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THE HONOURABLE BILL BARISOFF, SPEAKER

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

SECOND SESSION, 39TH PARLIAMENT

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Honourable Bill Barisoff

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M. Farnworth

Hon. M. de Jong

M. Karagianis

K. Corrigan

THURSDAY, JUNE 3, 2010

The House met at 1:34 p.m.

[Mr. Speaker in the chair.]

Routine Business

Introductions by Members

B. Routley: I'd like to welcome to the House Stewart Finney and Jean Cumberback, who are good personal friends. They've never been to the Legislature before, and they live right here in Oak Bay. So please welcome to the House Stewart and Jean.

Hon. M. Stilwell: I rise today to introduce two important guests here, Dr. Julio Montaner and Irene Day, two former colleagues, and that's not what makes them outstanding. Dr. Julio Montaner, as many of you know, is the centre director for the B.C. Centre for Excellence in HIV/AIDS, and Irene Day is the chief of operations there.

[1335]

Many of you know the centre and Dr. Montaner for his internationally renowned research on HIV/AIDS, most recently his work on treatment as prevention, which has been supported by this government and is being adopted internationally. So will the House please make them welcome.

N. Macdonald: A few weeks ago, in preparation for their trip here, I was a guest at Columbia Park Elementary School in the beautiful city of Revelstoke. We talked about what takes place in the Legislature here, and I found that they already had a very good knowledge of what took place. They're certainly wonderful representatives of their school and community.

I would like to introduce to the House 36 students from Columbia Park, as well as seven parents and teachers, including educators Shan Jorgenson-Adam, Patti Matsushita as well as Catherine Lavelle. Will members join me in making them welcome to the House.

R. Cantelon: If you will indulge me, Mr. Speaker, with the House, I have a couple of introductions to make. Firstly, the CEO and directors of Nanaimo Airport are here, Cassidy Airport: Mike Hooper, the CEO; Dixon Kenny, a board member; and Al Tully, a director.

Since the expansion of the runway and the installation of new electronic equipment there hasn't been a single loss to weather, which is a notable thing for Nanaimo, since February of this year. It's an outstanding achievement, and they're building a new airport. Please make them welcome.

If I may make a second and then, perhaps, even a third introduction, we have children from Aspengrove

School here with one of the directors and founders of the school, Drew Digney. Please make them welcome. They're here to observe us today.

Then lastly, and I won't do it by name, the very able and competent legislative assistants to the Liberal caucus are watching us in the gallery to cheer us on during question period, and I'm sure they'll be heartily entertained.

D. Black: I'm pleased to have the opportunity today to introduce a very good friend of mine from New Westminster. Her name is Mary Ross. She's very active in our community in Century House. She is also on the New Westminster heritage committee and is a great example of active senior life for all British Columbians.

With her today is her son, Andy Ross, who is the president of the Canadian Office and Professional Employees Union, and also her daughter, Sue, who is travelling here from Tasmania, Australia, and searching out educational opportunities for her son in British Columbia. So I would ask everyone in the House to make them welcome.

Hon. G. Abbott: A couple of days ago I had the pleasure of dining with this year's group of legislative interns. They are an outstanding group of young people, and they have, as my colleague said, been serving this Legislature very ably now for a few months. It is, I think, a very good time to acknowledge them.

I had the pleasure of dining with them because I think they were curious to see what they might look like 35 years after they were legislative interns.

Interjection.

Hon. G. Abbott: Yeah, they'll look way better; that's for sure.

The program has been in existence now for 35 years. I had the honour of being part of the inaugural group of legislative interns. We were, of course, primary school students at that point in time. The age of the interns has gotten older over the years.

I want to introduce them, because they very ably serve both sides of the House. They include Ron Ahluwalia, Kristopher Henderson, Mark Hosak, Caitlin O'Brien Meggs, Kate McBride, Rahim Mohamed, Whitney Punchak, Angie Riano and Lindsay Walton.

They have done a great job, but I think one of the reasons why the legislative internship program has been such a success for such a long period of time is that we have very capable program direction through Karen Aitken, currently, and the academic director, my old friend Paddy Smith from Simon Fraser University.

They've all done a great job, and I want to again reiterate the comments of our caucus chair and say thank you very much to all of the legislative interns for a terrific job in 2010. Thank you very much.

[1340]

J. Horgan: I want to echo the comments of the Minister of Aboriginal Relations, particularly with respect to Dr. Paddy Smith and Karen Aitken, who do a spectacular job.

But I want to draw a little bit of attention to the five interns that were serving the opposition caucus over the past number of months, primarily because when you come to this place.... Those in the gallery can see it right here — the splendour and the grandeur of the Legislature.

I'm certain that when the interns signed on, they anticipated reasonable office space, up-to-date equipment, access to the corridors of power. Regrettably, the five interns that we've had on the opposition side have been in the dungeon. They've been in the basement experiencing Dickensian-like working conditions.

I want to highlight for members present that two members, Mark Hosak and Kate McBride, have had an office of reasonable proportions — very close to the food, which is important to Kate. Caitlin O'Brien Meggs has been in a corridor in the communication shop, so she's seen the whirling and the dervishes that fly through there, but alas, Lindsay Walton and Angie Riano are not even in a closet. They're in what used to be the photocopy room beside the power box. Despite these onerous conditions, all five of them have done a spectacular job.

I want to just point out for all members present that part of the intern experience involves visiting a member's constituency for a period of time. I believe that Kate McBride set a record by getting more media attention when she visited Prince Rupert than the member himself — large, full-page spread on the front demonstrating her media prowess.

Would the House, particularly our opposition caucus, please congratulate the five interns for the work they've done.

Tributes

CLAUDE RICHMOND

T. Lake: I'd like to take an opportunity to acknowledge someone very well known to this House and, in fact, very well known to your chair, Mr. Speaker: Claude Richmond, who today received an honorary doctorate from Thompson Rivers University in Kamloops.

The honorary doctorate is the highest form of recognition offered by TRU and is awarded for demonstrated excellence in the fields of public affairs, the sciences, arts, humanities, business and philanthropy. Claude Richmond has demonstrated excellence throughout his storied career. His contributions to the community have left a lasting legacy.

Whether through his work as a radio personality, his public service in municipal and provincial politics and government or as head of the world-famous Kamloops

Rube Band, Claude has worked to make a contribution to his community and indeed to all of British Columbia. I'd like to ask the House to please join me in congratulating a 20-year veteran of this House, Dr. Claude Richmond.

Introductions by Members

M. Elmore: It's my great privilege and pleasure to welcome to the precinct here today a number of members and leaders from the Filipino community. We had the great honour of hosting a reception to mark the 112th anniversary of Philippine Independence Day and the first such recognition here in the House.

It's my great honour to welcome and introduce my partner, Angelina Cantada, from Curly Tail Pictures. She's also the recent recipient of the Omnidiversity Award. We'll both be on the red carpet for the LEE Awards on Saturday.

As well, I'd like to welcome Alden Habacon from CBC television; the producer and writer of *Eschema* magazine, Anicia Miles, the organizer for the New West Philippine Independence Day events and also president of the Royal Sister City Society; and the Philippine labour attaché from the consul general, Bernardino Julve.

As well, from the Philippines we have joining us Bonifacio Ilagan, the scriptwriter for an award-winning film that's on a cross-Canada tour, *Dukot*. He's also with the First Quarter Store movement. As well, Dennis Evangelista, the film producer for *Dukot*. We also have joining us Jane Ordinario from Migrante B.C. and Francisco Jojo Quimpo from the Aklanon Santo Nino Association in B.C.

We're about to enjoy, on August 14, the first Pinoy Festival, the first parade in Vancouver hosted by the Filipino community. As well, we have Jay Catalan with the Network Hub — great young activists and communicators; Kei Baritugo from Bold Love Communications; and the editor and producer of *Planet Philippines*, Pocholo Insua. I please ask the House to make them very welcome, also in the spirit of celebrating Philippine Independence Day.

[1345]

D. McRae: Today I would like to say thank you and bid farewell to my legislative assistant Matt Pitcairn. He has helped this rookie MLA learn the ropes, organize my days, and he makes sure I show up on time. He even helped me find a giant Mukmukdoll when none could be found. He's leaving the caucus to return to Richmond to pursue new opportunities. Matt, you are an asset to the Liberal caucus, and you will be missed. Good luck in your future.

C. James: All of us as members come into this Legislature with a variety of experiences in our lives, and

I have to say one of the most rewarding, sometimes challenging but always joyful, experiences in my life is being a parent. I have two extraordinary children, Alison and Evan.

I have my daughter here visiting me today. Much to her mother's relief, she has come back from overseas after six years, and she brought with her, her new husband, now a year and a half — I guess he's not new anymore — our extraordinary son-in-law. I'd like to the House to please make welcome Alison and Chris Lomax.

Hon. P. Bell: On behalf of myself and the member for Prince George–Valemount, I, too, would like to welcome Kris Henderson. I understand he was not able to be joined by his wife today. Kris lived in Prince George for most of his life and has been one of our legislative interns. He graduated from UNBC with a major in political science and economics, and he's pursuing a noble career — well, a career — in either the field of law, politics or public service. Two of the three, at least, are noble, Mr. Speaker. I'll leave the third up to you. Please welcome Kris to the gallery.

M. Farnworth: I have a couple of introductions to make today. In the gallery from Coquitlam and the Tri-Cities, here to celebrate Philippine Independence Day are Ezna Hans Pasqual and Maria Annavera Pasqual, and I'd ask the House to make them most welcome.

The second introduction is someone whom I have known for a very long time and haven't seen for many years — in fact, probably not since, I think, 1988 when I graduated from Simon Fraser University — and who is a dear friend of mine. His name is Don Jarvis. He is a veteran, and he is here visiting the Legislature. He dropped by for the first time to see how we all do our things here in the House. I would ask you to make him most welcome. But most of all, it's his birthday, hon. Speaker.

J. Slater: Today I'd like to congratulate three people who helped me immensely: Razi Ardakani, who is leaving the Legislature; Matt Pitcairn; and Alesha Hayes. Again, as a first-year rookie in this Legislature, these three people have helped me immensely. I congratulate them. No, I wish them well on their future endeavours. Thank you very much for all the work that you've done for me.

Tributes

RICK DOWLING

R. Chouhan: I'm sad to announce that the business manager of IBEW Local 213, Mr. Rick Dowling, passed away suddenly on May 31. Rick immigrated to Canada from Scotland in 1967. He joined Local 213 in 1968. He was appointed assistant business manager in 1973 and

in 2002 was appointed business manager. Since then he was acclaimed three times to the same position. He also served as vice-president of the B.C. Federation of Labour. Under his leadership, the union was able to expand its membership beyond its traditional base.

He was a mentor and a great friend to many of us. It's with heavy hearts that we say goodbye to brother Dowling and thank him for his many years of dedication to all workers of this province. He will be greatly missed.

Mr. Speaker, the memorial service for Rick will be held Friday, June 11, at 2 p. m. at the Operating Engineers Auditorium in Burnaby.

[1350]

Introductions by Members

L. Popham: I would also like to welcome guests that are visiting us for the celebration of Philippine Independence Day. I have Katrina Laquian from UVic, Noel Feli from the University of Victoria as well; Petra Angpao-Durrance from the Victoria Philippine Solidarity Group, Ron Jeffries from the Victoria Philippine Solidarity Group, Chandu Claver from the Bayanihan Centre. Please make them welcome.

D. Thorne: Well, I've almost forgotten who I have to introduce. But, because I have the pleasure today of introducing some members of my family, really, I'm just joking. I can remember. I would like to introduce my husband, Neil Edmondson, who is returning to the Legislature. He's been here a couple of times, but my oldest son, Jay, and his family, Tina and Nathan, are coming here for the first time, and for an unusual way to spend a birthday. It was Jay's birthday yesterday, and he decided to come to the Legislature and spend the day here with us today. I think that's very special and really deserves a hand.

