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3RD SESSION, 37TH PARLIAMENT

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WEDNESDAY, OCTOBER 9, 2002

Introductions by Members

The House met at 2:04 p.m.

Prayers.

VISIT TO B.C. BY
QUEEN ELIZABETH II AND
ROYAL VICTORIAN ORDER RECIPIENTS

Hon. G. Campbell: Prior to commencing today, I'd just like to take a moment to comment on this past weekend's event and the visit of Her Majesty and His Royal Highness.

[1405]

You know, whenever we do activities like that, it takes an awful lot of work and an awful lot of time, effort and attention to detail by an awful lot of people, particularly in protocol and events — public servants who have been serving the province and the people of British Columbia for some time. Communications staff — there was a huge number of new people that were here, who had to learn about British Columbia as well as where we were going and what we were doing.

I just want to take a moment to thank and congratulate those public servants for the work they've done. I think sometimes we forget how important those people are, and we take for granted what they do. Fortunately, this week we had an exceptional event, an exceptional visit from Her Majesty, and it was the innovation and the creativity of our staff that helped make it that way. I can tell you that when they first suggested Her Majesty might want to drop the puck at a hockey game, that took a little bit of work. That was an idea of our public service, and I can tell you there were 18,000 British Columbians who loved every single minute of that event.

Equally importantly, Her Majesty and His Royal Highness really enjoyed that event. As nervous as Her Majesty may have been as she walked out on the ice, I can tell you that for someone who's seen one period of hockey in the last 50 years, she was pretty much engaged in the game. The critical thing for me is that yesterday, prior to Her Majesty and His Royal Highness leaving, two of our staff were inducted into the Royal Victorian Order.

The Royal Victorian Order was founded in 1896 by Queen Victoria, and it's given by the Queen to people who have served her or the monarchy in a personal way. I am pleased to tell the House, and I want to congratulate the recipients. Dagmar Beimen, a protocol officer, was made a member of the Victorian Order. Marc-André Ouellette, who is the director of protocol and events for the province of British Columbia and the British Columbia director of the tour, was made a lieutenant of the Victorian Order. I hope the House will send their congratulations to both of those recipients as well as to the literally dozens of staff who worked so hard to make British Columbia proud.

K. Krueger: In the gallery visiting us today is Mr. Jim Stewart, who is a regional representative on the B.C. Liberal Party executive for the North Island — the scourge of all other parties — and his daughter Jennifer, who was active in my political campaign in 2001 until she gave me up for fish. She's now a fish monitor on fishing boats off Vancouver Island and spends weeks at a time out there protecting our environment. Would the House please make them welcome.

S. Orr: Today we've got two very special people in the gallery, two very dedicated young Liberals who are students at the University of Victoria: Trisha and Dallas. Would the House please make them welcome.

Hon. G. Hogg: In the gallery today is a longtime school friend from Surrey-White Rock and his cousins from Norway. Would you please welcome Vidar, Sigurd and Olly Langehaug.

Hon. R. Thorpe: In the gallery this afternoon are seven representatives of the Victoria high-tech community. First of all, we have Dale Gann, Sandy Beaman and Joe VanBelleghem from the Vancouver Island Technology Park. In addition, we have Brian Nutt from PureEdge Solutions, Peter Baillie from Epic Biosonics, Glenn Bindley from Redlen Technologies and Troy Griffin from Vigil Health Management.

Brian, Peter, Glenn and Troy all represent local high-tech companies that were selected among the top 40 Pacific Northwest technology companies at a recent all-star summit held in Seattle on September 27. This is great news for the high-tech community in Victoria and great news for the high-tech industry in British Columbia, and I would ask everyone in the House to recognize the successes here in Victoria.

[1410]

I. Chong: Mr. Speaker, visiting with us today are 26 grade 11 students from my former alma mater, Mount Douglas Senior high school. They are a French immersion class. They are here with their teacher, Mr. Ponchet, and an adult who is accompanying them. I wish the House to make them welcome.

G. Trumper: I see that in the House visiting us today are members of the Huu-ay-aht band, which is very near Bamfield. Their elected chief, Robert Dennis, is here with members of his council. They are here today to meet with the Premier. Their land is at the end of a very rough road, if any of you have been out to Bamfield. They are a very go-ahead nation and are working hard to improve their economy and what is taking place out there. I ask the House to give them a very warm welcome.

Introduction and First Reading of Bills

MISCELLANEOUS STATUTES AMENDMENT ACT (No. 3), 2002

Hon. G. Plant presented a message from Her Honour the Lieutenant-Governor: a bill intituled Miscellaneous Statutes Amendment Act (No. 3), 2002.

Hon. G. Plant: I move that Bill 62 be read a first time now.

Motion approved.

Hon. G. Plant: Miscellaneous Statutes Amendment Act (No. 3), 2002, amends a number of statutes. Some of the amendments may accurately be described as housekeeping; others are more substantial. Among the statutes affected by this bill are the following: the British Columbia Railway Act, the Employment and Assistance Act, the Employment and Assistance for Persons with Disabilities Act, the Employment Standards Act, the Escheat Act, the Freedom of Information and Protection of Privacy Act, the Highway Act, the Municipalities Enabling and Validating Act, the Interjurisdictional Support Orders Act, the Ministry of Transportation and Highways Act, the Motor Vehicle Act, the Public Guardian and Trustee Act, the Special Appropriations Act and the Vancouver Charter.

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

Bill 62 introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

Statements (Standing Order 25B)

CHARITABLE ACTIVITIES OF MOTORCYCLISTS

B. Lekstrom: I rise today in the House to bring and raise the profile of an individual who is a legend in the motorcycling industry not just in British Columbia but in Canada. Mr. Trev Deeley was not only a very successful businessman but a very community-minded individual as well.

Mr. Deeley passed away last March at the age of 82. He left a substantial bequest in his will to the B.C. Cancer Foundation with a specific request that the gift be used on Vancouver Island to support the B.C. Cancer Agency's Vancouver Island Cancer Centre. This bequest was in the amount of \$5 million. I would like to express my gratitude to his family and Mr. Deeley for this donation. Cancer is a terrible disease that I'm sure has touched us all, but through the support of people like Mr. Deeley we will find a cure and beat this disease.

