwilling to meet the employment plan requirements. The question is going to be about their inability to achieve the plan. What process would be afforded to those individuals to alter that plan accordingly so that they would not be penalized?

[1630]

Hon. M. Coell: I would think they would start off by talking with their financial aid worker to look at revisions that they felt were appropriate. I think the important thing here is that this plan is designed for someone to succeed — for someone to either get more training or more education or get a job. It's designed to help 16-, 17-, 18-year-olds not become dependent on income assistance.

J. Kwan: Clearly, the minister is either unable or unwilling to understand the point. He's failed to address the point that I've raised.

I am very conscious of the time, as I'm becoming increasingly anxious. We have so many sections of the bill yet to debate, and it's 4:30 p.m. already. The time limit is going to be imposed on us in an hour and a half, and closure of the debate will then take place.

I don't agree with the minister's approach with the employment plan. It's not that I don't agree with the notion of trying to assist and provide support to people who are on income assistance to get gainful employment. I don't oppose that at all. What I oppose is the government's approach in bringing forward employment plans that lack complete understanding of the person's circumstances. Even if the person is working hard to develop an employment plan to gain employment, but they're unable to meet the plan, under this bill that particular individual and family unit may be penalized by the government with a reduction in rates, irrespective of their circumstances. That I

oppose — the government's agenda and approach to helping people get off income assistance.

To that end, my colleague and I will be voting against section 9 by division, which will be called at a later time when all of the votes are being called.

As well, I have a piece of correspondence here that has been submitted to the opposition with concerns around the employment plan. It's actually very detailed and outlines many of the different aspects under section 9. I'm not going to take the time, unfortunately, to read this letter into the record. We haven't got time to do that at this point, but I will be tabling this document to the Chair, so that it will be registered on *Hansard*, verbatim, as being put forward by this individual.

I also wish to put on record that this individual's letter remain anonymous, so the writer of the letter is not going to be on record, but the content of the letter would be on record for the public and the minister to review at a later time.

The Chair: Shall section 9 pass?

J. Kwan: Division.

The Chair: Division deferred until the end of the bill.

On section 10.

J. Kwan: Section 10 deals with the information and verification. Section 10 of the Employment and Assistance Act will provide the requirements for the three-week waiting period prior to receiving assistance.

The Minister of Human Resources has said that the three-week job search is meant to provide time for people to find employment. What emergency support will be available to people who are in emergency situations and cannot last three weeks without financial support?

Hon. M. Coell: The question doesn't specifically relate to this section, but we did cover it earlier in that there's an emergency needs assessment that is done when someone appears the first time in the office.

J. Kwan: That's for hardship. That's what we were talking about earlier. In emergency situations the minister said that the people would be eligible for hardship assistance, although we don't exactly understand who would be eligible for hardship assistance.

[1635]

Here we have a situation now where the minister is going to require income assistance recipients to wait three weeks before they're eligible to actually get the assistance that they need. During that three-week period... It's already happening, by the way. There are people who have come into my office right now who are saying that they're not able to get income assistance from the government. They've been told they have to wait for the three-week period to pass. Already it's a

problem. No matter what emergency situation people are posing, they are not able to get past the government to get the assistance.

I want the minister to be very specific and very clear about what those emergency situations are and how a person would be able to access income assistance support, overriding the three-week wait period. I want a specific answer from the minister. It is now 4:35, and we have less and less time to debate this bill. The government and the minister are responsible for this act. He must tell British Columbians who can bypass the three-week wait period and in what circumstances.

Hon. M. Coell: We did talk about emergency needs assessment for hardship. It is also available for income assistance, especially with reference to the three-week period. I think it's the same today as it was a few months ago, if a person had no money for food or rent or had been given an eviction notice.

J. Kwan: An internal ministry document states that "only 15 to 20 percent of inquirers are expected to require emergency needs assessment."

This clearly indicates that the safety valve to provide for emergency situations will be limited by money and not by the actual needs of the applicants. Some regions have even advised their front-line staff that they are not obligated to tell inquirers about the availability of emergency resources when they inquire about how they are supposed to make ends meet over the three-week waiting period.

The minister says: "Don't worry; people who need the assistance will be able to get it." The reality, the real world outside of this chamber, tells you otherwise. As I said, it is already happening that people are not able to get income assistance because of the three-week requirement. I've been advised by constituents that when they go to the office asking for assistance, people just laugh in their face because of this requirement.

Will the minister please advise, and will he instruct his staff out there on the front lines? It's not because they don't want to provide assistance, but because the regulations and the act before them require them to do such. Those staff need to make sure that the people who qualify to receive income assistance but cannot wait the three-week period are receiving income assistance now. The minister needs to advise the staff accordingly and change the impression and practice that is now already taking place in the front-line offices.

Hon. M. Coell: The member's comments about our staff don't reflect policy are not my experience in dealing with our staff. I have had the privilege to travel to many of our offices and meet with our staff. I find them to be very professional. We're going through changes of acts which I know are challenging for staff, and I think they're doing it in a very professional and very good way.

All our policies are on the Internet. They're all public documents. The emergency services policy is there for people to see as well.

J. Kwan: The issue is not with staff. The issue is with the policies and the regulations and the intentions of this government. The intention of this government is to make income assistance less available for the people who are in need. That's what Bill 26 does; that's what this section of the act does. It precludes people from getting income assistance when they need it for at least three weeks, and there are no alternatives.

You know what? Advocates in the community have provided information sheets to the applicants to go to the office with. When they show them the information asking the office to bypass the three-week requirement because they are in a dire situation, an emergency situation, the staff there are not accepting that request. That is the reality of what's going on right now in the community. I know it because constituents have phoned my office and advised us that that is the situation they are in right now. For the minister to say otherwise is simply untrue.