M. Karagianis: I would like to acknowledge a very extraordinary constituent of mine. Faith Reimer enrolled in Vic High School in 1938. She then went to high school at Vic High. Then she became a teacher at Vic High, and went on to become the archivist. Two days ago the Victoria High School and Vic High Alumni Association recognized her exceptional service by naming the Vic High archives in her honour. I would like to offer their congratulations to Faith Reimer.

L. Krog: In the gallery today is one of my constituents. She is a leader and a strong force in the Philippine community. She is, in some sense, their godmother. She just celebrated her 75th birthday and attracted no less than three MLAs and other politicians to it. I'd ask the House to welcome Dina Haaland

A. Dix: It is my honour to introduce today four visitors from Vancouver who are here to celebrate Philippine Independence Day: Alfred Tensuan, Carmelita Salonga Tapia, Laarni Liwanag and Michael Calingo. I ask everyone to make them welcome.

R. Fleming: Earlier today an astute group of grade 5 students from my constituency asked me the question that the member for Juan de Fuca posed earlier, which is: does this building have a dungeon? I assumed the posture of, perhaps, a government MLA and did not answer the question directly.

In the precinct today are 26 grade 5 students from Ecole Doncaster. They are with their teacher, Miss Caroline Chu, and guardian and parents are with them. I would urge the House to make them all feel welcome here today.

S. Hammell: I would also like to introduce members from the Filipino community, in particular those members who are visiting us from Surrey. I would like to introduce Coramae Atencio from Park Place Seniors Living; Jay Razon, a good friend of mine from the Multicultural Sports Development Society — founder and president of that group — Jeffree Melixi from the Multicultural Sports Development Society; and Joel and Narima dela Cruz, both from the Surrey Philippine Independence Day Society.

Joel, it needs to be mentioned, is also the recent recipient of the Top in Technology Award from the applied science and technology society. Would the House please make all of these people welcome.

G. Gentner: In the gallery today representing the Filipino community here on Philippine Independence Day is a constituent of mine, Mr. Peter Tambogon. He is also a director and represents the B.C. Multicultural Sports Development Society. Would the House please make him welcome.

[1355]

D. Routley: Also joining us on this very important day for the Filipino community in our province, the 112th anniversary of Philippine Independence Day, from Nanaimo are: Ferdinand Gonzales, Miriam Amar from the Vancouver Island Visayan Association; Teresita Fumerton from the First Filipino Canadian Cultural Society of Nanaimo; Beth Watson from Elite Premier Production, and Dina Haaland. Could the House please make them welcome on this very important day for all Filipinos.

K. Corrigan: I also would like to introduce members of the Filipino community that are here today celebrating their independence day, three constituents of mine: Maita Santiago, who is also the constituency assistant of

Mable Elmore, MLA; Paul Clemente and Tony Santiago. Will you all please make them very welcome.

D. Hayer: I also have the pleasure of meeting with the Filipino community at the Surrey Filipino church on Sunday where they thanked and recognized a Surrey firefighter and celebrated Philippine Independence Day. I would like, on this side of the House and all the MLAs, to say congratulations on independence day to all the Filipino members who are here, or ones who are in British Columbia, Canada who were not here today.

S. Simpson: I'm pleased to join with my colleagues who joined with the members of the Filipino community today at the reception supporting and celebrating Philippine Independence Day. I'd like to introduce some of our guests here: Mr. and Mrs. Florencio Gatchulian, Mars de la Cruz, from the *Vancouver Times*, and Jane Ordinario from Migrante, B.C., who's also one of my constituents. Please make them welcome.

B. Ralston: I, too, would like to welcome another guest to the celebration of Philippine Independence Day hosted by the member for Vancouver-Kensington. Randall Garrison is a councillor with the corporation of the township of Esquimalt. He was recently in the Philippines as an international observer of their elections.

H. Bloy: I, too, would like to thank a constituency assistant of mine, an LA, who is up in the gallery today: Ryan Pineo, who started as an ALA and now is being promoted, and I would like to thank Ryan Shotton, who has worked with me for the past year, who is now being promoted into another area.

While we're at it, I would also like to thank the Filipino community and all the ethnic communities that bring so much to British Columbia, that make us so multicultural, that make us the best place on earth to live.

J. Brar: I would also like to welcome three very important members of the Filipino community today who are with us, and from one Watko family. They are Rocky Watko, Linda Watko and Rocky Watko Jr.. They are here to celebrate the Filipino Independence Day. I think it's important today to say thanks to the people of British Columbia for electing the first Filipino MLA in the province of British Columbia. So with that, I will ask the member to please make them feel welcome.

S. Chandra Herbert: I, too, rise in support and in celebration of Philippine Independence Day. I would like to acknowledge Ryan Ferrer, with Times Telecom; Sammie Jo Rumbaua — sorry for the mispronunciation — with the Inspire Foundation; also Tony Somera, with FDD Financial Group; and Mr. and Mrs. Virgilio Amba.

In another announcement, I would like to congratulate the new members of the B.C. Entertainment Hall of Fame, celebrating people with great contributions in radio, theatre, film, TV and music. Please join me in celebrating Jon Washburn, Dave Abbott, Bruce Greenwood, Susan Jacks, Bruce Kellett — a constituent of mine — Bruce Pullan and my mother, Donna Spencer, who are going to be added to the B.C. Walk of Fame.

L. Reid: I want the House to join me in bidding a fond farewell to Razi Ardakani, who is leaving us — a reputed scholar — to do some work at the University of British Columbia. We wish him well in all future endeavours.

I would also take a moment to thank Cameron Ehl and Kevin Dixon, who do a magical job of orchestrating fine things in the Whip's office in British Columbia.

[1400]

J. McIntyre: You can see this is obviously the last day of session with all the thank-yous, so I won't repeat some. But I do see also Evan Southern up in the gallery, who has had a promotion to be a legislative assistant up on the second floor of the east annex. I would like to acknowledge his presence here today and congratulate him. Thank you very much.

S. Fraser: I would like to introduce Janice Lozano. She is from *Pinoy Buzz*, *Vancouver*, and *Philippine Asian Chronicle*. Would everyone here please make her feel very welcome.

D. Routley: In the spirit of extending this moment for further enjoyment, I've often joked that my 14-year-old daughter Madeleine would call me, as a school trustee, and interrupt meetings, so I would tell her: "If you're going to call me, you'd better be broken, bleeding or burning."

The other day during question period I got a call, which I ignored, but she had finally met that threshold. Madeleine took a head-first spill off the bleachers in her school and gave herself a very severe concussion, lost a tooth, fractured her upper jaw — a number of injuries. I'm sure she's at home riveted to this telecast. So I'd ask all the members to wish Madeleine a speedy recovery.

R. Cantelon: In the spirit of shortening the debate time this afternoon, the students from Aspengrove School, who I previously introduced, have now arrived and I welcome them to the chamber.

B. Routley: I think I've got some kind of historic record today. I got to be first and last at something, and that's the introductions of today. It has been a very long session, and I thank everyone in the gallery for their patience.

We have with us fine guests from the Cowichan Intercultural Society who are here to celebrate and ac-

knowledge Philippine Independence Day. I would like to join with my colleagues in thanking the member from Vancouver-Kensington for hosting the lunch today, and I would like to introduce Demy McEvoy and Melba Carlson.

Because this is the last day, I would like to extend a welcome to anybody else who is here who we didn't name. You're all welcome.

R. Lee: I would like to invite the whole House, the members, to the Hats Off Day in Burnaby North this Saturday, which is the best Burnaby festival, between Boundary Road and Gamma Street on Hastings Street, at nine o'clock. You are all welcome. This is the best festival in Burnaby.

Mr. Speaker: Are we sure there are no other introductions? I think we set a record today for the longest introductions.

Statements (Standing Order 25B)

FILIPINO COMMUNITY IN B.C.

M. Elmore: I rise today to celebrate gains of the Filipino community on the occasion of the 112th anniversary of Philippine Independence Day, which will be commemorated on June 12.

In 1964 there were only 770 Filipinos living in Canada. Now there are over 100,000 in B.C., comprising the province's third-largest immigrant group. They can be found in interior communities from Kamloops to Cranbrook, in coastal municipalities like Prince Rupert and, of course, most have settled in the Lower Mainland, especially in my diverse riding of Vancouver-Kensington.

They are nurses who care for our sick and the caregivers who dote on our children. They are professionals and workers who help fuel our economy, and more recently, the temporary foreign workers who fill in much-needed labour shortages.

Over the years, many able Filipino community leaders, businesses and organizations have established and contributed much to the various communities they reside and work in. Indeed, the Filipino community is a dynamic community that has much to offer, especially when it unites on important issues, such as the protection of the rights and welfare of migrant workers to the recognition of foreign credentials. This is the second-highest educated immigrant group, yet their earnings do not reflect their educational attainment.

[1405]

Many in this community are also impacted by what is happening in the Philippines. As such, I know that many closely follow social, political and economic developments there because of the strong ties they maintain

with friends, relatives and the country as a whole. The human rights situation is one issue that draws a lot of interest and support.

The Filipino community is well known for its *bayanihan* spirit — our spirit of hospitality and cooperation. As such, I invite everyone here and across the province to join me and my community in the many Philippine Independence Day celebrations happening in Surrey, Richmond, Vancouver, Coquitlam, New Westminster, the Tri-Cities, North Shore, Victoria and across the province.

In closing, I take this opportunity to, again, pay tribute to our vibrant Filipino community. I am certain that since this is an emerging community full of many promises, we will continue to hear stories of its successes in the House and across the province.

BOMBING OF AIR INDIA FLIGHT

D. Hayer: On June 23, 1985, the worst mass murder in Canadian history occurred: the bombing of Air India flight 182 by terrorists. It is quite clear that most of these terrorists were from British Columbia. According to many investigations, the bomb used was developed right here on Vancouver Island, and there is no doubt that it was loaded on an aircraft in Vancouver.

On that fateful day, June 23, 1985, at 31,000 feet above the Atlantic Ocean near Ireland, the Boeing 747 — with 329 men, women and children on board; mostly Canadian citizens — was blown out of the skies. On the other side of the globe, almost at the same time, at the Narita airport in Japan, two baggage handlers were blown up by a similar bomb, also loaded on a plane in Vancouver.

This dark day in Canada's history will be forever remembered. The victims of this terror were not simply the 331 persons murdered but thousands of family members who still grieve. They have not yet found closure or justice for the loss of their loved ones.

I speak of this from my personal viewpoint. My father was also a victim — a victim after the fact but a victim nonetheless. It is clear that he was murdered to ensure his silence. The rights to justice have not been fulfilled. We ask all the members and all the levels of government to work hard and pass laws that protect the rights of victims.

On June 23 I ask all members of this House and all Canadians across this land to remember for a moment the terrible act of terrorism and all those innocent victims who have not seen justice for 25 years, and also to work to make sure the rights of victims and the innocent in society are more important and protected than the rights of criminals.

POCOMO YOUTH SERVICES SOCIETY

D. Thorne: In 1992 I founded the PoCoMo Youth Services Society, a non-profit that supports vulnerable

and at-risk youth in the Tri-Cities. During the last 18 years PoCoMo has delivered several different programs, moving from the initial teen drop-in centres to the current award-winning Project Reach Out, a mobile outreach bus that goes to where the youth are, instead of trying to get youth to come to us.

I'm proud to say that Project Reach Out, the first of its kind in Canada, recently won the provincial Solicitor General award and the federal government crime prevention award. PoCoMo has maintained a consistent presence, positively impacting thousands of young lives and their families. They offer a safe place where youth are listened to and often given hope.

