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**THIRD SESSION, 38TH PARLIAMENT**

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## CONTENTS

Thursday, November 29, 2007  
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### Routine Proceedings

	<b>Page</b>
Introduction and First Reading of Bills.....	9579
Medicare Protection Public Access Act, 2007 (Bill M234)	
A. Dix	
Committee of the Whole House.....	9579
Maa-nulth First Nations Final Agreement Act (Bill 45) ( <i>continued</i> )	
S. Fraser	
Hon. M. de Jong	
C. Wyse	
R. Fleming	
Report and Third Reading of Bills.....	9585
Maa-nulth First Nations Final Agreement Act (Bill 45)	
Second Reading of Bills.....	9585
Greater Vancouver Transportation Authority Amendment Act, 2007 (Bill 43) ( <i>continued</i> )	
On the amendment ( <i>continued</i> )	
N. Macdonald	
M. Polak	
D. Chudnovsky	



THURSDAY, NOVEMBER 29, 2007

The House met at 10:02 a.m.

[Mr. Speaker in the chair.]

Prayers.

**Introduction and  
First Reading of Bills**

MEDICARE PROTECTION  
PUBLIC ACCESS ACT, 2007

A. Dix presented a bill intituled Medicare Protection Public Access Act, 2007.

**A. Dix:** I move that the bill be introduced and read a first time now.

Motion approved.

**A. Dix:** Hon. Speaker, this bill will ensure that the Minister of Health tables decisions and reasons for decisions made by the Medical Services Commission in regard to sections 17 and 18 of the Medicare Protection Act here in the Legislative Assembly of British Columbia. It also ensures that records with respect to extra-billing cases are available through the Freedom of Information and Privacy Act.

Since this government came to power, there's been an explosion of extra-billing for medically necessary care in British Columbia. This week we saw a critical decision on the future of public health care made by the Medical Services Commission in the Copeman case. The public was not allowed to participate — only the government and Mr. Copeman.

Incredibly, the public is not allowed to see the decision or the reasons for that decision. In fact, the Minister of Health left it to Mr. Copeman himself to announce the decision. He also revealed that the ministry had worked with Mr. Copeman on the issue in private.

In the next few weeks we should be hearing the results of the Premier's Conversation on Health. We believe that conversations on health, which are critical to the public and the public health care system in British Columbia, should occur in public and that the information should be available to everyone.

This bill seeks to ensure that everyone has access to and learns the results of decisions with respect to extra-billing made by the Medical Services Commission.

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

Bill M234, Medicare Protection Public Access 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.

[1005]

**Orders of the Day**

**Hon. M. de Jong:** I call continued committee stage debate on Bill 45.

**Committee of the Whole House**

MAA-NULTH FIRST NATIONS  
FINAL AGREEMENT ACT  
*(continued)*

The House in Committee of the Whole (Section B) on Bill 45; S. Hammell in the chair.

The committee met at 10:07 a.m.

On section 3 *(continued)*.

**S. Fraser:** Hello again to the minister and staff. As we're winding down here, I'm trying to get through this as quickly as possible. I have touched on migratory bird populations. I've got other things. Believe it or not, I'm a birdwatcher, and there are issues here.

Just a question that might cover it as quickly as possible. It refers to, in 12.10.1: "Where the Minister, after Consulting with Parties...." As we go through here, there's a lot of reference to "the Minister."

Isn't the migratory bird act a federal issue? What role does the province play and/or the Minister of Environment, and how does that jibe with what's happening under the treaty?

**Hon. M. de Jong:** In fact, in this case the reference is to the federal minister. Again, where the word "Minister" appears.... I think in virtually every case where it does with a capital "M," it's appropriate to refer back to the definition of "Minister" in the definitions section of the final agreement. That definition, roughly summarized, means the appropriate minister — either federal or provincial, as the case may require.

**S. Fraser:** Thank you to the minister for that clarification. I think I'm finished with chapter 12.

I'm just going to move right on to 13, since we're not voting on them. "Legal Status And Capacity" — 13.2. "Each Maa-nulth First Nation is a separate and distinct legal entity...." Just a clarification. Is that legal entity defined as a legal entity as a municipality or a municipal government is?

[1010]

**Hon. M. de Jong:** The reference to each Maa-nulth First Nation representing a legal entity confirms that each Maa-nulth First Nation — there being five as parties to this agreement — has the capacity of a natural person. As such, they would possess the rights, powers and privileges, such as entering into a contract. It also confirms that each separate Maa-nulth First Nation has certain liabilities and has the capacity to sue and be sued.

**S. Fraser:** Thank you to the minister for that. I'm sure it's always comforting to know that you can now be sued. I understood that that's the nature of this recognition to some extent. There are benefits and liabilities that go with that.

You've touched on the individual Maa-nulth Nations. It refers to each Maa-nulth Nation throughout this section. Is there any recognition of the Maa-nulth Nations as a governmental group?

**Hon. M. de Jong:** There's no similar provision that would bestow similar legal status on the collective entity or that agency which the Maa-nulth have created for the purposes of negotiating the final agreement.

It is conceivable at some point in the future that, if they choose, the five individual entities may decide to create an agency, a society — perhaps a society would be the logical thing — which would possess the legal status that that entails. But there's nothing in the final agreement that I'm aware of that bestows legal status on the collective.

**S. Fraser:** I don't mean this as criticism, but it's my quest for knowledge here and some wisdom. *Hishuk-ish ts'awalk* — Nuu-chah-nulth — everything is connected. These five Nuu-chah-nulth Nations are inextricably connected through this treaty, Maa-nulth.

There is certainly the potential for the Maa-nulth as a group to need to work as a unit, as a unified body. Hypothetically, as we've already touched on, there's the potential for, say, a challenge to the treaty itself. Since it's a tripartite agreement, any changes to the treaty anticipated, I understand, can only be done with full consensus of the tripartite agreement. That would entail a unified Maa-nulth.

Was that discussed at the treaty table? There are potential cases where, as a group, Maa-nulth may need to stand as one.

**Hon. M. de Jong:** No, the member is correct. Of course, the importance of the collective is reflected in the fact that they negotiated this agreement together. That requirement is met, and likely will continue to be met, through the Maa-nulth Treaty Society. That agency will continue to exist and presumably function as the mechanism by which those individual nations for whom there is legal status recognized in the agreement function together.

[1015]

**S. Fraser:** Thanks to the minister for that. That's very helpful.

As we get further in the chapter, there's reference to the *ha'wiih* and the hereditary chiefs and the roles that are played there. We've seen in other cases in other first nations where that role becomes difficult. Sometimes there's a divergence of opinions between the elected chief and councils and the hereditary chiefs and elders, and that can be a very damaging schism within a first nation. Is there recognition here of that?