I raise this in the Legislature today because this past Sunday I had the honour of participating in the

twenty-fourth annual Vancouver Toy Run. This toy run is about motorcyclists from all walks of life coming together to help children who are a little less fortunate than many others. This year over 6,000 bikes with 8,500 participants participated and brought in over 4,000 new toys and \$11,500 in cash donations, which are there to help the needy children of our province.

[1415]

In closing, I would like to thank all of the people who organized and participated in this year's event. This toy run only helps to promote what motorcycling legend Trev Deeley believed in: having fun while motorcycling and, at the same time, helping people in need and making our province a better place. Thank you very much.

CRIME PREVENTION AWARDS

D. Hayer: I rise today to mark an event held two weeks ago in my riding of Surrey-Tynehead. That event was the Solicitor General's 2002 community safety and crime prevention awards, which were part of the twenty-fourth annual conference of the B.C. Crime Prevention Association. These events honour outstanding individuals from throughout British Columbia. Those individuals have contributed to the respective communities in many outstanding ways. Their efforts have made this province a better and safer place to live.

I would like to take time now to mention a few of the recipients by name. The Anthony J. Hulme award of distinction for a lifetime contribution went to Mr. Fred Allcott of Chilliwack; the community crime prevention and safety award to Martha McArthur, executive director of the national Block Parent program, and Const. Jim Poulin and Pamela Profitt for outstanding work with Delta youth.

The corporate award went to Bonney Rempel for her efforts to combat youth bullying in the lower mainland. The volunteer awards also included people from all over the province: Gerda Suess from lower mainland-Fraser Valley, Frank Stoddart from Vancouver Island and Pat Glazier from Mackenzie in the north.

I am especially proud of the winners of the youth leadership awards: Erin Beynon of Surrey, Shannon Lizitza and Andrea Lecomte of Penticton, and Aaron Weisgerber from Vancouver Island.

I ask the House to join me in congratulating all these outstanding citizens and those volunteers and organizers who make this event possible.

VICTORIA ECONOMY

J. Bray: I am excited to be able to update this House on the current state of the Victoria economy. We here in the capital region have a lot to be proud of. Housing starts are way up. Housing sales are way up. The value of those sales is way up. The number of Americans buying homes in Victoria is up from 2 percent to 7 percent. Retail sales remain healthy.

Tourism has done an amazing job of recovering since September 11, including a 64 percent increase in the number of cruise ships visiting Victoria. The marine sector is robust, with a fourfold increase in the number of repair and maintenance works being done on cruise ships in Victoria's shipyards. We have major developments starting over in the dock lands, including commercial and residential. We have a new \$90 million Marriott hotel being built right outside the Legislature.

Construction in marine jobs and trades means high-paying, family-supporting jobs for families right here in Victoria. Our high-tech sector continues to be strong. This economic performance has led Victoria to have an unemployment rate of 6.7 percent, which is the lowest in British Columbia, which is 1.1 percent lower than the national average and is among the lowest in all of Canada — right here in Victoria.

We have the urban assets necessary to sustain real economic growth. We have three world-class post-secondary institutions — UVic, Camosun College and Royal Roads University — graduating students to meet the challenges of the future. We have a new harbour authority. We have a chamber of commerce that's focused and is leading a review of regional, not municipal, economic strategies. With the potential of projects such as the Belleville Street terminal and the expanded Victoria Conference Centre, our potential is boundless.

Now, the reports of doom and gloom that we heard here in Victoria over the last several months simply have not materialized. Our region is prospering. I believe strongly that it is now time for this city to step forward to ensure that we maximize our boundless potential. In essence, Victoria needs to maintain its sense of community but, quite frankly, develop a Calgary sense of attitude. We have so much to offer businesses, so much to offer families to raise their families, to move their businesses here. We need to start promoting our region to the world.

[1420]

Oral Questions

DRUG COSTS

J. Kwan: Yesterday we asked the Minister of Health Planning why she's protecting drug industry profits and gouging seniors through an ill-conceived Pharmacare income-testing scheme. She didn't have an answer. Today I'd like to explore this a little bit further with the minister. In B.C. the government pays 33 cents for naproxen, a common generic anti-inflammatory drug prescribed by the thousands every week. In Saskatchewan the government pays a little over 9 cents for the very same pill, a 71 percent saving. Does the minister know why?

Hon. C. Hansen: In British Columbia we have a system put in place by the previous government where generic drugs, once they have been approved by Health Canada, are covered at 70 percent of what the

brand-name product would have been, providing their chemical equivalence is determined by Health Canada. We are currently reviewing that policy.

Mr. Speaker: The member for Vancouver–Mount Pleasant with a supplementary question.

J. Kwan: What we're talking about here today is saving money for Pharmacare while protecting middle-income seniors. Given that the minister is about to gouge seniors through the income-testing scheme, you'd think the minister would actually want to expedite the alternative and want to move forward.

I will remind the minister and the Liberal government that when they were in opposition, they fought the previous government every step of the way — every step of the way, whether it be reference drug program savings....

In B.C. the government pays 87 cents for the histamine cimetidine. In Saskatchewan the government pays 7 cents a pill, a 92 percent saving. The minister must have been briefed on what other provinces are doing and how to control costs. Does the minister know why he is paying so much for the same drug? And why doesn't he expedite the program which he said that he's looking into, instead of gouging seniors?

Hon. C. Hansen: Actually, what I would urge the member to do is turn to her colleague immediately beside her, who was the Minister of Health in this province when a policy was in place that said we would pay 70 percent of the brand-name costs to generic manufacturers. We are reviewing that policy. We're trying to look for every way possible that we can save money...

Interjections.

Mr. Speaker: Order, please.