The youth workers who staff the two outreach buses have been directly instrumental in saving over a dozen young lives, according to officials in our community. They have provided approximately \$700,000 worth of services and another \$300,000 in saved vandalism costs during the past five years alone.

Unfortunately, PoCoMo has never managed to get ongoing operation funding for its programs and has had to rely on donations and grants from foundations, the city of Coquitlam and individuals.

PoCoMo is currently in a financial crisis, and I am hoping today to raise their profile, as they need all the financial help they can get. Without a new source of ongoing funding, Tri-City youth and, in fact, the whole community will lose the only after-hours outreach program and also five popular school programs that they run.

[1410]

PoCoMo is appealing to governments at all levels. They have served over 9,000 youth in the last two years alone, and the ripple effect of that is far-reaching. Can we please give them all of our support?

HISTORY OF STRATHCONA PROVINCIAL PARK

D. McRae: B.C. parks are one of this province's most defining features. Today a total of 14.26 percent of B.C. is protected, and this is more than any other province in Canada. To put it in perspective, this is an area equal in size to the provinces of Nova Scotia, New Brunswick and P.E.I. combined.

The protection of parkland all started 100 years ago. In 1910 the Strathcona discovery expedition, led by B.C.'s chief commissioner of lands, the hon. Price Ellison, set out on a journey to explore the centre of Vancouver Island, resulting in the legally defining of Strathcona Provincial Park, which also had the distinction of becoming B.C.'s first provincial park.

Every year thousands of people visit Strathcona Park to enjoy its amazing recreation opportunities. Whether they camp in the B.C. Parks campgrounds on the shores of Buttle Lake; trek inland to visit Della Falls, which is

one of the highest waterfalls in Canada; climb the Golden Hinde, which is Vancouver Island's highest peak; take a day hike in Paradise Meadows; or just enjoy the scenic drive through the park, Strathcona Park offers activities for everyone.

As a high school teacher and a lifelong resident of B.C., I think it's important to celebrate our province's rich history. In recognition of the creation of Strathcona Provincial Park and the 100 years of park history across this great province, the Strathcona Centennial Expedition plans to follow in the footsteps of the original party and re-enact Ellison's journey 100 years ago. The trek will start in Victoria, travel by boat to Campbell River, begin an overland trek from there to Buttle Lake in the middle of Strathcona Park and then head south to Great Central Lake, then travel by canoe to Port Alberni.

I want to thank B.C. Parks staff and Philip Stone, who is the head of the Strathcona Centennial Expedition, for all their hard work and organization to allow this re-enactment to occur. Please join me in wishing all participants in this journey a safe and prosperous time.

WINDERMERE SCHOOL ORGANIC GARDEN AND COSMETIC PESTICIDE PETITION

A. Dix: The Windermere organic garden is a student-driven initiative that includes 14 raised beds, a large greenhouse, a schoolwide compost system and an aquaponic system. The garden supplies food to the school cafeteria during the school year and is maintained over the summer by students. Additional food is sold at farmers markets as well as donated to the Collingwood Neighbourhood House Morning Star food program for low-income people.

Windermere Secondary School has been recognized by organizations such as the city of Vancouver, the Environmental Youth Alliance, B.C. Hydro, the Vancouver Area Cycling Coalition, the Evergreen Health Centre, Youth Ventures and many more for its ability to engage youth in meaningful ways.

The students involved with the gardens strive to educate their school community about social and environmental issues that impact our lives. For example, the team understands the importance of using natural pesticides to control weeds and unwanted bugs. As they learn more about the toxic chemicals that are used in cosmetic pesticides, they felt strongly that risking the health of the community was not worth having perfect green lawns.

With support for a provincial cosmetic pesticide ban growing, it was the right time for these students to collect signatures to show their decision-makers that youth are aware and care about the health of their communities. With little time and a lot of motivation, they've managed to collect over 200 signatures, hon. Speaker. I will be tabling their petition after question period.

I would like to recognize and thank the students who have worked so hard to make this campaign successful: Cassandra Ly, Brendan Chan, Kevin Liu, Henry Lau, Kaitlyn Fung, Angela Ho and Chanel Ly.

TABOR HOME SOCIETY

J. van Dongen: For the past 50 years Tabor Village has been providing care from the heart for the elderly in Abbotsford. Spurred on by the vision of Jacob J. Klassen, Jacob P. Martens and Abram J. Friesen, the Tabor Home Society was founded in 1959 by members of Mennonite Brethren churches in Abbotsford, Chilliwack and Yarrow.

With provincial government support, a 39-bed personal care home was built. July 18, 1960, marked the occasion of the sod-turning celebration for Tabor Home. Abram Friesen was appointed as the first house father. Katie, his wife, supervised the work of the staff and helped out in the laundry. Abe was responsible for the business and daily management and was the chaplain, counsellor and male nurse as required.

In the last 50 years Tabor Home has experienced several expansions of its facilities. In 1989 an independent living facility was completed and named Tabor Manor. In 2007 Tabor Court, a new 104-unit assisted-living facility, was also added. The full campus of care now serves over 240 seniors.

[1415]

Tabor Village has always paid attention to nurturing the spiritual health of residents and tenants. Tabor Village believes that the values and virtues promoted by the Christian faith greatly enhance the quality of care that can be provided.

The Tabor Home Society now has 3,000 members from nine Mennonite churches in the Abbotsford and Chilliwack area. I look forward to celebrating 50 years of providing care from the heart with the entire community on Saturday, June 19. Please join me in congratulating Tabor Village on a half-century of enriching the lives of seniors in the Fraser Valley.

Oral Questions

IMPLEMENTATION OF HARMONIZED SALES TAX

C. James: The number one issue on the minds of British Columbians, the number one issue we've dealt with in the spring session of the Legislature is the HST — a \$1.8 billion tax shift onto families and small businesses. The public has spoken out in unprecedented numbers against the HST. More than a half-million people have signed the petition since April.

I'd like to extend an invitation to the Finance Minister on behalf of the B.C. Liberals. This is his last chance here

in the Legislature during this sitting to actually stand up, show that he's listened to the people and say no to the HST today.

Hon. C. Hansen: There have been two big tax shifts that have taken place in British Columbia in the last two decades. The first big tax shift happened in the 1990s, after a party that ran in the 1991 election on a promise that they would not raise taxes increased taxes in British Columbia by billions of dollars. The second-biggest tax shift that has taken place in the history of British Columbia has happened in the last nine years, when we have seen the taxes for average families in British Columbia come down to the tune of thousands and thousands of dollars.

Interjections.

Mr. Speaker: Members.

The Leader of the Opposition has a further supplemental.

C. James: The B.C. Liberals have absolutely no credibility on the HST — none whatsoever. Before the election what did we hear from the B.C. Liberals? Before the election they were against it. After the election they were for it. Before the election they said it wasn't on their radar screen. Three days after the election they started negotiations with Ottawa. So will the Finance Minister stand up today, apologize to the people of British Columbia and get rid of the HST?

Hon. C. Hansen: In 1991 the leader of the NDP did not say....

Interjections.

Mr. Speaker: Continue, Minister.

Hon. C. Hansen: In 1991 the leader of the NDP did not actually go out to the public of British Columbia and say that he was not contemplating increases in taxes. He said there would be no increases in taxes. What happened? They went up by billions of dollars.

[1420]

In 2009 the Leader of the Opposition did not go out to the public in British Columbia and say that she was not contemplating the removal of a carbon tax. She said there would be no carbon tax. What did we find out afterwards? Oops, they did a direct flip-flop on stuff that was explicitly in their platform.

Given the record of the NDP when it comes to tax changes in British Columbia, they have no credibility. We are the party that has brought down taxes for British Columbia families. The official opposition voted against every single one of those tax reductions.

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

C. James: The more this minister talks and the more the government talks about the HST, the more signatures that are collected across this province. The B.C. Liberals promised not to bring in the HST, and they turned around and brought it in. The B.C. Liberals have shown absolutely no remorse for their actions. They're pushing ahead. In fact, they're actually looking at using taxpayer dollars to try and promote the HST.

Again, to the Finance Minister: stop the waste of tax dollars. Stop pushing forward and say no to the HST.

Interjections.

Mr. Speaker: Members.

Hon. C. Hansen: We ran on a platform that was one of supporting families in British Columbia. We ran on that platform to support families, and that's exactly what we're delivering on. We ran on a platform that said we were going to support small businesses, and that's exactly what we we're delivering on. We also ran on a platform that said we would create jobs in British Columbia and that British Columbia would come out of this economic downturn stronger, and that's exactly what we are delivering on.

B. Ralston: The part of the platform that the Finance Minister doesn't seem to want to talk about is the part where they promised not to bring in an HST. The more the B.C. Liberals fight the will of the public on the HST, the more public money they plan to spend. The Premier, when he was asked if there would be an advertising campaign to promote the HST, said: "We're not planning to do that." But the Finance Minister....

Interjections.

Mr. Speaker: Members.

Continue, Member.

B. Ralston: The Finance Minister has confirmed that the government is launching a pro-HST flyer to go out on the day after July 6, the last day of the initiative. The B.C. Liberals haven't ruled out an expensive television campaign. Will the minister simply save that public money and confirm today that he's cancelling the HST?

[1425]

Hon. C. Hansen: I think the Finance critic knows that he is misrepresenting a platform of the B.C. Liberal Party.

Interjections.

Mr. Speaker: Take your seat.
Continue, Minister.

Hon. C. Hansen: This is the last day of the spring sitting of the B.C. Legislature, and quite frankly, the Finance critic and his colleagues in the official opposition have a chance now to actually go out to British Columbians and do something that they have not done during this legislative session.

They can do something that they have not done during this legislative session, and that is to actually tell British Columbians what they would do, tell British Columbians how they would build the economy. Go out and tell the small business community in British Columbia that you actually support policies that will reduce their costs and that you will actually apologize for voting against the very tax measures that British Columbia families and small businesses are benefiting from today.

Mr. Speaker: The member has a supplemental.

B. Ralston: It's clear that the Finance Minister won't deny that he's planning to spend public money on a flyer delivered to every house in the province. He won't deny that he's planning to spend public money on an expensive television ad campaign. Why doesn't he just do the right thing and drop the HST right now?

Hon. C. Hansen: It's interesting that the NDP have been trying to recultivate their very strained and troubled relationship with the business community in British Columbia. They had a forum not too long ago. The Leader of the Opposition actually was trying to pretend that she was listening to the job generators in British Columbia.

What is obvious from everything the NDP have done is that their ears are plugged to the job generators of British Columbia. Even if you go to their very own website, you will find the links in their website that tell readers of the website where they should go to find more information about the B.C. economy. Where those links will take you.... Half of them will take you to organizations that are 100 percent in favour of the harmonized sales tax.

They also recommend that British Columbians actually go to another website to find more information about how to grow the B.C. economy, and that's the website of the B.C. Progress Board. What will they find there? They'll find this quote: "Harmonization of the PST with the GST due to its effect on investment and hence productivity was the main recommendation in the board's 2008 *Investment in B.C.: Current Realities and the Way Forward* report." Mr. Speaker, that is the way forward, not the NDP plan on their website.

D. Black: Another day and another piece of information on just how much more the HST is going to cost

British Columbians. The city of New Westminster's parks and rec department has announced that all children over the age of 15 who use their drop-in services, take out a membership, rent equipment, register for a sports program will have to pay HST on all those programs after July 1.

My question is to the Finance Minister. Why is it that the B.C. Liberals want to make it more difficult for the people of British Columbia to be healthy and active?

Hon. C. Hansen: I want to share with the member some numbers I shared earlier, and that is if you look at the total taxes paid by a B.C. family of four earning \$60,000 a year as family income, the total amount that that family would pay today compared to 2001 is literally in the thousands of dollars less. Let me actually give you the number here. That family would be paying about \$3½ thousand less in total taxes today than they would have in 2001.