Is there any means for addressing, say, a conflict? I haven't been able to find anything within this process.

Has there been recognition, or has there been anything I've missed that might help deal with a conflict about, basically, who represents the interests of the nation — the individual nations in these cases?

**Hon. M. de Jong:** I'm going to refer the member to sections 13.3.2 and 13.3.3, wherein the final agreement recognizes the point the member has made about the historical significance of the *ha'wiih* for Maa-nulth culture. The other ingredients in this discussion, of course, are the individual constitutions that the five first nations have created and ratified in advance of the treaty ratification votes that took place in their communities. So the final agreement recognizes the point and the importance of the hereditary concept and enables the reference within the individual constitutions of the mechanism by which those two concepts are married.

As the member knows, it's a fascinating story. It's a fascinating interplay and one of the things that I have learned in the opportunity that I've had to work with the Maa-nulth.

For example, it was interesting here in this chamber when Chief Councillor Robert Dennis appeared at the Bar on behalf of the Huu-ay-aht. He is very particular about the fact that when he speaks, the *tyee ha'wiih* — I think that's the correct term — which is the head hereditary chief, will stand beside him. Generally, he'll have Mr. Peters and his son there to denote the lineage and the ongoing lineage.

It is interesting the way the Maa-nulth have, through their constitutions, incorporated that notion and married it with what for us is the more traditional, democratic notion of elected governments. So far it seems to be working well.

[1020]

**S. Fraser:** Thanks to the minister for that. From his response.... Are we hearing here that the constitution and the sections of the constitution that deal with the *ha'wiih* will be something that is, by relation to the treaty, to be respected by the federal and provincial entities? Or is that more of an internal constitution?

**Hon. M. de Jong:** I think the key here is that the constitution, by virtue of the provisions of this agreement, must be consistent with the provisions of the final agreement and on that basis, of course, will enjoy the acknowledgment and respect of the other two parties to the agreement.

The constitutions that have been proposed must contain provisions.... They may be amended from time to time pursuant to the process decided upon by the individual first nations, but they must at all times be consistent with the provisions of the final agreement we're debating here.

**S. Fraser:** Moving right along to 13.6.0 — individuals who are not Maa-nulth First Nation citizens. There's reference to: "Each Maa-nulth First Nation Government will Consult with Non-Members concerning decisions

of that Maa-nulth First Nation Government that directly and significantly affect those Non-Members."

So there is a requirement of consultation with non-members. It says: "will Consult." Is that a statement of intent? Is there a mechanism recognized through the treaty that will allow for that? Is there a process that will be established that is consistent and objective?

**Hon. M. de Jong:** Again, we can explore this in more detail, but I emphasize to the member that pursuant to the terms of the agreement, this is another case where the presence of the word "Consult" with a capital "C" is significant. In the definition section of the final agreement it lays out in great detail the obligations that imposes with respect to the process that must be undertaken.

**S. Fraser:** Those darn capitals again.

I appreciate that. Thanks to the minister. At this point, I'm going to turn the floor over to my colleague from Cariboo South, and he will take over for now.

**C. Wyse:** I have some very broad questions about the local government aspect of it. My intention is to be succinct, to cover the whole section through my questions.

The first question is a brief description of the effect of chapter 14. It would be my impression from reading chapter 14 that this provides a transition process to join regional government, local government, form.

If my assumption is correct, I would ask the minister to explain the similarities and differences that are contained in chapter 14 as compared to any other changes that would be made within a regional district with other areas becoming incorporated.

**Hon. M. de Jong:** It is admittedly a general question, so I'll take a few moments to try and summarize the provisions of chapter 14 as they relate to regional government. There are differences in how this is being dealt with here vis-à-vis the Tsawwassen exercise, the Tsawwassen First Nation and the Metro Vancouver/GVRD relationship that we talked about earlier this session.

[1025]

In short, the chapter is designed to clarify the status of the Maa-nulth First Nations lands within a regional district upon effective date and confirms Maa-nulth First Nations participation in the regional district after a transition period.

Here are some key ingredients that go with that. Maa-nulth First Nations lands do not form a part of a municipality or electoral area on effective date. Each Maa-nulth First Nation may enter into a land use planning protocol and service contracts with local government. So they have that option.

There will be a ten-year transition period. During that time the respective regional districts may invite the appropriate Maa-nulth First Nation to participate in meetings on a non-voting basis. At any time during that ten-year transition period, each Maa-nulth First Nation may indicate its intention or wish to become a voting member of the relevant regional district. At the

end of the ten-year transition period, each Maa-nulth First Nation that is not already a voting member of a regional district will become one. At the end of the transition period, each Maa-nulth First Nation will participate in and contribute to the costs of those services that municipalities and electoral areas within the regional district are required to participate in.

That's as it relates to the relationship, as it were, between the individual first nations and regional districts, which are, I think, the key components of the chapter.

**C. Wyse:** I appreciate the minister's response. Given that aspect of it, really what I was looking for.... I have the similarities of adjustments that would be made within regional district boundaries. The differences that would exist as the result of this being a first nations agreement.... Are there any differences in the process, outside of it being a ten-year transition period of time, than would be involved with changes made within the boundaries of existing regional districts that occur all the time here in British Columbia?

**Hon. M. de Jong:** I think the member's question is — and he'll correct me if I'm wrong: on effective date, does the implementation of this agreement result in any immediate changes to the boundaries of the regional districts? If that is the question, the answer to that question is no. On effective date, implementation of this agreement does not, I am advised, result in any changes to existing boundaries for existing regional districts.

**C. Wyse:** I'm going to move on, just so that the minister knows.

What consultation, if any, occurred with the affected regional districts? And it would be my understanding that there are potentially two regional districts that are affected by this proposed treaty.

[1030]

**Hon. M. de Jong:** I am reminded that there have been, through the life of the negotiation that took place up to and certainly including the agreement-in-principle, numerous meetings with the regional districts of Comox-Strathcona and Alberni-Clayoquot as well as with the municipality of Ucluelet. I was heartened, as I'm sure the first nations themselves were, to see Mayor Dianne St. Jacques here.

It's actually been a pretty good story — which, by the way, isn't to say there haven't been issues that have arisen through the discussion. But it's remarkable how far I think we have come as communities and society in recognizing the need for resolving these issues, to work together, and how in many ways a significant mental shift has occurred, where we are no longer thinking just about the problem but about the opportunity.

