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THE HONOURABLE BILL BARISOFF, SPEAKER

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LIEUTENANT-GOVERNOR
His Honour the Honourable Steven L. Point, OBC

THIRD SESSION, 38TH PARLIAMENT

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TUESDAY, NOVEMBER 20, 2007

The House met at 1:33 p.m.

[Mr. Speaker in the chair.]

Introductions by Members

D. MacKay: Mr. Speaker, today I have three guests that I'm going to introduce. I'll see if I can get your attention with my first introduction. I think most of us have heard the name David Foster. Well, it's not actually David Foster, but it's a lady who was quite responsible for the success Mr. Foster has had over his music career.

I'd like to introduce the lady who taught David Foster music some time ago. This lady actually moved to Victoria in 1950 and played with the Victoria Symphony Orchestra, taught David Foster music and is now in the chamber for her first time.

I'd like to introduce Dorothy Evans, who is upstairs in the chamber. With her are two cousins of hers, my wife Edith MacKay from Smithers and her sister Pat Prior from West Vancouver. I'd ask the House to please make them welcome.

Hon. G. Campbell: Hon. Speaker, today in the precinct we have members of the newly appointed climate action team for the province: Ian Tostenson, Mayor Donna Barnett, Lyn Brown, Dr. John Robinson, Joe Van Belleghem, Dr. Andrew Weaver, Teresa Coady, Chief Shawn Atleo, Cheryl Slusarchuk and Naomi Devine. They've all joined us today. I hope the House will give them their thanks for joining the climate action team and will make them welcome to Victoria and the Legislature.

R. Hawes: Today in the gallery we have 40 students from Meadowridge School, which is a really great school in my riding. They are accompanied by their teachers Jennifer Higginson and Eva Boyd and one parent.

[1335]

I think it's particularly apropos that they arrived just in time to attend in the foyer downstairs the announcement of the climate action team. As we all know, the strategy for cleaning our atmosphere is for them, not for us. It is for our kids.

I want the House to please make them all welcome. They're here for a good look around the buildings to find out what we do here.

J. Rustad: Today I have the honour of introducing three people from my riding: Henry Klassen, who is the chair of the Nechako Watershed Council; Mike Robertson, who is a member and also the senior policy adviser for the Cheslatta Carrier Nation; and Jerry Petersen, who is also a member of the council and regional director for Bulkley-Nechako.

Would the House please make them welcome.

C. Wyse: It is also my honour to extend a welcome to the mayor of 100 Mile, Donna Barnett, who is here in

the gallery with us today. I would ask the Legislature to join me in welcoming Donna here too.

Introduction and First Reading of Bills

GREENHOUSE GAS REDUCTION TARGETS ACT

Hon. B. Penner presented a message from His Honour the Lieutenant-Governor: a bill intitled Greenhouse Gas Reduction Targets Act.

Hon. B. Penner: Mr. Speaker, I move that the bill be introduced and read a first time now.

Motion approved.

Hon. B. Penner: I am pleased to introduce the Greenhouse Gas Reduction Targets Act. This bill sets greenhouse gas emission reduction targets for British Columbia as a whole. It also sets requirements for the provincial government to reduce greenhouse gas emissions and to become carbon-neutral.

This government's throne speech in February of this year outlined our commitment to significantly reduce greenhouse gas emissions in British Columbia in the coming years. This commitment was made to reduce British Columbia's greenhouse gas emissions by at least 33 percent below 2007 levels by 2020 and also to set a longer-term reduction target for 2050.

This bill will put that commitment into legislation, setting a 33-percent reduction target for 2020 and also setting out a target for 2050 to reduce greenhouse gas emissions level by at least 80 percent compared to the level of emissions in 2007. The legislation also requires that interim targets for 2012 and 2016 be set by the end of 2008.

Other legislation that this government plans to bring forward in the next session will address the regulatory mechanisms that will be implemented with respect to various sectors of activity in the province in order to achieve these targets.

The carbon-neutral requirements as set out in this bill will apply starting in 2008 with respect to greenhouse gas emissions produced by government business travel, by the Legislative Assembly, and by provincial government ministries and agencies.

In 2010 the requirements will be expanded to apply to all emissions from government operations as well as the operations of schools, colleges, universities, health authorities, Crown corporations and other public sector organizations that may be identified by regulation.

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

Bill 44, Greenhouse Gas Reduction Targets Act, 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.

RIGHT TO KNOW ACT

G. Robertson presented a bill intituled Right to Know Act.

G. Robertson: Hon. Speaker, I move introduction of the Right to Know Act for first reading.

Motion approved.

[1340]

G. Robertson: I rise to introduce companion bills that will create the strongest toxics regulations in North America. B.C. has lagged far behind other jurisdictions in protecting people from toxic pollutants. It's time we became leaders on this crucial issue for health and the environment.

People have a right to know what's in their food and in the products that they purchase. Communities have a right to know what toxic substances are in their area.

On behalf of all citizens of B.C., I introduce the Right to Know Act. This bill provides that suppliers and producers must warn consumers if their products expose them to recognized toxic substances or to genetically engineered foods. This includes using hazard labels that clearly identify carcinogens, reproductive and developmental toxins, hormone disruptors, mutagens and sensitizers with a clear signal.

This bill also supports community right to know by establishing a searchable electronic registry of toxic substances and genetically engineered foods in B.C., with locations, companies involved and information on dangers arising from exposure.

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

Bill M226, Right to Know Act, 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.

TOXICS USE REDUCTION ACT, 2007

G. Robertson presented a bill intituled Toxics Use Reduction Act, 2007.

G. Robertson: I move introduction of the Toxics Use Reduction Act for first reading.

Motion approved.

G. Robertson: Government has a responsibility to protect people from toxins. This bill bans toxic substances that are currently prohibited for use in other OECD countries, Canadian provinces and American states. It bans pesticides that are harmful to human health for residential or cosmetic use on public lands and around children at schools, day cares and playing fields.

This bill creates a comprehensive toxic or hazardous substance list. It sets a goal for B.C. to achieve

a 50-percent reduction of toxics generated by our industries by 2015, and it also creates a biomonitoring program testing British Columbians, to inform government decisions on toxic threats.

We need smart regulation of toxics to reduce cancer and other diseases directly linked to toxics, especially among our children. Strong regulation will save lives and health care dollars. B.C. will spend over a billion dollars this year dealing with thousands of deaths and thousands of new cancer cases caused by toxic substances.

Finally, we need to regulate toxics to protect our environment, which is being saturated with toxic pollution at unprecedented levels.

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

Bill M227, Toxics Use Reduction Act, 2007, 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)**

VANCOUVER'S NORTH SHORE

K. Whittred: Recently I was invited to participate in the launch of Vancouver's North Shore, a brand initiated by the many dynamic tourism businesses on the North Shore to encourage tourists to visit that part of the province.

A short distance from downtown Vancouver, the North Shore offers an abundance of natural beauty. The glorious mountaintop of Grouse Mountain plays host to winter sports and summer hikes alike and offers great dining with spectacular views. The Capilano Suspension Bridge is known worldwide and features the beauty of west coast rainforests and treetop adventures.

From the tranquillity of Deep Cove, where you can dine, shop or have an adventure in a kayak, to the quaintness of Horseshoe Bay, where you can in fact get some of the best fish and chips in the province, the North Shore is a great place to be.

The Lonsdale Quay, 12 minutes from downtown Vancouver, offers unique shopping experiences, including an abundant fresh food market.

One of the newest tourist destinations, the Pier, offers a unique vantage of the harbour. Going 700 feet into Burrard Inlet, it is the only place in the province where you can in fact stand with a working shipyard on one side and the majesty of British Columbia scenic views around you. The Vancouver skyline is wonderful from that perspective.

I invite all of you to visit Vancouver's North Shore.

[1345]

SEXUAL ABUSE OF CHILDREN

C. James: Child abuse is one of the most serious problems facing our society. The suffering of children

who have faced abuse can last throughout their lives and reinforce patterns of behaviour through generations.

In an effort to raise public awareness about child abuse, the city of Victoria has declared this week to be Child Sexual Abuse Prevention Week.

The statistics on the prevalence of child sexual abuse are not clear. It was only in 1984 that the sexual abuse of children was publicly recognized as a problem in society. Many victims do not come forward, and known incidences are often not reported to the authorities. The available data, though, indicates that the sexual abuse of children is unfortunately too common. In 2002, 8,800 sexual assaults against children were reported to 94 police departments across Canada.

In the city of Victoria, the Mary Manning Centre provides caring and compassionate health and mental care services to more than 200 children and families each year. Founded in 1984 by Mary Manning, a retired nurse, the centre is Victoria's only not-for-profit agency dedicated to treating child victims of sexual abuse. Mary Manning's team of clinical professionals are leaders in their field, working in multidisciplinary teams, using the best care models possible.

The Mary Manning Centre is located in my riding, and I know how invaluable it is to my community. So I'd ask all members of this House to join me in recognizing Child Sexual Abuse Prevention Week here in Victoria and pledge our support to organizations like Mary Manning and others who serve sexually abused children throughout British Columbia.

MONIA MAZIGH

J. Nuraney: Today I rise to recognize and pay tribute to a true Canadian. Her name is Monia Mazigh. For those who may not recognize this name, she is the wife of Maher Arar, who was falsely taken into custody and sent to Syria where he was tortured and nearly executed. This was a classic case of racial profiling and a very dangerous path over which North American governments are travelling.

I had the pleasure to meet Monia when she visited Vancouver two weeks ago, and I listened to her story of how she had to struggle single-handedly to bring the case of her husband before the Canadian public and indeed the world. It was through her determination and belief in the values of Canada that she managed to release her husband from this gross injustice.

She has been called the Laura Secord of our modern times. People found inspiration and courage in her struggle as she fought the governments of three states to rescue her husband. Her story is not only that of saving her husband but one of ensuring and protecting human rights. Justice O'Connor, in his findings, said that we should have clear written policies stating that such investigations must not be based on racial, religious or ethnic profiling.

In my conversation with Monia, she said to me that we must never take our rights for granted and must be vigilant in ensuring that we stand up and speak out

every time these sacred rights are threatened. Her message was not that of revenge but that of caution. A very well-educated woman who obtained her doctorate in financial economics from McGill, she wears her hijab proudly and maintains her Islamic beliefs and ethics.

It is with great pride that I pay her my tribute for being a true Canadian.

HEALTH EFFECTS OF SALT

D. Cubberley: What if we could radically reduce the rate of heart attacks, strokes, obesity and type 2 diabetes just by cutting back on a single food additive?

We're told that an ounce of prevention is worth a pound of cure, and it turns out that forgoing a few grains of salt is too. People can safely ingest no more than three-quarters of a teaspoon a day, but currently we get two or three every day.

The culprit is not the salt shaker. We add less than 10 percent of the toxin at the table. The rest is in our food. Processed and fast foods are salted to mask tastes that vary from bland to offensive and to get us drinking more high-calorie beverages.

[1350]

The result? A hypertensive society with a full meal deal of a health problem. Some 46 percent of women and 38 percent of men over 60 are on blood pressure-reducing drugs. At 3,300 milligrams per day, B.C. ties Quebec for the title of "saltiest dog in Confederation," and there's no need to take that claim with a grain of salt. There were lots of those in lunch.

This habit turns food into an all-year salt lick. Except we aren't cattle, and it's killing us. Finland chose to desalinate itself, cutting salt by a third and reducing death from stroke and heart disease by 80 percent. It set a threshold level, and it required prominent warning labels on all foods exceeding it.

Today we treat this vascular system poison as if it were benign. Like the Center for Science in the Public Interest, B.C. should be demanding that Health Canada make it a regulated additive. Big salt would not like it. Junk food wouldn't like it. The pop people — well, they'll go ballistic. But our hearts and kidneys would appreciate it, and the Health Minister's bottom line would improve as well.

HOWE SOUND WOMEN'S CENTRE PROGRAMS

J. McIntyre: I rise to ask the House to acknowledge the amazing work that the Howe Sound Women's Centre performs in operating Pearl's Place Transition House in Squamish. Accompanied by the Minister of Community Services, this fall we visited Pearl's Place to see first hand the warm, welcoming home where they provide temporary housing in a safe and secure environment and where they offer necessities to women and children who are fleeing an abusive relationship.

It's indeed a sad commentary that we as a society need transition houses to play this critical role. On the other hand, it's comforting to see the environment and the nature of the support that's provided to those in

dire need. There's no charge for this service, and usually people spend less than a month in the transition house. Staff there can provide support in accessing financial, medical, legal and counselling services.

The Ministry of Community Services provides funds for six beds at Pearl's Place. I'm proud to say that with the recent funding increase of approximately \$100,000, or over \$8,300 a month, women and children in Squamish now have access to the help and resources that they may require at any time of day or night.

Women are at especially high risk at the point when they decide to leave an abusive situation, and it's reassuring for them to know that staff will be right on site at any time of day or night to help in an emergency.

The Howe Sound Women's Centre, which runs Pearl's Place, offers a variety of other much-appreciated programs, with government support, in the Sea to Sky corridor: the Children Who Witness Abuse program, the Sea to Sky adolescents freedom-from-exploitation project, a girls youth group, mothers support group, first nations outreach worker program, multicultural outreach program, a custody and access initiative as well as a free legal clinic one day a week.

I'd like the House to join me not only in recognizing the valuable role they play but in thanking Allison Twiss, the executive director, and her entire team at the Howe Sound centre for the great work they do every day to improve the lives of women and children in B.C.

B.C. GAMES VOLUNTEERS

N. Macdonald: The first thing that I did as critic for Tourism, Sport and the Arts was attend the B.C. Summer Games in Kamloops. I think it was in 2006. There were other members from the House that attended at the same time.

It was a perfect Kamloops beautiful summer evening. You had all these young people out on the field during the opening ceremonies. There was a dance group that started up on the stage, and spontaneously all of these young athletes joined in. It was a wonderful, wonderful atmosphere. Not only were there young athletes there, but you also had people like Nancy Greene. Many of you will remember Bev Boys, who was a diver in the Mexico Olympics.

Sport at its best is a wonderful thing. The B.C. Games provide an opportunity for young people from across the province to experience sport at its best.

This February the B.C. Winter Games come to the Kimberley-Cranbrook area. Leading the organization of these games is Rob McIntyre, who was involved in the 1980 B.C. Winter Games held in Kimberley. He is leading a dedicated group of volunteers to make sure that this will again be a very special event.

The Kimberley-Cranbrook area has a great sporting tradition and an equally strong tradition of putting on wonderful events using volunteers. It is, of course, a huge undertaking. There are people that have been active in organizing this literally for years. The excitement is building towards what will be another amazing event.

The B.C. Games, as people will know, was started with the Social Credit government. It has a long bipartisan history of support from this House. Like so many other great events, it depends for its success not only on provincial participation and local government support but on hundreds and hundreds of volunteers, not only in putting the games together but in the 20 individual sporting organizations that are involved in these games. You have coaches. You have good officiating, and so on.

I would ask members to join me in saluting the volunteers who will make this a wonderful games.

N. Simons: I seek leave to make an introduction.

Mr. Speaker: Proceed.

Introductions by Members

N. Simons: I'd like to bring the attention of the House to a group of young people, the Mojo Mayan youth group from Guatemala, who are here on an exchange with the B.C. Association of Aboriginal Friendship Centres. Will the House please make them welcome.

Oral Questions

SOLICITOR GENERAL RESPONSE TO PUBLIC SAFETY ISSUES

C. James: Last week the Solicitor General said no to a public inquiry into Robert Dziekanski's death. Yesterday he flip-flopped and ordered that inquiry after four weeks of delay. Then he flip-flopped again on the apology to the family. At first, he refused, but then after being contradicted by the Premier, he changed his tune.

The Solicitor General's performance on every file has been weak, ineffective and dismissive. He's flip-flopped or been contradicted by the Premier and Attorney General at every turn. It's very clear that the Solicitor General has lost the Premier's confidence.

My question is to the Premier. When is he going to put someone in charge who can actually get the job done and restore public confidence in the office of the Solicitor General?

Hon. G. Campbell: Yesterday's establishment of the public inquiry in response to the human tragedy that took place on October 14 is possibly the fastest call of a public inquiry in the history of British Columbia.

It was done to, hopefully, provide some comfort to those friends and family that this is something that we are going to deal with openly and constructively. It was done to, hopefully, provide some closure to that family which has been so devastated by the tragedy that took place, and it was done to, hopefully, restore confidence in all of the processes we have, from Canada customs and Canada immigration to YVR to the RCMP.

There are a number of investigations that are taking place. Those investigations will run their course. What we are clear about is that we will appoint a public

inquiry that will be open, that will be transparent, that will make sure that people in British Columbia know what took place and the actions we should take to appropriately deal with this to ensure that it never happens again.

This was a human tragedy. This public inquiry intends to ensure that it doesn't take place again in Canada, in British Columbia or in Vancouver.

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

C. James: Well, as the Premier himself knows, this isn't simply about a public inquiry. This is about a flip-flop decision by the Solicitor General on this and a whole range of issues. We've seen contradictions and incompetence. It's a long list.

We saw, just a few weeks ago, the Solicitor General publicly attack a respected police chief. At that time, he said that B.C. doesn't need more resources to fight gang violence. We also heard the Solicitor General say that we don't need a discussion about regional police. He arrogantly dismissed it, and in fact he berated law enforcement officers who were simply raising it as an issue for discussion. Then we saw him contradicted again by the Premier and then by the Attorney General.

Today we actually learn that the Solicitor General has now said that he's open to discussing amalgamation — another flip-flop.

Again to the Premier: when is he going to do something about this weak do-nothing cop?

[1400]

Hon. G. Campbell: I think it's important for everyone in this House and for the Leader of the Opposition to reflect on the situation that we currently face in British Columbia.

We've had a substantial increase in the police forces in our province. We've had a substantial increase in the amount of integration of those forces, whether it's through the Integrated Gang Task Force or the integrated homicide task force — over 600 officers working together.

This is a government that says openly to police chiefs and police boards: "Work with us as we provide you with additional resources to make sure that we have safe and secure communities." This is a government that has said, clearly and unequivocally: "We will put resources behind this."

Now, I recognize the opposition has often voted against those resources in budgets, but I can tell you this. We're going to continue to work with police officers. We're going to continue to work with police boards and police departments across this province. We're going to continue to work with the people of British Columbia to create safe and secure communities for everyone in this province.

We would hope that the opposition can get on side and actually start being constructive in how we may be able to do that.

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

C. James: The Premier is completely avoiding the question. The question is about public confidence. It's about the fact that the public doesn't have confidence in the Solicitor General. It's time for the Premier to stand up and recognize that.

On two very critical issues — critical issues to British Columbians — Robert Dziekanski's death and gang violence, the Solicitor General has been completely ineffective. British Columbians across this province are losing confidence in the government's ability to actually deliver on public safety. They've lost confidence in this flip-flopping Solicitor General. Every time the Premier and the Attorney General contradict the minister, as they've done this month, they too show that they have no confidence in the Solicitor General.

Again, my question to the Premier: how many more flip-flops and contradictions do British Columbians have to put up with before the Premier finally steps up, says that public safety is an important issue and replaces the Solicitor General?

Hon. G. Campbell: I think it's clear that this government has always put public safety at the centre of our agenda. That's why we've expanded the number of police officers by 900 officers across this province. It's why we have moved with the Integrated Gang Task Force, the integrated homicide unit. It's why we've invested literally millions and millions of dollars. It's why we have provided 100 percent of all traffic fines to local communities to invest in their police forces.

Let me reiterate. The Solicitor General acted faster than any previous Solicitor General that I'm aware of to establish a public inquiry....

Interjections.

Mr. Speaker: Members.
Continue, Premier.

Hon. G. Campbell: That took place on October 14. As we said yesterday, there are a number of investigations taking place. The critical component of the public inquiry is that it will review appropriate use and policies that are being employed by British Columbia police officers with respect to Tasers. It's to do a full and comprehensive review of the incident regarding Mr. Dziekanski. It's to make sure that we look at what's taken place at Canada immigration, at Canada customs, at YVR, and do that in an integrative manner.

There is not a British Columbian who doesn't want us to ensure that this kind of human tragedy does not take place again. There is not one person. For all the heat we hear from some members of the opposition, there's not one person involved in that incident — whether they're at Canada customs or Canada immigration, whether they're members of YVR, whether they're members of the RCMP — that has not been permanently touched by that incident.

Obviously, the family has been devastated the most. Our goal is to, hopefully, provide some comfort to the family, some closure to all of them, and to make sure that the public has confidence in the police forces and the operations of Vancouver and British Columbia and Canada as we welcome the world to our country, as we've done in the past and as we will do in the future.

L. Krog: Three opportunities to defend his Solicitor General, and on the third try, the Premier gave the most tepid defence of the cabinet minister we've seen in this House in a very long time.