[1430]

Interjections.

Mr. Speaker: Members.

D. Black: Well, nothing that the minister has said in this House from the time this controversy started can take away the fact that during the election campaign the B.C. Liberals put in writing that they would not be implementing an HST, and only three days later they were into negotiations on how to foist this onto the B.C. people.

This is the last day of this sitting of the Legislature. I ask the Minister of Finance to stand up in this House, come clean, make a commitment to the people of British Columbia and withdraw the HST.

Hon. C. Hansen: I think that member knows that what she just phrased in that question is not factual.

Interjections.

Mr. Speaker: Members.
Continue, Minister.

Hon. C. Hansen: What we on this side of the House will commit to B.C. families is that this is a government that's going to continue to generate jobs. This is a government that's going to continue to make sure that the taxes those families pay will be among the lowest in all of North America and in Canada. What we will commit to is economic policies that are going to ensure that we have job creation so that the families in British Columbia have good, family-supporting jobs that are going to ensure that they can enjoy a quality of life in British Columbia like never before.

M. Farnworth: I'll tell the minister what's factual. In 85 ridings across this province tens of thousands of British Columbians have signed a successful initiative petition — in every riding across this province. And millions of British Columbians have made a commitment to keep signing that petition until this government unplugs its ears and gets the message to scrap the HST.

My question to the minister is this. This government has dismissed the public's efforts around the initiative. This government has dismissed their concerns. Will he for once listen to the public, accept that they're right and cancel the HST?

Hon. C. Hansen: Actually, what's interesting is that this member, the opposition House Leader, was actually a member of this Legislative Assembly in the early 1990s when the Recall and Initiative Act was first passed.

[1435]

Interjections.

Mr. Speaker: Members.
Continue, Minister.

Hon. C. Hansen: That member was a member of this chamber when his government actually brought in the recall and initiative legislation. We didn't write that legislation; they did. Yet we are the ones on this side of the House that are saying that we're actually going to follow the letter of the law in the Recall and Initiative Act. What we're hearing from the other side of the House is that they think we should actually ignore that and do some other process.

We will follow the process set out in that legislation. We will respect the law, and I expect that the opposition should as well.

SOUTH FRASER PERIMETER ROAD PROJECT

V. Huntington: In a rather bizarre press release entitled "South Fraser Perimeter Road Moves Forward," the government announced a delay in the Delta portion of the project. I think we can all rejoice in that the government has finally admitted that in moving forward, it's going backward.

Interjections.

Mr. Speaker: Members.

V. Huntington: Official explanations that the environmental assessment and Land Commission decisions took too long are ridiculous, and I ask: why the delay? Is the preload proving unstable? Has the tendering process run into trouble? Has the consortium run out of money? Has the government run out of money? I wonder if the

Minister of Transportation could tell us the real reasons for the delay.

Hon. S. Bond: We're absolutely delighted to talk about a transportation plan that's actually transforming British Columbia. Today of all days we are delighted to talk about projects that this government's been a part of, including projects like the Canada Line which are seeing numbers that are absolutely exceptional in this province.

The member opposite is well aware that this project has undergone the most stringent environmental assessment plan in the history of projects in British Columbia. It is proceeding, and it will make a difference to the residents of that area of British Columbia.

Mr. Speaker: The member has a supplemental.

V. Huntington: I would dearly love to sit down with the minister and take her through the failings of that environmental assessment.

I suggested in estimates that the scope of this project was rumoured to have changed. Now, the minister said that wasn't the case, and I certainly accept that. But something, obviously, has changed. Has the ministry finally recognized the alternatives, such as using the existing road and distribution system for 18 hours a day instead of eight? Has it calculated that the widened Panama Canal may reroute container traffic to the east coast ports? Or has the development of terminal 2 been delayed, and without it, a four-lane divided highway on agricultural land is simply unjustified?

Given the alternatives available for the movement of cargo, could the minister tell us why we need the SFPR, especially in its existing configuration, at all?

Hon. S. Bond: Well, first of all, one of the primary considerations of the South Fraser perimeter road is to take busy commercial traffic off residential streets and ensure that we have safe communities.

The other thing is that this government has had a significant priority in ensuring...

[1440]

Interjections.

Mr. Speaker: Minister, just take your seat.
Continue, Minister.

Hon. S. Bond: In fact, it is absolutely essential, as we continue to work on an Asia-Pacific strategy that requires that we have efficient trade corridors. These projects are essential. We're going to continue to move forward.

The member opposite knows that my staff and I have spent considerable time discussing this issue with her. In fact, we recognize that it needs to be done appropriately

and sensitively, but we're going to move forward. It is under construction, and it will make a difference and ensure our Asia-Pacific strategy has a trade corridor that is efficient.

ENBRIDGE OIL PIPELINE PROPOSAL

G. Coons: This past weekend over 500 northern B.C. residents gathered in Kitamaat village to oppose Enbridge's plan to open B.C.'s northern coast to tar sands supertankers. Mr. Speaker, 28 B.C. First Nations are opposed to this proposal, including every First Nation on the north and central coast, as well as 80 per cent of British Columbians.

My question is to the Minister of Environment. His job is to represent the province. Will he tell the Prime Minister to just say no to supertankers on our sensitive northern coast?

Hon. B. Lekstrom: As the member, I think, well knows, this project is before the full Canadian environmental assessment that has to take place. That's an opportunity for First Nations, for individuals, for communities, for affected parties to actually go forward, express their views and put their wishes forward. At that time, we've said from the beginning that we're going to respect the wishes of the environmental assessment process. We're going to let them do their job.

I don't want to miss the opportunity to put something on the record here, and I'm going to read a quote. It says: "We should trust the environmental assessment process." Moe Sihota, who is the president of the NDP party, said that. I'm sure most of the members on that side voted for Moe.

COSMETIC USE OF PESTICIDES

R. Fleming: Throne speeches outline a government's legislative agenda, and based on the throne speech last August, British Columbians expected the Minister of Environment to ban cosmetic pesticides provincewide to protect human health and the environment. These are protections from toxic exposure that almost 22 million Canadians have today, but four million British Columbians do not have.

My question is to the Minister of Environment. Why is he still permitting the widespread use of these harmful chemicals in our playgrounds and neighbourhoods?

Hon. B. Penner: We're ending the session the way we began, with the NDP Environment critic being absolutely wrong. The throne speech commitment from August 2009 — and I'll read it into the record, since apparently he didn't have time himself to do his own research....

Interjections.

Mr. Speaker: Member.

Minister, take your seat.

Continue, Minister.

Hon. B. Penner: Since it's apparent that the Environment critic couldn't find the time to do his own research and actually read what the throne speech commitment was, I'll read it into the record for all members. "British Columbians will be consulted on new statutory protections to further safeguard our environment from cosmetic chemical pesticides."

Mr. Speaker, that's exactly what has taken place. More than 8,000 submissions have been received from British Columbians across the province. Our ministry is busy reviewing those suggestions, those comments. I've asked ministry staff to develop a number of proposals.

But all British Columbians should know that no substance is allowed to be sold in British Columbia unless it's first approved by experts at Health Canada.

Mr. Speaker: The member has a supplemental.

R. Fleming: Maybe the minister, if he wouldn't like to take my word for it, would like to listen to the Canadian Cancer Society, because they have said very clearly that the B.C. Liberals are not moving on consultations that were completed months ago.

This government hasn't presented legislation to this House based on the advice that it received from countless experts. It continues to ignore the efforts of local government. It continues to ignore the Union of B.C. Municipalities, which speaks for all local governments in British Columbia.

[1445]

It ignores warnings from the World Health Organization. It ignores the opinion of 80 per cent of British Columbians who want legislation like this.

My question is to the Minister of Environment again. Why is he breaking his pledge to ban cosmetic pesticide use in British Columbia?

Hon. B. Penner: As I've already indicated, we have met the commitment to consult with British Columbians, and we've in fact posted the results of that consultation on the ministry website. Now again, I wouldn't expect the member to have taken the time to actually do his own research and read the document. But if you review that document, you'll see that we got a wide range of suggestions from all British Columbians across the province.

But let me be very clear about something here, and I'll be a little bit personal. No one takes the issue of cancer more seriously than I do. I've personally been diagnosed with cancer. It's obviously something that all people in this House take seriously, and that's why we have to be thoughtful about how we approach this issue.

Everyone is concerned about cancer, but we also want to make sure that we have the best available science, and

I can assure British Columbians right now that no substance is allowed to be sold unless it's first reviewed and approved for sale by Health Canada. They have literally hundreds of scientists and specialists that are engaged in this activity, and British Columbians have the right to know that.

[End of question period.]

Petitions

A. Dix: I wish to present two petitions today. The first is a petition from 600 members in my community of Vancouver-Kingsway in support of rebuilding and fixing the Carleton School kindergarten.

The second is from 200 students of Windermere Secondary School who support a ban on cosmetic pesticides.

S. Fraser: I seek leave to present a petition.

Mr. Speaker: Proceed.

S. Fraser: I have a petition from over 1,200 British Columbians urging the government to move forward with legislation to ban poisonous antifreeze.

D. Routley: I present a petition.

Mr. Speaker: Proceed.

D. Routley: Chronic pain currently affects one in five residents on Vancouver Island. There are 480 signatures of Nanaimo and Ladysmith area residents seeking funding for the part-time position of a clinical psychologist as well as funding one extra day of operations for the interdisciplinary interventional pain management program at the Nanaimo Regional Hospital — people who need the help of this House.

J. Kwan: I rise to table a petition. I have a petition here from a local gym, Curves, in Vancouver-Mount Pleasant. Its membership has signed the petition against the HST.

D. Hayer: I seek leave to make a recognition.

Mr. Speaker: Proceed.

Statements

PORTUGUESE HERITAGE MONTH

D. Hayer: This is Portuguese Heritage Month, and June 10 is Portugal Day. I ask all the House members to recognize Portuguese Heritage Month. To all the Portuguese-descended British Columbians and

Canadians, I thank them for everything they've done to build British Columbia and Canada.

Interjections.

Mr. Speaker: Members.

Hon. M. de Jong: I have two matters of business that may be of interest to members of the House. The first is truly housekeeping, and that's a reminder from our very able staff as we move towards the ending of proceedings for the spring session to clean up personal matters out of desks and take those matters with you, or they will disappear.

The second relates to the work of the committee of selection charged with the task of recommending the appointment of a Chief Electoral Officer. Members will know that that work has not been completed thus far, and there is no recommendation from that committee. Pending the completion of that work, it will be necessary to ensure that an acting Chief Electoral Officer is in place to oversee the important responsibilities of that office.

[1450]

I wanted to take the opportunity to advise the members here before we depart that the Clerk of Committees, Mr. Craig James, has agreed on a temporary basis to serve as acting Chief Electoral Officer for British Columbia. He has agreed to serve in an acting capacity until such time as a permanent Chief Electoral Officer has been appointed. He will not be applying for the position of Chief Electoral Officer, and at the conclusion of his time as acting CEO, he will be returning to the Clerk's table, where he has served this Legislature with distinction for almost 25 years.

I thought members would like to know that, and we are grateful to Mr. James for fulfilling that function on a temporary basis.

Orders of the Day

Hon. M. de Jong: I call, in Committee A, Committee of Supply — the continuing estimates of the Attorney General Ministry and of the Ministry of Public Safety and Solicitor General — and, in this chamber, continued second reading debate on Bill 17.

Second Reading of Bills

BILL 17 — CLEAN ENERGY ACT (continued)

Mr. Speaker: Member for Vancouver-Kingsway on the hoist motion.

A. Dix: The referral.

Mr. Speaker: On the referral motion, sorry.

On the amendment (*continued*).

A. Dix: I think it's useful at this point in my presentation to review the motion that we will be discussing this afternoon — and, it's my fervent hope, that we'll be passing this afternoon.