Hon. C. Hansen: ...in the Pharmacare budget, because its costs are rising today at 14 percent to 18 percent a year, given the benefit structure they put in place in the previous government. We are also pushing the federal government to ensure that generic drug approvals are expedited. We're trying to make sure that we can find savings everywhere possible so that this \$712 million-a-year expenditure in government is in fact sustainable for seniors next year, the year after and the next decade.

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

J. Kwan: I would remind the minister and all the government MLAs that it was them who supported the pharmaceutical companies in fighting my colleague in bringing forward the reference-based drug pricing program. It was my colleague who actually brought forward and fought the pharmaceutical companies in court.

You know, the reason is simple why the government is not acting. Looking at Saskatchewan, it pioneered a competitive bidding process for generic drug companies wanting to sell pills to government that drives costs down and protects seniors from being gouged. The program was initiated a couple of years ago, and it works. Generic drugs cost a lot less in Saskatchewan than in B.C. Why are seniors in B.C. being gouged with income-testing instead of being protected with cost-saving alternatives, like the one in Saskatchewan? Why is this government going after seniors first, before they implement the alternatives?

[1425]

Hon. C. Hansen: I am astounded to hear two members of the New Democratic Party criticizing an income-testing system that is going to bring more fairness to the system and that is going to ensure that prescriptions, which are a valuable part of a good health care system.... What we as a province — and no province can afford to pay 100 percent — are saying is that we want to make sure that what an individual family has to pay is proportional to their income and based on their ability to pay. That is a principle of fairness that we should all stand up for.

J. MacPhail: This minister is proceeding within days to take more money out of the pockets of seniors through his income-tested model. That's exactly what he's doing — \$400 million. He's saying: "Oh, we need to do that." Meanwhile, we're looking at other alternatives. Why is he proceeding to gouge seniors to the tune of \$400 million and slow-walking alternatives? Seniors should not be the first line of defence against the government that will not control drug costs.

This is a government that, when in opposition, worked hand in glove with the pharmaceuticals to challenge a reference drug plan that saves tens of millions of dollars every year. They took us to court twice, and we won twice. This government, in opposition, supported the pharmaceuticals all the way. If the minister would care to check about what's now going on in Saskatchewan, he could see that he could save the government a minimum of \$30 million over two years by forcing the drug companies to compete on generics. Drug companies may not like to compete...

Interjections.

Mr. Speaker: Order, please. Order.

J. MacPhail: ...but seniors do. It keeps their drugs affordable.

Mr. Speaker: Order, please. Would the member now put her question.

J. MacPhail: To the minister: why is he subsidizing drug industry profits, when he should be forcing them to compete for Pharmacare dollars?

Hon. C. Hansen: As I mentioned earlier, we are looking at the Saskatchewan model, and it is something we're going to review. But let me just remind the member that when she was the Minister of Health in this province, she raised the Pharmacare deductibles from \$375 to \$800 a year — more than double. She reduced the co-pay component from 80 percent to 70 percent. You know who that hit? That hit families in every single corner of this province.

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

J. MacPhail: Any attempt for this government to say other than they work hand in glove with the pharmaceuticals against the best interests of seniors is to simply mislead. The pharmaceutical companies worked every day with this government while they were in opposition to do anything to improve the pharmaceutical industry. They supported the pharmaceuticals to go to court to challenge any cost savings that would take the profits out of their hands and give the benefits to the seniors. A pill that's 7 cents in Saskatchewan is 87 cents here. If it walks like a business subsidy, if it talks like a business subsidy, if it smells like a business subsidy, it is a business subsidy.

The Premier...

Interjections.

Mr. Speaker: Order, please.

J. MacPhail: ...promised to end business subsidies. Will the minister tell us why the promise doesn't apply to the drug industry when the health and welfare of seniors is at stake? What's the difference that makes this subsidy stand?

Hon. C. Hansen: We are exploring every single opportunity to get drug costs under control. I've got to throw this back to the member. She was a Minister of Health. She was a Minister of Finance leading up to the last election. She had every opportunity to implement the Saskatchewan model. Why didn't she take some action then, if it was such good idea?

Interjections.

Mr. Speaker: Order. Order, please. The member for North Coast has the floor.

[1430]

ABORIGINAL HEALTH

B. Belsey: My question is not to the Minister of Health Services. We'll give him a break. My question is to the Minister of Health Planning.

Aboriginal people throughout B.C. have traditionally faced numerous health challenges. Health indicators point to serious inequities between the outcomes of aboriginal peoples compared to other British Co-

lumbians. As my riding is home to many aboriginal people, could the Minister of Health Planning tell my constituents what steps she is taking to close the gap?

Hon. S. Hawkins: Our government does recognize the gap in health status between the aboriginal population and the general population, and we've done a number of things. First of all, we've implemented performance-based contracts with the six health authorities. I know they're working on health plans with the health authorities, and they're responsible for demonstrating measurable improvements of the health of their populations, including the aboriginal population.

In the past ten years we've seen aboriginal infant mortality anywhere between 15 and four deaths per 1,000. That's unacceptable. We have specifically included aboriginal infant mortality as an indicator in our ministry service plans, and we'll be following that.

Smoking rates in the aboriginal population are 21 percent higher than in the general population, and we're working with aboriginal groups on different strategies. We've got an aboriginal tobacco strategy. One of the programs is a tobacco reduction health challenge called Honouring Your Health, with 65 communities. It's tripled in the past year.

Mr. Speaker: The member for North Coast has a supplementary question.

B. Belsey: In order that these programs and services be successful, it is important that aboriginal people be actively consulted. Can the Minister of Health Planning tell us what steps her ministry has taken to include aboriginal groups in the decision-making process?

Hon. S. Hawkins: We're working very closely with different aboriginal groups. We've got four policy tables that we work with: the First Nation Chiefs Health Committee, the Union of B.C. Indian Chiefs, the Métis Provincial Council of British Columbia and the United Native Nations. In addition to that, we've had consultation with numerous service providers, bands and councils across the province. We're going to continue those consultations.