[1640]

The minister needs to be clear about what the regulations are that would apply to emergency situations in which people are able to receive income assistance and instruct staff accordingly as well. If the minister is saying that there are two criteria that would apply — (a) if you have no money and (b) if you're faced with an eviction notice, then you would be able to bypass the three-week wait period — then I would expect the minister to send that out in memo form to all of the staff and post it on the website so that everybody understands what the intentions are under this section of the act.

Hon. M. Coell: We have a policy manual, and it has a section on emergency needs assessment with instructions to our staff. It's available at our offices, or it's available on the MHR website.

J. Kwan: The website does not say that clearly, and the minister knows it. I actually have a copy of the website somewhere here, but I'm not going to bother reading that into the record and wasting time in the debate in the House. What I'm asking the minister to do, then, is put his answer to my question about who is qualified, under emergency purposes, to be able to bypass the three-week wait period. His answers contained two areas: (a) if you're faced with an eviction notice and (b) if you have no money. That's what the minister said, and I would expect that to be posted on the website.

I'm not going to spend any more time on this section — again, because I'm very anxious with the time, the clock that's ticking. Closure is being brought to the House on this bill, and we're running out of time to debate many of the important sections that will dramatically impact people's lives.

I'd like to just close with this, to the minister. It was actually reported on April 25 in *Monday Magazine*, about a particular person's situation.

"Cheryl, a single mother faced with homelessness, is horrified to be considering a return to prostitution, which she left when her child was born five years ago. She had received income assistance before, but when she recently reapplied, she was told to come back in three weeks, after doing a job search. When they said that they have made a change, yeah, you can see it. It was just so cold, so unfeeling, so unconcerned. My pimp showed me more compassion. They actually asked: "Is there anyone who can help you?"

This is an article that was recent, as a result of the changes this government, this minister, is bringing about, impacting people's lives right now, today.

Hon. M. Coell: I just want to, for the member... A single parent with one child in British Columbia would be eligible for \$1,132. They wouldn't pay MSP. They would have the Healthy Kids dental and optical program.

J. Kwan: The minister has just demonstrated an absolute lack of understanding of what it is he is to do as the Minister of Human Resources and what the ramifications of his own bill are for British Columbians. It is absolutely shocking. The opposition is going to vote against this section of the bill. It is disgusting, and there is just absolutely no way anybody in this House who has a conscience and who says that they care about British Columbians and the people who need support and help from government would support this section of the bill.

The Chair: Shall section 10 pass?

J. Kwan: Division.

The Chair: Division will be deferred.

On section 11.

J. Kwan: Section 11 deals with the reporting obligations. Could the minister please tell...? As a condition of eligibility of a family, they must submit a report to the minister. What must this report contain?

Hon. M. Coell: It's the monthly reporting form that is currently in use. There'll be no change.

Section 11 approved.

On section 12.

[1645]

J. Kwan: Section 12 deals with the registration in land title office. The assistance provided to a recipient or a dependent child in prescribed circumstances will be considered a debt if they own a family residence and if they have been receiving income assistance for six months in any of the 12-month period. The minister can collect on a debt by registering a certificate of lien against the family home.

Will the minister go so far as to take away a family's home? How many people currently receiving income assistance will see a lien placed on their home? What have been the results of this policy in other jurisdictions? Do these results warrant all the extra legal administrative work that a policy like this one will create?

Hon. M. Coell: The purpose is not to take the individual's home away. There's no provision to have them sell their home. This is consistent with what Manitoba has been doing, and also Ontario. We want people to move off income assistance and to work. This is one of the ways the ministry will have as an ability to recoup payments if they have made payments for a number of years, if and when that person sells the house.

J. Kwan: The Vernon and District Women's Centre Society has commented on the introduction of liens. They ask how this is any different from government expropriation of land or assets. "The philosophy this is based on is extremely frightening. It gives government broad sweeping powers that are, in our view, an abuse of power. One woman said to me yesterday she would rather live on the streets and dumpster-dive than let the government have that much control and power over their lives." A letter from the Vernon and District Women's Centre Society addressed to the MLA for Okanagan-Vernon.

Mr. Chair, I have a lot of questions and concerns on this section of the bill. I am highly conscious of the time and the lack of time that we have in debating this bill because of closure that's been brought in by government. The opposition will be voting against section 12 by division.

The Chair: Shall section 12 pass? Division will be deferred.

On section 13.

J. Kwan: Section 13 deals with the consequences of not meeting the employment-related obligations.

Section 13(1): the family unit who "(a) fails to accept suitable employment, (b) voluntarily leaves employment without just cause, (c) is dismissed from employment for just cause, (d) fails to demonstrate reasonable efforts to search for employment..." These families will see their disability or hardship assistance reduced if they have dependent children or eliminated if they do not.

Section 13(3): certain categories of family units may not face the above noted consequences for failing to meet employment requirements. Could the minister please advise very quickly what categories of family units will be exempted?

Hon. M. Coell: With the member's permission, there is an amendment for this section. If we could do that first?

Hon. Chair, I move the amendment to section 13(1) standing in my name on the orders of the day.

[SECTION 13, in the proposed section 13 (1) by deleting "terms" and substituting "conditions".]

On the amendment.

J. Kwan: Just a quick question on the amendment. What's the significance of this amendment?

Hon. M. Coell: Consistency with section 9.

J. Kwan: Sorry, not on the amendment. Go ahead with the amendment.

Amendment approved.

On section 13 as amended.

[1650]

J. Kwan: The question to the minister on section 13: what categories of family units will be exempted?

Hon. M. Coell: I can give some examples. They would be single parents with children under three, those who have temporary medical conditions, people 65-plus, a child in the home of a relative, persons with persistent multiple barriers and persons in care facilities.