I think of the work that I have been privileged to do with Ucluelet and Mayor Dianne there. That really has been the hallmark of their attitude throughout this: where are the opportunities, and how do we work

together to capitalize on them? I think that has been a positive feature of the evolution of this agreement.

**C. Wyse:** I'm pleased to receive the answer from the minister. Of course, the point to be remembered here is that this treaty has some uniqueness to it. Not only does it deal with bringing forward collectively on behalf of a number of first nations at one time, it also is more of a rural nature.

With those two components, there is some uniqueness, and I'm attempting to get an understanding of the process which the government has used in this item to deal with local governments and first nations communities — how they will be interacting before the process and after the incorporated area.

That leads me to my next question. What considerations have been given to deal with any adjustments that the regional district, as the local government, would experience financially or otherwise with the proposed boundary changes that will take place?

To put it in context, in the urban treaty that we discussed a couple of weeks ago, there were identified issues of potential costs for the local government around issues like water, sanitary sewer extensions and items of that nature.

I'm now asking the same question on that effect upon a more rural situation, and what consideration has been given to those adjustments for after the transition period has taken place.

**Hon. M. de Jong:** Insofar as the geography is concerned — the geographic alignment of the regional districts — I'm going to refer the member to 14.1.2 and 14.1.3, which specifically contemplate the possibility of changes and lay out the mechanism by which that can occur.

[1035]

**C. Wyse:** Having had a look at that, I understand the process on how it may occur. I still haven't heard any answer on the discussions upon how the regional district will be affected. So that would lead me, potentially, to my final question.

When you look at 14.1.1b, which deals with the Comox-Strathcona regional district in which the government has announced that, unilaterally, they are making adjustments to that particular regional district, what consideration has been given by this treaty upon other announcements that have been made by the government over one of the mentioned regional districts contained within this agreement?

**Hon. M. de Jong:** I'm sorry. It is an important question, but I'm not sure I understood it. The member was referring to a specific section and a specific change. Can he help me by just particularizing which section he's referring to?

**C. Wyse:** My apologies to the minister. It would be 14.1b, where the Comox-Strathcona regional district is identified to be covered by this particular bill. All I'm

doing is establishing that that same regional district is under review by the government for being divided into two parts, into two regional districts.

My question is: what effect, if any, does that decision in municipal affairs have upon this particular treaty?

**Hon. M. de Jong:** Sorry, hon. Chair. I don't want to be troublesome. I can't find a 14.1b. There's a 14.1.5b. I just want to make sure I'm answering the right question here, and I can't find the section that the member has identified.

**C. Wyse:** I'll try it this way. I have it on page 169, chapter 14, "Regional Government." It starts off with the word "General," which is the status of the Maanulth First Nations lands within the regional district. And then, as I read it, it's 14.1.1 on the effective date, and then there is an "a" and "b" underneath on the copy that I have here.

**Hon. I. Chong:** Hon. Chair, I seek leave to make an introduction.

Leave granted.

#### Introductions by Members

**Hon. I. Chong:** Visiting us here today is a class from Hillcrest Elementary School, a school in my riding. It's a class of grade 3 to 4 students — about 20 of them. They're accompanied by their teacher Ms. Margo Fitzpatrick and a number of parents, I see.

They're watching the debates that are taking place, and I hope they will be well educated when they return to class. I ask the House to please make them welcome.

#### Debate Continued

**Hon. M. de Jong:** Hon. Chair, I'm concerned that maybe the member has an earlier draft. Maybe what we could do is this. If he wants to send the page over here, maybe we can cross-reference. These are precise questions about precise provisions of the agreement, and I don't really want to speculate. So if he can do that, we can move on. Then I'll try to come back and answer the question, if that's acceptable.

[1040]

**C. Wyse:** Madam Chair, I'm in agreement to do such and am also in agreement to provide the information I have in a written form and simply receive an answer from the minister at another date. That would allow time within the debate to proceed to other items.

I make that offer, and if the minister is in agreement with that, then I will conclude any questions I have on chapter 14.

**Hon. M. de Jong:** That's acceptable, Madam Chair.

**S. Fraser:** Madam Chair, I guess I'm asking for your indulgence. I skipped over a section in section 13. A

couple of questions around education from the member for Victoria-Hillside, if that's all right.

**R. Fleming:** I wanted to ask the minister a couple of questions about the post-secondary section of the agreement, and in doing so, I want to reference the Nisga'a agreement and the recent Tsawwassen treaty as well. Some of the language is identical, but some of it is either missing, in the case of the Maa-nulth agreement here, or is different. I want to maybe see if the minister can tell me the meaning of the differences.

First of all, what is not there but is included in the Nisga'a agreement is that there is an additional section after this section in the Maa-nulth agreement that talks about establishing institutions, developing curriculum and providing responsibility for adult basic education programs.

What the Nisga'a then goes on to outline in a section of similar length is that the standards will be comparable on Nisga'a institutions to provincial standards around the organizational structure of the institution, which probably means that it has to have a senate, a board of governors, a similar means to colleges and universities to appoint a president. It also references that the standards will be similar on admission standards and policies, instructor qualifications and certification, and curriculum standards. It specifically says in order to facilitate transfers of students between the various institutions in the post-secondary sector.

That's all in the Nisga'a agreement. It's not in Maa-nulth. I'm wondering why those specific references are not included here.

**Hon. M. de Jong:** The short answer.... First of all, I think the member is correct. There is a difference between the drafting in the Nisga'a provisions and the provisions here.

The answer lies in section 13.21.2, wherein the concurrent law model as laid out here and the prevalence of the federal and provincial laws mean that the kinds of provisions that the member alluded to earlier that were present in the Nisga'a were simply deemed to be redundant in terms of the drafters of the agreement — that the same objective is being sought.

It has been accomplished here by virtue of the concurrent law model and the need to specifically enunciate that the types of things that the member referred to were deemed by the drafters and the negotiators to be unnecessary, although the objective remains the same.

[1045]

**R. Fleming:** Okay. I appreciate that clarification. Maybe if the minister could be precise on this.... Does this mean, then, that in advance of any degree programs or curriculum being finally approved anywhere in the Maa-nulth territory in this treaty agreement, the Degree Authorization Act of the province would prevail? Therefore, the Degree Quality Assessment Board would be involved in approving that curriculum?

**Hon. M. de Jong:** I'm advised the answer to that question is yes.

**R. Fleming:** One other difference between Maa-nulth and Nisga'a that maybe the minister can comment on is that, while both treaties are identical in allowing the nations to establish their own institutions on their own territory, Nisga'a contemplates and allows the creation of an institution that is not on Nisga'a land — to own and operate post-secondary institutions.