[L. Reid in the chair.]

The motion contains three important elements, I think, all of which we ask members of the House to consider and to support. The first element, of course, is that "the Clean Energy Act not be read a second time now" — I will get into some discussion of that question — but that instead "the subject matter be forwarded to the Select Standing Committee on Crown Corporations" and, further, that "the committee be empowered to invite witnesses to appear before it to assist in its deliberation."

As we noted before the lunch adjournment, I think this particular piece of legislation requires more consideration than a second reading debate, no committee stage debate and closure in this Legislature. It is in fact a very significant piece of legislation that does three sets of things that make it particularly important that it receive a second thought and a second consideration.

The first, of course, is the import of what's being discussed here — the amount of money and the fact that the current regulatory process is essentially being end-run by the government with the legislation. There are huge stakes for taxpayers and ratepayers. The taxpayers and ratepayers are going to be forced to pay more as a result of this legislation, and the government has refused or failed to provide evidence of the need for the legislation.

An example of that is the specific commitment by the Minister of Energy to provide a business plan with respect to the smart meter question and then subsequently renege on that commitment — a commitment made not just to the opposition but to the public. The issues involved — a billion dollars for smart meters, \$10 billion for projects, a huge potential rate increase for ratepayers and a dramatic shift in the government's policy — require us to review this matter in committee. That's the first set of things.

The second set of things, it seems to me, is the fact that the legislation itself represents a significant flip-flop on the part of the government on some critical issues.

Before lunch we reviewed some of the many comments of the Premier of British Columbia, the member for Vancouver–Point Grey, who repeatedly and incessantly said he would never do what he is precisely doing with this legislation. He would never use his legislative majority to override the B.C. Utilities Commission. He was going to be a defender of the B.C. Utilities Commission.

He repeatedly said that, up to and including election day and in the period subsequent to election day.

[1455]

In other words, we have a piece of legislation that directly contradicts the longstanding view of the government on a key and fundamental question — the right of the B.C. Utilities Commission to oversee these projects.

At the same time as it's engaging in a reckless plan that puts public dollars at stake, public dollars that might well be used better for other things, the government is also removing the regulatory oversight for that plan. It is refusing to provide basic details about what it plans to do to the BCUC. It fails to allow cross-examination on specific questions that it committed to — to the public, at length — as recently as a few months ago.

I think that when a government flip-flops on such a question so dramatically and then passes legislation using closure at the end of the session, that is not good, to say the least, for our democratic system. The government holds and must fulfil its obligation to answer questions and to be heard. They have consistently failed to do that. We have a piece of legislation here that overturns that longstanding commitment. I think that adds and strengthens the case.

It's one thing for the Premier to say that he used to support the BCUC and that now he wants to gut its role. That's one thing. But it's another thing for him to say that before and after an election, and it's another thing for him to say that without adequate debate or allowing for the information that justifies that decision to come forward to the public.

The second change, of course, is around the B.C. Transmission Corporation, which the government set up, which wasted tens of millions of dollars on administrative costs, paid for by ratepayers and taxpayers — \$2 million in board costs alone, for board stipends alone. The government came to this House and drove that legislation through in 2003. The members of the government party said it was the answer.

Now, without discussion, they are flip-flopping on that question. I think it is important that people involved in that discussion come to that committee and explain what happened — to answer, as I asked earlier, whether the government was incompetent then, is incompetent now or has been incompetent both then and now on this question, on the export question, because they have changed the terms of the debate.

They now want us to subsidize exports to the American market. This is a change in policy for us — to put all of those resources that the people of British Columbia hold and use them to subsidize their political friends but also exports to the American market. That is the essence of their plan.

They can make the argument, the economic business case, for that plan if they like. It is a complete change in

position. It is a change in the historic position of this government and of previous governments dating back for 50 years. But that's okay. They can hold that position if they so desire, but they shouldn't be allowed to hold it while hiding from the people of British Columbia the very information they require.

The third flip-flop, if you will, is that the government and B.C. Hydro said, at the time that the B.C. Utilities Commission overturned their scheme and said no to their scheme, not because they were opposed to the government's positions on these questions — they actually couldn't take that position — but because the government hadn't fulfilled its commitment to provide and B.C. Hydro hadn't fulfilled its obligations....

So here we have a government that goes before the Utilities Commission and fails and then decides to cheat. It's like if the Chicago Blackhawks got in touch with Gary Bettman and asked for him to overturn the results of game 3 because they didn't like being scored on in overtime. They thought only one team should be allowed to score in overtime. That's what the government has done here.

They went to the Utilities Commission. They said they'd respect the Utilities Commission. The Utilities Commission sent them packing, and rather than fulfil their legal obligations, they decided to cheat, to come into this House and introduce a scheme to avoid just that very regulation, to avoid public scrutiny, to avoid explaining why and how they were...

Deputy Speaker: Member, I would caution on the use of language.

A. Dix: Thank you, hon. Chair.

...going to spend billions of dollars in public funds.

The government went to the Utilities Commission, lost at the Utilities Commission. Like other groups, other people who have stood up to the government in the past, not because they want to stand up to the government, not because they're opposed to the B.C. Liberal Party — they're actually appointed by the B.C. Liberal Party government — but because they had a legal obligation to apply the law, and the government hadn't met the test....

[1500]

Instead of meeting the test or changing their initiative, the government decided to change the rules, to change the rules of the game. I think that decision and its effect of overturning an existing process before the B.C. Utilities Commission requires the government to come somewhere — anywhere — to justify this dramatic flip-flop in policy. They need to do that, and they have not done it.

On the so-called issue of self-sufficiency, the government needs to explain why they have stacked the deck on this question, to drive exports, subsidize exports to the

American market; why they expect ratepayers in British Columbia to subsidize, to take risks that the private sector will not take themselves; why they want to subsidize and pay the difference between the costs they're paying for energy and the significantly lower costs they may well pay for energy in the United States market.

They have an obligation to British Columbia. This is an obligation they have. They don't want to do it before the B.C. Utilities Commission. They need to provide that information somewhere, somehow, some way. One of the places to do that, it seems to me, would be before the Committee on Crown Corporations and the discussion of this legislation, to give members on all sides of the House, including Liberal members, the opportunity to defend and explain.

That's clearly why Bill 17 should not be read a second time now, because the plan of the government — having run roughshod over the B.C. Utilities Commission, having flip-flopped on these fundamental issues, having put billions of dollars at risk — now is to drive through this legislation without committee stage debate, and that is not nearly good enough. It's not nearly good enough, I think. That's the reason why the subject matter should be referred to the Select Standing Committee on Crown Corporations, because this is exactly the purpose of a legislative review by such a committee.

We — as you know, hon. Speaker — will be coming back here, because I know how much the government respects the legislative calendar. We'll be coming back here in the first week of October, and maybe at that point the government will have an agenda, but let's have a discussion of this. Let's give the Select Standing Committee on Crown Corporations the opportunity to review this bill.

Those are the two paths: to use closure today to drive through a bill that itself is a closure on public process, on the one hand; or, on the other hand, support this motion, which will allow for a review over the summer by members of the Legislature doing their job. Then the government — which, of course, intends to return at the beginning of October for the fall sitting, with hopefully some sort of agenda.... They've decided to go without one in the spring session, but in the fall session I'm sure they'll come forward with some sort of agenda. They would do that then.

Those are the two paths, and clearly, the desirable path for the public is the path of reviewing, of straightforwardness, of transparency, of providing business plans that the government long promised to provide.

The second, final part of the motion that I think is strongly worthy of support by members of the House is the need on this question to have witnesses, because it seems to me that we've been seeing, over the last little while, some change in views from some people, some deals cut in back rooms, presumably around who will pay what to whom in the future. I think it's legitimate

to ask interested parties to come and give their views in this Legislature and to a legislative committee.

I think that that is, in fact, the right approach from here. We should hear from people on all sides of the debate, not just those that agree with us and express concerns about the risk. Perhaps the government can find someone out there who wants to get rid of the BCUC. I'm sure there's someone out there outside of the IPP industry. There's someone out there who would like to do that, and we should have them.

David Austin, perhaps, could come and provide evidence. The Business Council, the same Business Council that said that the public shouldn't be forced to pick up the risk inherent in these power projects.... Perhaps the Business Council can come and express its views. Experts such as Marvin Shaffer could come and express their very strong convictions that this is the wrong path for British Columbia.

Members of the government, if they are not afraid of having that debate, and I would hope that they would not be, on the committee.... I'm sure members on the committee would take that opportunity on.

[1505]

They could discuss with Dr. Shaffer his concerns about a piece of legislation — and I'm just going to quote from him:

"That is remarkable in the power it is putting in cabinet and the cost it's imposing on B.C. Hydro. It's the government's response to its concerns that it won't be able to convince the BCUC of the merits of IPP purchases, transmission extensions, smart meters and other measures it wants B.C. Hydro to undertake, and its concern that even B.C. Hydro might not eagerly go along with its plans."

Dr. Shaffer adds:

"The absence of any independent oversight of almost all of what is required under this act is bad public policy. It is bad legislation. It has to be a forerunner for the worst legislation of the decade."

I'm sure government members might, in fact, be able to offer other pieces of government legislation that were even worse than that in their own defence. It would be interesting to have that debate, not just to hear, in fact, from Dr. Shaffer but from other experts and other involved parties.

Interjection.

A. Dix: Well, the Minister of Aboriginal Relations, of course, disputes — the typical kind of McCarthyist attack on anyone that you don't agree with. That's the usual path.

What I would say is let's have him.... Let's have Mr. Kariya of the IPP Association come and speak to the committee. Let's have him, the Business Council, the mining association, Mr. Austin — a whole range of people. Let's have that involvement, and by members of the public, in the debate, because the issues here are fundamental.

The problem with this bill and the reason why it requires referral to committee is exactly the problem raised

by the Minister of Aboriginal Relations. The BCUC did something they didn't like, so they're getting rid of the BCUC's role, and that, I think, is profoundly the wrong path.

Set aside the fact that the Minister of Aboriginal Relations and all of his colleagues campaigned on the opposite position. Let's set that aside for a minute. There's lots of precedence for that recently. The issues, and the scope of the issues, are so significant to British Columbia. I think the most important evidence will surely have to be given by B.C. Hydro and by the Minister of Energy.

The Minister of Energy surely would have to come to that committee and provide the very business cases that he has consistently refused to provide. I think if you're going to spend \$10 billion and more on projects using public funds that appear to favour some people and disfavour other people, that you have an obligation to show where you see the public interest is. You have an obligation to provide the facts to the public.

There has been a tradition in this province of parties of all political stripes doing that, and there's good reason for that. It's one of the reasons why B.C. Hydro and its energy plans over the years have received such overwhelming public support, even though there has been lots of controversy at different times about their initiatives.

I wish that the government would simply listen to the voice of reason, would choose the path of allowing some transparency on this process, the path of providing the evidence that supports its initiative to the public, the path of having public hearings, of listening to the people of British Columbia. That is the path that will lead us to better legislation in the future.

What won't do it, though, is a decision to proceed down the road we're on today: second reading imposed by closure; committee stage imposed by closure, without occurring; third reading imposed by closure; and then legislation brought into effect where the only place these questions will be discussed and answered — if, in fact, discussions ever take place in the cabinet room — will be in the cabinet room in British Columbia.

I think this is a good path. It's a gift to the government. It's a lifeline to the government not to make the terrible mistake they are making in ramming through this legislation.

I ask all members of the House to support the amendment I have proposed to refer this bill to the Standing Committee on Crown Corporations.

[1510]

T. Lake: I rise to speak against the referral motion. The Clean Energy Act, Bill 17, is an opportunity to move forward as a province. In British Columbia we have a remarkable opportunity to meet the energy demands, our growing energy demands, in this province as well as provide solutions to the real challenge of

combatting climate change and increased greenhouse gas emissions.