J. Kwan: The opposition will be voting against this section. I believe the provisions that are stipulated in this section of the act make it very difficult for individuals who may lose their employment for one reason or another. Sometimes individuals who have lost their employment may not be able to identify just cause. It may be that they have quit their job because of harassment in the workplace. It may be that they've quit their job because the workplace environment is unsafe for that individual. Because the person's quit their job, they will be cut off from the ability to qualify for income assistance.

This is just one example that I'm going to use of how this could place hardship on people without thinking about what the ramifications are and how the definition of eligibility creates hardships for people. To that end, the opposition will be voting against section 13 by division.

The Chair: Shall section 13 as amended pass?

J. MacPhail: Division.

The Chair: Division will be deferred.

On section 14.

J. Kwan: Section 14 deals with the consequences of not accepting or of disposing of property. Will any recipients currently receiving income assistance no

longer be eligible because of the extension to two years? Why was this change necessary?

Hon. M. Coell: We've extended the window from one year to two, and it really applies to new applicants. The members may remember that in the GAIN Act it was a period of five years and then went to one year in B.C. Benefits. The two-year increase is to prevent transfers of property to avoid liens. As I said, it's really a one-to-two-year window applying to new applicants.

J. Kwan: According to part 7, section 9 of the B.C. Benefits manual, section 10 of the BC Benefits (Income Assistance) Act, entitled "Consequences of Not Accepting or of Disposing of Property," is the section that provides the authority to change earning exemptions and asset levels. Therefore, it would seem that section 14 of Bill 26 would provide the same authority. Earnings exemptions are an important component in assisting income assistance recipients off of income assistance.

The government's making that change now, impacting many British Columbians on that front — not just the people who are receiving income assistance but also the organizations who receive the support of those who are on income assistance doing, perhaps, work in those non-profit organizations that would otherwise not be able to get it were it not for the people on income assistance providing that support to those organizations.

On section 14 the opposition will also be voting against this section of the bill.

The Chair: Shall section 14 pass?

[1655]

J. MacPhail: Division.

The Chair: Division will be deferred.

On section 15.

J. Kwan: Section 15 of the act deals with the consequences for conviction, acknowledgment or judgment in relation to the act.

If a person in a family unit is convicted of an offence under the Criminal Code in relation to obtaining money under this act, then the whole family unit either sees their assistance reduced for the time that the person is a member of that family unit, or they will see their assistance eliminated for the period of that person's lifetime. If a person in a family unit is convicted of an offence under this act or the Employment and Assistance Act, then this will see the assistance reduced or eliminated for a period of 12 consecutive months for the first conviction, 24 consecutive months for the second conviction and lifetime for the third conviction.

I just want to take a moment to highlight this issue. The Kimberly Rogers case in Ontario questioned the constitutional validity of imposing a ban on a recipient of social assistance. The concern is that this law is

criminal law and therefore violates the divisions of power and violates sections 7, 12 and 15 of the Charter.

Will the minister remove this section on the basis that it will cause great hardship? If the minister will not remove this section altogether, will he amend the section to allow government workers discretion in disqualifying people from much-needed assistance? Allowing government workers discretion when disqualifying recipients will ensure that no one — no one — will live in a situation like that of Kimberly Rogers.

Hon. M. Coell: We're not planning to make a change here. The sanctions are intended to discourage people from committing fraud and to prevent those who have previously committed fraud from reoffending.

J. Kwan: I should just give up asking questions of the minister. He simply has no understanding whatsoever of his own act and the ramifications of this bill.

The opposition will be voting against section 15. As I've highlighted, the Kimberly Rogers situation could very well occur here in British Columbia. The minister seems oblivious to that possibility. He just simply doesn't care. The opposition will not be supporting such a crass approach to grabbing money from people who need income assistance in British Columbia.

The Chair: Shall section 15 pass?

J. MacPhail: Nay.

The Chair: Division will be deferred.

Section 16 approved.

On section 17.

Hon. M. Coell: I have an amendment. I move the amendment to section 17(1)(e) standing in my name on the orders of the day.

[SECTION 17, in the proposed subsection (1) (e) by deleting "terms and".]

Amendment approved.

Section 17 as amended approved.

Section 18 approved.

On section 19.

J. Kwan: Section 19 deals with the employment and assistance appeal tribunal.

Section 19 illustrates the significant change the Ministry of Human Resources is introducing with regard to the appeal system. Under the BC Benefits (Appeals) Act and regulations, there exists a tribunal and the B.C. Benefits Appeal Board. The tribunal is made up of three members, one appointed by the appellant and one by the ministry, and the two together will choose a

chair. If the situation is such that the decision made by the tribunal is appealed, an appeal procedure is available for the recipient.

[1700]

Under this change, under section 19, there will be no tribunal. The people who will sit on the review process, the appeal process, will be minister-appointed individuals. How will the minister ensure that this is an independent process with fair due process, that fairness in evaluating the issue will be afforded to the appellant?

Hon. M. Coell: The chair will be appointed by order-in-council, as will the vice-chair. They will select the tribunal members. The tribunal members will be regionally located throughout the province in order to represent the province to the best of our ability.

J. Kwan: Just for the record, there are approximately 6,000 applicants for appeal every year; 1,500 are heard at the tribunal level; and 400 of those move on to the B.C. Benefits Appeal Board. The other 4,500 are resolved within the ministry. This is according to the minister's website. Recipients will only have one place to appeal a decision. That is to the employment and assistance appeal tribunal.

The tribunal will now consist of people that the minister will appoint. There is no independence in that process. There is zero independence in that process. The member for Vancouver-Langara recognized that, and many community organizations have registered their complaint and their concern about this process. The minister is refusing to acknowledge that. The opposition will not support this amendment to the act.