I'm wondering why the Maa-nulth is prohibited. Given that we have various places on Vancouver Island and the geography of this treaty, there may be a central location or an opportunity somewhere where the various members of the treaty would wish to place such an institution. That would seem to be not permitted in this. Somewhere on the Island Highway, for example.... That would seem to be disallowed under this treaty.

**Hon. M. de Jong:** I've just got the Nisga'a agreement here, and I was listening carefully to the member's submission. I note that in the Nisga'a agreement, at section 103 where it deals with post-secondary education, the provision reads: "Nisga'a Lisims Government may make laws in respect of post-secondary education within Nisga'a Lands."

The distinction, I think, might be as follows. In both cases — both Nisga'a government and now we're dealing with the Maa-nulth — there's nothing in the agreements to preclude or prevent the establishment of a Maa-nulth-sponsored post-secondary institution outside of treaty settlement lands, but Maa-nulth laws wouldn't apply. It would be pursuant exclusively to provincial regulation.

My understanding is that that is similar to the Nisga'a provisions around post-secondary education.

[1050]

**S. Fraser:** Thanks to the minister for allowing us to get back to the education stuff.

I have a question on education that just came to mind. We recently passed Bill 46 in this House. That's the First Nations Education Act. If I've got this correct from committee stage of Bill 46 — and possibly the minister can confirm this — post-treaty, the negotiations that happen in Maa-nulth basically disallow the Bill 46 initiative. It's instead of Bill 46. Is that correct — post-treaty?

**Hon. M. de Jong:** Post-effective date, the Maa-nulth will derive their authority and their jurisdiction over education matters from the final agreement.

**S. Fraser:** All right. If I've got that correct, then Bill 46 applies to those nations that have not yet achieved treaty. Would that be a safe assumption?

**Hon. M. de Jong:** Right. I think the member is essentially correct. The legislation that we dealt with earlier remains relevant for Indian reserves and Indian bands. Of course, this agreement alters significantly

and positively the status of the Maa-nulth, so I think the member's assertion is essentially correct.

**S. Fraser:** I think I understand the rationale. The Maa-nulth have negotiated their own terms for education and for self-governance of that. I suspect it would make Bill 46 redundant — although eminently supportable, I noted, by the House here. Except for two government members, it's pretty much supported by everybody, I think.

Moving along, back into chapter 14. I'm trying to be very quick here. The issue around regional districts that the member for Cariboo South.... There are two regional districts specifically involved here. There's the Alberni-Clayoquot regional district. Four Maa-nulth First Nations will follow into that regional district zone. And then, I guess, the Comox-Strathcona will be for the north.

What level of discussion happened at the regional district level? It's a pretty comprehensive section on inclusion, which I think is long overdue, of the first nations into the regional district board as sitting and voting directors. How high a level of discussion happened there?

**Hon. M. de Jong:** I am advised that meetings started as early as 2003 and then carried on for a five-year period through into 2007. So there was, as I indicated to the member's colleague, fairly extensive engagement with the two regional districts and, as well, with the municipality of Ucluelet, which is reflected and which I think added value to the final product at a time when there was still and probably is still.... This is still relatively new in terms of how we go about this. It was worthwhile, and it was time well spent to engage the parties at that level as extensively as was done.

[1055]

**S. Fraser:** Thanks to the minister for that. I'm assuming, then — I believe my assumption will be correct — that both regional districts involved here supported this initiative. They are in agreement.

**Hon. M. de Jong:** I am advised that the regional districts worked extensively with the first nations on the provisions of the chapter and are, I'm told, satisfied that they represent a workable path forward over the course of the ten-year transition period. We'll look forward to that beginning as soon as the effective date rolls around.

**S. Fraser:** There are some physical challenges. I know the Alberni-Clayoquot regional district. I've sat there, and the table is full. They'll need a bigger table at this point because there'll be four more seats, which will be welcome seats, I'm sure.

There are a number of initiatives that the regional districts are involved in — certainly pre-treaty. Obviously, everything is still pre-treaty. The Islands Trust, for instance.... The north Island trust is a \$50 million trust that has representation from the regional districts

and local governments. That was two years ago now, I guess. It was Bills 6, 7 and 8, if memory serves me.

At the time — and we asked for this as an amendment — the first nations involvement in the advisory committees to those trusts was not included. We saw that as an oversight, so we put forward an amendment to include appropriate first nations representation on the advisory committees of those trusts. I noted that the government voted against that, which I thought was something of an anomaly.

At this point these Maa-nulth Nations will actually, in a roundabout way, almost get a seat, through the regional district, on the advisory committees. Would that be accurate?

[K. Whittred in the chair.]

**Hon. M. de Jong:** I'm not an expert on the composition of the Islands Trust board, but I take it from the member's question and will proceed on the assumption that the regional district does have membership on the Islands Trust. Assuming that to be the case, then I think the member's assertion is correct.

As the Maa-nulth First Nations become full members of the regional district, they will acquire an indirect participatory role via their membership on the regional districts into the proceedings of the Islands Trust. So they will acquire that indirect opportunity to participate in that work.

**S. Fraser:** Thanks to the minister for that clarification. I'm going to leap way ahead here, being mindful of the time, which is ticking very quickly.

Heritage Conservation Act. We're looking at, well, 19, 20.... There are a few chapters here that touch on it.

[1100]

Heritage Conservation Act issues. With first nations traditional territories, there are always these issues around artifacts, gravesites, traditional sites. Just a quick question on that. If changes to the Heritage Conservation Act were to occur.... They're being contemplated, I know. We certainly have provided a private member's bill to that effect.

If changes were to happen in the future to the Heritage Conservation Act, would they then have any ability to apply retroactively to the treaty?

**Hon. M. de Jong:** I am referring to chapter 21 — to 21.2.4, the law-making power with respect to culture and heritage set out in 21.2.1. I won't read it, but at 21.2.4 the point is made that "Maa-nulth First Nation Law under 21.2.1 prevails to the extent of a Conflict with Federal Law or Provincial Law." That's significant, of course, because there's a paramountcy argument there.

But the other general rule — and it's probably a good time to make it again — is this. With respect to the member's question about a provincial statute or changes to a provincial statute or federal statute, no one party — in this case, the federal or provincial government — can statutorily impact on the rights that the Maa-nulth acquire under this agreement.



for years. TransLink has been a source of frustration over the course of, well, I guess, since '99, almost.

There have been some great improvements made in transportation over the years, but really, you've got to ask yourself....