I don't think that we need to send this bill to a committee. This debate has been going on for a very long time. It was one year ago — just over one year ago — during the election when I heard repeatedly from the NDP that B.C. Hydro was a very important Crown corporation, that we should invest in B.C. Hydro. They accused us of wanting to sell off B.C. Hydro.

Here we have a bill that says we recognize the importance of B.C. Hydro. We recognize the public investment that the people of British Columbia have made in that Crown corporation, and we recognize that when it comes to creating clean, green energy, no one does it better than B.C. Hydro. In fact, this bill says that B.C. Hydro is going to invest \$1.8 billion in green energy this year and another \$2 billion in the year after that. With Site C we can expect up to — well, approximately \$8 billion more of investment on the part of B.C. Hydro.

This debate has gone on for a very long time. When I listen to the debate from the NDP on this Clean Energy Act, I'm increasingly confused over their position about B.C. Hydro and their position on clean, green energy. Sending it to an all-party committee of the Legislature I don't think will provide any clarity, because we haven't seen any clarity from the NDP on where they stand as regards to B.C. Hydro, Site C or the formation of clean, green energy to help not only British Columbia but, in fact, other people with whom we share this planet combat greenhouse gas emissions.

It's clear that we need more energy. B.C. is expected to increase its demand by as much as 40 percent over the next 20 years, and that could even go higher. A recent Statistics Canada report showed that British Columbia would be the fastest-growing province in Canada, and that in fact, by the year 2035 we may reach a population of seven million people. That's an increase of more than 50 percent over today's figure.

In fact, the 40 percent growth in our electricity demands may be quite conservative. We may actually have to produce or at least expect the demand to grow by more than 40 percent. We need to make decisions in anticipation of those growing energy demands, not sit back and wait until there's a crisis in the supply of energy. We need to make sure we move forward now with decisions that will ensure that our children and our grandchildren have an ample and clean supply of energy in British Columbia.

The NDP would prefer that we rely on less-than-clean energy that we currently import from other jurisdictions. We on this side of the House, on the government side of the House, are not content with the status quo. We are not content with firing up an old natural gas-using energy facility. We would rather go forward with clean, green energy — and a lot of that energy, the vast

majority of that energy supplied by B.C. Hydro using the natural resources that British Columbia is renowned for.

I also am sometimes very confused by the attitude of the opposition when it comes to what has made this province such an economic powerhouse, such a wonderful place to live and to work. Of course, much of that strength, that prosperity comes from exporting.

[1515]

We don't live in isolation. We rely on exports. We rely on oil and gas exports. We certainly don't use all the oil and gas that we produce. We rely on the export of those commodities to produce wealth in this province, to produce jobs in this province, to provide a standard of living that we've grown accustomed to in this province.

The minerals that come out of our ground — we rely on exporting these minerals around the world. I was heartened to hear the member for Cariboo North talk about the disconnect that sometimes occurs between people in urban areas and people in the rural areas when it comes to the extraction of minerals.

I'm glad to hear that he was standing up for rural British Columbia, reminding those of us that live in urban areas that we depend on those natural resources that come from our rural areas when he was talking to a Vancouver audience recently about all the benefits of the Prosperity mine in the Cariboo.

The wood that we harvest that has been a mainstay of our economy for over a hundred years — that wood doesn't stay in British Columbia. Most of that wood is exported, and that generates a tremendous number of jobs, a tremendous amount of prosperity. That is what makes British Columbia a wonderful place to live and work.

Another export we have that can compete with any around the world is our education system. We have an international educational opportunity. It's essentially an export. We are exporting the advanced education and, growingly, the K-to-12 education system because we know that there are people around the world who want their children to have the same high standard of education that we have here in British Columbia.

We're not shy about exporting those commodities. We know that these commodities are well known around the world, and British Columbia can supply the world and create wealth here at home. So we have an enormous opportunity with green, clean energy to add to our suite of exporting commodities.

Any of the members of the opposition, I'm sure, will be familiar with Thomas Friedman, the author of *Hot, Flat and Crowded* and other publications that seek to address the enormous challenge of energy production in a world that has challenges with greenhouse gas emissions and climate change. Mr. Friedman says this is an opportunity. It's an opportunity when the market dictates an opportunity. That opportunity will be filled.

Well, I say that here in British Columbia we can fill that opportunity. We can create clean, green energy for export that will allow people in California, people in Oregon, people all over the United States to meet their need for energy in a clean, environmentally sustainable way.

I don't think that's anything we should apologize for. I think we should be proud that British Columbia can offer the technology and the resources to offer the opportunity for business to look at ways and means of combatting the very real concern we have for climate change and the need for clean, green energy. I have absolutely no idea why members of the NDP think that is a bad thing or that we should somehow be ashamed of being global citizens and providing an entrepreneurial opportunity to meet the demands that we know are in front of us in places like California.

While we're doing that, this Clean Energy Act will protect the heritage assets that we all appreciate and know will be there for us in British Columbia. I mentioned the tremendous investments — \$1.8 billion this year on the part of B.C. Hydro, \$2 billion next year. That includes new turbines at Mica and Revelstoke.

We know that the member for Columbia River-Revelstoke is opposed to this bill, this bill that will create wonderful job opportunities to keep young people at home in Revelstoke, to provide a great opportunity for families to succeed and bring their families up in that wonderful environment that we know exists in the community of Revelstoke.

Site C, which will have to pass through a full...

Deputy Speaker: Member, if I might invite you back to the debate of the motion.

T. Lake: Thank you, Madam Speaker. The motion is to refer this Clean Energy Act to a committee. The reason that I am enunciating all the benefits of this Clean Energy Act is because this is, in fact, where debate occurs.

[1520]

The debate occurs on an everyday basis in the public. The debate certainly occurred in the election over one year ago, when the NDP told people that we were going to sell B.C. Hydro. Why will we have the debate again in committee when we've already had the debate out in public?

Now the NDP seems to have changed their mind. Now the NDP seems to think that B.C. Hydro somehow shouldn't be investing billions of dollars in our public power that will keep our rates among the lowest in the western world.

I think that the opportunity to debate occurs right here in this House. We've been debating it over the last several weeks. We've been debating it in our ridings, and we certainly debated it in the election one year ago.

In that election debate — and I'm sure the same debate would occur if we referred this motion to a committee — was the protection of our ratepayers in British Columbia and the ability to make sure that those rates remain among the lowest in North America. In fact, the B.C. Utilities Commission will remain to regulate B.C. Hydro's domestic supply and those rates. That is in this bill. That is what the NDP said they wanted, and it is in the bill.

So I fail to see the need to refer this bill to a committee when, in fact, it meets many of the demands made by the opposition during the election campaign over one year ago. Not only will this act protect those low rates, but in fact, it legislates that those low rates will be there, monitored by the B.C. Utilities Commission and not used to subsidize exports that we know are a potential to help areas like California deal with their energy needs.

In the election a year ago, when this was debated, the NDP talked about the wise use of energy. Anyone who has read books by Thomas Friedman, for instance, knows that things like smart meters are, in fact, a way of increasing awareness of energy use.

To send this bill to an all-party committee to debate how we can increase the awareness of people's energy use.... I fail to see the need to do that when it is really part of our everyday knowledge that metering, using metrics to monitor usage, certainly affects people's behaviour. If you're looking for conservation, we know that by using metrics we can monitor people's use and increase and promote energy conservation.

We know that that works for water. In my community of Kamloops there is going to be a water-metering process in place because they know that that is the way we can conserve water. We can conserve capital expenditures that would be necessary if the amount of water kept increasing.

We do not need a committee to tell us that smart meters increase people's awareness and will help B.C. Hydro and British Columbia meet our energy conservation needs. Some 66 percent of the needs will be met through conservation with this clean energy bill.

What would we learn if we sent this bill to an all-party committee? Well, I guess what we might learn is why the NDP are opposed to clean, green power — or, as they like to call it, junk power. The wonderful wind farm in Dawson Creek.... Everyone that's involved in alternative energy, that is a proponent of alternative energy, talks about wind power. We have one of the first large wind farms in British Columbia operating in Dawson Creek, and that's referred to by the NDP as junk power.

I fail to see why the NDP has such a problem with clean, green power. If we sent this to an all-party committee, I suppose we might finally shed a little bit of light on why the party that professes to be concerned about the environment is dead set against clean, green power.

We know that other environmentalists know that this is the way to go. I can quote Tzaporah Berman.

[1525]

I know that she's not the favourite of the NDP ever since she chastised them for going against the carbon tax, which anyone who deals with energy and greenhouse gases knows is the fundamental tool to alter behaviour and reduce greenhouse gas emissions. But Tzaporah Berman says she's impressed with "the breadth and commitment" to green energy development. Notably, she says: "It's about creating clean energy and new jobs for British Columbians and addressing climate change."

I would like to know — maybe the committee is the place to find out — why the NDP is against clean energy and new jobs and addressing climate change. That's the only reason I can think that we should send this bill to committee. Most everyone else that is concerned about the environment already knows that clean, green energy is one of the alternatives, along with conservation, that we have to have in order to meet our energy needs.

We might also find out, if we referred this bill to a committee, why the NDP opposes independent power projects like the bioenergy project at Domtar in my hometown of Kamloops — why they would be opposed to a project that sees \$65 million of investment, that employs 435 people and provides excellent paying jobs to support families in my community. Maybe we could find out why they're opposed to bioenergy projects like the one at Domtar.

Here is an operation that can not only produce wealth by creating pulp and exporting it. Oh, there's that word again — export. Yeah, that's what we do here in British Columbia. But they can also use the excess fibre, the residuals, to create clean, green energy, some of which could be exported to help our American neighbours meet their energy demands.

Not only can they, perhaps, produce clean, green energy to help our friends in California, but that bioenergy project will keep other mills in my region of the province viable, because the residuals that they take to burn for bioenergy keep those mills in business. Without those residuals going to Domtar, many of those mills would be threatened with closure. Apparently, the NDP thinks that's okay.

Another benefit of a bioenergy project like the one at Domtar is the fact that through this process they have been able to close three beehive burners in the valleys around Kamloops, not only creating clean, green energy but increasing the quality of the air in our airshed as well. But apparently, the opposition is opposed to that as well.

I know that one of my colleagues would like to make an introduction, so I will take a recess from my comments.

Deputy Speaker: Member for West Vancouver–Sea to Sky seeks leave to make an introduction.

Leave granted.

Introductions by Members

J. McIntyre: We have grade 5 students here from Myrtle Philip Community School in Whistler. I had the great opportunity of meeting them on their tour just after question period. I wanted the House to make them feel very welcome.

I told them that I thought we would be debating our green energy bill this afternoon. Whistler is one of the most sustainable communities. They won a Green City Award at UBCM a couple of years ago.

So I'm absolutely delighted (a) to have you here and to welcome you here, and (b) that you could hear the green energy debate. Welcome aboard, and I hope my colleagues will make them feel welcome.

Debate Continued

T. Lake: I, too, would like to welcome the students from Whistler today to listen to our debate over clean, green energy and the motion before us, which is to refer this clean energy bill to a committee for further debate. I think the students will be interested, because the debate is actually what we're having here. All members of the House get to tell publicly, on television, for the members of the gallery what they think are the attributes of the bill and, in the case of the opposition, why they think this bill is a bad idea.

[C. Trevena in the chair.]

I think it's an opportunity to see the stark differences between the government side and the opposition side. So I'm glad you're here today, and I hope you will enjoy the session.

[1530]

The referral motion doesn't make a lot of sense to me, because so many of the elements of this bill have been debated and, in fact, have been advocated by the New Democratic Party opposition for a very long time. It includes a First Nations clean energy business fund of \$20 million to partner with First Nations and those companies interested in producing clean, green energy.