I want to just make a final note. With all of the cuts that are now taking place with legal aid, advocates will become increasingly scarce in the community. You know what? In the poverty law area, individuals who wish to appeal the decisions to government will no longer have an independent tribunal to assess the decision, and they will also no longer have the support of advocates at the table. This is what this minister is bringing about for income assistance and the process of appeals.

Hon. M. Coell: The primary role of the employment and assistance appeal tribunal chair and vice-chairs is the independent administration of an appeal system. They're appointed by, as I said, the Lieutenant-Governor. That ensures that independence. There will be approximately 250 regional tribunal members. To appoint 250 members and manage ongoing new appointments, reappointments and retirements would be administratively too onerous, I believe, for the Lieutenant-Governor-in-Council. Appointment by the minister will allow for a timely, administratively workable process, given the number of members that need to be appointed.

Although the minister may appoint regional tribunal members, it will be the role of the chair to assign those members to sit and to hear individual appeals.

The minister and staff will have no role in the selection of those members.

The employment and assistance appeal tribunal chair and vice-chairs will have to have demonstrated skills in general administration and management consistent with the administration of the tribunal, and a thorough knowledge of the rules of administrative justice will also be required.

The Chair: Shall section 19 pass?

J. MacPhail: Division.

The Chair: Division will be deferred.

Sections 20 to 22 inclusive approved.

On section 23.

Hon. M. Coell: I move the amendment to section 23 standing in my name on orders of the day:

[SECTION 23, in the proposed subsection (1) (a) (iii) by deleting "section 19 (4)" and substituting "section 19 (5)".]

Amendment approved.

Section 23 as amended approved.

Sections 24 to 34 inclusive approved.

On section 35.

[1705]

J. Kwan: Section 35 deals with a whole range of issues. The most significant issue that I want to raise, of course, relates to the regulations that will be brought about that nobody has seen to date. The minister keeps on saying, "Don't worry, because nothing will really impact the lives of the people," when we know the changes are going to significantly impact the lives of the people and that section 35 allows for the government to reduce the rates for people on income assistance.

There will be significant changes for people who are in need of income assistance. The shelter rate will be reduced as well as the support portion. Who is affected? The changes will affect families with three or more people. The changes of course will become effective on July 1, 2002, and the July cheque issue for August is when recipients will see the reduction in the rate for their income assistance.

As we know, income assistance recipients rates are already too low, and they are already living in poverty. Reducing the rates further will not assist income assistance recipients in looking for work. It would not help the children who are on income assistance to break the poverty cycle. It would not help the families to break the poverty cycle. It will simply make people's lives harder, create further hardships and diminish further their quality of life.

The opposition will not support a rate reduction on the regulations that would accompany it, and we will therefore vote against section 35, by division.

The Chair: Shall section 35 pass?

J. MacPhail: Nay. Division.

The Chair: Division deferred.

On section 36.

J. MacPhail: My colleague has been doing an unbelievable job in defending the most vulnerable in society here. Let me raise this issue that is as horrendous as any that my colleague has already raised. For the very first time in the history of Canada, there will be a limit on how long people in need, as a last resort, can collect income assistance. This section says that one can be eligible and collect income assistance in only two years of every five years. It doesn't matter if you're a forest worker whose town is being decimated. That applies to you.

Mr. Chair, it's unbelievable that this province is doing this. We already know that in the United States, limits on welfare simply don't work. The United States is hitting their first crunch of a five-year limit that they imposed in 1998. In the year 2003 there is going to be hundreds of thousands, millions, of people in the United States who will hit that five-year wall. You know what the government is saying? The government is saying: "We got it wrong. It doesn't make sense. It's lacking compassion. It's cruel, and we're going to change it." The only difference is that it's the states that are picking up the payment for welfare now.

It's unbelievable that this government, faced with the failure of this policy virtually everywhere else in the world, is proceeding to suggest somehow it is legal in Canada to say a person can only collect income assistance two years out of every five.

Let me pose these questions brought forward by an expert in law in this area. Has the minister approached the government of Canada on the issue of time-limited assistance, and what are the views on the subject?

Secondly, there is no time limit.... Bill 27 doesn't include provision for time-limit assistance for people with disabilities, but we understand that a number of individuals who were considered to be disability benefits level 1 under the Disability Benefits Program Act will now qualify for assistance under Bill 26 instead. There is no definition for such individuals under Bill 26, and therefore some practical problems for the ministry in determining criteria to distinguish between those individuals considered to be out of time and ready to be self-reliant and those who are not expected to become self-reliant will arise.

[1710]

Lastly, to what extent will individuals be able to use the provisions of part 3, "Appeals," in Bill 26 to review the affect of this section 36 and the regulations that arise?

Hon. M. Coell: As welfare or income assistance is a provincial jurisdiction, we have not approached the federal government.

The individuals that the member mentions.... We have the category "persistent multiple barriers" in both Bill 26 and Bill 27. The category of persistent multiple barriers does not have time limits on it.

J. MacPhail: Well, isn't that good to know? No-where in the legislation does it say that. Not in either bill does it say that. But "trust the government." They've been very good to people with the lowest incomes in this province so far, so I'm sure they should be comforted by "trust this government" — to suggest that that's the case.

British Columbia breaks new ground every day in Canada by sinking to the lowest level possible in attacking poor people, and this is another indication of that. The opposition will vote against this section, Mr. Chair.

The Chair: Shall section 36 pass?

J. MacPhail: Nay.

The Chair: Division deferred.

On section 37.

J. MacPhail: This is the section where mostly moms, but some dads as well, will have to go forward in a very brave way and get the partner, the spouse, to pay child support to the dad or the mom of the child who has custody. It used to be — till this government brought in this legislation — that the mom or the dad got to keep a hundred bucks a month from the child support payment. This section takes away a hundred bucks that the supporting parent gave each month to support the child.