[1405]

The Solicitor General's flip-flops, contradictions and incompetence stretch far beyond the last month. Members will remember how he told this House time and time again that all child deaths were properly investigated. The Solicitor General said the coroner was getting the job done. We learned months later that he was wrong and that he tried to cover it up.

He was wrong on child death reviews. He was wrong to attack the West Vancouver police chief. He was wrong to dismiss a public inquiry into Mr. Dziekanski's death.

Again to the Premier: how much longer does the list of failures have to grow before British Columbians get a Solicitor General who will actually stand up for the public interest?

Hon. J. Les: I know that the opposition loves to pose these types of questions, but I would suggest that this is actually about doing the right thing.

Interjections.

Mr. Speaker: Members.

Hon. J. Les: We had a situation on October 14 where a mother travelled from Kamloops and arrived at Vancouver International Airport expecting to be united with her son, who was arriving that day at the Vancouver Airport.

She waited there for hours, trying desperately over and over again to communicate with someone who could possibly communicate with her son. She was unsuccessful. All the while, only a glass wall separated the two of them.

She then went back to Kamloops thinking, presumably, that her son had never arrived, only to find out a few hours later that he had apparently arrived. She then travelled back only to find that he was now dead. What a terrible chain of events, Mr. Speaker.

What we now must do, I think collectively, is offer the opportunity, through the public inquiry that we announced yesterday, to make sure that we get to the bottom of this — that we find all the answers to the many, many questions that Mr. Dziekanski's mother must now have. That is the quest that we embarked upon yesterday, and that is, I think, our obligation as a government in British Columbia.

Mr. Speaker: The member has a supplemental.

L. Krog: It appears that everybody in this House except the Premier knows what the right thing to do is on this occasion. The Solicitor General has a list of flip-flops and contradictions that keeps growing. When first asked about B.C. Lottery Corp. and insider abuse, the Solicitor General said there were "no problems in B.C." Once again he was wrong, and the Ombudsman called him on it.

British Columbians have no reason to believe anything that this Solicitor General says. So again to the Premier: you can do the right thing here today. It's a very simple question. When is he going to put in place a new Solicitor General who's actually up to the job?

Hon. J. Les: The record will show that when we are faced with challenges in British Columbia, we actually face up to them squarely. We put those mechanisms in place to deal with those challenges, to find the answers and to find ways to improve. In this particular case, we are going to find ways to answer all of the questions that Mr. Dziekanski's mother has.

M. Farnworth: I'd like to remind the Premier of some of the Solicitor General's flip-flops over the last 18 months or so.

There has been the issue of home inspections: "We don't need them." Then: "We're going to look at them."

There has been the flip-flop around Children and Families. There has been the flip-flop around the British Columbia Lottery Corp. There has been the flip-flop around no additional resources for gangs. There has been the flip-flop around the issue of police amalgamation discussion, a flip-flop around the public inquiry into the Dziekanski case and the flip-flop around the issue of apologies.

There is a litany of accounts....

Interjections.

[1410]

Mr. Speaker: Members.
Continue.

M. Farnworth: Judging from those comments, they have just ruled themselves out of ever getting into cabinet.

Hon. Speaker, let me add two more counts for the Premier to consider. The impounding of vehicles of those who would prey on sex trade workers. We proposed it. The Solicitor General opposed it, and a month later he flip-flopped and said: "Well, maybe it would be something that we should do."

On the issue of gang colours. He initially said he supported it. We proposed it. He then turned around and opposed it.

The evidence is clear. This Solicitor General is out of touch. He doesn't get it. He doesn't feel it. He never has.

Mr. Speaker: Question, Member.

M. Farnworth: My question to the Premier is clear. Does the Premier have confidence in his Solicitor General?

Interjections.

Mr. Speaker: Members.
Just wait.
Solicitor General.

Hon. J. Les: Here is what is really unfortunate. The members opposite have taken an issue that has gripped all British Columbians, which we have responded to more readily than any previous government has, I believe, in a way that is totally appropriate to the circumstances — and they choose to belittle that effort. They choose not to recognize it for the substantial contribution it is towards eventually achieving closure of this very important issue.

I would hope that the members opposite would join with us and recognize that this public inquiry is going to develop the solutions we need to make sure that a tragedy like this doesn't occur again in British Columbia.

Mr. Speaker: The member has a supplemental.

M. Farnworth: The public wants a Solicitor General that gets it right the first time — not a year later, not a month later, not a week later and not, as we saw yesterday, an hour later. So my question to the Premier is clear. Does he have confidence in his Solicitor General?

Hon. J. Les: Mr. Speaker...

Interjections.

Mr. Speaker: Members.

Hon. J. Les: ...that member is part of a group opposite that yesterday was encouraging me to put a moratorium on the use of Tasers. I think it's safe to say that I've got it right; the members opposite don't. We don't take....

Interjections.

Mr. Speaker: Members.

Hon. J. Les: The member opposite yesterday was encouraging me to take some risks, but I can tell you I will not risk the safety of the public, and I will not risk the safety of law enforcement officers in the province of British Columbia.

J. Kwan: The Solicitor General has perfected the art of flip-flopping, whether it's the forgotten children death files in the warehouse, the trade and convention centre cost overruns, the lottery scam, the Frank Paul public inquiry requests, the Taser tragedy or the apology that is required for Chief Kash Heed.

The Solicitor General continues to mismanage these major public safety files. My question is to the Premier.

By his silence and refusal to answer the question of confidence for his Solicitor General, is he telling British Columbians that he's satisfied with the Solicitor General's performance to date?

[1415]

Hon. J. Les: Well, that's a very interesting list that the member opposite has compiled. I believe on that list she mentioned the Frank Paul inquiry. If my memory serves me correctly, that tragedy occurred in 1998. The then government failed to do anything about that situation.

In the case of the tragedy that happened at the Vancouver Airport, we've called for a public inquiry about a month after the actual tragedy happened. That government, when they were in power, obviously did nothing with respect to that particular issue. I think our record stands up against theirs any time of the day.

Mr. Speaker: The member has a supplemental.

J. Kwan: The Solicitor General is so wrong on his files, all of his files, that he can't even remember history. The fact is that the Frank Paul case was actually under investigation at the time when we were in government. It was this government that refused to call a public inquiry, and it was then under public pressure that he flip-flopped.

My question is actually to the Premier in the House. Given the performance to date....

Mr. Speaker: Member, choose your words carefully, please.

J. Kwan: My question is to the Premier. Given the performance to date of the Solicitor General, who has done nothing but undermine the public's confidence in his role as the Solicitor General for the province of British Columbia, will he stand up and tell the Solicitor General to resign? Or is he just going to sit there and accept this performance of his Solicitor General?

Hon. J. Les: Well, I think I heard the member opposite say that they were unable to call for a public inquiry in the Frank Paul case because it was under investigation at the time.

In this particular case with the airport tragedy, yes, there are several investigations going on, but we have already determined that there will be a public inquiry. That is what's in the public interest. British Columbians and law enforcement officers in British Columbia know that they have a Solicitor General who has provided them more resources than they've ever been provided before in the history of the province.

B. Ralston: My question is to the Premier. Does he have confidence in his Solicitor General?

Hon. J. Les: Interesting questions from the members opposite, but they should know this. We have 900 more police officers today in British Columbia than we did five years ago. This year \$58 million of traffic fine

revenue is being distributed to municipalities across the province. Particularly on the lower mainland, we have an integrated system of policing that is the envy of this country.

Last year, for the first time, we instituted air support for all of the police forces across the entire lower mainland with great success. We have implemented an information management system at a cost to the province of \$40 million that is unmatched anywhere else in North America.

So we are going to continue to make sure that the police, the law enforcement agencies in our province, have the tools they need to do the job we ask them to do every day.

[1420]

TREE FARM LICENCE LAND REMOVALS

S. Fraser: Yesterday the Minister of Forests told this House that private managed forest land can only be harvested under, I think it was, the strictest of environmental standards. The minister should get out a little more, I think. The Alberni-Clayoquot regional district in April sent a letter to this government, including 20 photos. It's a photo journey from hell on private managed forest land. The lands around Port Alberni were devastated.

To the minister: is that environmental devastation what the people of Jordan River can expect?

Hon. R. Coleman: The member opposite knows that the people that operate on private forest land in British Columbia are governed under legislation and the environmental stewardship that is required to be on those lands with regards to setback, protection of water and reforestation. They are actually covered under the Private Forest Land Act.

The member opposite can continue, I guess, to demean these people that are actually trying to harvest logs in these communities, to run them through mills, to create jobs on the coast of British Columbia. I don't accept that. I actually welcome the investment of forest companies in British Columbia, whether it be on private lands or public lands, because they're important to the people of the coast of British Columbia.

Mr. Speaker: Member has a supplemental.

S. Fraser: I think he welcomes the investment in the Liberal Party. That's what happens here.

Yesterday the minister suggested that these sell-outs would somehow protect jobs. Well, tell that to the people of Port Alberni. When this government handed Weyerhaeuser 77,000 hectares of land out of tree farm licence 44 in 2004, forest workers were made the same promise — protect jobs. Well, the exact opposite happened, and this government couldn't do anything about it because they gave them away. They washed their hands of it. It's no longer in the purview of the minister.

Given what happened in Port Alberni, why should the people of Jordan River trust what this minister has to say around private managed forest lands?

Hon. R. Coleman: The member opposite was the member that asked us to do a review of the Alberni Valley. We did that. He asked for a coast forest action plan, and they got that. Interestingly....

Interjections.

Mr. Speaker: Members.

Hon. R. Coleman: It's amazing, isn't it? It's just amazing. They think it's all because of the numbers on the page rather than the shift that is important to the future harvest in British Columbia. But when you start talking about enhancing growth and moving to second harvest, it's very important to the future of your forests in British Columbia, hon. Members, because that's where the future stands for the companies and your people in your communities.

Encouraging the harvest of hardwoods is something that you never did when you were ever involved in harvesting in British Columbia. You never moved. You never invested in technology like FPInnovations in the province because you didn't care about the future of forestry in British Columbia. All you ever did was make false promises, like the jobs and timber accord and 21,000 jobs that.... Never once was one single job ever given to British Columbia. Forestry in this province is way stronger under....

Interjections.

Mr. Speaker: Members. Members. I want to remind members to listen to the answer and listen to the question.

J. Horgan: Well, since we're doing history, I'll remind the Forests Minister that in 1999 when the federal Liberal backers came to this government and said, "We want to delete forest lands from a TFL," we consulted with the public, we consulted with first nations, and we consulted with municipal governments. They said, "Don't do it," and we didn't do it. What did you do?

Yesterday in this House the Minister of Forests said that he didn't really care that the forest company was no longer able to develop these lands, because they could just harvest...

Interjections.

Mr. Speaker: Members.

[1425]

J. Horgan: ...those lands under the Private Forest Land Act. So riddle me this, Batman. If they weren't going to develop them, why didn't you leave it in the TFL, so the Forest Act would apply, drinking water would be salvaged and the land would remain whole? Why didn't you leave it where it was?

Interjections.

Mr. Speaker: Members.

Just wait, Minister.

Interjections.

Mr. Speaker: Members.

Hon. R. Coleman: Well, he's got a really neat car.

You know, Mr. Speaker, I know the members opposite do not like private property rights under any condition, because they're just.... Socialists are fundamentally opposed to private property rights for people in our province. I get that. But you know what? We had more that I wanted to talk about.

So after we talked about the markets for hemlock and balsam on the coast, what about the fact that we're going to promote and put investment money in the value-added sector to increase jobs in value-added in the province of British Columbia?

There are dozens of initiatives under FPInnovations that we're funding with the federal government for the future of forestry on the coast of British Columbia. We're improving the first nation tenures in the province, on the coast and elsewhere. We're examining options for how we can do land use in the future to make it more certain. We can streamline the administration process.

As a matter of fact, this is what you've got. You've got leadership in forestry over here, and you've got losers over there.

[End of question period.]

Point of Privilege

J. Kwan: Given that this is my first opportunity, I rise to reserve the right to raise a matter of privilege.

S. Fraser: Hon. Speaker, I have a petition to submit, please.

Mr. Speaker: Proceed.

Petitions

S. Fraser: Royal Canadian Legion, branch 113, Ashcroft, B.C. The petition is to keep our designated smoking rooms open.

K. Conroy: I too have a petition, Mr. Speaker. I have a petition with 500 signatures asking that the Minister of Forests not release lands from TFL 23 and that he engage in a public consultation process.

D. Routley: I have a petition from dozens of parents in Lake Cowichan protesting the child care cuts that have affected the service to their children.

Reports from Committees

B. Bennett: I have the honour to present the report of the Select Standing Committee on Finance and Government Services for the third session of the 38th

parliament, respecting the budget 2008 consultation process.

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

Motion approved.

B. Bennett: Mr. Speaker, I ask leave of the House to suspend the rules to permit a moving of the motion to adopt the report.

Leave granted.

B. Bennett: I move that the report be adopted. In doing so, I'd like to make just a few brief comments.

First, I'd like to thank the people who worked so hard to keep us in the right town at the right time, more or less, and to keep us organized throughout a 14-city tour and during many meetings discussing the report. Their help often goes unnoticed.

Thank you to the Clerk of Committees office: Craig James, Mary Newell, Jacqueline Quesnel and Stephanie Hansen. On behalf of the committee, I'd like to thank Jonathan Fershau, who was our chief researcher and who worked weekends and late into the evening and went beyond the call of duty.

I just wanted to note that the committee's report is supported by both sides of the House. A legislative committee works on behalf of the people of the province, unlike an opposition or a government committee. As such, the committee approached the final recommendations in the spirit of finding ways to agree rather than disagree. All committee members laid down their swords for a few hours to do the work of the people, and I commend them for that.

Finally, this legislative committee travelled to 14 places in the province and received 5,800 submissions in total, including on-line and written submissions. We heard from hundreds of groups and individuals on the road — from the Board of Trade and the David Suzuki Foundation in Vancouver; in Terrace from Anna Bernard, whose mother's suffering touched us all. In Abbotsford we heard from elementary school children who were concerned about climate change. In Kelowna we heard from farmers and from Canadian taxpayers.

[1430]

The report, hopefully, to the extent possible, recognizes what 5,800 British Columbians told us in the context of what we as ten elected people believe personally ourselves.

Thank you, Mr. Speaker, for this opportunity to briefly explain and present our report.

B. Ralston: I'd like to speak briefly as vice-Chair of the committee. I too would like to thank the staff who participated in the hearings. I think Jonathan Fershau, in particular, deserves a gold star for the research effort that he put in.

There are 55 recommendations in this report, and I'd certainly commend them to all members of the Legislature and to the public as good ideas that perhaps will be considered at some point in the future.

Motion approved.

Orders of the Day

Hon. M. de Jong: I call continued second reading debate on Bill 39.

Second Reading of Bills

ELECTORAL BOUNDARIES COMMISSION AMENDMENT ACT, 2007 (continued)

C. Puchmayr: As I left off before the break on my comments on Bill 39, I will continue and wrap up now.

[S. Hammell in the chair.]

Let me just recap a little bit for the people who are still watching after question period, which I'm sure thousands of British Columbians are.

This bill is certainly contentious. This bill needs amendments in order to ensure that it is a democratic process, an independent process and an impartial process.

The independent commission spent \$3 million of tax dollars and 18 months of extremely hard work in getting to a position. That position certainly had some concerns with respect to northern seats — concerns which were shared by both sides of this House and which were certainly illustrated in the northern communities that were going to lose three MLAs.

Again, in a province that is almost a million square miles.... It's certainly a concern when you have such a vast region that it would not be represented or that it would find great difficulty in representing. What I find really interesting in the debate is the fact that....

I'm pleased that the other side is engaging in the debate. I think, somewhat obviously, they are on the same page, which certainly shows some teamwork on the other side for once. The one thing that they all get up to speak about is the fact that three seats in the north were being removed and that our side supports not removing those three seats in the north.

But cloaked behind all of that, cloaked behind the three seats in the north, the mandate has now been given to a commission, an independent commission, to establish more seats — a prescriptive number of seats — in areas where there is growth. If you look at the census data that has just been released federally, it's fairly easy to get some comfort for the other side that those would quite easily be areas that they would feel they would have good support in the next election.

[1435]

Why would someone be concerned about this type of gerrymander? It goes against what we have asked an independent commission to do. It goes against the autonomy of this independent commission. It wastes

\$3 million of taxpayers' money and 18 months of work to send them back to the drawing board.

If we look at some of the concerns that this side has with respect to the democracy argument, it's not only the concern about a controlled democracy that's being created by this type of a system, by this type of template. It also weaves its way through many of the policies that this government has introduced, certainly since I've been in the Legislature and even prior to me being in the Legislature.

I remember Bill 75, the streamlining act, which was absolutely opposed by every regional district and municipality. What it did was take away the grassroots ability of a municipality or a regional district to have a say in specific growth. It allowed the provincial government at any time from the time the bill passed — and it's still current today — to implement and to impose zoning against the wishes of a community and against the wishes of a municipality.

That's very significant when you talk about some of the campaign literature that the other side used during their last election campaign. I think one of the comments was to be the most open and transparent government in the history of British Columbia. Those are very powerful words. If somebody wasn't really that interested in democracy or in being active in going to the polls, that in itself would carry a lot of weight. That in itself would make you feel warm and fuzzy about who you may be electing — the most open and transparent government in the history of British Columbia.

Let's see how this has played out and why there is such a concern about this new controlling of democracy — or gerrymandering, as I will call it.

TILMA. TILMA is another bill that was introduced, which is basically going with virtually no.... It hasn't had any debate yet in this House. We have just over a week left. There's been no debate on TILMA. It gives incredible powers to a small panel to adjudicate, to impose significant fines on municipalities and to take away....

Deputy Speaker: Member. Relevance, please.

C. Puchmayr: Relevance to the bill. Again, we're talking about a bill that skews democracy, a bill that changes the potential of giving the public an ability to have an effective change in government come the next election. We've seen it in the mountain resorts bill. We've seen it in the independent power bill. We've seen it in Bill 43 — the local transit — where, again, democracy is being taken out of the equation. We saw it in the Public Inquiry Act.

So here we're talking about an independent panel that has gone out and consulted with the public. They've consulted with MLAs. Certainly MLAs on our side of the House attended those meetings. It had an independent panel that was interested in looking at where the boundaries needed to be changed, if any. What they came back with was the removal of some seats in the north, which was extremely contentious to the people of British Columbia.

It would certainly concern anybody that believes in the basic rights of democracy when you now send a

mandate back to an organization, to an independent panel, to come forward with a template that you could almost design by looking at census data. That is extremely troubling to me. I certainly have difficulty in believing....

I think the speaker prior to me mentioned how difficult and how much work it is to be an MLA. I knew how much work was involved in being an MLA when I ran for this job.

[1440]

When I attended the commission hearings in New Westminster, they were interested in hearing from me about the volume of work and about what it's like to represent a community that has just over 60,000 people in sort of a dense border environment — 11 square kilometres or seven square miles. They were very interested in hearing what it is like to function as an MLA in that type of region.

I think that was beneficial to them. I know they went out to other areas as well. I know the member for Burnaby-Edmonds, who attended at the regional hearings in New Westminster, also expressed the management of his constituency and how it works.

New Westminster is fairly unique. It's very historic. It has a core-city syndrome. It has a combination of working families and small businesses but also a significant amount of poverty and homelessness. Because of that, you also have agencies and societies that work in that community to address those serious issues of homelessness.

To function in a riding of that size with the number of people is very workable. It's very productive. I have two constituency assistants and a university student, and we have some volunteers who come in and assist. It becomes very workable.

I understand it in the north. I understand it when you're driving for hours and hours, if not days, to service your community or to go meet with someone who's shut in and asking to meet with their MLA. I know you're often out of cell range. I drove the member for Cariboo North home when we were in Prince George one day, and it's an incredibly long drive. Most of the time you're in and out of cell range, whereas in the city you can actually work while you're in transit and on transit. It is extremely difficult in those areas.

Therefore, I do support the premise that with members who represent people in such vast geographic areas, we'd certainly require that representation. Those seats definitely have to be part of that equation. But to cloak that — to say, "Well, if we do this, then we have to add more in the metropolitan and urban areas" — is unacceptable. It is a serious breach, I say, of how we set the goals and how we set the standards.

When you take an independent commission, give them a template and say, "Fill this template; these are your terms of reference," you can almost see what the end result is going to be. That's what is so unique about this.

You know, it's like "Gracie's finger." They looked at the numbers. They looked at all the different polls. They looked at the ridings. They looked at how many votes took place, and they went: "Gee, this is going to

be a tough one to win, but let's throw this little sliver in here." It made no sense geographically whatsoever, but they put it in anyway.

They did that because that is what a gerrymander is: to take something and, understanding that most of these votes in this area are for the Socreds — I guess they were the Socreds then; Liberals and Conservatives — understand what the end result would be by putting this sort of unusual protrusion into a riding that is predominantly going to vote a certain way. That's gerrymandering.