I again find it difficult to believe that the opposition is opposed to providing opportunities to First Nations to produce clean energy. I certainly know that in my region of the province, the Kamloops Indian band, Simpcw First Nation and Whispering Pines are all involved in such partnerships. This bill seeks to make sure there are resources available for First Nations groups to move forward on those partnerships.

The opposition has said that we should consider cumulative environmental effects. This bill specifically provides for amendments to the Environmental

Assessment Act to contemplate the assessment of cumulative environmental effects. So to send this bill back to a committee to basically be told what the NDP have already told us — that they want First Nations involvement, that they want the cumulative effects on the environment considered.... That's in there already.

There are certainly many, many benefits to this bill that I'm sure an all-party committee would say: "You know, that makes a lot of sense. We want to help rural British Columbia." We've heard that from the opposition. We certainly believe that on the government side of the House — that rural British Columbia should be rewarded for the resources they provide that allow us to live the kind of lifestyle we do.

This bill provides for B.C. Hydro, the Crown corporation that the opposition during the election said that we were going to sell.... Now when we try to strengthen an increased investment of B.C. Hydro, they oppose that B.C. Hydro will be moving forward with the northwest transmission line to open up that part of the province, to electrify the Highway 97 corridor so that clean, green energy can be produced in that area of the province and used in the aggregation of energy by B.C. Hydro.

Mining opportunities. There are a number of opportunities for mining in that part of the province, which will benefit from the electrification of that area of the province, creating many, many high-paying jobs. The average job in the mining sector is over \$100,000. I'd like to know what the NDP has against high-paying mining jobs for the northwest part of this province.

I know that area of the province is excited about looking forward to the economic opportunities that will be opened up by this clean energy bill. The northwest transmission line will provide opportunities for the 11 proposed projects in that region, with about \$15 billion in potential investment and up to 10,000 jobs with \$300 million in annual tax revenue.

That doesn't sound like a sell-off to me. That sounds like an investment, an opportunity, something that British Columbians have been doing for well over a hundred years, something that I don't think we should apologize for in any way.

The opposition has had a bit of a dilemma on their hands when it comes to the clean energy bill, because a big element of the clean energy bill is to move forward with Site C — a clean energy project subject, of course, to a strict environmental assessment process and First Nations consultation.

This does provide a dilemma for the opposition members because I certainly know that some of them are actually in favour of Site C, but there's a deafening silence when it comes to speaking out about this project as to whether they support or oppose it.

I know that former NDP cabinet minister Paul Ramsey is in favour of this. He thinks it's the right thing to do, and he's said that this will prove to be a dilemma for

the NDP opposition as they wrangle with this question about building a dam that not only will create thousands of jobs and provide economic opportunities to that part of the province but will provide firm, clean, green energy for our children and our grandchildren and build on the legacy that British Columbia has been known for from the W.A.C. Bennett days.

[1535]

Site C is currently in the third stage of a five-stage process. It's the regulatory review stage, which includes an independent environmental assessment.

I guess sending this bill to committee might finally help us discover if the NDP is for or against this clean, green energy project at Site C. We'd like to know where they stand on this nearly \$8 billion project that will provide tremendous salaries to the construction phase and tremendous power that will allow our children and grandchildren to have the same economic opportunities that we've enjoyed for so many years.

While I think that sending this is one way to find out what the real position of the NDP is on clean, green energy and wealth creation — that may be one reason to send this bill to an all-party committee — it is clear that we want to move forward for the good of this province, to make decisions today that will make sure our children and grandchildren have the same opportunities we've enjoyed for so many years here in British Columbia.

For some reason, the NDP seem to think that we can build a wall around the province, that the people of British Columbia are somehow disconnected from the rest of the world, that we don't have to export anything or import anything, that we can just live in this wonderful world that's insulated from everything else.

They don't like the fact that we're exporting wood to China. They think, "Oh, it's not worthwhile opening up new markets for wood in China," and it's been so enormously successful. We have mills that are being re-configured specifically to cater to that market.

Those are the ways that we create jobs and economic opportunity in this province. We've been exporting wood. We've been exporting oil and gas. We've been exporting minerals, and much to the surprise of the Agriculture critic for the NDP, we've been exporting our agricultural products. What a shock. If it wasn't for the exportation of our agricultural products, we wouldn't have an agricultural community in this province. But somehow the opposition members think we can build a wall around British Columbia and turn back the clock to about 1952.

I think that the creation of clean, green energy that we can export and create opportunities, that can help other jurisdictions meet their energy demands in a way that will reduce their greenhouse gas emissions, that will allow new technologies to develop....

We have enormous opportunities in this province. Geothermal opportunities exist throughout the north-

ern part of my riding, which this clean, green energy act will allow to be opened up and provide opportunities for rural British Columbia.

I don't think we should apologize for exporting what we do so well in this province, but apparently the Agriculture critic thinks we can build a wall around the province and not let any cows or calves go out of this province. Well, if she wants to tell 80 percent of the ranchers in this province that they can give up their ranches, then she just better keep going with that kind of philosophy.

In closing, I'd like to say that Bill 17, the Clean Energy Act, should be debated here in this House, not referred. It's a historic piece of legislation for B.C. It enshrines our heritage assets and also builds on our tradition of low electric rates. It preserves and strengthens a Crown corporation that the NDP and everyone in this province hold up as a model. It provides a firm power capacity to meet our growing needs while providing opportunities for economic development in all areas of the province.

What's so wrong about that, NDP? I do not understand what the NDP has against creating economic opportunities in this province. It offers B.C. solutions for clean, green energy that can reduce greenhouse gas emissions, because our atmosphere is shared. We don't yet have those big walls around British Columbia.

[1540]

It's a platform for economic prosperity, for environmental responsibility, and demonstrates that here in British Columbia we can do the right thing for the province and also for the planet.

With that, I will take my seat.

H. Bains: I seek leave to make an introduction.

Leave granted.

Introductions by Members

H. Bains: We have in the House my good friend Sucha Dhillon, and his wife is here, Baljinder Kaur Dhillon. Also with them are Onkar Singh Mann and his wife, Jasvir Kaur Mann, who have travelled all the way from New Delhi to attend a wedding that their family and I attended. They are here to see what we do in this House and are visiting Victoria. So please help me make them welcome.

Debate Continued

B. Simpson: I rise to speak in favour of the referral motion. I think all the proof we need that in order to have reasoned debate, we should take this back to the public, was given to us in the previous speech we just had.

The electioneering that takes place in here, which has become an insipid part of what constitutes debates in here, is not what our democracy was supposed to be about. Our democracy is supposed to be about governance, where every four years we have a 28-day election. Then you can start, if that's the way you want to run elections, throwing the mud around and talking about ideologies and about the history of the various parties.

In this House we are supposed to be talking about the governance of the province, and what we are saying is that the bill before us, the so-called Clean Energy Act, does not meet the test of good legislation. But again, because of this government's failure to bring forward a concerted agenda — one that is reasonable, one that makes sense to us in terms of governing this province — we are now having a situation where we have a massive bill that has huge implications for the future of this province. On the last day of the Legislature we are still only in second reading, the speechifying stage.

We have not been able to get to committee. We have not been able to get to the clause-by-clause. We haven't been able to put forward reasoned amendments, and as a consequence we just simply do not believe that is sufficient to put in place a law that is this far-reaching, that is this broad and that is, quite frankly, this undemocratic. That's why we're saying that the people of British Columbia deserve the opportunity to go and look at this and decide for themselves whether this is supportable or not.

We tend to get locked in debates in this House that, quite frankly, are shocking. I mean, today the debate was all about W.A.C. Bennett, who's been long in his grave. I think we should respect what he did as a Premier, but the circumstances that exist today — with global climate change, with peak oil, issues of food security, issues of the urban-rural divide — did not exist in Mr. Bennett's day when he could go and develop a province in the way that he did.

Therefore, our development challenges are fundamentally different than what occurred then. They are fundamentally different than what occurred in the 1990s. You hear the government side saying: "Oh, IPPs and aquaculture all started in the 1990s." Sure they did. The science was different then. Our understanding of ecological systems was different then. The world market and climate change were different then.

This is now. This is the 21st century, one decade into it, that has different circumstances and different constraints on us. Therefore, we must put it through that lens, not fight the battles that have already been fought, the elections that have already been decided, but do the right thing for the governance of the province today and for future generations. On balance, our assessment of the Clean Energy Act is that it doesn't meet that test.

[1545]

It begs more questions about what the government's intent is. In particular, it begs the question of why out of the blue, with no input from anybody, this government wants to take all of the major projects, tens of billions of dollars of project work, out of the hands of the B.C. Utilities Commission, the only real oversight that exists in the case of First Nations. That's why Site C has not proceeded, and the First Nations will attest to that. It wants to take that oversight and put it in cabinet — quite frankly, again, a further level of eroding our democracy. It wants to put it behind the secrecy of cabinet so that we can't even understand how the decisions are made.

That's how governments are beginning to operate. It becomes a dictatorship of the few or a dictatorship of the Premier or the Prime Minister's Office and not a democracy. I think the people of British Columbia have a right to have a say in whether they want major project decisions to go beyond the pale of cabinet, beyond the pale of the public purview, and to be made in ways that are subject to potential lobbying and influence-peddling and all of the things that erode a democracy even further.

I think this referral motion is a reasoned motion. It comes at an appropriate time. We don't have the opportunity to go through this bill. It is far-reaching, and as a consequence, it should be taken to the public.

There's another reason it should be taken to the public. There's a need right now to engage the public in their democracy in more meaningful ways. Year after year, election after election we see the public disengaging from the democratic process, because all they get to say.... It's their impression of politics that they get their say at the ballot box.

They get to see their politicians when they want their vote. They don't get the opportunity to see them in between elections in meaningful ways, where they are engaged in public dialogue about issues that matter to them.

Referring this bill to committee gives us the opportunity to take what is a substantive change in public policy and a substantive opportunity, with all of the associated risks, and say to the public: "How do you want British Columbia to position itself?"

J. Rustad: I seek leave to do an introduction.

Leave granted.

Introductions by Members

J. Rustad: It's not often I get a chance to be able to introduce visitors from one of my communities. Today we have a group from Houston Christian School that has come down. They've been down for a number of days. They're here visiting the Legislature, exploring a little bit about what we do in here, seeing a little bit of

the building and learning a little bit of the history. With us we have 19 from the school group, 14 students and five parents, and I ask the House to please make them welcome.

Debate Continued

B. Simpson: One of the things we need to do in order to revitalize our democracy is engage people in meaningful debate. Referral to committee in this case is one of the ways we can do that.

I find it interesting that we did this, as well, with HST. When the PST repeal bill was in this House, we put a motion to refer as well. We asked the government to do the same thing.

We are seeing a significant public backlash to the HST. We're seeing the signatures on petitions the likes of which I don't think anybody, quite frankly, expected. There's still a month to go, so it'll be interesting to see how high the level of participation is there.

There was an alternate course of action for the government to go back to the public and say, "Okay, we hear loud and clear. This is a democratic society we live in. We hear loud and clear that there are fundamental questions," and go out in the form of a committee and ask those questions, clarify, retool the bill if necessary, bring it back in or, if they heard clearly from the public a lack of readiness, then address that issue.

That was not the case. What the government is going to do instead — and they've made it a matter of the public record — is that after July 6, after the initiative is completed, they're then going to go and educate the public about what's going on.

That's not sufficient. I don't think it will meet the public's test of validity, and it won't address the issues that they have. The bill is already passed.

[1550]

We have an opportunity in this case, because I think the public backlash against this.... I'm going to speak to one sector of this very shortly that has given a strong message to the government not to pass the bill in this session, and that's the First Nations community. But we have an opportunity in this bill to refer and to have that debate and not have to go and educate the public after the fact.