Where's the Minister for Early Childhood Development? Where's the minister responsible for children in this province, and why is he letting this happen?

You know what? Every year the ministry would bring this policy forward to our government. We would debate it, we would listen to the arguments about why this wasn't proper, and we would reject it every year.

Well, thank God there was an election. Thank God there's a new era in B.C., because the Liberals this year had the pitch made to them to take away a hundred bucks a month out of the mouths of children. They had the pitch made to them, and they went, "Oh, that's a good idea," and here we are.

The opposition will vote against this, Mr. Chair.

Hon. M. Coell: The change is consistent with the rest of Canada.

J. Kwan: It's shocking to hear the minister say that. Somehow he justifies taking money away from children just because other jurisdictions are doing it.

You know what? All this will do is force families and children into greater hardships. It's going to cause people to perhaps engage in criminal activities or to sleep in the streets. For the children who need the government's support to break out of the poverty cycle, the government is taking money away from them — money directly away from children. There is no justification whatsoever for this government to do such a thing. Shame on you.

The Chair: Shall section 37 pass?

J. MacPhail: Nay.

The Chair: Division will be deferred.

On section 38.

J. Kwan: Section 38 deals with regulations prescribing ineligibility in relation to the act. The section that I want to highlight deals with the ineligibility of someone who received income assistance when they were ineligible and who was convicted of fraud.

[1715]

The Ministry of Human Resources has stated that people convicted of fraud will face a lifetime ban from income assistance. The changes that the government is bringing about, which will cause significant hardship for people on income assistance, may well force people to commit fraud. And you know what? If they're found and convicted of having committed fraud, they will be banned for a lifetime from receiving income assistance. That's what section 38 of Bill 26 is doing.

It's not because people want to defraud the system. I want to say this very clearly. They may well be forced to defraud the system, and when they're caught doing that, they are going to be banned on a lifetime basis. For that \$100 that the government is going to take away from children, from their maintenance.... When they're short that \$100 to survive every month, the family unit may well be forced to resort to some other means. If fraud is included in that and if they're caught in that process, they will be cut off.

You know what? It's not the recipient who ought to be blamed. It should be the government and this minister who ought to be blamed.

Hon. M. Coell: I think the member misunderstands this portion. The section applies for application of sanctions from previous legislation.

The Chair: Shall section 38 pass?

J. MacPhail: Division.

The Chair: Division deferred.

Sections 39 to 65 inclusive approved.

The Chair: By agreement, division on sections 9, 10, 12, 13 as amended, 14, 15, 19, 35, 36, 37 as amended and 38 will go to a division...

J. MacPhail: Individually.

The Chair: ...individually.

[1720-1725]

Members, by agreement, sections 9, 10, 12, 13, 14, 15, 19, 35, 36, 37 and 38 have been deferred to division. Each division will be independent. Under standing orders each vote will take two minutes, minimum.

Section 9 approved on the following division:

YEAS — 54

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Bruce
Santori	van Dongen	Barisoff
Nettleton	Masi	Lee
Thorpe	Hagen	Murray
Plant	Collins	Bond
de Jong	Nebbeling	Stephens
Abbott	Neufeld	Coleman
Chong	Harris	Nuraney
Brenzinger	Bell	Chutter
Mayencourt	Trumper	Johnston
R. Stewart	Hayer	Christensen
Krueger	McMahon	Locke
Nijjar	Wong	Bloy
Suffredine	MacKay	K. Stewart
Sultan	Hamilton	Hawes
Kerr	Manhas	Hunter

NAYS — 3

Anderson MacPhail Kwan

Section 10 approved on the following division:

YEAS — 54

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Bruce
Santori	van Dongen	Barisoff
Nettleton	Masi	Lee
Thorpe	Hagen	Murray
Plant	Collins	Bond
de Jong	Nebbeling	Stephens
Abbott	Neufeld	Coleman
Chong	Harris	Nuraney
Brenzinger	Bell	Chutter

Mayencourt	Trumper	Johnston
R. Stewart	Hayer	Christensen
Krueger	McMahon	Locke
Nijjar	Wong	Bloy
Suffredine	MacKay	K. Stewart
Sultan	Hamilton	Hawes
Kerr	Manhas	Hunter

NAYS — 3

Anderson MacPhail Kwan

Section 12 approved on the following division:

YEAS — 54

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Bruce
Santori	van Dongen	Barisoff
Nettleton	Masi	Lee
Thorpe	Hagen	Murray
Plant	Collins	Bond
de Jong	Nebbeling	Stephens
Abbott	Neufeld	Coleman
Chong	Harris	Nuraney
Brenzinger	Bell	Chutter
Mayencourt	Trumper	Johnston
R. Stewart	Hayer	Christensen
Krueger	McMahon	Locke
Nijjar	Wong	Bloy
Suffredine	MacKay	K. Stewart
Sultan	Hamilton	Hawes
Kerr	Manhas	Hunter

NAYS — 3

Anderson MacPhail Kwan

[1730]

Section 13 as amended approved on the following division:

YEAS — 54

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Bruce
Santori	van Dongen	Barisoff
Nettleton	Masi	Lee
Thorpe	Hagen	Murray
Plant	Collins	Bond
de Jong	Nebbeling	Stephens