I close my comments by repeating once again that this makes "Gracie's finger" look like a hangnail.

Hon. S. Bond: As a person who is a lifelong resident of northern British Columbia, I stand in the Legislature today and proudly support Bill 39.

[1445]

I want to begin my comments with a quote. This is a direct quote from a previous piece of work that was done in British Columbia. It goes like this:

"Everywhere we went 'beyond Hope' — to use a catchphrase for the areas outside of the urbanized southern part of the province — people told us about their sense of being unable to have their voices heard in government. This view is common to people who live in the north of the province as well as those in the largely rural southern interior and the Kootenays in the southwest.

"Northern residents told us they counted on their MLA to advocate on their behalf. We were reminded that people in rural communities often have fewer organizations to turn to for advocacy and thus rely more heavily upon the local office of their MLA. The submissions we received from northern and rural British Columbians thus conveyed frustration about their current ability to participate in the political process.

"At the same time, given the lower population growth rates in the north as compared with the other parts of the province, these are the very areas which stand to lose representation through the amalgamation of electoral districts on a strict application of representation by population."

These quotes can be found in the report of the Wood commission on electoral reform that was made public on December 3, 1998. As the MLA for Prince George-Mount Robson since May of 2001, I can assure you that the view of my constituents today differs little from the ones that were expressed to the Wood commission nine years ago.

The views of those of us who live "beyond Hope" have not changed since that report was presented. In fact, I have sat in the House and listened to the members opposite, as have my colleagues, talk over and over about the basic principles of democracy. The basic principles of democracy insist that there be effective representation in the Legislature for every British Columbian and that those principles be based on representation by population.

Let's be clear. This bill says that it's not just about rural British Columbia — to not pay attention to urban British Columbia. In fact, this is a bill that tries to strike the balance that is absolutely necessary in a province as geographically diverse as British Columbia.

On this side of the House we realize that it's not just about three seats in northern and rural British Columbia. While those three seats are absolutely essential to those of us who live in those parts, it is also about recognizing the fact that there is growth in population in urban British Columbia.

Member after member on the other side of the House has stood up and talked about where they're going to be and what the impacts are going to be. Let's be perfectly clear. This bill says that other than preserving the existing seats in rural British Columbia that were going to be lost, the bill does not dictate where the additional seats must go. That, in fact, is the job of a commission that will do the work. It also leaves up to the commission the flexibility for determining exactly where the boundaries will go.

I think it's fairly ironic and completely exaggerated that we could sit on this side of the House and decide where those seats are going to go. Of course they're going to look at census information. They're going to look at where there is growth in population. That's what representation by population means.

But as I stood and spoke with my colleagues at the hearing that was held in Prince George, speaker after speaker stood before the commission, and this is what they said. Maybe the members opposite didn't have representation at that meeting to actually hear what northern British Columbians said. They said: "We're asking you to please listen to us. Please preserve our rights to have effective representation in the Legislature of British Columbia. At the same time, we understand and respect the fact that there is growth in urban British Columbia, and we are prepared to accept the addition of those seats, to look at the principle of representation by population. But please, do not do it at the expense of northern and rural British Columbians."

[1450]

I can assure you, there is nothing more fundamental than effective representation. I've been absolutely amazed to listen to urban representatives talking about the fact that perhaps we don't need to add additional seats in urban British Columbia.

Well, I can tell you this. I am a rural MLA, and I face significant challenges — not nearly as great as some of the other colleagues I have that sit in this House, where we do spend hours driving back and forth from the communities that we represent because we are their advocates in Victoria. That is important to me.

Already once this winter season, not that long under-way, one of my trips from Prince George to Valemount, stopping in McBride along the way, had to be cancelled. Why? Because there was a road advisory. In fact, my constituents called me before I left because they couldn't call me while I was on the road. There is no cell phone service. They said to me: "You know something, Shirley. Please don't actually come today, because the roads are extremely treacherous."

So the work I needed to do with those individuals needed to be done that day by telephone. While there are those who would suggest that the use of modern technology might help link us all together, there are

parts of rural and northern British Columbia that still do not have high-speed Internet access. So to make those assumptions is not appropriate either.

What we're saying on this side of the House is: "Let's protect northern and rural voices in the Legislature of British Columbia." We believe that is important and essential. But let's also strike a balance. Let's recognize that urban British Columbia is seeing growth as well, and we're seeing an incredibly diverse population. We have people who have English-as-a-second-language challenges. We have people who have numerous issues.

I can't imagine how urban representatives are able to stand up and say that we shouldn't add seats to reflect that growth and be able to help all MLAs better serve their constituents. On this side of the House, we're prepared to support a bill that provides balance and recognizes the need for effective representation in both rural and urban British Columbia, and we are proud of that on this side of the Legislature.

Madam Speaker, I can honestly tell you that after almost 15 years in public office at one level or another, there is one thing that I have never been told by people who are served by either MLAs or mayors or school board chairs. There's one thing I've never been told. I have never been told that they feel overrepresented. In fact, one of the things that's of the most concern to them is their ability to access their advocates, whether it's at a municipal or provincial or federal level. It's even more challenging if you're a federal member because if you live in Prince George, it's a pretty long flight to Ottawa and back. How do you best serve your constituents? It is certainly not by removing their representation in the Legislature.

In the work that I've done, I've learned first hand that every community I serve is unique, and it has different priorities. Even two communities that are only an hour apart can have completely different issues, and they usually do. In my riding, the issues vary dramatically from community to community, and they're all important. In my riding this past summer, Shelley had incredible issues with flooding. We worked together to resolve them.

We also looked at issues in McBride as they deal with those kinds of things that everyone is faced with in a forest-based economy. While it's only an hour away from other communities that I serve, they are looking at those specific issues, and they need me to work hard on their behalf on particularly unique issues.

As we look forward to the future of the province, we know it is absolutely fundamental that we have excellent and effective elected representatives. That is precisely what this bill is about. It is about effective representation for rural British Columbians and urban British Columbians. This bill certainly responds to the needs of all of our province. It ensures that those people who are most geographically isolated won't lose their representation, but at the same time, we need to make sure that we don't have an increasing disparity between urban and rural British Columbia. We need to ensure that growth is recognized.

As I said earlier, Madam Speaker, no one in Prince George stood up at the hearing that I was a participant in to say: "Keep our seats, but don't recognize growth." That's not what they said at all.

[1455]

Creating an electoral map in a province is never an easy task. We know that the commission will be challenged still when this legislation is passed, hopefully, very soon. They will still have the challenge of deciding where those boundaries are going to be placed within those regions so that the work is manageable and that people have excellent representation.

Let's look at what the current situation is under the proposed changes. The Northland electoral district proposed in the commission's preliminary report would be 255,000 square kilometres. Now, I'm not sure about other members of this House, but I can assure you, Madam Speaker, that it would be one significantly large area of the province to try to represent, at least if you care about that representation being effective.

I think it was the Attorney General who mentioned in his opening comments that this is an area slightly larger than Great Britain. I can honestly say that across that area, there is a very small population. Even though the population is small, it's even more challenging than that, because in fact it is scattered over 25 different population centres from Atlin in the extreme northwest of the province to Chetwynd bordering on the Peace River area.

I'm not certain, Madam Speaker, if you've ever had the ability or the opportunity to travel through that part of the province, but transportation is absolutely challenging, even at the best time of the year. I have a colleague who spends days in the summer visiting his particular riding just to try to get from one end of it to the other.

In urban settings the challenges are not the same. Obviously, they're not about geography. While the geographical areas are much smaller, the population is larger, and frequently they are ethnically and linguistically different from one another. As we serve people in British Columbia, we need to make sure that they're given the opportunity to have their voices heard and that they have effective representation.

Why are we bringing this bill forward? Because the commission's preliminary report recommended reducing representation in the most rural areas of this province — the north, the Cariboo-Thompson and the Columbia-Kootenay. The commission felt that population changes in the province made this necessary, but this would make those areas of the province extremely difficult to represent and would certainly reduce the voices of those regions in our Legislature.

As we all know, when that initial report was made public, there were extremely loud voices saying that we must do something about that. This side of the House, the government, is prepared to do just that. This bill instructs the commission to add back the three seats the commission had recommended removing in the north, the Cariboo-Thompson and the Columbia-Kootenay regions. It also increases the number of seats in the province to 87.

Adding seats is to ensure that we adhere to the basic principles of democracy, which are based on representation by population. It tries to reduce the population disparities between urban and rural regions, and that's always challenging, no matter how you design an electoral map.

Let's be clear. We've heard lots of noise from the other side about this. Even with the addition of these seats, for none of which the location is prescribed by this bill, this does not actually provide for perfect representation by population. What this does is try to strike a balance. This bill tries to preserve the voices that need to be heard in northern British Columbia, in the interior and in the Kootenays — and also to recognize that British Columbia's growth patterns are changing and that urban British Columbians deserve excellent representation as well.

We are committed to ensuring that rural representation is protected and that rural British Columbians continue to have a very strong voice in government. Since the commission released its initial report on August 15, 2007, our caucus and all MLAs have heard clearly from British Columbians that a reduction of electoral districts in any region of the province is unacceptable. At the same time, the commission itself identified growing regions of the province where more representation is needed.

[1500]

I want, one more time, to clarify for the record that other than preserving the existing seats that were going to be lost in rural British Columbia, this bill does not dictate where the additional seats must go.

We are convinced that this bill will give the commission the legal flexibility under the Electoral Boundaries Commission Act that is necessary to adjust electoral boundaries that ensure fair and equal representation for all regions of this province.

I can honestly say, Madam Speaker, as I have served as an MLA since 2001, that there are probably few issues in my constituency that raise the emotional reaction that this particular work that was presented did. I think that is because people in British Columbia want to know that whether they live in Dunster or Dome Creek or Valemount, McBride or Prince George, if they live in any one of those communities, they deserve the same access and advocacy from an MLA as someone who lives in a more dense or geographically less challenging area of British Columbia.

I am delighted today to stand in support of Bill 39 and to bring the voices of northern British Columbians to this chamber. And we look forward to the passage of this bill, where it strikes the balance for effective representation, looking at the principle of representation by population but certainly, from my perspective, preserving the most important element for every British Columbian, whether you live in the north, the interior or the Kootenays — that your voice will continue to be heard in the Legislature in Victoria.

J. Horgan: It's a pleasure to take my place in the debate on Bill 39 and to discuss the preliminary report

of the Electoral Boundaries Commission, which we received in August and we are now throwing in the trash heap.

You'll recall, hon. Speaker, that on August 15 we received in our constituency offices about 20 copies of a very weighty tome. It's glossy; there's a CD in it. I watched the CD. There's a lovely individual from the communications branch of the Electoral Boundaries Commission talking about the great work of the commission, all of the submissions they'd received from British Columbians from corner to corner, from the southeast to the northwest, from the northeast to Vancouver Island. The total in terms of tonnage — I'd probably give this a good three or four pounds' worth of paper. Ballpark estimate, \$4 million — \$4 million to get us to this point in time so we can be prepared to have an election in the province that accurately reflects the geographic population and other issues that have come to change British Columbia over the past ten years.

That was the objective. We passed legislation in this House. The government of the day introduced that legislation. I certainly didn't. I know my friend from Delta North didn't write the legislation. It came from the Attorney General. The Attorney General brought in legislation. A commission was struck. They hit the road. They hit the dusty trail, and they started speaking to British Columbians. Months and months of hearings, lots of demographic work, some brilliant mapping, lots and lots of work. The Premier receives it. All members of this Legislature receive it in their constituency offices; they receive it here at the Legislature.

Then we had one hearing in Prince George, where the previous speaker's seat had disappeared, where she was no longer going to be able to get elected without putting up a little bit more work. One hearing, lots of Liberals and, all of a sudden, intervention from the Premier — intervention from the Premier to throw \$4 million in the trash heap.

Now, that's all well and good for the Premier to do, because he's the one that writes the cheques over there. He's the one that puts people in and out of cabinet. Well, let me correct that. He puts them in. He doesn't seem to have the jam to push them out, based on the actions of the Solicitor General over the past 18 months. But nonetheless, I guess you just do it until you get it right on that side.

We had a commission report. August gentlemen, all three: a chap named Ladyman; a chap named Cohen; and Mr. Neufeld, the Chief Electoral Officer. A three-man commission travelled the province, spoke to British Columbians, spoke to people in my community, and then they weighed in as we asked them to do when we passed the legislation the first time. They weighed in with a big honkin' document that carved the province up into 81 electoral districts. That's what we asked them to do. That's what they did.

[1505]

They proceeded to announce hearings in communities right across British Columbia. But once the Liberals had done their homework.... Once the Liberals had put the map up against their prospects for the future, they decided it wasn't so good.

I have a comment for the member from Prince George who said that it snowed one day in her constituency, and she wasn't able to get to a meeting. That's terrible. I mean, that happens in my constituency. I have to go up the Malahat, heaven forbid, in the middle of the winter to see my constituents north of that spot. Every now and again, I have to cancel meetings. I know the member for Peace River South does as well.

I don't know what the member is thinking. If we have more representation in rural British Columbia, that's going to somehow affect the weather. Somehow, you'll no longer have to go from Prince George to McBride. Is McBride going to be its own constituency? I wouldn't put it past this Liberal government to suggest that to the commission. They haven't in this legislation, thank goodness, but I wouldn't put it past them.

Blatant interference by the Premier in the work of an independent commission. They appointed the darned people. It wasn't the people on this side of the House. It wasn't my friend from Hillside. It wasn't my friend from Cariboo South. They appointed the commission. They gave them the mandate. They wrote the legislation. They sent them out on the road. But when they came back \$4 million-plus later with the lovely documentation and the nice glossy maps and a recommendation to add only two members to this chamber, the Liberals balked. They said: "No, we can't do that. Hang on a second. We better chuck that in the garbage."

I hear the member from Omineca saying that our leader said this and our leader said that. Our leader said that the commission should listen to the public. But what did the government on that side do? They cancelled the hearings. Day one, they said: "No, no, no. Wait a minute." The Premier got out the Gestetner, and he ran off a couple of letters. He shipped them off to the Speaker and said: "Throw that thing in the trash heap."

An Hon. Member: Gestetner. We haven't had a Gestetner since '72.

J. Horgan: Yeah, '72. Well, that's the equipment we're using in the opposition office. That's the stuff we're using in the opposition office. That's right; you dusted it off and gave it to us to keep us running on this side.

I don't want to digress. I want to remind those on the other side that the Boundaries Commission is not about us. It's not about the people that currently reside in this place. It's about the future. It's about those that will come after us, those that will represent our public, not necessarily in Malahat-Juan de Fuca, not necessarily in Vancouver-Burrard, but in whatever constituencies the independent commission brings forward. That's what we told them to do. They went off and did it.

As soon as the Liberals did the math, they said: "Oh, wait a minute. Whoa, Nelly" — if I could quote an album cover from a famous Victorian artist. "Whoa, Nelly. You'd better chuck that away and start again."

I've heard some members on the other side say: "The commission implored us to change the legislation.

The commission said: "Please, please, Legislature, don't do this. Don't make us do this. Make the bad man stop."

I've got a quote here from the report, and it goes as follows. "The Legislative Assembly could have made that our mandate, but they did not. Rather, we are governed by the overriding constitutional and legal requirement to strive for relative parity of voting power among electoral districts and to deviate from parity only to the extent necessary to ensure effective representation."

Well, to listen to those on the other side, this is a cry for help from an abused commission who didn't do it because they wanted to. They did it because they had to. They brought forward a very glossy, very professional, very comprehensive preliminary report. They did what we asked them to do — as legislators, all 79 of us. We voted yea and sent them on their way. When they came back, those on that side of the House said: "Wait a minute. Wait a second."

My friend from Yale-Lillooet — his seat disappeared. He didn't start crying about it, because it's not about us. It's not about the individuals in this place. It's about democracy, and it's about non-interference in independent bodies.

As I travel the highways and byways of Malahat-Juan de Fuca — which is a rural constituency; a suburban constituency; and as Langford grows, it's becoming an urban constituency as well — never once has somebody come up to me and said: "You know what we need? Eight more politicians. That'll put us over the top. We will be in nirvana then. Eight more pensions, eight more salaries — that's what we need."

You wouldn't worry what people thought of you if you knew how seldom they did. Our electorate likes us to come here and do the best we can. They don't need eight more of us in here. They need us to do a better job.

[1510]

I hear the members talk about effective representation. I couldn't agree more. I don't believe more politicians equals effective representation. I believe the tools to do the job, to do the advocacy and to do the other issues and the other challenges that we face as elected representatives... That's the key to success in the regions — more empowerment for local committees. Get more people involved in the political process. You don't have to elect them. Put another office, a satellite office, in one of the outlying areas.

I've been across the province. I've been to the Peace; I've been to the northeast; I've been to the northwest; I've been to the southeast. I've been all over this province. It's a big place. I never, never complain about the size of my constituency after I've spent some time with my friend from Columbia River-Revelstoke. I can drive from here and be at home with my family before he gets to the airport to fly to Calgary and drive back to Golden. That's a big problem. But throwing this preliminary report in the garbage is not going to change that. He's still going to have to go to the airport, fly to Calgary and drive to Golden.

Again, I go back to the Deputy Premier's comments that it snowed sometimes in the north, and that

affected her day and the day of her constituents. Now we have to redraw the political map as a result of weather patterns. That's absurd. That's absolutely absurd.

The challenge for rural representation is a significant one. It's a profound one. We on this side of the House recognize that. But you don't solve it by mandating a commission to put back what they said they should take out and then say to the committee: "You must designate more urban representation in selected areas of the province." That's exactly what this legislation does.

It's appalling. It's a direct intrusion into the independence of this commission. They didn't ask for it; they didn't want it. If it was such a concern to the commissioners, how about an e-mail? "Dear Mr. Speaker, we don't think we can meet our mandate." Then bring something back to this House.

That's not what happened. What happened was the committee went on the road. They heard from British Columbians, lots of British Columbians — apparently not enough Liberals for the Premier's liking. But lots of British Columbians came to the commission. They made their case. Nobody said, "Eight more politicians" — not a one.

Let's talk about the infrastructure of this place for a moment, hon. Speaker. Where are we going to put them? Where are we going to stack them up? Are we going to have second tiers of politicians? I know that the Premier has his eye longingly on the Legislative Library. Heaven forbid that we intrude on that public space that's open to all British Columbians, not just the chosen few that make their way to this place.

What happens then? Where are we going to put these people? Stack them up? We can't get rid of the Clerks' table. Where would we put the mace? Where would we put the clock? Where would Mr. MacMinn pile the books? We can't move that. We can't move the Speaker's chair.

I don't know if we can push this wall out. I guess we could. I suppose we could. Is that in the interest of our heritage in this place? This is a significant building. It's a fantastic building. Every time I come into it, I marvel. Our friends in the gallery are marvelling even now, certainly, at the building rather than at my oratory. But this is a fantastic place.

Eight more people? I don't think so. These people, the independent boundary commission, said: "Let's add two. Put them right at the end, down there by Burrard." Works fine for me. All in favour, hands up.

Well, one of the challenges we have is that the member for Burrard represents about two and a half constituencies in the north. That's a problem, and we need to solve that. And guess what. They did. They did solve that. They cut that riding in half, created an additional seat in Vancouver, an additional seat in Surrey and an additional seat in the interior.

I would prefer that they put an additional seat on Vancouver Island, but again, that's my bias. It's not about me. It's about the people of British Columbia. It's about all of the regions. It's about effective representation, not more representation.

One of the challenges we hear from the other side is that somehow.... The member for Prince George-Mount Robson said just a moment ago: "What we really need is to have more politicians, because that way, I can drive out in the snow to better reflect the views and values of those individuals." I think that's just absolute poppycock.

We need to have the tools to do the job. I don't dispute that for a second. I think we'd all agree that we are underresourced in our communities — whether urban ridings, suburban ridings or rural ridings. But that doesn't mean we need to put more bodies in here. That doesn't mean you need to have an extra seat here and an extra seat there.

[1515]

If you were to put those seats back, what's the benefit in terms of the distribution in this House? I've done the math, and my colleagues here have done the math. If you add more urban seats, you dilute the value of those rural seats. Everyone on that side of the House has heard that debate. They've heard the arguments from our side. It's well researched, as all of the work that we do on this side is. I don't know why they won't accept that.

I know my friend from Nanaimo constantly applauds the good work on our side of the House. I think he should accept, as I am now, that this research is accurate, and there's a dilution of rural representation as a result of the amendments that the government is foisting upon the commission. It's atrocious.

Oh, I've got a note. If you don't mind, hon. Speaker, I'll pause.

Some Hon. Members: Your time is up.

J. Horgan: My time is up. It couldn't possibly be. I'm just getting warmed up.

My friend from Comox, again, a fellow Islander, knows full well the challenges of the Malahat Drive.