**Mr. Speaker:** Member, would you just take your seat for a second.

#### Point of Order

**N. Macdonald:** A point of order, Mr. Speaker. I realize that there were people standing around here, but when I finished debate, I'd asked for the opportunity to come back and finish my comments. I think I have about four or five minutes left.

**Mr. Speaker:** Okay. The member for Columbia River-Revelstoke has the floor.

#### Debate Continued

**N. Macdonald:** Thank you very much. In the time that I have left, I just want to reiterate a few things.

The reorganization of TransLink. The points that I have covered quite extensively are around the concerns that I would have, especially with the governance model. The points that I made....

I understand there's a speaker that will follow me, who will try to explain the need for TransLink reorganization. One of the things that has not happened in the debate to date is a strong case made by government members about the need for that governance structure to change. As I've said, I have not lived in the area, so that's an argument I would be interested in hearing, and I am glad that it is coming. But if you decide to change it, then there are strong reasons that need to be given for how you're improving it.

What I would say clearly, in looking at this legislation, is that it is in no way going to improve the governance structure of TransLink. In fact, I would say that there should be deep, deep concerns about what is proposed. The examples that I used earlier were around B.C. appointed governance structure boards, and I used examples that highlighted why people in the lower mainland should be deeply concerned about that sort of a governance structure. It has simply failed and failed miserably, and I think the example most would be familiar with would be the Convention Centre Expansion Project board.

Having said that, in the few minutes that are left, there are opportunities to improve it. It's based upon a certain set of principles that I think everyone in this House should share.

The first principle that should be in this board and in this legislation is that it absolutely must be a TransLink board that is democratically elected. To me, that is fundamental and is so obvious that we really shouldn't have to be arguing that point in this House. It should be democratically elected and accountable.

[1120]

That second point is an important one as well. It should be accountable to the people who are going to live with the decisions that the TransLink board makes. It should be accountable to them, and the only way you do that directly is through election. So it should be democratic, and it should be accountable to the people that are going to have to live with the decisions.

Following on that, you have the case of taxes. You are going to be taxed in the lower mainland by a board that is neither democratically chosen nor accountable to you. If there is anything that is more fundamentally important to our democratic structures, it is the idea that if you are going to tax people, you are going to be accountable to them through democratic means for the money that you're taking from them.

This structure does not allow that. It does not allow you to have any say in money that is going to be taken from you to set up the transit system. That should be a concern for everyone. Even living outside the lower mainland, I strongly object to any government that goes in that direction. To feel that they can take money from us and not in any way be held accountable for that money is another thing that is wrong with this legislation.

Now, for the New Democrats and for me.... I fundamentally think that we need to empower people. We do that by having strong local democratic institutions where the people making the decisions are held directly accountable.

My background in local government reinforces that view. That is a highly effective level of government, because you make a decision, you go to the grocery store, and you better be ready to explain it.

Well, it should be the same with transit decisions. This will impact people's lives directly. They will have to pay a substantial amount of money for the infrastructure that needs to be put in place, for the operational costs. The idea that they would not have some direct way of holding the decision-makers accountable is to me.... First, I don't understand how a democratic body would put that forward. Second, I just fundamentally disagree with that direction.

We need to recognize that to make that work, there have to be senior levels of government providing funds for the lower mainland. That is what senior government has always done. I recognize that the senior levels of government should be involved in that board. I think that makes sense. In fact, it's a good thing to have not only locally elected people but also provincially elected representatives as well as federally elected representatives.

The transportation decisions that are made in the lower mainland will affect everyone. It needs to be done properly. To do it properly, what every person who sits in here should believe is that proper decisions are made in the open. They are made by democratically elected representatives of the people, and those representatives are held directly accountable to the people whose money they take and spend. That is what we should have seen with this legislation.

If the case is made that TransLink is broken and needs to be improved, then improve it. There is noth-

ing about this legislation that improves the governance model, and that should deeply concern everyone here.

With that, I thank you for the opportunity to speak, and I'll take my seat.

**M. Polak:** I'm very glad to rise and speak to the question of TransLink and to the question of what we ought to do about it, which is really what we're here talking about.

In the time that I've lived on the lower mainland, which is most of my life, and in the time that I've spent in municipal politics in Surrey and as an MLA in Langley, I can think of a lot of things that people have said to me about TransLink. They've said things like: "What a mess," and "Oh, please blow it up."

[K. Whittred in the chair.]

They've said all manner of complaints and concerns and outright frustration, but the one thing I don't think I ever heard anyone say about TransLink was that they were accountable. To speak now about this new governance model and address it as being somehow less accountable than the TransLink that currently exists is absolutely laughable for anyone who lives in the lower mainland.

[1125]

Let's talk a little bit about what people said, or have said in the past, about the existing TransLink model. We have the mayor of Surrey, currently, Dianne Watts who says: "There needs to be one plan that everybody is working together on. There's no point in having different levels of government having different plans." Former mayor of Surrey Doug McCallum talking about TransLink said: "We have serious structural problems in governance." Larry Campbell was quoted as saying, "Quite frankly, I don't see it working" — meaning TransLink. "We have got to get rid of the parochialism." Not my words; Larry Campbell's words.

Editorials in *The Vancouver Sun* going back to 2004: "TransLink has come to represent political gridlock in the lower mainland rather than a transit system that moves fluidly." Or again: "Instead of blindly heading down this road, it's time to admit that TransLink itself is broken, that it is incapable of doing the job it was created to do."

So no question that there are problems that exist in the current structure of TransLink, problems that won't get us to the kind of transportation solutions we need so desperately on the lower mainland.

I want to read from the opening of the report from the TransLink Governance Review Panel, because I think in the midst of all this debate, we can easily forget that this wasn't pulled out of thin air. In terms of time for consultation, in terms of input from the public, this has gone to all sorts of consultation through the work of the TransLink review panel.

Here's what they've said:

"Our recommendations for a new planning framework, governance structure and sustainable funding measures rest on our conviction that we must act boldly

to create a forward-thinking, proactive and fiscally accountable organization. We held more than 30 meetings with stakeholders and received 120 submissions. We also received expert advice on a range of topics, including legal, governance, marketing, finance and revenue measures. While our recommendations were informed by this input, they are the panel's alone.

"We cannot overstate the importance of planning appropriately for the future. Our economic, social and environmental health depends on whether we have the foresight to anticipate and serve significant transportation needs over the next 30 to 60 years and beyond.

"A new planning framework, governance structure and balanced sustainable funding measures will build a solid foundation for an integrated transportation system that will ultimately move people and goods in the region from Pemberton to Hope.