Abbott	Neufeld	Coleman	de Jong	Nebbeling	Stephens
Chong	Harris	Nuraney	Abbott	Neufeld	Coleman
Brenzinger	Bell	Chutter	Chong	Harris	Nuraney
Mayencourt	Trumper	Johnston	Brenzinger	Bell	Chutter
R. Stewart	Hayer	Christensen	Mayencourt	Trumper	Johnston
Krueger	McMahon	Locke	R. Stewart	Hayer	Christensen
Nijjar	Wong	Bloy	Krueger	McMahon	Locke
Suffredine	MacKay	K. Stewart	Nijjar	Wong	Bloy
Sultan	Hamilton	Hawes	Suffredine	MacKay	K. Stewart
Kerr	Manhas	Hunter	Sultan	Hamilton	Hawes
			Kerr	Manhas	Hunter

NAYS — 3

NAYS — 3

Anderson MacPhail Kwan

Anderson MacPhail Kwan

Section 14 approved on the following division:

Section 19 approved on the following division:

YEAS — 54

YEAS — 54

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Bruce
Santori	van Dongen	Barisoff
Nettleton	Masi	Lee
Thorpe	Hagen	Murray
Plant	Collins	Bond
de Jong	Nebbeling	Stephens
Abbott	Neufeld	Coleman
Chong	Harris	Nuraney
Brenzinger	Bell	Chutter
Mayencourt	Trumper	Johnston
R. Stewart	Hayer	Christensen
Krueger	McMahon	Locke
Nijjar	Wong	Bloy
Suffredine	MacKay	K. Stewart
Sultan	Hamilton	Hawes
Kerr	Manhas	Hunter

NAYS — 3

Anderson MacPhail Kwan

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Bruce
Santori	van Dongen	Barisoff
Nettleton	Masi	Lee
Thorpe	Hagen	Murray
Plant	Collins	Bond
de Jong	Nebbeling	Stephens
Abbott	Neufeld	Coleman
Chong	Harris	Nuraney
Brenzinger	Bell	Chutter
Mayencourt	Trumper	Johnston
R. Stewart	Hayer	Christensen
Krueger	McMahon	Locke
Nijjar	Wong	Bloy
Suffredine	MacKay	K. Stewart
Sultan	Hamilton	Hawes
Kerr	Manhas	Hunter

NAYS — 3

Anderson MacPhail Kwan

Section 15 approved on the following division:

Section 35 approved on the following division:

YEAS — 54

YEAS — 54

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Bruce
Santori	van Dongen	Barisoff
Nettleton	Masi	Lee
Thorpe	Hagen	Murray
Plant	Collins	Bond

Falcon	Coell	Hogg
L. Reid	Hawkins	Whittred
Hansen	J. Reid	Bruce
Santori	van Dongen	Barisoff
Nettleton	Masi	Lee
Thorpe	Hagen	Murray

The committee rose at 5:36 p.m.

The House resumed; Mr. Speaker in the chair.

Reporting of Bills

Bill 26, Employment and Assistance Act, reported complete with amendments.

Third Reading of Bills

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

Hon. M. Coell: With leave of the House, now.

Leave granted.

Mr. Speaker: The question is third reading of Bill 26. The member for Vancouver–Mount Pleasant seeks the floor.

J. Kwan: Mr. Speaker, I move a motion that the motion for third reading of Bill 26, intituled Employment and Assistance Act, be amended.

[That the motion for third reading of Bill (No. 26), intituled the Employment and Assistance Act, be amended by striking the words after "that" and inserting, "Bill (No. 26), intituled the Employment and Assistance Act, be recommitted to the Committee of the Whole and further that the committee be empowered to invite witnesses to appear before it to assist in its deliberations."]

Mr. Speaker: Thank you, hon. member. The amendment is in order. Please proceed.

[1740]

On the amendment.

J. Kwan: Mr. Speaker, the motion that I table asks for the government to refer the matter of Bill 26 to a Committee of the Whole and to hear witnesses on this important bill.

The opposition has been receiving ongoing requests from members of the public, so that they could participate in a democratic process and speak to the effects of Bill 26. Many of the people who are impacted have not had the opportunity to review the bill and understand how it would impact their daily lives. There are many people in here in the gallery today who seek to participate in a democratic process in this parliament. They wish to be able to come before government in a Committee of the Whole and make their presentation to the government on the impacts of Bill 26 on their lives. Some of these people are here, as I mentioned. Many of them are not here, and they have sent to the opposition a list of their requests. We have compiled a list of the requests from individuals and organizations who wish to make a presentation to the government.

Let me just name the people who are here. Debbie Krull, Moms on the Drive, has indicated that she

wishes to make a presentation to the minister on Bill 26. Carol Romanow, Action Committee on People with Disabilities. The Action Committee on People with Disabilities have also sent a letter requesting the opportunity to make a presentation to the government on Bill 26. Jim Franklin, Action Committee on People with Disabilities, is also here. Marilyn Welch. The B.C. Seniors Network of Disabled People are here, and they wish to also make a presentation to the government. Marilyn Welch from Victoria is also here. That's a different person. There's Lance Gardiner, person with a disability and advocate; Norma Strachan, the executive director of ASPECT; Catherine van Mossel; Robert Arnold, the first vice-president of the Federated Anti-Poverty Groups; Dr. Marge Reitsma-Street from the University of Victoria; Dr. J.M. McHardy, Together Against Poverty; Elvina Sainte-Marie; Stacey Chappel, the Vancouver Island Public Interest Research Group; Nicole Lindsay, the Vancouver Island Public Interest Research Group; Rose Henry, Capital Region Race Relations Association; Aaron Welch, Together Against Poverty Society; Jacquie Ackerly, Together Against Poverty Society; Tim Richards, Together Against Poverty Society.

Those are the people who are here in the gallery today who wish to make presentation to government on the impacts of Bill 26. They are asking government not to pass the bill and just ram it through today, so that the public have an opportunity to participate in a democratic system utilizing this Legislature as the place to highlight democracy and the opportunity for democracy. That's what the public is asking for, and that's what this motion speaks to. It asks the government to send Bill 26 to a Committee of the Whole and to empower the committee to invite witnesses to appear before it.