Hon. S. Hagen: Don't connect me with you.

J. Horgan: We live on the same rock, hon. Member. There's nothing you can do about that, unless you want to move, because I'm not going anywhere.

You wouldn't worry what people thought of you if you knew how seldom they did. I said that earlier, and I meant it. I think that it's important for all of us as politicians to reflect on that as we go about our business. We are not the centre of the universe. What goes on here is irrelevant to many people in our communities.

An Hon. Member: No.

J. Horgan: Yes, yes, yes. I know we like to stand up proudly and say: "Were it not for me, the world would come to an end." It's just not true, and our constituents know that.

What they expect of us is our best effort. What they expect of us is to do it in a prudent and frugal way, not to spend four million bucks, do the math and say:

"Hey, this isn't a Liberal report. This supports the opposition's contention that we only need a few members in the House. We'd better throw it in the garbage and start again."

Nobody in my constituency has called me and said, "It's an outrage. You need to get more politicians in the Legislature as quickly as possible" — not one. I would suggest that if people in this House were being honest — aside from those in Prince George who put on a rally to save a seat, a Liberal seat — they're not hearing that in their constituencies as well.

West Vancouver. I'm confident that West Vancouver-Capilano is not hearing from his constituents that we need more politicians — with absolute certainty.

R. Fleming: I think that was an agreement.

J. Horgan: I think that was an agreement.

My friend from Cowichan-Ladysmith and I abut ridings here on Vancouver Island. We share constituents. Sometimes it's easier for a constituent to come to my office than it is to go to that member's office, and we do the work for them because they're British Columbians or Vancouver Islanders. That's just what we do. I suggest to the member for Prince George-Mount Robson that if she can't get out on a snow day, she may find some other way. Maybe an adjoining riding can assist those individuals if they actually need it.

We're talking about climate change. The Premier's most recent epiphany is that somehow if we just pretend that we're going to do something about climate change, the world will be a better place. They allow urban sprawl to take place on the west coast of Vancouver Island, which will lead to more carbon emissions, which will lead to more greenhouse gases. "But that's okay, because we sent out a press release. We had a throne speech, and I say I'm going to do it so, by golly, it might appear like I just might do it."

Why wouldn't we use technologies that are available to us now? We talk about the electronic highway, the Internet. We talk about new ways to communicate with our constituents. Rather than destroy this place to push out a wall and add a few more seats, why wouldn't we invest in technologies so that we can communicate with our constituents wherever they may be whenever they need access to us?

That makes a lot more sense to me than jamming more bodies into this room so they can stand up and talk and people up there can look at them oddly and say: "What is he going on about? Why is he still talking? Doesn't someone else have something to say?" Apparently not at the present time, because I've still got minutes on the clock.

Three key points, as I've said: the dilution of rural representation; the overwhelming intrusion by the Premier in an independent process; and lastly, the addition of eight politicians. Those are the key elements of my comments today.

I know that the members on the other side are riveted by that. They've dismissed this as a viable option. They've dismissed this report, this \$4 million of gloss

and hard work. We even have the synopsis that has lovingly affixed to it, again, another compact disc for those who want to plug it into their computer — all of it for naught, because the Premier felt it was more important to get what he wanted than to allow an independent commission to do its work.

[1520]

Regrettably, this is not the first time in British Columbia that this sort of thing has happened. Members have made reference to "Gracie's finger," the infamous Socred gerrymander in the 1980s. The member for Comox Valley, I believe, was here or on his way here at the time, so he probably remembers it more fondly than I do.

Certainly, the member for Kamloops was here at the ready in the '70s, '80s — ready to do the bidding of the Premier. And again, he's doing the bidding of the Premier today, and that's laudable. That keeps you in cabinet, I guess, if you're on that side of the House.

But on this side of the House, we'd rather reflect the values and views of the people who live in our communities. As I looked at this preliminary report and the submissions that came from people in my constituency, not one of them said: "You know what we need? More politicians."

An Hon. Member: That should tell you something.

J. Horgan: It does tell me something, hon. Member. It tells me that this is a misguided piece of legislation. Why in the world would we receive a report, two and a half years into our mandate — hard work done by the Electoral Boundaries Commission, millions of dollars expended — and, in less than three weeks, chuck it in the garbage? What's the motivation for that? Do any of you have ideas on that? Why they would do that?

Hon. S. Hagen: Weather in Prince George.

J. Horgan: Weather in Prince George. That's what we just heard a moment ago. Snow days in rural British Columbia.

I don't want to leave those at home — the 15 or so people that are watching this presentation today — with the impression that I don't understand the importance of effective and strong representation in rural British Columbia.

On this side of the House, the member for North Coast and the member for Skeena do fantastic work under appalling conditions by any standards that we can imagine here in the southern part of British Columbia. My friend from Bulkley Valley-Stikine, same story. I heard his speech. I listened very closely to his presentation about the arduous work that he has before him in representing such a broadly diverse and sprawling constituency.

But these challenges are not resolved by jamming more people into this place. Effective technologies, better tools to do the job in rural British Columbia — that's a solution. That makes sense to me.

Imagine what you could have done with \$4 million in Bulkley Valley-Stikine. I say to the member: what

could your constituents have done with that kind of money? I think for four million bucks you could have got high-speed Internet and a little bit more into just about every first nations community in that region. Instead, we get a glossy document and some DVDs, and it's all in the recycle bin behind this building. That's appalling.

The people on that side of the House say: "We'll just keep doing it till we get it right." That's what the Solicitor General's credo is every morning when he gets up. "I'll say one thing, I'll wait till the Premier contradicts me, and then I'll say another. I'll establish a commission, send them out on the road and wait for them to bring back the report. If I don't like it, I'll throw it in the garbage and ask for another."

I know the Attorney General, as he's watching this debate, is thinking: "I got into public life to do good, and who knew I would submit not one but two bills to the Legislature about electoral boundaries?"

I would have thought that the Attorney General would have got it right the first time — a respected jurist with significant experience in British Columbia, honoured and applauded by many, myself included. There was his chance to do the right thing.

"I'm going to send out a commission to redraw the boundaries in British Columbia." He sent them on their way, and all of a sudden — 18 months later, four million bucks down the toilet — the minister says: "Well, you know what? I think I'm going to get them to do it again. I'm going to send them out, but this time, make sure you put more Liberal seats on that map. Make sure you add seats to areas with high Liberal growth possibilities. And by the way, don't forget my friend from Prince George-Mount Robson, the Deputy Premier. She doesn't have a seat anymore, and we'd like you to throw that one in as well."

Well, my goodness.

C. Puchmayr: And snow tires.

J. Horgan: And some snow tires. Holy cow.

It's amazing to me that we could actually have a debate in this place about how we can spend more money frivolously. I say to the Attorney — I know he can't answer me, but I just posed this question to him, and maybe we can talk about it off line: "What happens if the map comes back and you don't like that one?"

What happens then? Do we run on the existing boundaries? Does my friend from Vancouver-Burrard continue to represent the 110,000 people while other members represent in the 20,000s and 30,000s?

G. Gentner: Cancel the election.

J. Horgan: Cancel the election. That might well be the next step, depending on where the polls are, depending on how the Premier feels or whether or not he's had another epiphany.

Maybe the epiphany then will be: "Well, I didn't like the first one. I didn't like the second one, so let's go back one more time." He'll turn to the Attorney General

and say: "You're up. Give me another bill. This time I want 20 more seats. I'm taking over the library; I'm moving down the hallway."

[1525]

My constituents in Malahat-Juan de Fuca sometimes say to me: "Just keep at it." That's what they say. "Do the best you can. Stand up for me, stand up for my family and stand up for my neighbourhood."

I represent communities from Port Renfrew through Jordan River, Otter Point, Shirley, Sooke, East Sooke, Langford, Highlands, a bit of Metchosin, Shawnigan Lake, Cobble Hill, Mill Bay, Glenora, Cowichan Bay — lots of people all over the place, some rural, some urban, some suburban. Never do they say to me: "Boy, if only we had eight more politicians. This would just put us over the top. That would be the culmination of all your work in the Legislature — to convince your colleagues there that we need to expend more money to put more people in this place."

What they do say to me, when they come for advocacy, when they want assistance with a government program, is: "Thank goodness you've got a solid constituency assistant and good staff working for you, solving my problems." That's where the public interacts with us. That's where effective representation takes place, with good staffing and good resources on the ground.

It's not what we do in here. Certainly, those watching today are recognizing that the value I am adding to this debate is infinitesimal — hardly a whit of interest in what I have to say. But back in my community, back in communities right across this room, our hard-working staff are doing that advocacy that the member for Prince George-Mount Robson spoke about. They're doing the work that the public expects of us.

When they turn on the television and see us standing here talking and talking and droning on, they say: "Eight more of those? How could that possibly be a good thing?"

My goodness. My mom's looking in right now, because she often watches "one of my children" rather than *All My Children*, and I'm sure that all of the other mothers that are out there watching this today are saying: "Do we need eight more mothers to have to endure this?" I don't think so.

There are many debates that have taken place in this House, and I've enjoyed virtually all of them. But I thought I'd only have to speak on a redistribution bill once in my time in this 38th parliament. I never for a minute contemplated that the Premier of British Columbia would say by edict, by fiat, by diktat: "Mr. Speaker, tell them to throw it in the garbage."

It's an outrage that, strikingly, has not yet permeated down to the grass roots. You know why? Because they don't pay attention to what we do in here — or very little. We have the watchers, who aren't even watching today. They might be looking at it on their television screens. We've had the odd columnist make a comment here or there, mostly negative towards the government — and I agree that it should be.

I'll read a short clip from the *Globe and Mail* from just last month: "It's a bit of a mess. The Electoral

Boundaries Commission worked for 18 months. They spent \$4 million working on new ridings under the law. It had hearings set up for this fall. The Premier turned that upside down, and it's not yet clear how it will be put back together."

Well, it is clear now. We have new legislation and a new go by the Attorney General. Another swing. Strike one — didn't work. Here we go. Swing, batter — strike two. What is the third one going to look like? That's the question that people are asking at home.

A noted columnist for *The Vancouver Sun* — I won't mention his name; everyone knows who he is: "Had the commission taken the option of adding six seats, it might have provided the government with more opportunities, because many of the fast-growing areas are represented by Liberals." Well, that columnist, Mr. Vaughn Palmer, hit the nail squarely on the head. The government, the Liberal party, did not like the map.

The government, the Liberal party, headed by the member for Vancouver-Point Grey, the Premier, did not like the map, so they chucked it in the trash heap and said: "Let's do it again. Who will pay attention? After all, we're the government of British Columbia."

It's that arrogance that permeates virtually everything this government does now, and it's not a Left-Right thing. I've been around politics for some considerable period of time now, and I've seen it in the federal Conservatives and in the federal Liberals, even possibly with New Democrats. Over time, you think you can do anything you damn well want.

Well, you can't. You have to abide by some foundation of fairness, honesty and integrity, and it's not represented in this bill. You don't say to an independent commission, "I don't like what you did," throw it away, and then, to add insult to injury, say: "The commission asked us to do it." The commission said: "We'd really rather do it again."

[1530]

I've heard members on that side of the House say that — appalling. How could you possibly come to that conclusion? It's inconceivable to me how the government and the Premier actually thought he could get away with this — how he actually thought that he could bring it back to the House and it will pass in a day or two, and no one will talk about it.

We on this side of the House are darn well going to talk about it. We're going to take our full time. We're going to make our points. With any luck, some of the reason and common sense might permeate the craniums on that side of the House. With any luck at all, we may well convince one or two of them to see the wisdom of our position. They'll vote down this legislation, and the commission can get on with its work.

I thank you very much for indulging me. I thank my friends in the gallery for staying with me the whole time. Hansard, you're always wonderful. Good night, everybody. I'll see you next week.

J. McIntyre: That was an interesting ending to that. We didn't know if that was a talk show host signing off or not. But the member did such a great talk. Maybe he should be considering a new and different career.

Let me start off my comments in response to the member for Malahat-Juan de Fuca because he raised a whole lot of questions that I've been just dying to respond to. There's been so much rhetoric and so much exaggeration around this bill, particularly from members from the other side of the House, that it's actually been very interesting and, I have to say, somewhat amusing to be following this debate over the last few weeks.

It's not about throwing the Electoral Boundaries Commission report in the garbage or down the toilet with all that flourish that the member was speaking of. Most of the work of the commission will remain intact. The vast majority of all the work they did and the money spent will all remain intact. The opposition, particularly that member, knows that full well. They absolutely know that full well. It's not about government interfering to anyone's advantage.

To answer the question earlier about the position of the Leader of the Opposition on this.... Let me clarify for the record. This is a direct quote from the Leader of the Opposition on CBC on September 13, 2007, which would be after the preliminary report of the electoral boundary commission was made public.

She says very clearly: "We've been very vocal about saying that we shouldn't lose rural representation. Not often the Premier and I agree, but on this one, we'd like to see rural seats remain. We don't think we should lose rural representation."

[K. Whittred in the chair.]

Just the week before that, in another quote that was actually in an NDP news release of September 5, 2007, for the record the Leader of the Opposition says: "Taking away democratic representation from these communities will harm the entire province."

Actually, what this is all about is balance. It's about balancing urban and rural representation and allowing the commission to do its work. In this province that's not an easy thing to do. We have very, very fast-growing, dense areas like downtown Vancouver, like Surrey, like the Tri-Cities area. Then we have very vast rural areas. To balance those interests and to make sure that we do have effective representation is a very difficult act. It's a tricky balancing act.

All this bill does is allow the Electoral Boundaries Commission the freedom and the tools to actually do what they need to do to create that balance. It is so simple. I just don't understand why the opposition hasn't figured that out.

Before I get on to some of the remarks that I want to make, let me preface my comments. It may be kind of a policy wonk interest, but I've had a lot of interest in this general topic as one who's actually run a campaign and learned much more about how to effectively represent. I actually have a very large riding. I myself have ten or 12 communities, six mayors and councils — always a balancing act. I've been through that. I want to make sure that my constituents are represented well and fairly.

[1535]

But also after many, many years in the polling business where I have spent years and years using scientific random sampling methods to make sure that we produce public opinion effectively and validly, where we represent opinion by demographics and also by region.... There is a skill and a need to make sure we have effective and widely represented views in this province. I was also one of the MLAs who did make a submission to the Electoral Boundaries Commission before they produced their report, and I would just like to put that on the record as well.

I speak today following the member for Prince George-Mount Robson, who spoke very eloquently a while ago as a lifelong member of a rural area of the province — the north. She was talking the very same words that I would use about the balance and the need between balancing the needs in the rural areas and those in the faster-growing urban areas.

I'm going to speak on the flip side, from the other side, because I would use exactly her words but from the more urban area. I'm also very concerned about that balancing act.

We've heard many eloquent speakers tell the House over these last weeks about the merits of protecting the interests of rural residents and making sure that they have a strong voice in government. I don't want to go over all of those arguments. They've been well put to the House and very eloquent.

I think, short and sweet, a reduction in the number of seats and in the number of the rural and interior and Kootenay areas is not acceptable. As I just noted, it's not acceptable to either leader of the House. There is unanimity and consensus on that. This Premier and this government have responded to those needs of all British Columbians.

When the Electoral Boundaries Commission brought out their preliminary report in August, in effect, they indicated that they could not balance — that very tricky act of balance — the fast-growing areas with the need to protect the rural vote, with only those six extra seats. So all this bill does, as I've said, is allow the Electoral Boundaries Commission to do the work that they set out to do in the first place. If we protect the ridings we have, then we have to balance that with additional representation in the fast-growing areas. It's a very simple principle.

Let me say — and I know that their own members.... If I can quote the member for Nanaimo in *Hansard* at the end of October — after the Boundaries Commission report had come out — he said that they, meaning the rural communities, are "conscious of the fact that the numbers of members they elect do not, in fact, provide a sufficient counterbalance to the great numbers of members who come from urban areas."

So there's a member of the opposition who gets this principle. It's a very important one. I have listened to a series of members from the opposition raise the question. They keep saying: "Who says we need more politicians? Why are we adding extra seats?" They've made a very big point about that over and over. I guess I just have a very simple answer that to balance and

protect those voters in the less populated areas, you have to balance the needs of those in the fast-growing areas.

It's just a very simple principle. Yet I heard members of the NDP from some of the urban areas, including the member for Surrey-Whalley — who I believe was actually one of the first, if not the very first speaker on this bill when it was introduced.... He was speaking out against the welfare of his own constituents.

He kept asking: "Why do we need more politicians? Why are we adding seats? Why do we need more people?" But in fact, it's his very constituents that will probably benefit from this. There may be two extra seats added to the Surrey area instead of one, because if you're balancing it, you have to balance in the urban areas as well.

So the answer to the questions — "Why do we need more seats? Why do we need more members?" — is that balance, that very important balance for what we are calling effective representation.

I was only going to be fairly brief, but I just want to say in closing that this bill will give the commission the legal flexibility, under the Electoral Boundaries Commission Act, necessary to adjust those electoral boundaries that ensure fair and equal representation for all regions of the province.

This bill will not deal with individual ridings, but it deals with balance. It balances the rural and urban needs. It provides the appropriate tools for the Electoral Boundaries Commission to meet their constitutional requirement. I can't think of any better reason to support this bill and to support balance, fairness and equal representation.

I, for one, will be voting in favour.

[1540]

J. Kwan: I rise today also to engage in the debate regarding Bill 39, Electoral Boundaries Commission Amendment Act, 2007.

Madam Speaker, I've heard many of the MLAs who had contributed to this debate raise a variety of different issues. I just heard several members from the Liberal side who advanced the notion that we need more MLAs in this Legislature.

Well, I have to say this. I challenge the government bench to produce anyone out there outside of their bench who would actually come forward and say that they would want to see more MLAs in the Legislature.

I find it ironic at this point — especially the person who took the lead in saying that we didn't need more politicians in the B.C. Legislature. It actually came from the Premier when he was in opposition. How times have changed.

Now the government side is saying that they need more MLAs in the Legislature. But you know, Madam Speaker, it's not just the opposition that challenges that premise on whether or not we need more MLAs in this B.C. Legislature.

In fact, on October 10, 2006, in the CFTK media report on electoral boundaries, Ladyman was on record saying that everyone seems to be saying the

lower mainland doesn't need any more MLAs. That came not from the opposition side but from someone who's very involved regarding the Electoral Boundaries Commission and in fact had travelled to Smithers, Prince Rupert, Masset and Stewart, amongst other locations, to hear from the public, particularly in the rural communities.

I've also heard MLAs, and the government MLAs at that, say that this legislation is a measure of support for rural B.C. What this legislation does is water down rural representation. That's what it does. It waters down the voices of the rural community by forcing the commission to add five more MLAs to the Legislature. That effectively dilutes the voices of rural communities in the Legislature.

The government MLAs had also said that this legislation is required because it provides what they say is the legal obligation to meet the changes that are required. Well, I would argue that the government could have met the legal obligation of the Electoral Boundaries Commission's work without compromising the Electoral Boundaries Commission's independence.

Why I say that, Madam Speaker, is this. In this legislation, Bill 39, section 1, the first clause in the legislation stipulates that the commission must "make proposals to the Legislative Assembly for 87 electoral districts." In fact, if you go to the explanatory notes, it goes on to say that the Electoral Boundaries Commission Act, section 3 "requires the Electoral Boundaries Commission to propose 87 electoral districts for British Columbia."

[1545]

There is no room for the commission to make a determination on whether or not 87 is the right number. In the past what we have done in this very Legislature was to allow the commission to determine what exactly the right number for change was. The legislation did not specifically require that the number of seats be 87. Rather, in the past, the language of using electoral districts up to a maximum of a particular number was adopted.

This is from a piece of legislation that was tabled, I believe, about 18 months ago, if memory serves me correctly. The language of that bill on the Electoral Boundaries Commission Act actually says: "If the commission in carrying out its functions under subsection (1) considers that the number of electoral districts in British Columbia should be increased, it may make proposals to the Legislative Assembly to increase the number of electoral districts up to a maximum of 85."

It is in that spirit, using that language, that the commission is given the legal obligation to do its work and the independence that it should have for them to do their work. But no — not this government. They seem to want to claim that they are meeting the legal obligation and, at the same time, that they're not compromising the commission's independence.

Nothing could be further from the truth. The fact is when you mandate the commission to a specific number in terms of changes in the electoral boundaries seats representation, the government is tampering with the independence of the commission. And that is plain wrong.

You know why it is wrong? Because we've had a history of commissions in the past where governments try to tamper and compromise the electoral commission's work and challenge their independence.

We will all recall that Justice Thomas Fisher, back in 1988, headed the Royal Commission on Electoral Boundaries for British Columbia. From that work, he stressed that in the future, "a successful boundary commission must be completely open and non-partisan. Only if those principles are followed will there be complete confidence in the fairness of the proposals for needed boundary changes."