The provincial health officer is releasing his annual report later this month, and he has focused on the health status of aboriginals. Certainly, the Premier has been very committed to consultations with the aboriginal population, and I look forward to the insightful dialogue we're going to have at the first citizens forum on Friday.

INVESTMENT IN TECHNOLOGY INDUSTRY

L. Mayencourt: My question is to the Minister of Competition, Science and Enterprise, and it has to do with the technology sector, which has in the last few months grown to over 45,000 employees. The sector has grown by 7.6 percent in revenues. A recent survey of high-tech firms by BCTIA found that most high-tech

industries find that the inability to raise important investment capital is a barrier to continued growth in the sector. In light of our commitment to technology, can the minister tell us what plans he has to address this issue?

Hon. R. Thorpe: First of all, I'd like to acknowledge the fine work of the B.C. Technology Industries Association and George Hunter. The survey they have done is very, very informative, and they have provided us with information, just as the member said, that capital — venture capital — is important for growing those businesses.

We have already acted. We have introduced competition in the labour-sponsored venture capital area. We've changed and made amendments to the B.C. Securities Commission for the capital-raising exemptions, giving companies and individuals more opportunities to raise capital. We are currently ending a very extensive review of the small business venture capital fund, and we will be moving forward with changes to that in the coming months. Our government understands the need for seed capital and venture capital so that the private sector can grow and bring our best and brightest back to British Columbia and keep our best and brightest here in British Columbia so we can create jobs right here in British Columbia, and that's what we're doing.

[1435]

Mr. Speaker: The member for Vancouver-Burrard has a supplementary question.

L. Mayencourt: This sector is clearly important to rebuilding our economy, providing high-paying jobs and helping to support important programs like health care and education. Firms in my riding like Pivotal Corp., which has just moved into Vancouver-Burrard, and Crystal Decisions Corp. continue to be worldwide leaders in their chosen areas of operation. I wonder if the minister could please tell us how this year's report from BCTIA compares with last year's report.

Hon. R. Thorpe: Last year, in the survey of the industry, the number one issue facing the industry was the excessive rate of taxation, both personal and business, here in British Columbia.

Our government has introduced 17 measures of tax relief. That issue has now gone off the radar screen of the industry. In addition, we're cutting red tape and balancing labour laws, again making British Columbia the most competitive jurisdiction in North America so that we can grow our high-tech industry here in British Columbia and create jobs.

[End of question period.]

Reports from Committees

J. Nuraney: Pursuant to the committee's terms of reference, I have the honour to present the second re-

port of the Special Committee to Review the Police Complaint Process for the third session of the thirty-seventh parliament.

Hon. Speaker, I move that the report be taken as read and received.

Motion approved.

J. Nuraney: I ask leave of the House to suspend the rules to permit the moving of the motion to adopt the report.

Leave granted.

J. Nuraney: I move that the report be adopted.

This report reflects the committee's consultation with members of the public, police associations and other interested stakeholders on the procedure for handling municipal police complaints as set out in part 9 of the Police Act.

Although the report concluded that the present system of handling complaints is sound, the committee identified that more work needs to be done in three key areas: (1) to improve public confidence in the complaint process; (2) to improve the informal resolution process so that the use of that process is more frequent; and (3) to enhance procedures to improve fairness of the complaint process both for the complainant and for the respondent.

The committee also recommended that the office of the police complaint commissioner undertake more community outreach programs.

I appreciate this opportunity to move the adoption of the committee's report, and I would like to thank all the members of the committee for their input and dedication throughout the process. I would also like to express my particular thanks and gratitude to the staff and the Clerks, without whose help we would not have been able to come to a satisfactory conclusion.

Motion approved.

Orders of the Day

Hon. G. Collins: I call committee stage debate on Bill 60.

[1440]

Committee of the Whole House

HEALTH AUTHORITIES AMENDMENT ACT, 2002

The House in Committee of the Whole (Section B) on Bill 60; J. Weisbeck in the chair.

The committee met at 2:42 p.m.

Sections 1 to 20 inclusive approved.

Title approved.

Hon. C. Hansen: I move the committee rise and report the bill complete without amendment.

Motion approved.

The committee rose at 2:43 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

Bill 60, Health Authorities Amendment Act, 2002, reported complete without amendment, read a third time and passed.

Hon. C. Hansen: I call second reading of Bill 61.

Second Reading of Bills

DRINKING WATER PROTECTION AMENDMENT ACT, 2002

Hon. C. Hansen: I move that Bill 61 now be read a second time.

Clean drinking water is a vital health priority, and we must ensure that drinking water protection is effective and efficient with no uncertainty. This legislation improves drinking water protection and enhances public health and safety across the province.

[1445]

We know that most British Columbians already enjoy safe, clean drinking water. We want to ensure that accessing that safe drinking water continues to be as easy as simply turning on the tap. These amendments to the Drinking Water Protection Act ensure that better planning and greater accountability are in place for high-quality drinking water throughout the province.

In developing this legislation, we have listened to British Columbians and worked together with our partners and our stakeholders. We established an independent panel to review the Drinking Water Protection Act. That was in fulfillment of a new-era commitment we had made. That panel then came forward and made recommendations on its effectiveness. The panel's final report, which was released earlier this year, provided recommendations based on written submissions and surveys by stakeholders across the province. We have considered and are implementing many of these recommendations as well as key findings from other studies and consultations such as the auditor general's report from 1999 and the provincial health officer's annual report on drinking water quality that was published in the year 2000.

Based on our extensive review, in June of this year we introduced a drinking water action plan. Both the Drinking Water Protection Act and B.C.'s action plan provide a framework for protecting public health, and

both make a number of improvements with the goal of making a good system even better.

This action plan focuses on eight key principles for drinking water systems in British Columbia. The first is the safety of drinking water as a public health issue. Second, source protection is a critical part of drinking water protection. Third, providing safe drinking water requires an integrated approach. Fourth, all drinking water systems need to be assessed to determine risks. Fifth, proper treatment and water distribution system integrity are important to protect human health. Sixth, tap water must meet acceptable safety standards and be monitored. Seventh, small systems require a flexible system with appropriate safeguards. Eighth, safe drinking water should be affordable, with users paying appropriate costs.