"We hope that you will seriously consider our recommendations as we believe they will create an integrated transportation system that supports the economic, social and environmental interests of the region and the province."

That panel was chaired by a former mayor from my riding, Marlene Grinnell. Not only was she a former mayor of Langley city, but was very well regarded across the region not only as a knowledgeable mayor, generally speaking, but also as one who was a staunch advocate for accountability in government — a staunch advocate for careful accountability when it came to taxation and the spending of taxpayers' money.

These are recommendations that, as I've read in the letter from the panel, are endorsed by such a person. Certainly in my area, in Langley, I hear nothing but praise for the work of that panel and in particular for former Mayor Grinnell.

Coming from our own Greater Langley Chamber of Commerce, speaking to the reintroduction of the bill — because let's remember, this is a reintroduction of something that was up before us months and months ago in the spring session — here's what Ed Kolla, the president of the Greater Langley Chamber of Commerce, had to say. He says: "Langley participated on the task force to make recommendations to the TransLink Governance Review Panel. We are very pleased that the majority of our recommendations were included."

So here we have a situation where something was known to be broken, something that many people felt was absolutely unfixable. We've had a review panel with people who knew their business, knew what they were talking about and knew the lay of the land. They came back — after listening to members of the public, after listening to those who are in governance in municipalities — to government with recommendations that they feel will finally put us on the right track to future planning for transportation needs in the lower mainland of British Columbia.

[1130]

What has government done? Government has responded by saying: "We will accept these recommendations, and we're going to implement them. Here's the legislation." Instead of ready acceptance on the part of the opposition for the work of such an esteemed panel, we have them questioning, first of all, whether there's a

problem and, second of all, if we ought to perhaps further discuss a solution rather than implement the work of the panel.

One of the things that the panel said in analyzing the problem was this: "Decision-making at the TransLink board has proven to be difficult, slow and marked by the division of local political interests rather than regional consensus building."

When they sought to produce a new governance model that they felt would work for a transportation authority in the lower mainland, they seriously considered how this governance framework would deliver for the constituents in that region not only effective transportation planning but also effective governance. In fact, dealing with the governance model is something that the Auditor General recommended in 2001, when he made recommendations about TransLink's governance.

Certainly, they're not responding to something that was newly brought about by the provincial government. This is something that they've considered, because in their view, it needed to be looked at. These are people who had experience in understanding how it ought to work and how it wasn't working, and their recommendations reflect that.

One of the things that they sought to achieve in the recommendations was a clear delineation of responsibility. When they talk about that, they're referring to the elected council of mayors. Now, I've heard a lot of people on the other side talk about how this will be a governance structure that is completely unaccountable: "Nobody will be able to touch them; nobody will be able to know what's going on."

Nowhere was the issue of unaccountability more apparent than when the current TransLink board determined they wanted to put in a parking stall tax, and those of us who are MLAs know that the vast majority of people who were faxing and e-mailing and complaining were saying: "We don't know who to complain to. We don't know who our representative on TransLink is. Maybe we should write to the MLA. Maybe we should write to our mayor. Maybe we should write to the chamber of commerce." They didn't know who they should talk to.

One of the reasons the council of mayors is so critically important to this governance structure is because I know, and every other resident in Langley knows, that when we vote for our mayor, we're voting for our representative on that board. We know who they are. We know how to talk to them. We know how to go to our mayor and say: "This is what we want; this is what we don't want."

What will those mayors do? One of the things they will do is provide certainty to the taxpayer with respect to their oversight. One of the things they say in the report is: "Taxpayers will know that when they vote for their mayor, they are also voting for their representative on the council of mayors." There will be "timely, transparent and accountable decision-making," and "checks and balances in planning and decision-making that are established through clear areas of authority and responsibility for the council of mayors."

So we take a look at what they'll be doing. As the report says: "Respecting the fundamental principle of no taxation without representation, we think" — this is the panel talking — "that TransLink's ten-year strategic plans, including revenue measures, should be approved by elected representatives in an environment that facilitates a regional perspective."

Let's think about that for a minute. If the current structure was actually responding in that manner, if the current structure facilitated the kind of accountability that the opposition says that they take so seriously, then why on earth would the panel recommend something like this? Why?

It's because of that direct link between a community's mayor and this board. When they are voting on the revenue measures that the new authority will put into place, they are directly elected by their community to be the mayor, to be the representative on that mayor's council, and they know that they will be accountable to those people who voted them in. They know that if they are responsible for revenue measures that the community doesn't approve of, they are going to face that at the ballot box.

[1135]

You could never say that. You could never say that about the current structure. Nobody knew who did what. It was constantly changing, and it was a dog's breakfast of representation from around the lower mainland. Now you'll have consistency, and you'll have the ability of the public to know exactly who it is they need to talk to if they don't like what's going on.

Further in the report it says: "The council of mayors' fundamental purpose will be to approve TransLink's ten-year strategic plan, including revenue measures and borrowing limits. To facilitate efficient decision-making, we recommend a limit on the time allowed for the mayors' consideration of the plan. The council of mayors will also be responsible for appointing the independent TransLink commissioner."

It's hugely important that this governance model be put into place. It's something that certainly has received adequate debate and discussion not only in this House but all across the lower mainland. I mean, TransLink has been the favourite whipping boy in the Tim Hortons and the Starbucks for years. It's time that we get on with making the changes that are really going to mean something for people in the lower mainland.

What is it going to mean? If you look at the mayors council, for example, one thing that is very important to the model that is recommended, and that we are going to be adopting should this bill pass, is that the council of mayors, as it says in the report, will streamline decision-making and replace the role of the GVRD board in the governance of TransLink. The GVRD will no longer have a role in TransLink governance

It might sound like a small thing to people who are listening to us debate acronyms for various levels of government, but it's been a huge thing for those representatives who've been involved over the years. The issue that the mayor of Surrey, Dianne Watts, raised in

the quote that I provided from her earlier is the whole question of all these different areas having competing interests and not being able to come to grips with a decision. They were trying to satisfy everyone.

Now, you will have a streamlined approach where you have mayors who understand the need for consensus-building around the region. If you talk to them, you'll find that the majority of them are very pleased with this kind of model.

In fact, one of the more interesting quotes that comes, I guess, as a rather look-forward one is from 2005 from Mayor Lois Jackson of Delta. She says: "I believe we should have every single mayor on the TransLink board. We don't need five representatives from somewhere like Surrey and Vancouver. We've got more than 20 communities represented on the GVRD, and I think we should be using that resource."