That arose from the controversial 1997 Electoral Boundaries Commission recommendations. Some of the former Socred government MLAs, who are now sitting here as Liberals, will recall Vancouver-Little Mountain MLA Grace McCarthy. It was alleged that she had influenced the boundaries commissioner to transfer a piece of the Socred-friendly real estate, Socred-friendly area, from Point Grey into her riding — what everyone now calls "Gracie's finger."

So Justice Thomas Fisher, following that controversial interference of the independence of the commissioner's work back in 1977, came up with a specific direction for future commissions that clearly states, again: "A successful boundary commission must be completely open and non-partisan. Only if those principles are followed will there be complete confidence in the fairness of the proposals for needed boundary changes."

[1550]

Mr. Fisher's recommendation was acted on a year later with the introduction of the Electoral Boundaries Commission Act. It established an independent, non-partisan Electoral Boundaries Commission to regularly review electoral boundaries so that they will continue to reflect the basic principles of fair and balanced representation for all British Columbians. That's what this piece of legislation is supposed to do, but it doesn't do that. It doesn't do that, and it fundamentally violates the principle of fairness and independence right at the outset with clause 1, which dictates by government how many seats this Legislature should have.

If the government were to truly believe in fairness and independence, they could adopt the language for this piece of legislation, Bill 39, to read that the commission may make proposals to the Legislative Assembly for up to 87 electoral districts, for example. By doing that, the government would not have compromised the work of the commission — would not have challenged, in my estimation, the independence of the role of the commission.

The commission should have the right to make the determination, after having consulted with British Columbians, of how many seats are needed in this Legislature. The government should not interfere by making that determination. The Premier is not going out on the road to talk to British Columbians and invite input from them to make a determination on how many seats should be here in this Legislature. It is the commission who is doing that.

Why on earth, then, would the Premier and all the government MLAs get up in this House and say that

we must have 87 seats in this Legislature? What is motivating them to say that? What is causing them to say that they know it all already without actually having done the work, predetermining the outcome of what the commission's work is going to be — predetermining the outcome of 87 seats?

I can't help but wonder out loud what's propelling the MLAs, the government side and the Premier to call for 87 seats and, more specifically, to call for 87 seats in areas that would compromise, I should say, rural representation, when they claim that the whole thing was to actually protect rural representation. We know that by dictating 87 seats, this government is compromising, watering down and diluting rural representation.

The commission had gone out and done their work about 18 months ago. They had tabled a report in the Legislature. They had tabled a report, and the truth is the Premier didn't like it. The Premier didn't like it, and then he made a determination that it was not good enough for his own political purposes. Then he decided, with the flick of a pen, to introduce new legislation to dictate the work of the commission so that the outcome fit into the political agenda of the Premier.

Let's just be clear. This government wasted \$3 million of hard-earned taxpayers' money — flushed down the toilet. That's what the Premier has done. All that hard work, all that money. Just imagine for a moment what \$3 million could buy for British Columbians — in much-needed services, I might add, and in rural communities perhaps. That would actually benefit those very communities that this government claimed Bill 39 is supposed to protect.

The government says: "But we're doing this, and the Leader of the Opposition agreed that we needed to protect those three seats in the rural community."

[1555]

The government could have easily come up with language in this bill without dictating how many seats there should be and without compromising the independence of the commission and, at the same time, achieve that very goal of protecting rural community representation.

It's been done before, after all, where that language has been used to ensure that rural representation and the voice of the rural communities are not compromised. But the government chose not to adopt that language for regional representation purposes. Instead, they came up with a scheme that actually adds more seats in areas that would compromise rural representation and the voices of rural communities.

The government seems to think this is okay, that British Columbians out there want eight more MLAs. Well, heaven help us if we should get eight more MLAs like the Solicitor General. At this rate, the Premier is going to have to make a minister responsible for flip-flops.

Deputy Speaker: Member, on Bill 38, please.

J. Kwan: Absolutely, Madam Speaker, on Bill 38. My point is this.

Hon. C. Richmond: Get back to the bill.

J. Kwan: Getting back to the bill, and from the minister from the Ministry of Employment and Income Assistance.... I can tell you this. He ought to know because he was formerly of the Sacred stripe in this House and ought to know the history of "Gracie's finger" and the interference with the commission and the work of the commission and the compromising of the commission's independence.

Yet he sits here again, and he should have learned a lesson. He should have learned a lesson to know better, particularly the lesson from Judge Fisher to say: "Enough already." Enough of politicians doing their bidding under the guise of independence and utilizing the commission to achieve their own political goals.

You would have thought that anybody with the ability to understand the implication of compromising the independence of the commission would be sitting in this House today and saying that Bill 39 is not okay. Coming up with a clause that mandates the number of seats that would be required for the commission, after they've done their work, is not okay.

What the government should have done is adopt language that allows for the commission to make that decision after they have done their work in the consultation process with British Columbians. The government should have adopted language that says the commission may add up to a number of seats, instead of saying that it must make proposals to the Legislative Assembly for 87 electoral districts.

Madam Speaker, what the government is trying to do and what the Premier is trying to do is hide under the guise of pretending that somehow they actually care about rural communities and rural community representation — and through the back door, as it often has done, advance their political agenda.

That's exactly what Bill 39 is about. That's exactly what this government is doing, and the government should have the courage to admit to that.

The Premier said that he was committed to reducing the number of MLAs and eliminating gold-plated pensions. That was back on September 14, 1995. Well, how times have changed.

Hon. M. Coell: We lost that one too.

[1600]

J. Kwan: No kidding, Madam Speaker. The Minister of Advanced Education, who happens to be sitting there, thinks this is quite funny — that the compromising of the independence of the Electoral Boundaries Commission is quite funny. He is heckling me by saying: "Well, gee, we lost that election in 1995." No kidding he lost the election — and let's be clear — because British Columbians saw through the inconsistencies that the then opposition leader and the now Premier was trying to advance to British Columbians at that time.

Changing to a plaid shirt doesn't do it, and British Columbians saw through that. Representing Howe Street one day.... Putting on a plaid shirt is not going

to change your stripes, and you're not going to represent Main Street just because you put on a different shirt. British Columbians saw through that.

But today the question is this, and I challenge the Minister of Advanced Education, the Minister of Employment and Income Assistance and all the Liberal MLAs who stand up and say that this Bill 39 is the way to go, that this Bill 39 does not compromise the commission's independence, and that it somehow must be done in order for the government to meet its legal obligations.... I challenge any one of them to get up in this House and tell me that if they adopted the language that said that the commission may make proposals to the Legislative Assembly for up to 87 electoral districts, it would not meet the test of independence and the test of ensuring the commission has the authority within it to meet its legal obligations.

I challenge the Minister of Advanced Education. I challenge the Minister of Employment and Income Assistance. I challenge all the Liberal MLAs. I challenge the member for Prince George—Omineca, who talked about legal obligations ad nauseam when he made the debate in this Legislature. I challenge them to rise up in this House and tell me that I'm wrong if one adopted the language that would allow for the commission to make that determination after the commission has consulted with British Columbians.

I suspect that none of them would be able to do that, because they know what they have done under Bill 39 is political interference under the guise of wanting to protect rural communities, wanting to protect rural representation. If that was true, then we would have actually heard from some MLAs who would speak up and ask the government about their commitments to the heartlands and what happened to the commitments about the heartlands.

If there were true rural representation from the government bench, they would have asked the government why they would close schools and offices and hospitals in those communities when they need them most. They would ask the government why they would be working to facilitate the downfall of the forestry industry that is happening. They would have done that work to ensure that the voices of rural communities are heard.

They would have done that work and supported the opposition's call for the government to protect farm-gate sales. They would have supported the opposition on their call to even the playing field on liquor sales for small stores, particularly those that impact rural communities.

But did we hear the Liberal MLAs on that side — who claim that they represent rural communities, that they care about rural representation — speak up on any of these issues? Not on your life. They stay silent.

[1605]

Instead, what we have here is Bill 39, where the government is trying to use Bill 39 as a guise to advance their political agenda, as a guise to say that they support rural communities. Instead, they are just trying to move forward on what the Premier deems to

be appropriate, which is basically what the Premier wants politically. He thinks that somehow mandating 87 electoral seats in British Columbia would be beneficial to him politically.

Perhaps this is the worst way of doing politics, because it's not honest. Is it honest? You've got to ask the question. What is the real intent here of this bill, and why won't the Premier come clean and tell British Columbians that? At least if he came clean and told British Columbians, "Yeah, I do have a political interest, and here's what I want to do," I would grant him having the decency to tell British Columbians the truth. But no — not so.

They made up a song and dance about rural representation. They made up a song and dance about legal obligation, when we all know very well that's just fantasy — fantasy in the world and minds of the Liberal MLAs who claim that this language is required in order for the commission to do its work.

British Columbians won't be fooled. They can see through it. The bill is clear in its language. It is blatant in the government's attempt to politically influence the outcome of the work of the commission. British Columbians can see through that. Make no mistake about it.

Make no mistake, as well, that with the tight time line the commission has to do its work.... I wonder if the commission would be able to fulfil its mandate without compromising public input.

I worry about that, because the last round of this work took 18 months. The commission went on the road and talked to British Columbians from community to community. They invited elected officials to come forward to speak as well. My understanding was that few Liberal MLAs went and presented their point of view to ensure that their community, those rural communities, would have representation. Now this commission, under Bill 39, will have less time to fulfil its mandate, and I am concerned about ensuring that the commission has enough time to do what is necessary with respect to their work.

Let me just close with this comment. When the MLAs say that Bill 39 is required so that legal obligations could be met, then I have to ask this question. Did the government ask the legislative counsel for any other language that would ensure the legal obligation of the commission would be met, including the use of the language that the commission may make proposals to the Legislative Assembly for up to 87 electoral districts?

I would like to get that answer for British Columbians so that they know the truth. I challenge the Attorney General to stand in this House and answer this question for me on behalf of my constituents. Let us know what language is required and what language this government chose to ignore so that they could use a backhanded way to get their political agenda through. This is what Bill 39 is all about, with the language in which it is written, so make no mistake about that.

[1610]

I invite the Premier, the Attorney General, the Minister of Employment and Income Assistance or the Minister of Advanced Education to stand in this House

and tell me that they consulted with the legislative counsel and that the legislative counsel told them that in order for them to meet their legal obligations, they must have the language that dictates how many seats should be in the Legislative Assembly for the electoral districts after its work.

Deputy Speaker: Members, I just want to apologize. I misspoke earlier when I said this was Bill 38. It is in fact Bill 39.

S. Hammell: I rise to oppose the Electoral Boundaries Commission Amendment Act, 2007. I do it thinking about some of the challenges that we have in drawing effective and representative electoral boundaries for our communities.

The central challenge of electoral boundary redistribution in the geographically diverse province of British Columbia is how to protect the constitutional right to effective representation by the minority of citizens who live in sparsely populated regions and in small, isolated communities. We need to protect their representation.

This challenge is not unique to our province. Most provinces have struggled with this problem and have responded by protecting the voices of the people living in the vast geographical areas, particularly of the north, by lowering the number of people represented by a single MLA.

If we did not make these accommodations by assigning an MLA to significantly fewer citizens, half of the province — a geographical half — would have one or two MLAs. This would be unworkable and would not provide those people with a voice that was strong in numbers. A mature democracy such as ours has an obligation to protect the rights of minorities, and that obligation has been embraced, to an extent, by all of us.

There is a consensus in B.C. that we must ensure that the citizens who reside in the north, the Cariboo and the Kootenays have a right to effective representation. This is demonstrated by no loss of current representation in this House through the bill that's in front of us. Citizens across the province in sparsely populated regions and in densely populated regions have made it clear to the electoral boundaries commissioner and in public comments that the level of representation for this minority of British Columbians must be preserved.

In this House members on both sides agree, but this bill does not accomplish this task. To clarify the point, if the current ratio between the urban and rural areas is one constituency to 4.1 urban constituencies, then let's keep it at that ratio. What is in front of the House is a ratio of about 1 to 4.6.

The people in the north will have a weaker voice in relative numbers. They will. Their representation will be weakened by this bill. The proposed legislation before the House contains within it a provision which will ensure that the citizens of the north retain eight MLAs, those in the Cariboo-North Thompson retain five and those in the Kootenays retain four — to a total of 17 MLAs representing the minority.

[1615]

In the current House, that leaves 62 MLAs representing the majority of citizens in the more densely populated regions of the Okanagan, the lower mainland and Vancouver Island. Unfortunately, the proposed legislation then proceeds to take away the proportion of voices speaking for the minority by adding eight more MLAs to the densely populated urban areas of the south.

We will have 70 MLAs in the populated south, and the north will still have 17 MLAs. Adding more eight more MLAs to speak for the majority hardly protects the minority. Once the minority has legal protection, there's no need to add more voices to speak for the majority. It is, in fact, counterproductive. It gives with one hand and takes away with the other.

The proposed law will now allow population in electoral districts in sparsely populated regions to deviate beyond the minus 25 — good news. But why dilute those voices by adding eight more MLAs to the densely populated urban areas of the south? Populations in other regions can be kept within plus or minus 25 by making boundary adjustments between the remaining 62 electoral districts. Then effective representation is guaranteed to the minority, and voter parity is provided to the majority.

Let me give you an example of how the two principles of effective representation and voter parity, as established by the courts, could be implemented by the commission. Bulkley Valley–Stikine could continue to exist as it is with its large geographical area and low population, ensuring effective representation for voters in this sparsely populated electoral district.

In fast-growing Surrey.... My constituency of Surrey–Green Timbers, with relatively slow growth, and the adjacent constituency of my colleague from Surrey–Tynehead with faster growth, could have the boundaries adjusted to result in relatively equal populations that would give voters in those two constituencies voter parity.

Let's agree to truly protect the rights of the minority who live and work in sparsely populated areas by enshrining their rights in law, but let us also work together to prevent the erosion of that right to effective representation.

We need to make sure that those 17 minority voices are not overwhelmed and diminished by yet more voices speaking for the majority. In British Columbia, under the current electoral map, citizens are not — they are not — underrepresented. MLAs in this House represent an average of 52,069 citizens. In Quebec the average is 60,369 per elected representative. In Ontario MLAs represent an average of over twice that of ours, at 113,648 constituents.

As the third most populous province, there is no need to reduce the average number of citizens per MLA. Compared to Quebec and Ontario, our citizens are already overrepresented. Surely each one of us in this House can do as good a job as those representatives back east. Add eight more MLAs, and your citizen-to-MLA drops to 45,783.

The Electoral Boundaries Commission in 1998 had to contend with a 28.9-percent increase in population — that was 835,223 people — and only added four seats. This commission is facing a 10.4-percent increase

of 388,987 people, so they should be able to manage this relatively modest growth without adding more seats.

[1620]

In my constituency of Surrey–Green Timbers I do not hear a demand for more MLAs. In the north, the Cariboo and the Kootenays, citizens are only asking that their representation be preserved. As MLAs, we have an obligation to respond to citizens' demands in all regions.

Each MLA in this House comes in at significant public expense. It's estimated that the cost per MLA was \$618,000, and this figure will rise to \$735,000 with the recent increase in MLA compensation. At this price, we must ask if adding eight more MLAs is really the best use of taxpayers' dollars. All of us — citizens in small, remote communities; citizens in densely populated neighbourhoods; and their representatives, the MLAs in the House — should be satisfied that a 79-seat Legislature provides for effective representation and voter parity.

The final conundrum that we have to face is that the B.C. Legislature does not sit frequently enough to justify adding eight more MLAs. Last year the government cancelled the fall sitting, because they said there wasn't enough business to justify calling the House back. There was only enough work to keep the House busy for four or five months of the year, so why in the world would we need more MLAs?

There must be a reason for this bill that is hidden behind the curtain. Like the Wizard of Oz, there is someone putting up a smokescreen and making loud noises to divert attention from what is really happening to what is being said. I don't think it's fair to the people of the north to give with one hand and take away with another. The electoral process has not been interfered with by a sitting government and a Premier since "Gracie's finger" over 40 years ago.

When you start giving hard numbers to the commission, as this bill describes, you're into it. You're into a gerrymander that is designed to benefit those in power. My father once told me: "You are always straight with your friends." By pretending to be what it is not and by interfering with the commission's work, this government has betrayed us all. We should not in good conscience support this bill.

S. Fraser: I stand today and am honoured to speak to Bill 39. I will be speaking against the bill, for basic reasons of democracy.

As we know, Bill 39 is an attempt to interfere with an independent commission's report and the good work that commission was mandated to do by this House, by both sides of this House, to address the potentially necessary changes that come about with changes in population, demographics and that sort of thing.

Their job was a challenging one, hon. Speaker. They were given a fairly tight time line. Of course, the members of that board had to be picked by this House. There had to be an assurance, for democracy, of total independence and objectivity. Indeed, democracy is only as democratic as its process will allow.

[1625]

The voting process is a difficult one in many jurisdictions, but the sanctity of a constituency as an objective entity that's representative of a population and the ability to represent that constituency must be arrived at in a way that is above reproach and above any appearance of political interference.

This bill is essentially a bill where the Premier has interfered with that independent commission. So it is unsupportable by anyone who supports democracy, and that's what this House is. The bill actually makes a mockery of democracy with the addition of eight new politicians under the cloak — under the guise, if you will — of protecting rural representation.

I recall going to a magic act as a child. I remember seeing this act, and it was the part that all of us kids were happy to see. It's when they kind of showed you the tricks of the trade. The magician would hold up and show something very obvious with one hand, but the real action, the real event, was happening down here in a much more concealed way.

[H. Bloy in the chair.]

So "rural representation must be protected" is the obvious piece of that sleight of hand. At the same time, where I have a problem with this bill is the change of mandate for the objective, independent commission: to increase to a specific number the number of seats from a previous mandate. It is an overt attempt to influence the work of an objective commission that has done a lot of work.

The commission, I believe, spent about 18 months. I know they traveled to Alberni-Qualicum. I was at a public meeting in Port Alberni. They heard lots of information from a lot of people concerned about how the boundaries would most affect them if there were changes made; how they'd like to see those changes made so they wouldn't lose, maybe, what they thought of as representation now; fears that the process might somehow leave them out and remove representation from them. That, indeed, was the purpose of those trips to communities all across the province.

The commission listened and came up with a report based on a specific mandate that came from this House, from both sides of this House. It was not a cheap event. I think this 18-month event cost between \$3 million and \$4 million, the last time I looked.

Having the report come forward in an objective and apolitical forum was critical, and that's what we got. We got some pretty glossy-looking stuff; we got CDs. We got the result of the public process, which was done at arm's length, and it was scrapped for a new mandate, where one person — the Premier, in this case — changed the mandate without any consultation here except for what we're doing right now. So I guess the process is working.

However, this should be a consensus. This shouldn't be a vote. This should be a consensus. No one should be able to arbitrarily change the mandate of an independent commission because they happen to be in power.

Indeed, that has happened before. I looked this up in the *American Heritage Dictionary*: "gerrymander." I had to look the spelling of it, but it's with a "g."

D. Jarvis: That's American.

S. Fraser: Understood, but actually the term originally derived in the States, and I can touch on that, too, if the member across wishes me to. It actually was originally a hard "g," but it is considered now gerrymandering or gerrymander. Gerrymander, I might note, can be a noun or a verb, depending on how you use the word.

[1630]

There are a number of definitions, but they're all fairly close:

"To change the boundaries of legislative districts to favour one party over another. Typically the dominant party in a state legislature, which is responsible for drawing the boundaries of congressional districts" — obviously, American here — "will try to concentrate the opposing party's strength in as few districts as possible while giving itself likely majorities in as many districts as possible."

Actually, that is the definition of what is happening here with Bill 39. It is, if I'm using the term correctly, a gerrymander. It is the dilution of representation for one side and the increase of chances of a win for the other side. Being the majority, obviously, the government side has the ability, apparently, to push this through.

I must note that the term was actually.... It's been used to describe this sort of thing happening all over the world. Indeed, the UN has sent independent parties into war-torn areas that are attempting to come back into some form of democracy to ensure that the gerrymander does not occur there either.

Especially in a new democracy, it's one thing to have a vote. That can be a challenging thing that it's done without intimidation and objectively and fairly so that it incorporates everyone and where everyone gets a fair chance to cast their ballot. But that cannot happen if the deck, if you will, is stacked previously. I don't always mean to go to the sleight-of-hand analogy, but it is appropriate here.

I note that gerrymandering has significant effects on the representation received by voters in gerrymandered districts. Gerrymandering is also designed to increase the number of wasted votes among the electorate.

Certainly, when this sort of thing happens — and we saw it, as was mentioned by quite a number of members here who have already spoken; it was called "Gracie's finger" at the time — it undermines the very fabric of democracy. In this day and age all of us in this House, I think, are striving to increase the franchise-ment, to ensure that those that are disenfranchised or who feel disenfranchised from the electoral process will actually come out to the polls, will take an active role and be part of democracy in action in British Columbia. British Columbians deserve that.