This comprehensive action plan and this legislation improve the protection of drinking water from source to tap by improving standards for monitoring, treatment and accountability. This legislation will implement our action plan to strengthen B.C.'s drinking water protection. First, we are establishing clear lines of responsibility within government for the protection of drinking water. Many ministries and government agencies are involved in different aspects of drinking water protection, but until now there has not been a proper coordination and integration of these various functions across government. As a public health issue, the Ministry of Health Services will become the lead agency responsible for the safety of drinking water in British Columbia. My ministry will provide the leadership needed to coordinate all activities and will assume ultimate responsibilities to provide safe drinking water to all British Columbians.

The legislation will also strengthen the role of the provincial health officer to monitor and report annually on public health protection and on drinking water specifically. The provincial health officer has a mandate to ensure the accountability of government and those delivering drinking water to British Columbians. The legislation will also establish new drinking water officers across the province. These officers will have the authority to investigate complaints and to require testing and assessment. They will perform inspections of water systems, issue orders and coordinate water source protection.

Building on this new legislation, regulations will be put in place that, firstly, will improve water treatment and distribution standards based on evidence from the new drinking water advisory committee; secondly, will outline new training and certification requirements for water system operators; and thirdly, will establish strong standards and monitoring requirements.

[1450]

Under this legislation, public health protection becomes the guiding principle for all planning and decisions made by this government and local governments affecting B.C.'s drinking water. This legislation will focus on establishing higher standards of protection for groundwater sources. Clearly, we know that we need

to modernize B.C.'s drinking water system as well as the legislation that guards it.

In the past year alone, in addition to the dollars we've committed to the drinking water action plan, we have also approved 92 water-related improvement projects worth a total of \$239 million through the Canada-British Columbia infrastructure program. This government is committed to developing and implementing these improvements in a fair, flexible and equitable way. Bill 61 will ensure safe, reliable and accessible drinking water for all British Columbians now and in future generations.

J. Kwan: This bill, with one major exception, simply tinkers with an act brought before this House in April 2001. It was passed with the support of the whole Liberal caucus. At that time, the then Opposition House Leader stated his and his party's support for the act. In fact, he proposed passage of all sections of the act in a single motion. He also noted that such an act, a major act with respect to drinking water protection, was needed and that it needed to go out for public consultation, because he was sure there would be major amendments.

They did, in theory, do consultation, and the results are supposed to be in this bill. Yet if you look at this bill and look for the changes being brought forward, you don't see them. This bill is a mere 12 sections, or five pages, long. Nowhere in those pages are the major recommendations of the government's consultation process found. What is found is a consolidation of power in the hands of cabinet when it comes to protecting the safety of our drinking water.

Here are some of the recommendations made by the drinking water review panel, the review panel put together by this government. First, before I go to what they said in their recommendations, let me just review what the panel said about the current act, the act that was brought in by the previous government. They said:

"The Drinking Water Protection Act has a number of strong elements and provides a useful framework for bringing together a range of legislative measures related to drinking water. It also gives drinking water the high level of priority and focus it deserves. Other key strengths of the legislation are the source and system assessments, new measures for source protection and planning, water system operator certification, the creation of drinking water officers, continuation of the vital role played by public health officials, the ability to create drinking water standards, new measures to protect groundwater and the requirements for reporting and notification."

In short, it was pretty good, and with the incorporation of the panel's recommendations, it could be made even better.

What, one might ask, were the major recommendations made by the panel? I actually went to review the report itself and look through the recommendations. Let me just go to a couple of the recommendations, recommendations No. 3 and No. 4, that call on the government to create a drinking water protection agency with a strong enforcement mandate. This would be a

single lead agency reporting to the Minister of Health Planning to integrate the skills, resources and authority of all provincial ministries with responsibility for drinking water. There would be a CEO to lead the agency and a board of directors with representation from government, first nations, the UBCM, the public and industry.

Do we see this in the bill? No, we don't. What we see is this work being passed on to the provincial health officer. I might ask about the amount of work for which the provincial health officer is already responsible. Does his office have the ability, the capacity, to take on this additional work? We see the continuation of the divisional responsibilities among health, water protection and resource extraction. The result will be a continuation of ad hoc solutions and conflicts between those who depend on a secure water source and those who would exploit natural resources while putting the water supply at risk.

[1455]

Recommendation No. 5 from the panel calls for the introduction of a purposes section that would provide a clear and unequivocal statement that safe drinking water is a priority over other resources used in high-risk watersheds. As the auditor general noted in his 1999 report, without source protection we will always be trying to spend our way out of a crisis instead of avoiding the crisis in the first place.

There is no purposes section being added to the bill in this act. The bill does give cabinet the discretionary power to state that all other resource-planning documents be consistent with the act. As we see in this bill, cabinet, not the provincial health officer and certainly not the nonexistent drinking water protection agency, is to be the one to solve any conflict between source protection and safe drinking water.

We've seen just how unsuccessful the Minister of Water, Land and Air Protection has been at protecting the environment and the Ministers of Health have been at protecting health care. We see it taking place right now in British Columbia. Environmental standards are being eroded. Parks are being shut down. Educational programs are being shut down. The Ministry of Health is gouging seniors. MSP premiums are going up. Hospitals are being shut down. At emergency wards you have to rely on the phone to phone in and stand outside of the hospital to say: "Hey, can I get in?" Then you've got to phone 911 if you're having a heart attack. Then, in addition to that, you have to wait 45 minutes to drive somewhere else to get access to health care support.

The fact is that inside the cabinet, the resource ministries have the authority to decide. The protection ministries don't. They're silent. They're silent at the table and have no capacity to provide protection. Even something as simple as a definition of potable water is missing from this bill. The panel recommended that potable water be defined as water that does not contain micro-organisms or any other substances at concentrations that present a potential danger to human health.

Instead, standards for public health are left to regulations.