That is one of the most fundamental principles that ought to apply in a parliamentary system: to hear from the voices of the people who voted the people into this House, to allow them to have a voice in the Legislature. Especially in light of a situation where there are only two opposition members, the community should have a role to play in making sure their voices are heard in these buildings. There is no justification whatsoever for the government not to support this motion. There is zero justification for that. This is the height of a demonstration of the principles of democracy.

If the government believes in the notion of democracy and the principles behind it, then let the voices of the people be heard and bring their voices into this parliament building. Ensure that their voices are registered in *Hansard* and are considered by government before changes that impact people's lives in a very significant way, in a very negative way, are passed in this Legislature.

[1745]

The individuals I have read into the record are not the only ones who wish to make a presentation to government. There's a long list of others who wish to do the same as well, but they are unable to participate in the debate today by making a trip over to Victoria. Let me just read some of their names into the record so that

people understand the number of people who wish to participate in this democratic process. Teri Wynn, community advocate, wishes to participate. Heather Wilkinson; Cathy Ann Grant; Lee Rempel and Sally Marven; Lisa Stewart from Chilliwack; Brian Mairs, the director of Okanagan Aboriginal AIDS Society; Liza from DERA; Cathy Woods; Sharon Hill from the New Focus Society in Quesnel.

From the city of Quesnel, a list of people who wish to participate: Lynne Worden; Leola Gardner; Geraldine Rusk; Renee Gagnon; Arlene Cave; Connie Nicolaisen; Gailene Chantyman; Lennore Anderson; Nancy, Jimmy, Tammy Rusk; Sheila Olson; Chris Bailey; Shelley Malaka; Melissa Rathgeber; David Bailey; Ricky Smith; Jackie Baxter; Mandy Godwin; Stan Penner; Shawna Graham; David Steiness; Shelley Penner; Flora Favre; Linda Duguay; Carlos McCormick; Wendy Byrd; George Auger; Ann Miller; Mike Doyle; Richard Champion; Al Henderson; Ricard Carwoodm; Sandy Kummertz; Joan Schwanzenberter.

Cara-Lee Malange from Vancouver; Leslie Cairns from Nelson; Skylark Disraeli from Kelowna; Coralie McCormick; Pat O'Neill from the Coalition of Concerned Citizens of Saltspring Island.

Carole Karkhairan; Rob Secyk from Nelson; George and Marie, also from Nelson; Larry Dow from Creston Valley; Shelagh Day; Jennifer Collinson from Kamloops Women's Resource Centre; Dodie Goldney from Kamloops Women's Resource Centre; Lynne Taylor from Vancouver; Mary McIntyre from Salmon Arm; Rick Lebitschnig from Kamloops; Jennifer Hole; Lois Shelton from Vancouver; Dianne Liscumb; Maria Maslovat; Phyllis Kahn; Sharon Moulton; Robert Busch from Burnaby.

Sandra Beggs from the Queen Charlotte Islands Women Society; Patti MacAhoic from Chilliwack, the director of the B.C. Injured Workers and Survivors Educational Association; Kathleen Kendall from Kamloops; Susanne Dannenberg; Steve Hilbert from Quesnel; Carolyn Hilbert from Quesnel; Debra Critchley from the Vernon Women's Centre; the B.C. Coalition of Women's Centres.

Bruce Wallace from VIPIRG; Heather Macnab; Steve Kerstetter, the former director of the National Council of Welfare; Linda Jaccard; Michelle Burton, Paul Godden and Vicki Nicholson, part of the downtown south Gathering Place community centre association; Joyce Alcorn; Ramona Sosath, Maple Ridge; Margaret Martin of Nanaimo; Adrienne Scott; Diane Meyer; Judy Cowan; Cathy Sawchuck; Tammy Shuh; Jack Jules; Al Thomsen; Paul Collett; Rae Kornberger; Karen, Doris, Michelle McCartney; Val Gaiga; Tom Davies; Sheldon Colton; Mia Frederiksson; Peter Bailey; Christine Jenneson; Hilary Kennedy; Janine Steines and Rhonda Berg from Quesnel.

Mr. Speaker, the list goes on. In fact, I have pages and pages of people who wish to make a presentation to the government. I haven't got all the time to list all of the names on the record. I apologize. I will be submitting these names to Hansard so that they appear on the record as though I have read their names onto the record.

[1750]

Because of the time constraint, because government is bringing forward closure on Bill 26, we're unable to further debate the matter. There's only ten minutes remaining on this motion.

I would like to yield the time now to my colleague from Vancouver-Hastings so that she can engage in this debate.

J. MacPhail: Before us we have a very, very important motion. I'm pleased the Speaker has given us time to debate this motion. All this motion brought forward by my colleague from Vancouver-Mount Pleasant says is: allow the people who are affected directly by this legislation to have a voice, to be witnesses, to explain to the government what it is that they're doing.

Yesterday this whole House rose up and said: "Let's not proceed with legislation because we don't know what the consequences will be for people earning \$100,000 or more." There was a bill targeted specifically at those people, and all my colleague.... She's not even asking for that. What she's saying is that the Committee of the Whole has every right to call witnesses. It's a legislative committee. It has a right to call witnesses and hear from the people, hundreds of people who want to bring their voice to this debate.

But, Mr. Speaker, since my colleague rose and started defending the interests of the poorest in this province, people have called and sent in letters: Robert Gilson from Tradeworks Training Society in Vancouver; Helen Rosanowich here in Victoria.... Glen Hillson, the chair of B.C. Persons with AIDS Society, wrote a very, very moving letter speaking on behalf of the 3,700 members of British Columbia Persons with AIDS Society, HIV...individuals in B.C. and the marginalized populations at risk.