When there's doubt cast on the process, it brings into doubt in many people's minds the whole.... Why bother to go out and vote? It's already fixed. It was fixed in Bill 39. We had a chance to amend an electoral

process, which should happen every ten years or so, in a way that should be done objectively. I must say that the necessity for this sort of process to be done objectively has been noted around the world.

I notice that in Wikipedia in this case it says: "Due to myriad issues associated with gerrymandering and the subsequent impact it has on competitive elections and democratic accountability, numerous countries have enacted reforms, making the practice either more difficult or less effective. Countries such as the U.K., Australia, Canada and most of Europe have moved the responsibility of drawing constituency boundaries to neutral or cross-party bodies."

The attempt was certainly made here in B.C., and the attempt is attempted to be thwarted right now through Bill 39. Anyone interested in the history of this electoral gerrymandering should look this stuff up.

Certainly, we in this House — all sides of the House, all members — must be very aware that any attempt to change the objective nature of this independent body is at the peril of democracy itself in this province and must be fought against by all members in this House. I urge all members....

[1635]

After hearing me speak today, I'm sure that both sides of the House will now vote against this very dangerous precedent. It is a precedent, this bill, and that is the perspective that most people have in the province, including members of the media and the press who have certainly.... The warning flags are up all over the place on this one.

The member across was referring to some of the history on this that I raised, and that it was an American definition I used when I looked up gerrymandering. But it was in the 1800s that the term was derived. Gerry was actually a name of a Governor involved, I believe, who changed the boundaries to ensure a win or to increase the chances of a win for himself or his side.

The "mandering" part.... The root for that is actually salamander, which for those who don't know, is an amphibian. It's a little beast. The critter sort of lives in the pond scum and has an interesting life. I had one as a pet when I was a child. They're a slippery little critter, and you have to watch out for them.

I really think that that "mander" part wasn't just the shape. The salamander was originally supposedly the shape of the constituency that was formed — the anomalous shape. I think it's not referring just to that. I think the slippery nature of the beast itself is metaphorical when you're looking at Bill 39.

This is a slippery attempt, in an amphibious way — very low, bottom-feeder way — of actually messing with democracy in this province. I mean, gerrymandering could have been any kind of "mandering." In Ireland there was an issue with James Tully. He attempted to arrange constituencies to ensure that the governing party at the time would win a majority in parliament.

Now in Ireland it became known as "Tullymandering." So you can pretty much put in any word. You could go "Gordymandering." You could pretty much put in.... History will change that. They didn't call it

Tullymandering in Ireland at the time. After the fact, the history books recognized it as Tullymandering, as they did in the States in the 1800s, where it was known as gerrymandering — to gerrymander would be the verb or the noun. It could be either in that case.

D. Thorne: A gerrymanderer.

S. Fraser: Gerrymanderer would be a noun also, but that would be the person engaged in the gerrymandering.

The bill isn't supportable in the most fundamental way. It does a disservice to the electorate. It does a disservice to this place. And it certainly does a disservice, I believe, to the Premier for even suggesting, in the form of a bill, that because he did not like the lay of the land, so to speak, that the objective committee put forward, to look for an opportunity to do the gerrymander — or to gerrymander; you can do it either way — under the guise of protecting rural seats.

Now, of course, we on this side have always spoken to protect rural seats. We've been great advocates for ensuring that the great discrepancies that happen between representation in this House between urban and rural are addressed. I know that in my constituency I heard loud and clear that many felt disenfranchised, that big urban centres were getting a disproportionate amount of representation — in the sense that their issues were not heard.

We on this side of the House have worked to address that. We certainly made it clear to the commission that we didn't want to see that increase.

You can argue that we must protect those rural seats. Indeed, we on this side of the House have said that, but that shouldn't be used as an excuse to do the gerrymander, which is exactly what has happened in this case.

[1640]

The increase in.... Well, in this case, it will necessarily be urban seats. That great increase will disproportionately outweigh any protection of rural representation that would happen by protecting the three rural seats.

I referred before to that sleight of hand — the speakers have changed — showing the one thing and going, "Protect the rural seats," while the real action is happening down here. That sleight of hand can be very effective. Certainly, if you say things loud enough, people might not hear the quiet voices. We're not necessarily quiet on this side of the House, but we are fewer in numbers. So it's difficult to have the volume that some of the very booming voices sometimes have on that side of the House.

We represent maybe a minority in this House, but we represent the majority of British Columbians. We are insisting that the sanctity of the electoral process and the objectivity of the commission — mandated to be objective and apolitical — remain so. That cannot happen in reality and, certainly, not in perception if the Premier can use his majority to unilaterally change a mandate of an independent commission, whose mandate was mandated by both sides of this House through consensus. The consensus is necessary.

We should not need to call the United Nations. They shouldn't have to fly in, in helicopters, to go: "Uh-oh, we've seen a travesty of democracy occurring internationally in the district known as British Columbia in the year 2007."

It was 18 months of objective work. In 18 months the commission had put together a comprehensive report based on public process that was done objectively, mandated by this place. It was recognized internationally that it has to be done objectively. If it's not, if there's political interference, it is gerrymandering.

That has been a process that all democracies have sought to squash — the gerrymander. That should never happen. To actually go in and have the Premier bring forward a bill that interferes with that objective democratic process — that most fundamentally democratic, objective process — I think brings shame to this House.

Every one of us should stand up and fight this bill for the simple reason that in reality and in perception this is a gerrymander. This bill has been unduly influenced for political reasons of a basic political process. I note that the process now.... If it goes back to the drawing table, it means that the public process fails also.

The 18 months that were put into this are now gone. With a new mandate, there can be no assumptions made that the process that preceded it will be valid or germane any longer, considering there's been a new mandate — not brought forward by this House but a new mandate brought forward by the Premier. Considering the time lines before the next election, the chances of this getting full public process, an absolutely essential part of consultation with the people of B.C. affected in the most fundamental way.... That public process can't happen. That consultation process cannot happen.

[1645]

That little amphibious beast is a scary thing, not in nature, but in this instance. If we allow the passage of Bill 39, we will be saying that the sanctity of democracy in this province is of no import to this House. We are mandated, if for nothing else, in this House to protect that democratic process.

I'm appalled that members of this House can't see that or won't see that or want to gerrymander the process for selfish reasons, to ensure — not democracy — that one side of the House has the advantage over the other, not out of merit or perception but by changing an objective process that is the basis for our democratic vote in this province.

If this bill passes, we will not have the time for a public process before the next election. If we do not have adequate consultation, then not only will the boundaries be gerrymandered; they will be lacking in the basic public consultation needed to derive those boundaries. So it flaws the entire process.

Interjection.

S. Fraser: I'm sensing that the government members are coming around. I think my metaphor of the amphibian, the salamander analogy, has rung true. The slippery little beast has to be put back in its terrarium.

It's a fine thing contained, but in Bill 39, it is a threat to democracy — an amphibious threat, a slippery threat, if you will. And slippery it is to suggest that we're doing this to protect a few rural seats.

No, no. We can protect those rural seats. We must. Eight seats out of the sleight of hand on this side. This is a slippery activity, becoming of the little slippery critter, the amphibian that I was referring to, the mander — gerrymander, Tullymander, Gordymander. It doesn't matter which one you use.

The history books assign this retroactively. They look back after it happens. We've all heard of "Gracie's finger." Everyone in this House knows that, even though it predates many of our political involvement.

D. Thorne: Graciemander.

S. Fraser: Graciemandering? Could be. That could be a term. I think the hon. member next to me has coined a phrase that might stick too.

But no one, I would suggest, wants to go down in the history books with their moniker associated with the little slippery beast at the back end of that. You don't want to do it. Nobody wants to be a mander, and I mean that with no disrespect to amphibians in any way.

Interjection.

S. Fraser: What's that?

Deputy Speaker: Please direct all your comments through the Chair.

S. Fraser: I actually have the information that the member is looking for. It was May 12, 1813. Yeah, that's the inception of the word "gerry." Gerry was the governor in Massachusetts. But I mentioned the Tullymander, and Tully was an Irish politician. So they are interchangeable, but I would note that neither the gerrymander or the Tullymander — or the Graciemander, I suppose.... Those names, those titles are not assigned until after it's done.

[1650]

It's too late after it's done. It's already in the history books, and the effects are damaging. It's damaging to democracy. It's dictating from a political position to a supposedly objective body, which must be objective if democracy is to survive.

I believe my half-hour is up. With that, I would sit....

Interjections.

S. Fraser: I will continue. My watch is a little bit slow.

Interjection.

S. Fraser: Okay. I appreciate that.

Interjection.

S. Fraser: Weasels? No, this is different.

Interjections.

Deputy Speaker: Members, please allow the member who has the floor to carry on with his presentation.

S. Fraser: I note that the commission itself... I'll quote the goals: independence, transparency and accessibility. They just had that rug pulled out from under them.

Independence — they just lost it. The independence was achieved when this House, through consensus, gave them a mandate. The mandate was an objective one, and it was a mandate that was, by necessity, apolitical.

Independence is gone when the leader of the province, the Premier of the province, throws out their 18 months of work, all of the consultation that that entailed and all of the people that braved the elements to come and talk to those at that commission. They were all slapped in the face. The independence is gone because the Premier unilaterally is changing the mandate under Bill 39.

Their other goal is transparency. That transparency is gone. We've seen a sleight of hand. The commission would never have said: "Well, we want to protect the rural seats, but we're going to increase by eight on the other side." They would have been pulled out of their role as a commission.

Their whole reason for being... Their goals are independence, transparency and accessibility, which brings me to the accessibility. All of the public process that happened, including the... Right now we should be going through the public review of their great work. All of that has gone out the window.

The fall review by the public has been cancelled, and the time allotted to complete this new mandate is woefully lacking and insufficient for meaningful public consultation. This gerrymander threw the fourth goal of the commission out.

I wonder, in the rewrite of this mandate from the commission... This is right from the website. This is the commission's role. This is a legislative role. "Our goals are independence, transparency and accessibility."

Does that mean that the Premier, through Bill 39, gets to erase...?

Deputy Speaker: Thank you, Member.

R. Sultan: I seek leave to make an introduction.

Deputy Speaker: Proceed.

Introductions by Members

R. Sultan: We have in the galleries this afternoon a very distinguished gentleman. Just to give you a run-down of how distinguished he is, he's a partner with a major downtown accounting firm; former chief financial officer of SkyTrain, which came in on time, on budget; chief financial officer of ICBC; a fellow of the Institute of Chartered Accountants; an expert at trial law; a great harasser of the party now in opposition

through tricks of various types; a pal of Margaret Birrell of the Coalition of People with Disabilities; a great ballroom dancer; and president of my riding association in West Vancouver-Capilano.

[1655]

He has also communicated to me with his codes and by displaying his ability to analyze riding boundaries, in which he is truly an expert, that the bill being debated today really has nothing at all to do with gerrymandering, because the commission has not even reported in. Certainly, I think the commission would find offensive the idea that they are being told what to do by the Premier's office.

Having said that, I would hope that the House would welcome a distinguished British Columbian, Gordon Adair.

Debate Continued

R. Fleming: I rise today to speak to Bill 39, legislation that was introduced, of course, by the Attorney General a few weeks ago. I think that clearly, we all know it was masterminded, because of the intentions and because he was the lead spokesperson for it in the fall, by the Premier of the province.

I look forward to hearing remarks from that side about the campaign being run out of the Premier's office that is responsible for this legislation and responsible for where we are today in the boundary redistribution process, which is a place where we will have no hearings.

Go to the website. Basically, they say: "We've shut down. Welcome to our website. There are no hearings. They're all cancelled."

I'm looking forward to hearing, perhaps, from the Attorney General but in particular from the Premier how we arrived at 87, because that's the central issue that is most contentious here. That's the issue which members of the public, concerned citizens and editorialist pundits have zeroed in on as being problematic — as constituting political interference by the governing party, as being the place where the process for the commission to do its work was sabotaged by the government.

Of course, there's a different rationale offered as to why the government drafted and submitted Bill 39 in this session. The official version is that this bill is designed to protect rural representation. But in reality, it really attempts to channel, to constrain — to straitjacket, if you will — the independent Boundaries Commission by eliminating its ability to make an independent recommendation on the size of the Legislature.

It mandates that it has to be 87 — will be, must, shall. There's no discrepancy at all. It's unprecedented in the history of commissions in this province since we began, not that many decades ago, getting legislators out of the business of drawing maps and gave it to an independent commission.

We're now back in a place where, through subterfuge and legislation like this, we are constraining the ability of the commission to truly act independently and to be independent only in name. The hand of politics is now pulling the string of boundary redistri-

bution in British Columbia again. That's why the opposition is concerned, and that's why the public is concerned about the implications of Bill 39.

There are a number of people who have zeroed in on the calculation behind what was an outrageous and very bold move but very dangerous move made by the Premier just a couple of months ago. The concern is that naked political self-interest is the real reason why this legislation was proposed and introduced here.

There has obviously been some number crunching done here. There is some kind of logarithmic explanation for why 87 has been chosen. There has to be, because only a couple years ago in this very House both parties agreed on giving the commission a terms of reference that had the flexibility to recommend up to 85 seats, no fewer than 79. Here we are — when the commission should be submitting its final report, when it has already submitted its draft report to the people of British Columbia — depriving citizens of being able to participate in that process.

[1700]

As the member for Malahat-Juan de Fuca said, we've got a \$4 million map that was the subject of careful deliberations and consultation with people across the province, that was then going to go to the next stage of consultation, public meetings, and that has been thrown in the garbage. Now we have one person speaking for government, for the governing caucus, deciding in this bill that you must have 87 seats. I don't know how difficult it is to understand what a fundamental breach that is of the legislation and the all-party agreement that we had several years ago for the commission to do its work.

That is at the heart of the definition of independence. It's about politicians getting out of the way, letting experts decide based on consulting with voters — not politicians — and looking at how the province has evolved and grown and demographically changed in the intervening years. That is the way that decisions ought to be made — not in this place.

For sure, the government is going to pretend that hey, they're still independent. But the more and more you lock down the options, flexibility and ability to do the job and focus them in on a number and what they can and cannot do.... That ties the hand of the commission from doing its work. That is the antithesis of independence.

Another point that's being made very well both inside and outside of this chamber is that British Columbians are very mindful that democracy is a system they fully support. It's a strong and enduring system of government that we've enjoyed for many years. Members were speaking earlier today about the 150th anniversary, formerly celebrated as Douglas Day, of the colony of British Columbia.

We had to wait another century before we achieved democracy, and we had to wait several decades after that before democracy was meaningful for all citizens of B.C. But we have had that system. We've gone to war for that system, in fact. We've defended that system for many years, and we're into a new century now.

I think there is an understanding that democracy is something that can never be taken for granted. In fact,

while it is a strong system and is ingrained in the cultural values of the people of British Columbia and Canada, it is, here and throughout the world, a fragile system that relies on checks and balances, on compromises to be made and on independent institutions of parliament reporting back to parliament and independently doing their work.

That is a strength of the system. Take that away, and you make democracy vulnerable. You make power centralized. You remove checks and balances. You remove the ability of ordinary citizens to in fact have control over the system that is designed with their interests in mind and is supposed to rest final power with them. Fix the map, and you have assaulted democracy.

We have to approach Bill 39 with great caution. I'm a little disturbed that we're this late in the session. The government decided that it wanted to cut the fixed sitting dates by two weeks. We have six sitting days left as of tomorrow. There are a couple of hours left on the clock today. We're debating Bill 39 with that little calendar time allocated to it.

That is a disturbing situation because this debate does deserve caution. There is potentially a very, very dangerous precedent being set with this legislation. We have to make sure that this bill in fact does not cross those lines that I've just outlined — no pun intended; I know we're talking about boundaries — the line between the checks and balances as we have them, the line between political interference in an independent institution that's supposed to be doing its job. I think it does cross that line.

As a Commonwealth nation and a Westminster parliamentary institution, we have evolved. We have strengthened our democracy over the years. When we add and modernize the Westminster system.... This is one of the great things about it, although it's often seen as a small "c" conservative institution. One of the great strengths of parliamentary democracy is evidenced in Canada's evolution as we've added legislation that protects citizens.

[1705]

The institutions of the parliament itself have changed. They have come to better reflect a principle of fairness in many cases. They've done that by limiting or prescribing political control over a number of key areas in the system.

The strongest innovation — and we had to wait until 1975 in this province to adopt what had been done in many other Commonwealth jurisdictions — is the creation and the strengthening, through specific acts, of independent officers of the Legislature.

I mention 1975 because that was considered a watershed event — perhaps it was 1976; I may be incorrect here — when the Auditor General Act was introduced for the first time. It has been amended a number of times since to strengthen it, but that office was created. When it came to the public's confidence that financial reporting was indeed independent.... It wasn't just government saying that its budgets and the way it spent tax dollars was fair and well reflected; it was an independent set of eyes and examination that

that was, in fact, the case. That was a major advance in our democratic system.

The same rationale exists for why we created an independent commission only a couple of decades ago. It was so that politicians themselves get away from this spectacle where politicians are making the final determination of which members or which former members and what their boundaries are going to look like....

We don't allow politicians in this chamber to conduct a review and make a final determination as to whether, if a member may have been accused of being in a conflict of interest, that is true and proven to be the case. We have an independent officer to do that. I think the same is true when it comes to having confidence and genuine public input that is meaningful and unbiased and that is actually reflected not out of a sense of political interest but out of a sense of public interest, geographical interest, diversity and all of those other things that may be at play. That is why we delegate that responsibility to an independent commission on electoral boundaries.

You know, the United States has never gotten it. They've never gotten out of the "business" of their own boundary-making. Their legislatures still do it to this day, and it is an unbelievable mess in that country. Gerrymandering is so strengthened and ingrained in the political system in the United States that it is undoubtedly probably the biggest contributor to why voter turnout in American elections is in some cases 30 or 40 points lower than it is in Atlantic democracies.

It stems from gerrymandering. It stems from a sense that the fix is in and that politicians have stood in hallowed chambers like this and decided in their own naked self-interest what their boundaries will look like and what their constituencies will look like. There is plenty of information and egregious examples in states from all parts of that country that would demonstrate exactly what I'm talking about — I mean, just the most unimaginable boundaries.

I think many social scientists would say that America is a more divided society than we are. They have a different official policy around immigration and culture, for sure. When you have a gerrymandered political system, you also entrench and exacerbate tensions around a term that is frequently used in the United States: ghettoized politics. Based on their class, income and ethnicity, you have people put into electoral districts by politicians for their interests and to the exclusion of others so that those seats are more winnable for one party to the disadvantage of another.

You know, the dirty secret in the United States is that gerrymandering is something that is decided in back rooms by both parties. If you want to see bipartisan cooperation, the trade-offs and the compromises certainly come when it comes to preserving electability and self-interest at the expense of competitive elections in the United States.

[1710]

Now, the United States has never gotten past another key factor that is eroding voter confidence in that system, too, and that's big money in politics. I do note in passing that this issue is at least as significant as

gerrymandering in the United States. I note it in passing because this Liberal government has also opposed steadfastly any attempts at, any suggestions of campaign finance reform.

They rejected it when it was done by Prime Minister Chrétien federally. They rejected it when other western provinces like Manitoba proposed limits to campaign finance reform as a means to empower ordinary citizens and to increase their influence over the political process by diminishing the influence of big money. That government opposes it every step of the way, and it's unfortunate that they continue to do so.

While they share the United States' view or the prevailing culture on big campaign finance money in the political system, I think we're starting to see the creeping influence of U.S. gerrymandering in the political culture as well. They're moving the Legislature back into the game of setting boundaries.

This Bill 39 is the most prescriptive piece of legislation that one can imagine for an independent commission because it zeroes in and says that you must create 87 ridings. I don't know where that number comes from, but it's certainly being suggested out there that 87 has been run by the governing party through some kind of system very carefully, probably out of a special task force in the Premier's office at party headquarters in Richmond or somewhere.

That 87 number was never in the original legislation that set the terms for the Boundaries Commission, which was 79 to 85. All of a sudden 87 crops up. Now it's not even "up to 87." It is 87. It shall be 87. It is 87 now, and it will end as 87.

It's unbelievable that the government has tried to constrain an independent commission in its ability. One of the most important recommendations it will make is the number of seats. They will make it on the basis of many, many inputs from every region in this province.

Just as citizens were beginning to reflect on and make comments about the draft map, the preliminary report which has been tossed into the bin, they are now unable to participate at all. Hearings are cancelled — dozens of them. We only had two. One of them was a rally. I don't even know if we can call it a hearing.

It's interesting to note, too, that if you would like to participate in the Electoral Boundaries Commission now — you're an average citizen; you have a particular interest; there may have been a recommendation in the preliminary report that you have an opinion about — you can't make a submission. While the whole process — the part 2 process where the public gets to reflect upon what was recommended by the commission — has been derailed by Bill 39, this government, the Premier's intervention and the politicization of the boundary process, the public has missed its chance to have any say.