Well, finally we're going to be using that resource. We're going to have those mayors directly representing their constituents, their communities, on a board of governance. They're going to be the ones who are going to be making the decisions about how the regional transportation structure is planned for, how the borrowing happens and how the taxpayers' money is not only spent but collected. They're going to be accountable for those decisions.

Direct accountability to elected officials regarding taxation and other revenue measures is provided. That's something, clearly, that the panel felt was important and that the panel feels strongly will be achieved through this model.

Another point. Every municipality in the transportation service region participates in transportation governance through its mayor, which will improve representation and communication. One of the things that TransLink has probably attempted to do — I'm sure in good faith — but really, I think, failed largely at accomplishing was effective communication with the communities that were concerned with the region and the transportation in the region.

Not only did people not know who to go to, to complain, very often they didn't really know what was going on. It was very difficult to find out what meetings were about, what kinds of things were going to be on the agenda, what kind of planning was taking place.

Well, here's an opportunity to make that communication far more direct. Again, an example from everyday life. You're interested in what's going on at that board and you want to know what it is they're planning and deciding, you'll know who to talk to. If I was an ordinary constituent, I could walk right into Mayor Peter Fassbender's office and talk to him about what's going on and what they're planning. I could talk to Mayor Kurt Alberts in the township of Langley — same thing.

They're able to directly communicate to their public what is going on in the governance and planning. That's something that TransLink has never done a very effective job at.

More efficient decision-making. The report outlines how more efficient decision-making will improve TransLink's ability to meet future transportation needs.

We've seen fits and starts in all sorts of the planning that's gone on around the lower mainland. Certainly, if you're like me and have spent most of your life in the valley in the south of the Fraser, you realize that much of the planning that has gone on over the last number of years has still been focused on an old idea of people waking up in the suburbs and deciding that they're going to get up that morning and go into work in Vancouver.

[1140]

We know from the recent studies that that's not how travel still happens in the lower mainland. It's more, as they say, an everywhere-to-everywhere model. Yet that's how they still plan. It's reflected in the lack of services we have that get us between the suburbs, and it's something that if you have a council of mayors working toward — they recognize that keenly. They talk about it all the time, and they'll be able to do that kind of planning work here.

Certainly, when it comes to the connection between their taxpayers' money being collected and spent, you're going to see a more clearly understood model. That's another point that the review panel made. They say the public will more clearly understand the connection between specific transportation investment and the gas tax, property tax and fares needed to fund them.

They're going to be able to have a direct line into what's happening in one of the most important planning issues to face them as we go forward in a region that is growing so massively. It's time that we have something to respond to the changes that have taken place in the lower mainland that won't be hampered by constant bickering between regions as to what they ought to do as their priority.

Instead, you have a council of mayors guiding what will be an independent operating process. When I say independent, it's not going to be full of people who are bringing a political interest. It's going to be full of people who are bringing an operational interest.

Now, you can talk about accountants and lawyers and whoever else — whatever other group you'd rather not see as an independent panel, and we've heard lots of joking about what it's like to have business people on a panel — but in reality, what you usually hear complaints about from the public is that you have politicians getting too heavily involved in operations that they have no expertise in talking about, rather than staying with an overall policy guidance.

For me, when I read the work that the governance review panel has completed, something that really is important to me is that they've correctly delineated the responsibilities between the mayors council and those who would operate the system. So you have those elected people making decisions that are appropriately within their scope. They're going to be making policy decisions. They're going to be approving decisions about spending and about collecting of taxes. That's the place where they ought to be — the oversight role.

As one of my mentors used to say, a politician's job or an elected person's job is to lay the tracks, not to

run the trains. That's very clearly delineated in what they've recommended.

But when it comes right down to it, to be looking at possibly delaying this because we need further discussion is a ridiculous way of completely discounting what the review panel has recommended. If one wants to argue that we shouldn't be moving in this direction, then the arguments ought to take on what on earth we might do instead.

The TransLink Governance Review Panel took on what many would have said was an impossible task, and when they brought forward their report, I can tell you that south of the Fraser, in my region, you had people applauding. "Finally," they said, "somebody has found a way to make this work, to make it work for the region, to make it work for the taxpayers around the lower mainland."

We've had months and months of opportunity to dialogue and debate about the bill since it was tabled last spring. We've certainly had ample opportunity for that public discussion to happen during the consultations that the governance review panel engaged in, and now we've had opportunity in this House to consider again what things ought to change with respect to transportation governance in the lower mainland.

As far as my community in Langley is concerned, it's time. It's time we get on with it. It's time we get on with planning for our future. It's time we get on to really responding to the transportation needs of British Columbians who live in the lower mainland and for too long have had to deal with an absolutely impossible model of governance.

I suggest that it's time we move on and get this bill passed so that finally we can move forward as a region into what will be, I'm sure, a prosperous future with good transportation for all of us.

[1145]

**D. Chudnovsky:** I'm pleased, today, to speak to the motion that was brought before this House by my colleague from Vancouver-Kingsway, which would have the effect of stopping Bill 43. I'm very pleased to be able to speak to that motion and strongly support it because we need to stop Bill 43. We need to stop Bill 43 because the motivation that has been put forward for the bill — by all too few government representatives, it must be said — by the few who've taken the time to speak to the issue.... Those motivations are all wrong.

My colleague, the member for Langley, a few minutes ago told us that there was constant bickering inside the old TransLink. The old TransLink, in fact, did have a number of problems. Constant bickering wasn't the problem for two reasons.

First of all, what the member called constant bickering was actually democratic debate engaged in by democratically elected representatives of the people. If you want to call that constant bickering, you can do it, but it speaks to your understanding of democracy more than it speaks to the issue of bickering.

Secondly, those folks found a way, despite the fact that they came from a whole number of municipalities,

to figure out a transportation plan for the lower mainland, to figure out transportation priorities for the lower mainland. And may I remind the members opposite, including the member who just finished speaking, that those people, despite the fact that they came from 20 different municipalities, had as their first priority rapid transit to the northeast sector.

It wasn't bickering that stopped that. It was this government that stopped that from happening by not providing the resources that were necessary and for breaking the promise that they made at the time of the approval of the RAV line, of the Canada line, that rapid transit to the northeast sector would be brought to the people to whom it had been promised for decades, together with the building of the RAV line.

It wasn't constant bickering that was the problem, and it isn't so-called constant bickering that's the problem with the building of northeast rapid transit — what some people call the Evergreen line. It's the government that's the problem.