He said: "As an employer of over 15 full-time staff, B.C. Persons with AIDS Society would like to see those pieces of legislation adequately assessed and debated by members of the House prior to their passage." That's what he wrote in, and it hasn't been done.

The People's Voice in Kamloops — I'm sure the member for Kamloops-North Thompson will be very interested in this — passed a resolution this past weekend. They want the debate put aside. They want to be a witness to this legislation, because they think that this legislation is illegal in Canada. They have sent letters to the federal government requesting an emergency discussion in the House of Commons about the illegality of this legislation. That was on section 36 that I said: "Shame on this government." Limiting welfare to two years for every five. That's what they want done.

The Downtown Eastside Residents Association has said: "We implore you for more time to debate this legislation." They are deeply concerned with not only the quality of the decisions that have been made but the haste in which they are being implemented. They are deeply concerned. They implore the government for more time to debate.

This came in yesterday from the former director of the National Council of Welfare, Steve Kerstetter:

"Please add my name to the list of British Columbians who are outraged by the Campbell government's lack of respect for democracy and its attempt to ram complex and controversial legislation through the House this spring. I am especially concerned about Bill 26" — the very debate we're having right now — "which will cause needless hardship and suffering to thousands of poor people. Natural justice demands that they be heard before the bill becomes law.

"Please add my name to the list of British Columbians who would gladly appear to testify against Bill 26, should the bill be sent to legislative committee for detailed study."

[1755]

Mr. Speaker, there's another person who sent in a letter yesterday, hearing my colleague's comments on this debate: "Bills 26 and 27 need to be explored further and discussed more. In fact, those to whom the bills will affect need to be part of further exploration and discussion." She writes a long letter. This is Barbara Sauder, here in British Columbia actually, who is urging that she be allowed to present as a witness to a legislative committee. That's all this legislation is asking for.

There is nothing we heard from the minister. According to him, the change will be small and will hardly be noticed, but this is most important. This government is going to bring in regulations that only they have input. Day after day the Minister of Human Resources rose up and said: "Oh, that question that I can't answer right now will be addressed by regulation." Day after day he rose up. He said: "Don't worry. That'll be taken care of in regulation." Here's the perfect time for the minister to pause, allow the hundreds of British Columbians who have said they want to be heard on this legislation, put this to committee and allow those voices to be heard before he brings in those regulations.

You know what? Somehow I see by this government that they're just waiting for the clock to tick away. They're just waiting for the clock to tick away so they can ram this legislation through. If they aren't, they can stand up and vote in favour of this motion. They can give people whose lives will be forever impacted by this legislation — forever impacted — a chance, at least, to be heard.

This government has no hesitation to meet day after day with the business community. The Premier is probably meeting with the chamber of commerce as we speak. He loves chambers of commerce. He won't meet with people who are on welfare. He won't meet with people who have disabilities. He won't meet with doctors. He won't meet with people who are concerned about.... He'll meet with chambers of commerce every single time he gets a chance. All we're saying is: give the people who are affected by this legislation the same time and attention he gives the chamber of commerce.

Hon. M. Coell: In closing out debate, I would like to thank those members who have taken the time to speak on this bill and also on Bill 27. The bills were introduced a month and a half ago — April 15 — and by the time we've finished, we will have had over 35 hours of, I would say, intense debate.

Mr. Speaker, I have enjoyed talking and meeting with people for the last year on issues affecting people on income assistance, and I look forward to talking with people in the future and to developing a rapport with members in the Legislature who have issues regarding income assistance.

Again, Mr. Speaker, I thank those people who have taken the time to speak in the debate.

Mr. Speaker: Hon. members, we are voting on the amendment to the motion, which is in *Votes and Proceedings*, page 7, Motion 36, if you wish to read it. The motion, in essence, says that it "be recommitted to the Committee of the Whole and further that the committee be empowered to invite witnesses to appear before it to assist in its deliberations."

[1800-1805]

Amendment negatived on the following division:

YEAS — 2

MacPhail		Kwan
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NAYS — 57

Falcon	Coell	L. Reid
Whittred	Hansen	J. Reid
Bruce	Santori	van Dongen
Barisoff	Nettleton	Masi
Lee	Thorpe	Hagen
Collins	Bond	de Jong
Nebbeling	Stephens	Abbott
Neufeld	Coleman	Chong
Anderson	Harris	Nuraney
Brenzinger	Belsey	Bell
Long	Chutter	Mayencourt
Trumper	Johnston	Bennett
R. Stewart	Hayer	Krueger
McMahon	Bray	Les
Locke	Nijjar	Wong
Bloy	Suffredine	MacKay
Cobb	K. Stewart	Visser
Sultan	Hamilton	Hawes
Kerr	Manhas	Hunter

Third reading of Bill 26 approved on the following division:

YEAS — 56

Falcon	Coell	L. Reid
Whittred	Hansen	J. Reid
Bruce	Santori	van Dongen

Barisoff	Nettleton	Masi	Hamilton	Hawes	Kerr
Lee	Thorpe	Hagen	Manhas		Hunter
Collins	Bond	de Jong			
Nebbeling	Stephens	Abbott		NAYS—3	
Neufeld	Coleman	Chong			
Harris	Nuraney	Brenzinger	Anderson	MacPhail	Kwan
Belsey	Bell	Long			
Chutter	Mayencourt	Trumper		Bill 26, Employment and Assistance Act, read a third time and passed.	
Johnston	Bennett	R. Stewart			
Hayer	Krueger	McMahon		Hon. G. Collins moved adjournment of the House.	
Bray	Les	Locke			
Nijjar	Wong	Bloy		Motion approved.	
Suffredine	MacKay	Cobb			
K. Stewart	Visser	Sultan		The House adjourned at 6:09 p.m.	