The deadline was November 19. That's what's advertised on the Electoral Boundaries Commission site. If you try and submit a written application on the form that is on that site, you've missed your chance, as of yesterday.

Here we have, at this point in the process, the government now inserting how many seats will be created

and shutting the public out of participating through hearings and written submissions to the process. That's wrong. I don't know exactly how we got here or what made the Premier think that he could get away with it without any kind of comment or without thinking that anyone would notice. But I tell you that we are entering a very, very dangerous place with Bill 39, Mr. Speaker.

We created an independent commission out of "Gracie's finger" and all the other shenanigans that were going on in the 1980s. We set a course, finally.... There was a great political price that motivated the government of the day to agree to an independent commission. Just as we did that, we also strengthened another partner in elections in this province and in how they're conducted by strengthening the legislation and the resources available to Elections B.C.

[1715]

Elections B.C., of course, administers the elections. They do a great job and a great service to this province. I think members of this chamber are very familiar with them through annual reports to this assembly and, of course, through their experiences as candidates and in other ways that they've interacted with Elections B.C.

There is a strong affinity and confidence amongst the public in B.C. that Elections B.C. is truly independent. They are capable administrators, and there is a corresponding trust factor with Elections B.C., as there is with Elections Canada.

Linked but separated from Elections B.C. is the Electoral Boundaries Commission. This is a very important tandem partnership and relationship that is linked — obviously, they have to coordinate with one another — but is separate. There's a good reason to keep the commission separate from Elections B.C. That is because if the Boundaries Commission's recommendations are in any way controversial.... There was some controversy with this 81-seat map and how it proposed to change the boundaries in the province.

Before that controversy was able to be mitigated by public feedback and by the process of hearings that was set out, that was changed by this government. It's kept separate from Elections B.C. so that when there is controversy arising from boundary changes, it doesn't reflect back on Elections B.C. That trust is preserved so that its independence is safe and secure, because it has to administer every four years efficient, free and fair elections.

This bill makes changes to the Electoral Boundaries Commission acts that compel the Electoral Boundaries Commission to add eight seats to the assembly. In addition, there's section 4 of the bill. It's made not even as an amendment to the act but as a stand-alone statute that gives direction to the current commission to make — it must make — new recommendations to protect rural representation and give growing urban areas more seats.

A number of my colleagues have spoken earlier today about the meaninglessness of this rationale that the Premier has offered about his motives being for restoring rural representation, because it is now

subsumed and overtaken by the addition of eight urban seats. That's a very strong point. How can you say, on the one hand, that you're preserving rural representation, when you're diluting the rural representation in this chamber by adding eight more urban seats? It makes no sense.

It certainly isn't a strong enough reason to wade in and to outrageously interfere with the commission in mid-process, change its terms of reference, throw this whole process into disrepute, derail it, politicize it. Saving three and then diluting with eight is not a good enough reason to do that. It's no reason at all.

Listen, the interruption of the commission's hearings, the political involvement now of the Premier in this process, has also been a waste of taxpayers' money. It has undermined the work of the independent Boundaries Commission.

If the government had actually been interested in protecting rural representation, it's interesting that they didn't do this prior to their preliminary report. It's very interesting that this came after a map was produced and everybody was able to digest and have a good look at how they might fare, using previous election results, under a new system.

[1720]

What's even more interesting is that even though this weak rationale of protecting rural representation, which is now totally subsumed to more urban seats that drown out that assertion anyway.... What's even more interesting in this shallow veneer of an interest in protecting rural representation is that the commission in future isn't even bound to protect rural representation. So we're not enshrining this as a sacrosanct principle of how boundary commissions do their work for all time. This is a one-shot deal to fix the map for the next two elections in today's interest of the governing party. That's what's so shocking about the real rationale behind Bill 39.

Adding eight new politicians to the Legislature. I think it's been said best probably by ordinary British Columbians on the open-air shows of the province and other participative media that nobody is asking for this, and nobody has. I certainly haven't heard it in my area. I know that I haven't seen any members of the government side come in here with huge stacks of petitions from their constituents petitioning the Legislative Assembly to add eight more politicians. It's not reflective of the sentiment out there — in fact, quite the opposite.

British Columbians are aware of the cost of doing that. They don't feel that 79 seats or 81 seats are too few. The Premier — and I know he's masterminding the introduction and the pushing through of this bill — can't say that he has heard that from any ordinary British Columbian without being less than truthful.

So where does it come from? That's the real question. Where does the number 87 come from? I'd like to know if it's from the Richmond headquarters of the party or whether it's from the Premier's office or what research was conducted to arrive at that magic number. It's something that has never been debated or discussed in the years that it took to pass the legislation

that governed the work of this commission. It's something that did not come out of any of the public hearings that began before the preliminary draft report was submitted.

I did take a good look at some of the minutes of the meetings. In every part of the province, if there was one thing consistent from those people who came out and spoke as to what they would like to see in a potential boundary redistribution, nobody said they wanted eight more politicians or 12 percent more seats in this place. It just didn't happen. It doesn't matter whether you're talking about Prince George, Victoria or the Okanagan region. Nobody was saying that.

That number comes from somewhere. It doesn't come from the public. It didn't come from the Boundaries Commission. They recommended 81, let's recall. If the Premier was interested in saving just three seats, then maybe he would have directed the Boundaries Commission to go to 84. But I guess that wasn't the break-point number that the Liberal Party was looking for.

So where does 87 come from? I wonder if tax dollars subsidized that research. That would be really interesting. It's bad enough that the political interference is coming in this way in Bill 39. It would be interesting to know whether there were resources to fix the election in favour of the governing party coming from the taxpayers themselves. That would just make it even more outrageous.

The point I was making earlier about rural representation being the cover, the guise, under which this bill is submitted to this assembly and to the public and how thin that is.... First of all, they're drowning out those seats with urban and suburban seats that are disproportionately in greater numbers than the three seats that they purport to give back to rural areas.

But actions speak just as loudly. As I've said, they didn't even use this opportunity which is breaking into the work of the commission mid-process. They didn't even use that to make a stronger statement, which was to enshrine a principle of rural representation for future commissions. It's a one-shot deal. I think that says a lot as well.

There aren't a lot of examples of governments doing this kind of thing, and that's a good thing. That means that the fear and the political price of interfering in independent processes — the price that has to be paid by a governing party that would do something like that — are obviously keeping them in check from doing it. But there was one example that I could read about that was quite recent, and that was in 2006.

[1725]

There was a controversy that arose in Prince Edward Island over the government's decision to, similarly to this Liberal government, throw out an electoral map that was drawn by an independent commission. Instead, they designed two new maps. The third, which was designed by the caucus of the governing party, was the one that was eventually adopted.

It would be interesting to know — I don't know if any caucus member would like to divulge this — whether there was a war room that got together and drew up a map that arrived at 87 as the optimum

number and whether this was a caucus operation. I've said it was the Premier, but....

Deputy Speaker: Thank you for your presentation, Member.

R. Fleming: I oppose Bill 39 and look forward to committee stage debate.

R. Sultan: I seek leave, Chair, for another introduction.

Leave granted.

Introductions by Members

R. Sultan: I made a great omission a moment ago when I introduced Gordon Adair and overlooked his companion in the gallery, who has recently been nominated as poster girl for ActNow — a very fit, physically active and bright 90-year-old lady, who is Gordon's mother. Will the House please make Betsy Adair welcome.

Debate Continued

J. Brar: I also rise to join my voice with the other members of this House on this side to oppose Bill 39, the Electoral Boundaries Commission Amendment Act, 2007.

About 20 months ago this House passed a bill to allow the independent commission at that time to go out, review the existing boundaries and come up with a proposal about new boundaries. The directions were given by this House to the independent commission to add up to six more seats. I repeat — up to six more seats. There was no mandatory requirement to the commission to add six seats. The commission was independent to make a decision after collecting all the information from the people of British Columbia and after doing the research.

The commission went out after the mandate was given and conducted public meetings in almost every part of the province, where a lot of people came and gave their input into the process. The commission also went out and asked people to submit written submissions, if people wanted to do that. A lot of people, of course, made written submissions, and I've seen a lot of them.

In addition to that, the commission also did a lot of independent research before the commission came up with a number of recommendations in terms of population, trends of population, demographics, different areas and all that. After doing that work — it took 18 long months — commission members did everything possible to do their work and to come back with recommendations, which are done after doing everything possible they could do under the mandate.

The commission came back with recommendations to add five new seats in the growth areas. The majority of those growth areas were in the urban areas, of course. Given the directions by this House at that time and the limitation of the commission based on those directions, the commission eliminated three seats in the rural areas.

Overall, it's important to note that the commission made a decision to add only two more seats in this House, from 79 to 81 — only two more seats.

[1730]

A couple of points I want to highlight. One is that this process took 18 months. I think it was very important to conduct all those activities which the commission went through and spent their time on, which was 18 months, so that we had input from almost every part of the province and from everyone who wanted to provide input.

The second thing I want to say is that that work was done by an independent commission based on the overall global directions given by this House. That work was done by an independent commission, not under the direction of any individual or any Premier.

Finally, the report was presented to this House. After looking at the report, people of B.C., particularly the rural areas, were concerned about the elimination of three seats in the rural areas. Of course, people should be concerned about that, because the ultimate impact of that was that that was going to weaken the representation of rural areas in this House. So there were a lot of people speaking about this, and the opposition stood up. We also spoke about that, whereas we saw the government at that time just being silent on that issue.

We went through that whole process. The process was completed. There were some gaps identified by the people of British Columbia. There were ways to fix just those gaps, and that was what the people of B.C. wanted. That was what the opposition at that time said should be done, because we want to make sure that the people of the rural areas have a strong voice in this House, so that their issues are heard in this House.

But when we talk about Bill 39, we're back to square one. It is not about fixing the issue of rural representation, which is the intent. It was said by the Premier that this is what needed to be done.

[S. Hammell in the chair.]

But the intent of Bill 39 is not fixing the representation of rural areas. It's about achieving a hidden political agenda under the name of maintaining rural representation. That's what it is all about.

Madam Speaker, I would like to tell a story about this. The title of my story is "My Biggest Dream." That's the title. This Premier dreams almost every day about the opportunity that seems to be slipping away every day, inch by inch. The opportunity is to cut the ribbon of a big sports event called the Olympics. Every day the Premier, deep in his sleep, sees the tape rolling. It is certainly a beautiful dream, but it is just a dream. It's not a reality.

The dream starts with the opening of the Olympics ceremony. There are lots of colourful lights reflecting on the shining snow. There are young athletes from every part of the globe in that dream. There are artists dancing on the shining floor, and there are music and drums providing harmony and energy. Finally, the

time comes to cut the ribbon. The Premier rises from his seat and starts walking toward the ribbon. The dream ends before the ribbon is cut.

That was all beautiful, but it's gone. The dream is over. Now, the Premier thinks after waking up: "Will I be able to do it? I want to do it. Will I be able to do it? In order to do it, I must win the next election." That is the thought which comes to the Premier's mind, and that victory seems to be slipping away almost every day.

[1735]

The issue here is that there's a fear of losing the next election. There's a fear the Premier will not be able to cut the ribbon, which comes to his dream almost every day. It seems to the Premier that he is losing that opportunity, the beautiful opportunity he sees just in dreams, not in reality. So that's a problem.

Fear, inner conflict and a feeling of entitlement are the major causes behind Bill 39, not the representation of rural areas. Let me tell you why. First of all, Bill 39 asked for eight more MLAs in this House. The day the commission was in Surrey, I was there. There were close to 40 people who came to give their input to the commission. I heard nobody who wanted more politicians in this room.

I have spoken to a lot of people in my riding in the city of Surrey, and even out of the city of Surrey. I've spoken to a lot of people, to seniors, juniors, students, workers — many people. I haven't heard anyone that wants eight more politicians in this House — even the Premier.

At one time, when the Premier was in opposition, when there was no ribbon to cut.... At that time even the Premier was saying: "We will reduce the size of the Legislature from 75 to between 50 and 60." That was the Premier then, and now it is 87. It's a totally different thing.

The Premier continued to say: "People want fewer politicians, not more." This was said in the B.C. Liberal Party convention in Vancouver on November 18, 1995. Another quote from the Premier: "I have yet to have any British Columbian tell me the answer to our problem is more politicians." That was also the Premier in *The Vancouver Sun* on November 20, 1995.

So the Premier was thinking differently when he was in opposition, and now that the Premier is in power, the model changes, and the thinking totally changes. The Premier wants more and more politicians, but not the people of British Columbia. The people of British Columbia don't want more politicians.

Last spring the Premier gave himself and all MLAs a huge pay increase. Now the Premier wants to add eight more politicians to this House, and that will cost the people of British Columbia over \$4 million per year, plus other untold costs for renovations to this Legislature.

The people of British Columbia want that money to be spent on worthy causes. When I go out, what I hear from people is this: "No more politicians." People want to spend their money on pressing issues which are basically the creation of this government and the policies of this government.

The number one issue people want to spend their money on is to improve the situation on homelessness,

because homelessness in this province has doubled since this government took over — since 2001. Just in Vancouver the number of homeless people went from 1,100 to over 2,100 people homeless — in Vancouver alone.

The gap between the rich and poor is widening. At this point in time it's the highest in this province, as compared to other provinces.

[1740]

B.C. has the highest child poverty rates among all other provinces, and people want to spend that money to address those issues, not to bring more politicians to this House. The Premier of this province wants to bring in more politicians.

The other factor because of which I don't support this bill is that it is direct political interference into the independent functioning of the independent Electoral Boundaries Commission.

As I said earlier, in the previous bill we gave directions to the commission, both sides of the House, to add up to six more seats. There was a cause for that. There was a reason behind that. Up to six more seats means the commission has the independence to decide, based on the information the commission collected from the people of British Columbia, based on the research done by the commission and based on all the future projections that the commission got from the people of British Columbia. That was the standard at that time, and that has been the standard in the history of this Legislature.

Now that has changed. That was up to six seats, Madam Speaker. Now the Premier says that there must be eight more politicians. There must be eight more MLAs, and the commission has no choice but to add eight more MLAs. Nobody in British Columbia wants eight more MLAs. In fact, it is called gerrymandering.

I know there has been a lot of discussion about that, and people are asking what it means. It means, basically, as I understand it, that you want to draw the boundaries the way you want to draw them, rather than leaving that responsibility to the independent commission to do their job.

So the question is: why did this House unanimously give directions to the commission earlier, saying, "Up to six seats," and why is there a big change now? The Premier wants eight more politicians. Why? Why has that been changed? Who advised that? The people of British Columbia don't want that.

We would like to know. I think people on the other side, the members on the other side, still have an opportunity to explain why, and where the number eight — that there must be eight more MLAs — came from.

I think they have a responsibility to explain that to the people of British Columbia. It doesn't make sense to me, and it doesn't make sense to anybody. I heard from this side of the House. If that makes sense to those people, we need to know why it is important to have eight more politicians in B.C. when people don't want any more politicians.

The other factor because of which I oppose this bill is that this is going to, in fact, significantly weaken,

water down and dilute the rural representation in the Legislature. This is not going to improve in any way the voice of rural areas. On one side, this bill will allow three more seats to be added in the rural areas. On the other side, this will force the commission to add eight more politicians in the urban areas.

If you do the math, right now we have 23 MLAs, out of 79, in those areas which are defined as rural areas. When you go to 87, which the Premier wants, and keep those 23 seats, the percentage goes down from 28 percent to 26 percent.

[1745]

I don't know how it's going to improve the representation of rural areas. I need to understand that, and I would probably like to ask the members on the other side to stand up in this House and tell how this bill is going to improve the voice of the rural areas.

The other thing because of which I oppose this bill is that the people of British Columbia have spent a lot of money, millions of dollars, on this process. As I said before, the commission has spent 18 months in which it went out to every part of the community, gave the chance to every person in the province to provide input, asked people to provide written submissions and did its own research.

After collecting all that information, the commission reviewed and analyzed the information and, finally, put together a report. That cost the people of British Columbia a lot of money. What this Premier is telling us is that that report is not useful anymore. That report probably does not serve the purpose of the Premier, but it does serve the purpose of the people of British Columbia — other than only one issue, which is a lack in representation of rural areas.

The other factor because of which I oppose this bill is that this is direct political interference, and that is going to discourage the people of British Columbia from trusting the process and providing input we need from them to draw those boundaries.

What people see in this bill is that people do not have the voice. People do not have the real opportunity to provide input, because somebody made the decision already as to how many seats should be there, and that's eight more seats in the province. So people's participation with this bill will be very, very limited. It is a shame for this government to create that situation, to create that condition in which the people of British Columbia are not trusting the system. They don't want to come forward and provide the input, which is a very, very important process for the people of British Columbia.

When we talk about this great country, we talk about its values. One of the fundamental values of this country is that we believe in democracy. We are the leader in democracy. We actually expand democracy on the earth. This bill is certainly against the spirit of the fundamental value of this province, of this country, and that is democracy.

When you say to the commission that you must add eight more seats, the commission does not have independence. They don't have a choice. They have to

just follow those directions and add eight more politicians, which no British Columbians want. No British Columbian wants more politicians, Madam Speaker.

I would like to conclude my submission that this bill undermines democracy. This bill undermines the independence of the commission. The history of this province is that the commission is independent. When we talk about the boundaries and about all this important work that's done, we give the directions to the commission as we did in the past.

The commission goes out and collects all the information, and then the commission decides how many seats, how many more MLAs, this province needs. The commission decides, based on the information the commission collected from the people of British Columbia, how many more politicians the people of British Columbia want in this province. But this piece of legislation does not allow that work to be done by the commission.

[1750]

This legislation does not allow the people of British Columbia the opportunity to provide input which will have a real impact, at the end of the day, as to how many more politicians should be there. People certainly don't want eight more politicians.

When we change gears, as we did in this particular case.... The intent of the previous bill was to add up to six more, but now the Premier of this province is saying there must be eight more MLAs. I think that's a huge mistake.

That will, of course, impact the way that people think about the independent commission. That will, of course, impact the decision-making of the commission and the way the commission can decide things. That will take away the discretionary power from the commission. The only purpose that it's going to serve is that the Premier wants to force the commission to add eight more seats in areas where Liberals can win in the next election so that the Premier can cut the ribbon of the Olympics. That's the only motivation behind this legislation.

Therefore, I oppose Bill 39, and I urge every member on this side of the House and that side of the House to oppose this bill. This bill does not allow the commission to do its independent work, which is the key when it comes to the Boundaries Commission's work.

Thank you, Madam Speaker, for listening to me, and thanks to the members.

Deputy Speaker: Before I recognize the member, I'd just like to remind the members of the House that you're not allowed to eat your lunch or have a snack — even though you're sharing it — in the House.

Member for Yale-Lillooet.

Interjections.

H. Lali: I want to thank members on both sides of the House for such wonderful applause as they are getting ready to hear what I have to say. I can see that the Minister of Forests is listening attentively, as is the

Solicitor General and other members opposite. They're waiting with bated breath to hear what I have to say.

Of course, I know the members opposite are eager, because they might change their vote. I mean, that's the wonderful part about this democracy of ours. You're allowed to change your vote, you know. I would urge the members opposite to listen carefully, learn and change your vote. Change your vote, because I'll tell you, the Premier sure has changed his mind on a couple of things already. Obviously, we're asking the members opposite to....

Interjection.

H. Lali: I am speaking here in favour of keeping Yale-Lillooet intact, obviously. The minister opposite wants to join in on the debate. I am actually very eager to hear them speak, as well, when they take their turn right here, after I am done — to get up and put their views on the record. I'd be delighted to hear what they have to say and how they're going to change their vote.

There was a time when electoral boundary redistribution was done in the offices of cabinet ministers or Premiers or whoever it happened to be at that time, but this is the third commission that has been assigned that has been an independent commission. They're given a set of guidelines to go out into the far reaches of the province to talk to citizens or have them write back to them or whatever form they want to use — e-mail these days — in terms of their views and how they see this whole issue of electoral redistribution.

[1755]

And you know what? To their credit, the Social Credit started out with the Fisher commission, Justice Fisher's commission. When Justice Fisher's commission came back with a report, it was praised by all sides, not only because of its independence but for the fair way it was done. At that time you had New Democrat members of the House, and you had Social Credit members of the House.

Following up on that tradition, which was every two elections, New Democrats under Glen Clark, when he was the Premier.... There was the Josiah Wood commission that was assigned with the task. Obviously, they came back with a report that both sides of the House were able to live with, and an election was fought on that. Actually, there have been two elections fought on that boundary redistribution.