The panel calls for stronger groundwater protection, including standards that prohibit or limit activities known to be harmful to service and groundwater. Again, there is no such statement in this bill. The panel called for the right-to-know provision so that the public would have easy access to information about the state of their water quality, but we won't find this in the bill before us. What is more disturbing about this bill is what is not in it that should be: the cost of the drinking water action plan.

As the minister noted earlier this year, the annual cost is estimated to be \$16 million, and this cost is to be borne by water users. Nowhere in this bill or in the drinking water action plan will we see the polluter pay. Why is it that the municipalities and their taxpayers will be called upon to fund this plan while the resource industries — those very industries that, by their activity in watersheds, threaten the safety of our water supply — are not to be told they have to pay?

Where is the cost-sharing formula where resources users would pay? The answer is simple, and we hear it daily from the Ministers of Forests, from the Minister of Resource Management, from the Minister of Energy and Mines. Industry is left alone. The rest of the people in British Columbia have to pay.

When the act was first introduced by the former government, there was an \$11 million commitment to fund the requirements of the act. Those dollars were budgeted for. They were there to ensure that water protection was afforded in British Columbia and that there would be no additional costs to taxpayers. Yet now the price tag that this government says is \$16 million....

[1500]

What happened to the \$11 million that was earmarked for water protection? Gone. Disappeared. It's gone and has been siphoned off to pay for tax cuts for the big corporations, the tax cuts that were supposed to pay for themselves but haven't. Now the Minister of Health is finding himself in a place where he has to go and gouge seniors before he looks at alternatives to reduce costs in the Pharmacare system.

It is the small municipalities across the province that will pay. Despite the promise made by the Liberals in the election and since, downloading of provincial costs and provincial responsibility is now a reality.

Remember the Premier, at the 2001 UBCM convention, saying: "I have consistently said that we are opposed to downloading. We will not download." The government is downloading. Despite the rhetoric of its members, they're downloading by abandoning to the municipalities responsibilities for provincial programs and services. The government likes to call it devolution, but even their friends in the UBCM know it's downloading when they see it.

In the March 2002 issue of the UBCM *News* they note: "Yet there may be a debate around what constitutes offloading. There is a view that off- or downloading extends beyond classic downloading — the as-

signment of new responsibilities without financial resources or the withdrawal of financial support — to the increased costs that must be assumed by local government as a result of the provincial government's decision to withdraw its services in a specific area."

It is this type of downloading that we see in the drinking water action plan, just as we saw in other areas as well — areas such as the closure of courthouses, the reduction in training for police officers, the increases in MSP premiums, the rising cost in the Pharmacare deductible for individuals, the soon-to-be income-tested Pharmacare, the closure of parks, the closure of hospitals. We now see the municipality of Delta having to go through a referendum process to pay for costs that this government has downloaded onto the municipalities.

All these issues impact on communities and on the province as a whole. Now it is the local taxpayer that is to pay for quality of life previously assumed by the provincial government.

It is not just services that are being sacrificed. The people are being taxed to the max. We're now paying an increased sales tax, an increased gas tax, an increased property tax, increased parking tax, increased tuition fees, increased fuel, increased car insurance, increased MSP premiums, increased Pharmacare costs. The list goes on.

I hesitate. I'd like, actually, for the Minister of Health to look into this. When he answered the media in a scrum on the increase in Pharmacare costs.... By the time you add up all the increased costs, does that tax cut that was supposed to pay for itself cover off all the increased costs? You know what? The Minister of Health Services had to say: "I don't know." You know what, Mr. Speaker?

J. MacPhail: He did know.

J. Kwan: I'll bet you that he did know. I'll bet you he knows very well that those increased costs, those increased taxes imposed by the Liberal government are not paying for themselves. With those increased taxes, with fewer services to which British Columbians are getting access, the tax breaks are not paying for themselves. Now we have another additional tax. It's called the drinking water protection tax. That's what this government has brought forward.

The small communities are greatest hit — no doubt about it. The government is now talking about taking away the small community protection grant. Again, the list goes on — gouging communities, deserting communities — when this government said that they would not offload. They were going to outlaw. They were not just going to not offload; they were going to outlaw that. They were going to outlaw downloading.

What have we got? Downloading. Downloading, by every other definition.... You know what? You can call it whatever you want. You can call it devolution. You can pretend that it is something else. The reality is that you are offloading the costs to the municipalities, to the taxpayers. That's what this government's doing.

[1505]

User-pay has become the new form for this government. That's the answer to everything. Michael Smyth, in the *Province*, noted in June: "Isn't it interesting that one of the Liberal Party's most generous corporate backers is set to make a killing on this user-pay water scheme? In 1999 B.C. Gas established a water services division. This is the same natural gas company that gives \$40,000 to the Liberals."

What did B.C. Gas think of this user-pay plan? According to them: "We certainly hope that if some of this is developed by the private sector, our company, pre-eminent in the field, would be part of that." This is an article in the *Province* by Michael Smyth.

The abandonment of provincial responsibility is simply another way to get taxpayers to line the pockets of this government's corporate backers. The previous government brought in a Drinking Water Protection Act that, while not perfect, was acknowledged by all to be an efficient framework if we're to be confident that a Walkerton-type tragedy never happens in B.C. The government failed to implement that act, and here we are 18 months later. There's still no act in force.

The bill before us demonstrates by its flimsiness that the government has never been concerned about ensuring safe drinking water. After this time, many of the improvements called on by the drinking water panel that this government had put together have simply been ignored.

There are up to 300 boil-water advisories in the province at any given time, and they continue while this government spends its time figuring how to pass the buck and satisfy its corporate donors. It's a shame. It puts people's health at risk. It offers no better solution than what existed 18 months ago. There's no independent agency that needs to be in place, which was recommended by the panel to be in place, to ensure that there is proper, safe drinking water for all British Columbians.

V. Anderson: I rise to speak on Bill 61, Drinking Water Protection Amendment Act, because I think this is an area of concern that is one of the most fundamental areas that we have to discuss in our legislative session. Drinking water, like good air, is fundamental to the life and well-being of all of us — of our animals as well as ourselves. It's an issue that concerns everyone.