Those who've managed to.... I congratulate my colleague from Langley. Despite the fact that I fundamentally disagree with the positions that she put forward, at least she came to the House to speak to us on the issue of TransLink. She's to be congratulated for putting forward her point of view, which is a legitimate point of view. Wrong, we believe, from this side, but at least she had the jam to stand up and talk, unlike many others on that side.

What those who've had the courage to stand up and talk about this issue have said is that this opposition is satisfied with and wants to go with the status quo on TransLink. Sorry. Do a little research. Take a minute to find out what this opposition has in fact said about the current structure of TransLink.

Have a look at the submission that was made to the panel by this opposition, which called for very important reforms of the TransLink governance system that are supported by most of the members of the GVRD, now Metro Vancouver, including the chair of Metro — the mayor of Delta, Lois Jackson — who said very clearly and very wisely from the beginning that it is a mistake to separate transportation planning from land use planning. That's an error because they're the same thing in the end.

This model that's put before us by the Minister of Transportation further separates those two functions. The submission made by the opposition that, clearly, members of the government haven't taken the time or the opportunity to read, said: "No, we have to bring those two functions together. We have to take TransLink and make it an operating company under the GVRD, now Metro Vancouver, so that transportation planning and land use planning can be done together, so that the policymakers who deal with the issue of transportation planning and land use planning, which is in the end the same thing, are one and the same."

Who would they be? Under the submission made by the opposition to the TransLink panel, which members of the government side haven't taken the time to have a look at and, therefore, speak erroneously

about.... We say those people who make policy with respect to transportation planning and land use planning should be the elected representatives of the people of the region, not some group of business people chosen in a totally undemocratic and unaccountable way — not that.

[1150]

The difference between this side of the House and the other side of the House on governance when it comes to TransLink — and, by the way, governance when it comes to all the other functions that happen across the province — is that we say "democratically chosen and accountable," and they say "unaccountable, undemocratically chosen."

Every fundamental decision that will be made by the new TransLink authority will be made by the unaccountable, undemocratic, so-called professional board. We'll talk a little bit more about that in a second.

The minister has put before us a piece of legislation that sets into place a screening panel that chooses, in effect, who the members of the TransLink board are going to be. Now, the minister didn't bother to wait for the legislation. Not only did he bring to this House legislation which is undemocratic and unaccountable, but he didn't bother to wait for it.

[Mr. Speaker in the chair.]

The substance of the bill is undemocratic, and the way in which he moved forward with the bill is undemocratic as well: "Gee, it's unfortunate there wasn't the opportunity to do it in the Legislature." There wasn't the opportunity to do it in the Legislature. Why? Government has control over what comes to the Legislature and when it comes to the Legislature. They let it fall off the table last time. They just went ahead with it. It's not the law yet. "Doesn't matter. We'll just go ahead with it." What did he go ahead with?

He went ahead with a screening panel that's made up of five representatives, five groups, who chose those people that are going to be, in the end, the board of TransLink. Who are they? The board of trade and the Gateway Council — parenthetically we should mention that the board of trade is on the Gateway Council, so the board of trade gets two undemocratic kicks at the can — the chartered accountants association. The mayors get to choose one, and the minister gets to choose one.

What's the character of that organization? The character of that organization is that it is completely and totally trustworthy to the government. They can trust that the people who are appointed to this undemocratic, unaccountable board that will make all the fundamental decisions with respect to TransLink.... The government can trust that those guys and gals are going to do what they want.

Where, I ask, are the land use planners? They could have helped. If you wanted to have this loony screening panel and you were convinced it was a good idea, you might have put the land use planners on the screening panel to help choose who's going to run TransLink. You might have put the transportation

planners on the screening panel to decide who's going to be the undemocratic, unaccountable board. They know something about transportation and land use planning. Nope, don't see them.

You might have put an environmentalist on the screening panel. The minister, though, we know is the "minister of browning B.C." rather than of "greening B.C." The Minister of Transportation is the minister whose transportation strategy is a transportation strategy that has everything to do with roads, bridges, cars and greenhouse gases and very little to do with climate change, public transit and finding solutions to the important problems that we all face together and that our children will face. So no environmentalist on the screening panel. That has somehow got missed — not surprisingly, given that the Minister of Transportation is the "minister of the browning of B.C."

What about a worker representative? We've got all these business people. What about a worker representative, a trade unionist? "No, don't want those guys and gals there. They're dangerous. They can't be trusted. We don't know what they might say."

**L. Krog:** It might be what the people want.

**D. Chudnovsky:** It might be what the people want.

What about people from the Bus Riders Union? It's a transit authority. It's the screening panel that's going to choose the unelected, unaccountable board. Okay, if you want an unelected, unaccountable board, I guess you're the government, and you can do it if you want, but put somebody who rides the bus on the screening panel. How about that? "No, sorry; they can't be trusted."

[1155]

What about an academic? You know that at UBC we have a world-renowned school of transportation planning. It might be a good idea to have somebody from there on it. At Simon Fraser we have internationally leading academics who speak to the issues of transportation planning and transportation policy all the time.

If you really want an undemocratic, unaccountable board and you're really going to choose them with a screening panel — loony idea, I know — how about putting somebody on the screening panel who's not simply one of your buddies from one of the business groups? Have a screening panel that's a little bit representative of the people of the province and the people of the lower mainland.

What can we say about this structure that the minister has put forward? What we can say is two things, it seems to me. They should be very concerning to all of us, and they are concerning to all of us. That's why I and we speak strongly in favour of not letting Bill 43 go through.

The two things we can say are that those folks who are going to make up the undemocratic, unaccountable board of the new TransLink are completely and totally trustworthy to the government. They are people who won't make a fuss. They are people who will do the bidding of government. That's the first thing.

The second thing we can say.... This is very, very important and something that we need to take into account. Their approach is guaranteed to be a business-model approach, when what we need is a public policy approach. We need to be businesslike, but we need a public policy approach because the motivators, the underpinnings, the principles that we need to look at when we're planning transportation in our region and across our province aren't simply business-model approaches.

They are environmental approaches. They are public policy approaches. They are "serving the people of the region" approaches. They are greenhouse gas approaches. They are transportation and land use planning approaches. There are all kinds of public policy needs that need to be met in terms of the work that needs to be done by the panel.

To finish my remarks, this model of governance is not in the interests of the people of the region. It is a significant error. There are improvements that can be

made to TransLink. We stand here ready to join with the government to make those improvements, but it is not an improvement to take away democratic control from the people of the region.

We oppose that. We continue to oppose it, and we'll oppose till the last minute of this session.

D. Chudnovsky 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 this afternoon.

The House adjourned at 11:58 a.m.

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