The Liberal Premier decided, obviously, to follow up with that tradition after two elections. This Legislature approved an independent commission with a set of guidelines to go up to an additional six seats. They could leave it at 79 or add an additional two or four or six seats, but the discretion lay with the commission and the learned people on the commission to go out and do their due diligence and come back with a report.

Obviously, they came back with a preliminary report, and both sides of the House, especially people in rural British Columbia — northern and rural British Columbia and the interior — were upset because they lost three seats — one up in the north, one up in the

Cariboo-Thompson region and the other one in the Kootenays.

But the interesting background to all of this was that when the independent commission went around the province, they asked citizens and groups and elected municipal leaders to come forward with their views on how redistribution should be done. At the same time they asked MLAs, ex-MLAs and whoever else to come forward with their submissions as well.

I went to three of those hearings that they held. The first one that I went to was in Vancouver. When I looked around the room, there were a number of New Democrat colleagues who were there, but I didn't see a single Liberal present. Also, when I went to the second one in Williams Lake and looked around the room, there was another Liberal colleague, Cariboo South, there. The former MLA from Cariboo South was there, and the former MLA from Cariboo South before him was also there — Walt Cobb and David Zirnhelt. They were also there. But I did not see any present Liberals who are in this House, any of the MLAs there or even a representative of the Liberal Party of British Columbia. But I thought maybe it was that they were really busy and couldn't get out.

There were other meetings around the province, and I went to the one in Merritt. You know, it was in the middle of a snowstorm.

Hon. R. Coleman: You had a lot of time on your hands.

H. Lali: Well, I will answer the minister's question why I made time, not that I had a lot of time. I made time to be there.

But it was in the middle of a snowstorm. You know what? There were people who actually came out there from Hope and other parts of the riding to make sure that the commission would hear their viewpoints. But when I looked around the room, I didn't see any Liberal MLA or cabinet minister from the Okanagan come up.

My friends, and people that I know who are not necessarily my friends.... Some of them actually are Liberal supporters. They're not necessarily members, but they're Liberal supporters in other communities like Kamloops and Penticton and others. They told me that they did not see their own Liberal MLAs there, and they scratched their heads. They were wondering why it was that the Liberals were not showing up — the MLAs. I said: "Well, you know, you have much more direct contact with your Liberal MLAs."

Interjection.

H. Lali: Now the member for Peace River South is saying to me that I didn't show up to his meeting in his community. He said that I didn't show up to his community meeting. Well, hon. Member, I think when that community meeting took place in your community, I was in India at the time, so I couldn't make it. I don't know if I was in India. I'm making that part up. But it was a little bit of a distance for me to travel — I think a

thousand kilometres from Merritt, or whatever it is — to come up to Peace River South. But thank you for the invite.

[1800]

But you know what? There were no Liberals in Merritt, no assigned Liberal from the B.C. Liberal Party who was there on their behalf giving a submission. There were actually also no Liberals at any of the other meetings that took place in the Liberal ridings as well. Everybody was wondering. Not only was everybody in British Columbia wondering, but the folks on the independent commission were wondering.

If I had seen or had any sightings of any of my Liberal colleagues anywhere within the vicinity of these communities.... I said: "I don't know." I went outside, and I looked yonder, and I looked hither and everywhere, and I couldn't see a Liberal anywhere. Anywhere you shake a stick at, you couldn't see a Liberal. They were nowhere to be seen. I have no idea what they were doing.

Maybe some Liberals on this side might take their place in the honourable debate that is taking place and answer my question. Where were the Liberals before the preliminary report came out to stand up and give their views? They were nowhere to be seen. Not a single Liberal to be seen.

I know I have some Liberal friends on that side of the House, contrary to the people watching television and thinking: how could Liberals and New Democrats be friends? None of my Liberal friends on that side of the House were at any one of those hearings to give their viewpoint. They were nowhere to be seen. It was as if the Liberals were invisible. That's what it was.

But I know one thing. When it comes to the last six and a half years that this Liberal Party has been in government, there was no Liberal to be seen when they had to stand up and count on behalf of all those people, especially in rural B.C., who wanted these Liberals to stand up for them when all of those massive cuts of funding and programs were being done.

I thought that maybe that was the same reason why they never showed up to any one of these hearings. They weren't there. Either they didn't care about their own appointed independent commission, or they didn't care because they thought, for whatever reason, that it wasn't important.

C. Evans: Because if they didn't like what the independent commission did, they'd use the darn Legislature to fix it. Why go to a meeting?

H. Lali: Well, you know, they weren't there. They weren't there because they obviously didn't care. But hon. Speaker, not only that....

Interjections.

Deputy Speaker: Order, Members. Member, a little order.

Interjection.

Deputy Speaker: Member.

Interjection.

Deputy Speaker: Member.

H. Lali: So I appeared in person in Vancouver, in Williams Lake and in my hometown, as well — in Merritt — to give my submissions, but it didn't stop there. My colleague, the hon. member for Cariboo South, and my other colleague, the hon. member for Cariboo North.... The three of us got together and actually mailed in a submission on behalf of the three of us as to what our opinions were. We sent it off to the independent commission. So we did everything.

One wonders why we did it. There was one thing that we made clear in terms of our message — above and beyond some of the other messages, but one was above and beyond. We made it clear to the independent commission as they were going to do their deliberations that rural representation in British Columbia must not be eroded.

That was a message that was loud and clear. Not only that. We have 14 members from rural British Columbia who sit on this side of the House, and each and every one of those members also either wrote in, or they appeared in person at the independent commission's hearings and told them exactly the same thing. What was that? Rural representation must not be eroded.

[1805]

So we were there. We were speaking up on behalf of our constituents, whether it was in the north, in the Kootenays, in the Cariboo-Thompson-Okanagan region or on the north Island. We were there, speaking up on their behalf. Those people told us that they wanted to see the minimal amount of change. They did not want to see additional MLAs. The message that was loud and clear above everything else, hon. Members across the way, was that rural representation must not be eroded, and we were there on behalf of our constituents when it counted, to stand up for them.

Lo and behold, when the preliminary report came in, obviously, they'd taken three seats away: one in the north, one in the Kootenays and one in the Cariboo-Thompson. Five additional seats were added in urban British Columbia.

I don't have any problem with the issue of addressing population growth to go with the whole idea of the principle of representation by population. I don't have a problem, and neither do any of my colleagues. But it was a message that we had put forward, and they eliminated three rural seats.

It leads me to wonder, and I often wonder: had my colleagues on the other side of the House, those Liberals, gone to their own hearings in their own communities? If they missed the one in their own riding, they could have come to the neighbouring riding. They could have come to Merritt. They could have gone to Kamloops or Merritt or Williams Lake. They could have gone to any one of those hearings.

Had they stood up on behalf of their constituents and given the same message that this side of the

House, the New Democrat side, gave — which was that rural representation must not be eroded — perhaps the preliminary report would not have come back with an erosion of that representation — had those hon. members, my good friends across the way, done what was right and gone and spoken to the independent panel.

C. Evans: Did they?

H. Lali: No, they did not go.

Interjection.

H. Lali: I don't know. I wonder why.

Maybe they wanted rural representation to be eroded and were actually hoping for the roll of the dice to be a little bit different. But do you know when they spoke up in defence of rural British Columbia? When their own seats were at stake. That's when they spoke up.

New Democrats were appearing before the commission, as they had done under the Socreds, under the NDP and under the Liberals. What we've always done prior to the preliminary reports coming out is go out there to take the opinions and the issues and the beliefs of the people that we represent and put them on the table before they decide how things are going to happen.

We've done it the right way, but the members opposite were mum. They were silent on the issue until their own seats were at stake. You know what, hon. Speaker? That's when they spoke. They didn't speak beforehand.

Anyway, they didn't speak up. They didn't say anything. They never mentioned a thing. They weren't interested in speaking up on behalf of the representation of rural British Columbians. That was the problem.

I can talk and at the same time do business and attend meetings — all at once.

B. Lekstrom: I rise on a point of order.

With the greatest of respect to my colleague on the other side of the House, he is implying — and certainly, in his comments it was clear — that nobody has attended these meetings on behalf of the people we were elected to represent, which is false. I want to make that very clear in this room today.

I do take offence to that, and I rise on a point of order to make sure the public understands that he's misleading them.

Interjection.

Deputy Speaker: Member, Member.
Member, that's not a point of order.

H. Lali: Methinks the member protests too loudly. Perhaps I'm going to have to pay a visit to the member's constituency one of these days so he's not upset with me — my good friend from Peace River South.

[1810]

The fact is that we were doing our work. We were doing our work, which the people elected us to do, which was to go out there and take their opinions and tell the independent commission that. But the members opposite were mum. When they spoke up, it was after the preliminary report had come down, and the reason they spoke up then was because their own seats were at stake.

When they realized that the seat for the member for East Kootenay was going to be eliminated, when they realized that the seat for the Deputy Premier herself was going to be eliminated and they found that other seats were also in danger, that's when they spoke up. Why did they speak up then? They spoke up out of self-interest, to protect their own seats.

New Democrats have been on the side of rural British Columbia — before the preliminary report came down. And we've been on their side ever since — after the preliminary report came down. We didn't have to see the results of the preliminary report to stand up for rural B.C. We've always stood up for rural B.C. Even when those massive cuts to programs and funding were being perpetrated by this Liberal Premier and this Liberal government, we were there standing up on their behalf and taking those issues forward.

But I've got to tell you....

Deputy Speaker: Member.

L. Mayencourt: Madam Speaker, I'd just like to get a point of clarification here. Is it proper parliamentary procedure for someone to be out of their seat, making comments and thumping the desks? Can you do that from other than your own seat?

Deputy Speaker: Member, I don't think thumping your desk is the issue, but certainly, that you make comments from your seat.

L. Mayencourt: Yes. Thank you.

Interjection.

Deputy Speaker: Member.

H. Lali: Just for the viewing audience, I don't think the member was referring to myself. I am at my seat and making comments. I would not presume to speak for anybody else in this House.

In any case, what happened? When members opposite, sitting members of the Liberal Party in this Legislature... When it was their own seats that were at stake — not only because they were eliminated but because they thought they would be eliminated, based on the 2009 election that would be coming, based on the '05 results — it was only then that they spoke up, out of self-interest.

You know what? They went begging to the Premier. "Mr. Premier, you've got to listen to us. We're going to be eliminated. If we're eliminated, you're not going to be the Premier when the ribbon-cutting is

going to take place for 2010. You must do something, hon. Premier." So they begged and they pleaded to the Premier, and the Premier decided to do what he is best at doing. And what's that? He interfered.

He always interferes, and he interfered in this independent commission's work. He guised his interference under the idea of bringing back the three rural seats that were eliminated in the north, the Kootenays and the Columbia-Thompson. He said that first. He said to the commission in terms of the rules, "Thou shalt bring those three seats back," and everybody cheered. Liberals and New Democrats all cheered. Everybody thought: okay, maybe the Premier is listening.

But the problem was that he turned around and he said to the commission, "You don't have a choice anymore whether to have zero increase in seats, two, four or six" — as was already mandated in the legislation that was passed in this House in 1985. Sorry, in 2005. That's way back. I'm going back into the last century here.

Let me correct myself. In 2005 it was already mandated. But no, the Premier says: "You do not have that discretion anymore." Why? Because he's going to interfere. He said: "Thou shalt create 87 seats."

[1815]

There are five new urban seats that have been created already, but he said to bring back those rural seats. "You will create the other seats, eight new seats, and they will all go to urban British Columbia." That's what the Premier did. He did that. He interfered in the process.

You know what it really reminds me of? It reminds me of before the days of the independent commissions, under the Social Credit time, when there was a very famous woman whom everybody knows. Her name was Grace McCarthy. There was this set of poles that got taken out of her constituency. She was really upset, and what did she do? She asked the Premier....

The Premier of the day, Bill Bennett, interfered, and they brought in this line of poles stretching along a couple of streets, which they called "Gracie's finger." It was an affront to British Columbians, because it interfered with what the Electoral Boundaries Commission had put forward. It was like a big finger sticking in people's eyes, and you can imagine which finger it was. But that's what it was.

You know what? In this instance, with the Premier interfering....

C. Evans: It's a whole arm.

H. Lali: It's not just a whole arm. It's a fist attached to it. He is saying to the independent commission: "Thou shalt create eight more seats, and they have to go to urban British Columbia." It is a fist he is showing them along with the arm, and that's the extent to where the Premier will go.

But the Premier didn't always feel that way. At one time, when that Premier sat on this side of the House, he said that if he won the 1996 election, he would eliminate seats. He would go from 75 seats down to 50 or 60. Guess where those seats were going to be

eliminated. They would have been eliminated in rural British Columbia.

The Premier seems to have flip-flopped. He seems to have flip-flopped in what he wanted to do back then.

When you talked to people in British Columbia in those preliminary hearings, there wasn't a single British Columbian who came out and said: "We love politicians so much, we want you to add more seats." As a fact, to the person, every person that came forward from the communities to these hearings.... I went to three of them. I'll bet none of these members actually went to those hearings, so they wouldn't know how many people came there and said what.

At every one of those hearings, it was universal from the community. "Please do not add any more politicians." They also said: "Please do not make major changes. Some minor deviation is fine. We like the size of the Legislature as it is." Nobody asked for more politicians, but the Premier says: "Thou shalt have eight more MLAs to add." Nobody wants more politicians.

I just want to say that there is also the issue.... Like we talked about "Gracie's finger" and we talked about "the Premier's arm" — and the fist attached to it — the gerrymandering that is taking place.... But you know what, hon. Speaker? Mr. Neufeld of the independent commission has said that he needs about a year to implement all this. So that means all the work has to be done by June of next year. That's not a lot of time.

We had the preliminary report that was done. There was a whole set of hearings all around the province, and then they came with the preliminary report. Then they put it out to the public. There was another set of hearings.

[Mr. Speaker in the chair.]

The public would have their say on that again. They would come back with the report, it would be put out, and then it would be implemented. Now that whole process is scrunched into — what is it? — less than six months. What has taken \$3 million....

R. Chouhan: It's 18 months.

H. Lali: Over 18 months, actually — almost 20 months to do. The Premier has said all of that work has to be done within six months, and that pushes the timing factor, because it needs a year to implement.

I wonder if the Premier wants to actually change the date the election is going to take place, because the independent commission will come back and say, "Mr. Premier and the Legislature, we don't have enough time to finish our work. We're not going to bring it in until maybe next year at this time," to which the Premier will say: "Well, I'll just have to stay in power for another six months and extend the date of the election so we can actually have the independent commission do its work."

I hope that's not what the Premier's thinking is, because it would be a real shame if that's what the Premier is doing.

The other thing I wanted to talk about here is, for all their crocodile tears across the way.... As I've already said on several occasions, none of them bothered to show up to those hearings. None of them did. But the crocodile tears that were flowing since then.... You've got to realize, hon. Speaker, there was one....

Interjection.

H. Lali: Was there one? Was there one?

Interjection.

H. Lali: Were you there, or do you know of any Liberal who was there? If that member for Peace River South does know of anybody who was there, then he is the only one who knows that there was a Liberal from this House that was present at those hearings. The Liberals were not to be seen anywhere. He must have been invisible and wearing his invisible coat. That's what it must have been.

Rural representation. For all of their crocodile tears of trying to stand up for rural British Columbia, the three seats come back. What does the Premier do? He says: "Add eight urban seats." What happens to the representation for rural British Columbia? It is further diluted. It is diluted because he wants to add eight seats. And where are those eight seats that the Premier is recommending should be added? In areas where there is growth, and that growth just happens to be in Liberal-dominated areas.

The Premier will say anything. The Premier will do anything to stay in power. That's what his motive was. When he couldn't get it done by an independent panel with this report that came forward, he decided himself to intervene, to interfere in the process and to change all the rules and to tell the commission: "I'm sorry, but the \$3 million that you spent was wasted. I'm going to take that work and throw it off the table. You've got a new set of rules."

They're called the Premier's rules because the Premier wants to stay in office for as long as he can. He will say anything and do anything to get there. That's the motivation behind all of this. That's the real motivation that the Premier has in trying to actually bring in these extra seats that nobody is asking for.

The Premier likes to pride himself on being a business-oriented person and all of that. I'd like to ask the Premier.... He says that he's had no problem making massive cuts to health, education, social services and every ministry possible. He's done that. He's had no problem doing that and also not providing proper funding for the Ministry of Children and Families, the Ministry of Forests and the Ministry of Environment — the stewards of the land where the wealth is being generated.

He's got no problem making all of those massive cuts. He's got no problem doing that. But you know what, hon. Speaker? When it comes to MLAs, he says he wants to add eight more MLAs to this House. Do you know, hon. Members, how much that's going to cost?

Some Hon. Members: How much?

[1820]

H. Lali: Some \$4 million at least that we can think of — \$4 million a year. That's what the Premier wants to do. You know what could happen? Do you know how many booster seats \$4 million buys? Do members opposite not realize how many more booster seats they would have had available at their constituency offices to give away to constituents and agencies?

D. Thorne: How many?

H. Lali: Thousands. Thousands. Thousands of booster seats for you. If you wanted to boost your election chances of winning, you could have had all these thousands of booster seats to pass out, hon. Members. But the Premier is going to take \$4 million a year to give to eight more politicians that nobody wants in this House.

But it just doesn't end there. This is a crowded place. There are 79 MLAs here and staff.

Mr. Speaker: Thank you, Member. Thank you, Member.

H. Lali: There's no room to put anymore. He's going to have 87.

Mr. Speaker: Thank you, Member. No. Please take your seat.

H. Lali: I take my seat in terms of voting against this bill.

Mr. Speaker: Member, please take your seat.

A. Dix: Hon. Speaker, after hearing the speech by the member for....

Interjections.

A. Dix: After listening to the outstanding speech from the member for Yale-Lillooet, one is tempted to seek unanimous consent of the House to allow him to continue. However, I will not do that today.

[1825]

I know that I could have listened to him for another 45 minutes to an hour, because what he said, I think, made a great deal of common sense.

I'm noting the hour. I only have a few minutes left, of course. It's 6:25. We had an extensive debate earlier in the session, and members on the government side spoke passionately in favour of a 6:30 adjournment. So I think we should speak right to the end. We should use every moment of this time for all members of the House to make the case. Because I think....

Interjections.

Mr. Speaker: Members. Members.

A. Dix: I think that, after the extraordinary speech by the member for Yale-Lillooet, there is most of the Liberal back bench.... I use that word with the utmost

discretion because some of them actually sit in the front, but most of the Liberal back bench is about to turn around in their position on this bill.

He was so convincing. The member for Yale-Lillooet spoke with remarkable common sense. He said what his constituents know, what all members of this House know — that adding these extra members of the Legislature by the dictate of the Premier, overturning an independent process, is wrong. He knows it's wrong for a couple of reasons.

What did the member for Yale-Lillooet say? I want to underline his thoughts because I think some of the members were coming over. I think if he'd had a few more minutes, they would have been coming over.

What did he say? He said that we shouldn't be adding these members. He said that that will cost extra money. He said that the public doesn't believe we should expand the size of this Legislature to ram in more politicians. That's what he said. Doesn't that make common sense? Don't members of the House agree with that position?

I think that's the first excellent point he said, but the second excellent point is this. This process was set up as an independent process, and that independent process is fundamental to the nature of democracy. People have talked about "Gracie's finger." There's a reason why that moment lives in a certain infamy in British Columbia politics: because it was an attempt to overturn the will of the people.

That's what this process is. The Legislature of this province sets a law for an independent process to establish the seats in this province, and it attempts to do so fairly. Can you imagine that? The Legislature sets the rules. People from around this province — not just members of the Legislature, but ordinary people, regular people — go to those meetings. The B.C. Liberal Party doesn't bother to show up, so they don't believe the hearings occurred.

They occurred. Our members were at those hearings. They occurred. What people said at those hearings mattered at those hearings. Members of the Liberal Party, having chosen to not take part in that process, and their dismissive attitude to the hundreds of people who did take part in those processes, who provided their information — people who cared about their community....

They dismiss it by Premier's dictate. They think that they can come in here and overturn it. It's wrong, hon. Speaker. It's wrong. It's why members of the opposition are speaking out, because that is a fundamental part of democracy. It's supposed to be fair. The process is supposed to be fair. You set rules, you set up an independent commission, you make your best case and you keep making your best case. That's what members of the opposition did, and that view of democracy doesn't seem acceptable to the Premier.

So for the second day in a row, on different legislation, we're debating efforts by the majority in this House to overturn the will of the people, to impose on that will of the people, to overturn independent processes, to overturn the rights of elected officials. It's wrong, and we on this side of the House will fight this bill day after day, and we will try to do everything we can to defeat it.

With that, hon. Speaker, and with the greatest respect to the efforts of members on the government side to fight for a 6:30 adjournment time, I move adjournment of the debate.

A. Dix moved adjournment of debate.

Motion approved.

Hon. B. Penner moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until 1:30 tomorrow afternoon.

The House adjourned at 6:30 p.m.

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