Fortunately, here in British Columbia we have a great deal of drinking water, pure drinking water, available to us — probably a greater heritage than almost anywhere else upon the continent. Because we have this abundance, we sometimes have been careless with it and indifferent about it. I would like to encourage, during this debate, that all the citizens of all ages of our province take seriously that this gift we have been given we could easily lose by carelessness.

I encourage the government and congratulate the minister on moving forward in this step, that we might plan together plans for protecting our water across the province.

But as well as the government undertaking this particular planning process and putting in place a priority in it for himself, for the executive council and for the cabinet so that it takes a very high priority in our legislative process, I encourage individuals to take their own private responsibility. Particularly, I would highlight in this discussion those individuals who have their own private wells, because in the past the private wells have not been regulated in the same manner that we have in city and town or village systems.

[1510]

It's easy for us in our busyness to overlook our own security and our own safety. Herein, I speak out of personal experience in our family. We had the privilege to move into a facility in another rural community that had been the community hospital. It had become a residence and a church at the same time. As assumed by ourselves and by all others, since this had been a community hospital, the supply of water, of course, was pure and safe for all ages. However, sometimes I'm a cautious person, and since we had a new baby to bring into the household, I automatically undertook to have our own private testing done. Arising out of that testing, we discovered to our amazement that though the water was perfectly safe for adults, it could be extremely dangerous for our young baby girl. We counted ourselves very privileged and lucky that we had taken the opportunity to have that water tested, even when all logic would have said there was no need whatsoever.

It points out that even though water is tested on one occasion, it can change over time. Even as we need to protect our fire extinguishers and check them to see if they're up and ready for an emergency, it's important that we test our own private wells across the community. I would like to encourage all of our citizens to take a new awareness of the importance of clean, safe drinking water.

I'd like to thank the government and the cabinet for giving this action a high priority, building on the work that was done by a previous government in consultation with the people, putting in place a management system that gives it priority to the minister, to the executive council and to the cabinet. To me it's important that it's not been turned off to other people, but it's been kept in the decision-making process at the very central core for the community's safety and well-being. I am pleased to support this act and encourage the people to find the opportunity to have safe drinking water no matter where they may live in our communities.

B. Penner: I, too, rise today to indicate my support for Bill 61. I can remember, a few years ago, debates in this Legislature around the lack of similar legislation to guarantee safe drinking water for British Columbians. In fact, I believe it was the former member for Matsqui, now the MLA for Abbotsford-Mount Lehman and the current Minister of Forests, who brought this issue to the floor of the Legislature shortly after his election in a by-election in 1994. For many years he worked as a

tireless advocate to bring to the attention of the previous NDP government the desperate need for some kind of provincial legislation and standards around the issue of safe drinking water.

In the Fraser Valley the community of Abbotsford had a number of scares related to the quality of their drinking water in the mid-1990s, and that certainly was reflected in their very excellent representation here in the Legislature. At least a certain amount of credit needs to go to the current Minister of Forests, MLA for Abbotsford-Mount Lehman, as well as the MLA for Abbotsford-Clayburn, the current Minister of Agriculture, for persistently bringing that matter of safe drinking water to this Legislature. The fact that the last government finally, on its political deathbed only weeks before the last election, saw fit to bring in some legislation to deal with the issue is a testament to their effectiveness in driving home the sorry response of the previous government to this issue.

I would like to turn my attention to the legislation, which forms the groundwork or the basis for B.C.'s action plan for safe drinking water. This action plan has been built in conjunction and consultation with communities across the province, as the MLA for Vancouver-Langara just indicated. It really is not just a top-down process. Everybody's been involved in this, and that's what I think will ensure that it is a success.

[1515]

It's perhaps trite to say it, but it certainly is true that the provincial government is committed to ensuring safe, reliable and accessible drinking water for all British Columbians. To that end, this action plan — of which this legislation forms an important part — will, I'm sure, ensure quality drinking water throughout the province.

The legislation that has been implemented today, which is being amended here at the Legislature and which has previously been introduced, is very comprehensive, but it's not the only thing the government is doing. As the Minister of Health Services indicated in his initial address to the Legislature on this matter, the provincial government has already approved 92 water-related improvement projects, worth \$239 million, being funded through the Canada-British Columbia infrastructure program. The government is also increasing funding for water quality monitoring by \$1.5 million per year for the next three years. These are concrete steps being taken to improve the quality of drinking water around the province over and above the legislation that's before the House today.

You know, many of us, myself being included in that comment, take safe drinking water for granted. Usually, it's as simple as turning on the tap, but as the events in Walkerton, Ontario, a few years ago indicated, perhaps it isn't something we should all take for granted. Perhaps it's something we need to think about.

Many health concerns have arisen related to water quality since that Walkerton issue first hit the newspapers. Many people have asked: could the same crisis and tragedy happen here? In August 2001, for example,

there were 304 communities in British Columbia which had to issue boil-water advisories.

Now, a 1996 report on the state of Canada's municipal infrastructure found that British Columbia's water distribution and supply systems were on average the second-oldest in the country and had an average age beyond the expected life span for such systems. Again, this highlighted the need to take direct action.

There are more than 3,300 water systems in B.C. The 96 systems operating in large municipalities serve close to 90 percent of the population. The remaining 10 percent of the population is served by a very large number of small systems, and they're delivered through a variety of public and private means. There are also drinking water systems that operate on very small scales — for example, in B.C. parks and campgrounds, something that I'm familiar with; mobile home parks; restaurants; and service stations. In total there are an estimated 2,100 water systems that serve that kind of a small, focused clientele. Approximately 2,000 of those systems have fewer than 15 connections to each one of those systems.

Based on this variety of needs and on inquiries conducted in other provinces, the government's action plan for safe drinking water sets out specific principles and actions that the government will undertake to make sure British Columbians enjoy safe, clean and healthy drinking water as effectively, efficiently and reliably as possible. This plan is based on the recommendations and recent reviews and reports including those conducted by B.C.'s auditor general, the provincial health officer and the drinking water review panel.

In September 2001 the new B.C. Liberal government established the independent drinking water review panel to review the Drinking Water Protection Act, which, as I indicated, was passed by the previous government on their political deathbed just prior to the May 2001 election. In keeping with the government's new-era commitment, the Ministry of Water, Land and Air Protection is also developing comprehensive new groundwater protection legislation. This legislation will focus on drinking water protection through mechanisms like higher standards for groundwater sources, such as well construction, and mandatory reporting of drilling activities.

Building on the new legislation, new regulations will also be put into place to enhance groundwater protection; improve water treatment and distribution standards based on advice from the drinking water advisory committee; outline new training and certification requirements for water system operators; establish basic monitoring requirements, which can be supplemented by orders from drinking water officers; and other steps as well.

Now, it's obvious that there are many different ministries and many different communities that have an interest in water protection. The key task for the Minister of Health Services, in my view, is to work in a coordinating function to bring together those different groups and interests to make sure water quality is ultimately protected for the consumer. One of the first

objectives of the new legislation will be to ensure clear lines of responsibility within government for the various aspects of drinking water protection.

[1520]

In keeping with the principle that the safety of drinking water is a public health issue, the Ministry of Health Services will now be the lead ministry responsible for implementing the action plan. It's my understanding that the NDP's version of this legislation was a two-headed beast or a two-headed monster. There was no clear ultimate responsibility, but the responsibility was divided. The Ministry of Health Services will provide the leadership needed to coordinate their activities and will assume ultimate responsibility for providing safe drinking water for British Columbians. Yet the provincial health officer will be given the mandate to ensure the accountability of government and those delivering drinking water to British Columbians.

The Ministry of Water, Land and Air Protection will be responsible for source water quality standards, monitoring, compliance and enforcement. Resource ministries will continue to be responsible for protecting drinking water sources under their legislated mandates.

The Ministry of Sustainable Resource Management will work with communities to help make appropriate land use decisions that carefully consider drinking water protection.

The Ministry of Community, Aboriginal and Women's Services will work in partnership with federal and local governments to help ensure that required infrastructure is in place.

Under the leadership of the Ministry of Health Services, an interministry committee will be established to coordinate these drinking water protection measures, identify emerging issues and ensure proper integration from source to the tap.

In short, the new Drinking Water Protection Amendment Act, 2002, will define the authority of an important new group of drinking water protection officers. The people working for health authorities in these newly created front-line positions will provide a unique focus on protecting drinking water in every region of the province. They will have the authority to investigate complaints, require testing and assessment, perform inspections, coordinate source protection, issue orders and take many other steps to ensure water safety.

All drinking water systems in British Columbia will undergo a source-to-tap assessment, starting with those that may pose the highest risk to users. Let me say that again. All drinking water systems in B.C. will undergo a source-to-tap assessment. We will start at the top of the risk assessment pile. These assessments will be undertaken by water system providers with assistance from drinking water officers and any other required government agencies. Local health authorities and water providers already conduct some system surveys. This new series of assessments will provide the more comprehensive information needed to plan sys-

tem improvements and identify any source contaminations that need to be fixed.

Inspection and laboratory testing will be increased to ensure compliance with provincewide tap water standards for contaminants that present a health risk. Laboratories will have to meet specific standards and will be required to report health threats to a drinking water officer, the water supplier and a medical health officer. Basic monitoring requirements will be established, which can be supplemented by orders from drinking water officers. Water suppliers will also be required to report imminent threats, and where monitoring indicates potential concerns, future action may be ordered. When other measures fail to resolve a health concern, the provincial health officer can ask the Minister of Health Services to recommend cabinet approval to develop a site-specific drinking water plan giving human health protection top priority.

I want to talk a little about the new reporting requirements that will, in my view, ensure accountability. Assessments and monitoring, including increased testing, will be handled as follows. Water quality information will be regularly reported to the public. The provincial health officer will have a statutory obligation to advise government if additional source protection is necessary to protect public health. Water suppliers will be held accountable for meeting the terms and conditions of their operating permits. They will also be required to report imminent threats, such as treatment equipment failure, to drinking water officers and must ensure immediate public notification. Testing laboratories will be required to report health threats when identified, and anyone operating, maintaining or repairing a water system will be required to undergo training, meet qualifications set out in new regulations or be supervised by someone who does.

All this, of course, will be taking place in cooperation and coordination with local communities, first nations and the federal government to enhance the effectiveness of the system at all levels. Locally developed solutions will be encouraged, particularly where infrastructure improvements are needed in order to meet provincial health standards, while also considering the economic impact on the affected communities.

In short, I've already mentioned, as did the Minister of Health Services, that a major investment is already

underway in British Columbia: more than \$200 million in 92 water-related infrastructure improvement projects that will help ensure the quality of the water at the source. This new regulatory regime will help communities address the concerns quickly and effectively and, hopefully, prevent any Walkerton-type situation from ever occurring here in British Columbia.

With that, I again reaffirm my intention to vote in favour of Bill 61 on second reading.

[1525]

Mr. Speaker: Debate continues on second reading of Bill 61. The Minister of Health Services closes debate.

Hon. C. Hansen: I'd like to thank the various members for their comments during second reading. I think this is a very significant initiative, because it allows us to get on with certainty around the issue of accountability. I think the member from Chilliwack summed it up when he talked about the system that was in place previously, which really did not clearly put accountability in one place. I think that was a lesson we learned from Walkerton — that there has to be clear accountability and clear lines of responsibility. I believe the amendments we are bringing forward here achieve that, and British Columbians are going to be able to be certain that government is doing everything possible to ensure that they have the safest drinking water possible tomorrow and well into the future.

With that, I move second reading.

Motion approved.

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

Bill 61, Drinking Water Protection Amendment Act, 2002, 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. C. Hansen moved adjournment of the House.

Motion approved.

The House adjourned at 3:26 p.m.