The other interesting one is the government passed a bill in here — zero net deforestation. We asked questions about that bill in this House, and after the bill passes, the government is now out with a discussion paper trying to inform the public about what it's all about because they've had such a backlash from all of these different sectors — that while the government is actually not taking care of the public forests, the large public forests, they want to do these minuscule bits and pieces of planting in order to achieve so-called net deforestation. So they come in, they pass a bill, and then

they go out and try and let the public know what it is that they're doing.

I raised in the House some questions around the Haida reconciliation act. One of the things that bothered me in that act as a brand-new piece of legislation — not the act itself, not the intent of the act.... But in the final statement of the preamble of that act, it said that the act was constructed by the advice and consent of the Legislature of British Columbia. We were seeing it when it was completed, when it was a done deal, when it was put in front of this House for basically assent by the majority government vote.

Advice and consent of this House requires more work than that. Advice and consent of the people of British Columbia, the citizens of this province that will be impacted by the rate changes, impacted by the private sector development, impacted by the secrecy with which major projects will now be undertaken and approved and signed off on by the cabinet....

The advice and consent of British Columbians is critical, and I think the government is afraid to actually take this bill out and hear that the people of British Columbia are not interested in those things. But it should go, and the government should have the courage to take it out and the courage to change the act and the courage to stand up for the democratic principles that underline our society, and make the adjustments necessary in their own agenda as a result.

Now, there's an interesting flip side of that, and that's the Water Act. The government indicated that they need to change the Water Act. That's a huge act that has significant implications for the entire province. They haven't ramrodded that in here. They're going out and doing significant consultation processes around the province. They are engaging the people of British Columbia. Why? Because they understand they must deal with water in the world of climate change.

They understand they must deal with water in the world of competing interests, where you have independent hydro power projects looking at going into watersheds that are used by ranchers, that are used by First Nations, that are used by fishing interests, that are used by wildlife and are part of ecological systems that impact wild salmon stocks. The government appears to understand that that's a complicated issue that requires the input, and significant input, from the people of British Columbia before they even begin to craft the legislation and bring it into the House.

On this bill they did not go through that process. What process did they go through? That would be the defence of the government that I would put up — not what the previous member put up about NDP and export and walls around British Columbia. Quite frankly, I don't understand what his point was. What I would put up as a defence is that they put together what they called the clean energy or the green energy task force so that

there can be an argument made that some consultation was done.

So here we have a bill that the government has indicated is going to change the face of energy in the province of British Columbia, and in order to put a smokescreen up in front of the lack of public consultation, they put together the green energy task force. That green energy task force was put together in November of last year. It had to work through the Christmas period in order to deliver their recommendations in advance of this bill coming in.

But everybody knows that legislation is not put together overnight. It has a very significant approval process to go through. It has to go through the legal beagles who look at it and make sure that it meets those tests. So this legislation actually had to be put together simultaneously with the so-called task force doing its work and putting its recommendations forward. That's why, no surprise, the legislation does not even meet the test of the recommendations in the task force. There are bits and pieces, but on balance it does not meet the test of those recommendations.

[1555]

Those recommendations are interesting in and of themselves. I've talked to task force members who said that they were given a very difficult task, a very complicated task, and a short time to try and figure it out. In doing that, there were a lot of compromises. There was a lot of work done to try and find the middle ground between development interests, the public interests, private interests and private access to development, resources and the whole works. But they ended up with a document that they were reasonably pleased with, although some of them said it ended up significantly watered down.

That green energy task force was put forward over Christmas. It came forward to us, and it became a public document, unlike the climate change document where we still haven't seen any of the public debate about climate change. It was put beyond the pale, again, of the public domain, put behind cabinet secrecy. We still can't get access to any of those documents, and I still don't understand why you make climate change a secret enterprise. So kudos to the government. At least this one was made public at the end of the deliberations.

In particular, what I wish to speak to is the First Nations community. I am now the Aboriginal Relations critic for the NDP, and I am learning that file. I was just in estimates debate with the minister and raised this very issue and this very resolution that I'll speak to momentarily.

There were two First Nations involved in the Green Energy Advisory Task Force, and those representatives did tell us that the work they did — and they admit in the report — was extremely complicated work. They had a very difficult time trying to deal with it. Directly quot-

ing from the report, they indicated that the task force members struggled with the complexity of these issues.

"The task of creating an environment that fosters certainty while addressing First Nations rights and title was particularly difficult, sensitive and time-consuming. These are issues that have been grappled with for a decade.... For First Nations, the intent of the recommendations is...to address their constitutional rights and attempt to build capacity in communities so that economic and social opportunities can be leveraged."

So they were given a gargantuan task. They were given a complex task. It was a task that they engaged in and attempted to put forward recommendations to government. The recommendations are far-reaching. In fact, what's fascinating in looking at this is that they made recommendations for broader community involvement. The First Nations said it's more than just First Nations communities; it's all communities in British Columbia. And the communities must have some kind of primacy of place in taking advantage of these development opportunities.

The argument they made is that this is a whole new venture, a whole new enterprise that we're going to engage in, and how we frame it could actually resolve longstanding disputes and longstanding issues about how rural communities can benefit as well as First Nations communities can benefit. Failure to seize those opportunities, the First Nations say, is also a failure to achieve this because it will be exactly like the quagmire that the mining industry finds itself in where they're going to have to fight through the court system to get access to the resources to do what they want to do.

They came forward with recommendations. The recommendations were broad-reaching and were not adhered to. So on May 21 of this year the All Chiefs Task Force was interrupted by the First Nations energy council, whose CEO was on the Green Energy Advisory Task Force. They sent a letter to government with a resolution, and I want to just read that resolution into the record.

The letter states: "First Nations leaders have significant concerns regarding the B.C. Clean Energy Act and earlier this week issued the attached joint statement on the proposed legislation." And here's the statement.

"Whereas aboriginal title and aboriginal and treaty rights continue to exist in British Columbia; whereas the First Nations of British Columbia never surrendered jurisdiction over our lands and resources; whereas the 2005 new relationship statement agrees to establish processes and institutions for shared decision-making about the land and resources for revenue- and benefit-sharing; whereas the B.C. government has recently held first reading of the Clean Energy Act, this act represents the future direction for green energy production and exports.

[1600]

"This act was constructed without First Nations involvement, and there was no consultation prior to the introduction of the act.

"We are told the act was guided by a Green Energy Task Force. However, upon review of the legislation, it is clear that the majority of the First Nations recommendations were ignored.

"Whereas the Clean Energy Act exempts significant major hydro and transmission projects from oversight by the B.C. Utilities Commission; and whereas the provincial Crown has unilaterally implemented these sweeping changes, ignoring the court-recognized legal obligations for meaningful consultation and accommodation in the development of the Clean Energy Act, we, the assembled nations from across British Columbia, speak with one voice to say: (1) we call upon the B.C. government to amend the proposed act and incorporate all recommendations that support First Nations involvement in clean energy opportunities; (2) we call upon the Premier and cabinet to immediately engage in a discussion with First Nations leaders to work out a solution to incorporate our recommendations;" — and it's straight to the point of the motion today to refer — "(3) we call upon the B.C. government to delay the bill until adequate consultation and accommodation with First Nations occurs."

Madam Speaker, that is a huge section of the province of British Columbia — people in British Columbia who have traditional territorial rights and title, who have the ability to bog down the government's agenda in courts, in direct action and in protest. They're asking, like us, that the government take a breath, that they take this and go out and do more consulting on it. That's all we're asking today.

I think it is a reasonable motion, I think it is a reasonable request, and — I'm getting mixed signals here — I think it does honour our democratic processes.

With this resolution from the First Nations, I believe that other members here can make claims of similar calls on this government from the environmental sector, from community groups, from others who want an opportunity to get access to the government.

Of course, a committee can also be proactive. It doesn't have to be passive. A committee can be proactive because it can also call witnesses. It can have people come and talk to them about alternate mechanisms.

In closing, I want to indicate that I will be attending next week an emergency summit that has been called by the First Nations Energy and Mining Council to address this issue. I understand that some dialogue has been going on with government, but First Nations will not be happy, in my estimation, that they were not able to get amendments put forward on this bill, that they were not duly consulted. As a consequence, I think the government has an opportunity to take advantage of our motion.

The final comment I want to make is that I believe that we do stand on the cusp of a truly different way of thinking about energy. I was shocked, quite frankly, when I read what was stated about Site C. The government is actually trying to engineer divisions on our side with regard to Site C, and I'm sure that they're disappointed it didn't happen, didn't deflect them from the politics of HST. But what I was disappointed in was that the announcement of Site C was to continue the energy policy of the 1960s, that sort of cheap energy, the access to cheap energy and so on.

The world has moved beyond that. That cannot be the sole reason for doing what you're going to do in

the energy field, for what you're going to do with rivers, what you're going to do with biomass. It can be part of it. We can have competitive energy pricing. But it can't be the sole reason, and it also flies in the face of what we're seeing. Other members on this side have said that if you actually put this bill in place, it will cause significant energy price increases just to allow the private developers to get involved. So it flies in the face of that.

What it doesn't speak to, though, is that I believe the future of energy is vastly different than the grand-scheme development projects that the government has in play, whether it's grand biomass enterprises or dams or whatever the case may be. We have to have the ability to engage British Columbians in a dialogue about community energy solutions and household energy solutions.

[1605]

That's what I believe the future is. I believe that we're seeing that future unfold in other jurisdictions.

If we actually drove the research and development, if we drove the technology, we could engage British Columbians in becoming energy producers on their own, not energy consumers, but we would also change the whole field of energy in British Columbia. We could truly become world leaders in exporting the technology and expertise to do that.

British Columbians are innovative. They are entrepreneurial. If they are given a task to figure out how we begin to build household energy self-sufficiency and community energy self-sufficiency, and if that's what we're going to drive to and if we're going to use the broad spectrum of energy that's available to us and switch to a solar-based economy, I think British Columbians can rise to that challenge.

This act actually takes us in quite a different path. All of the claims of the government to the contrary about it being clean and green.... It actually is about feeding the tar sands. It actually is about making sure that the old fossil fuel economy continues to tick along, whether that's natural gas or tar sands economy.

I have to laugh whenever I hear this government talk about importing coal, and the previous member talked about one airshed. We're one of the largest coal exporters to China, and we share the Chinese airshed as well. Wouldn't it be great if we got out in front of community-based, village-based, household-based energy solutions and exported that technology to China so that they were able to resolve their coal dependency as well?

We have options. We have alternatives. We have to have the dialogue to bring that out. Engagement is the first principle of democracy, and engagement is also the very first principle of effecting change in a positive way that gets change occurring more rapidly than it otherwise would.

To avoid taking this to committee, I think, is shameful. To avoid taking it out to the public and engaging

them in a meaningful conversation is, I think, absolutely shameful. I think it's unnecessary, and I hope the government members do in fact agree to simply put this in abeyance.

We've got the fall. If they do the work through the summer and into the early fall, we've got the fall to bring the bill back in. Then, hopefully, we're all in agreement with it, the people of British Columbia know what's in it, they know that their democracy is protected in terms of decision-making, and they know they have an energy future that they can buy into.

I think then the government will get full assent not only in this House but out among the citizens of British Columbia. For a government that has an initiative facing them with hundreds of thousands of signatures, I think it would be nice for them to get assent on at least one of their initiatives. With that, I'll take my seat.

Hon. R. Hawes: Clearly, I'm up to speak against this amendment, but I just want to make a little comment on something I find very interesting that I just heard from the previous speaker from Cariboo North, talking about China and about exporting coal to China. I hear pretty regularly how we're exporting coal to China and we really should be somehow calculating in the carbon cost of shipping coal to China, etc.

Frankly, what we're doing is shipping metallurgic coal that's used in the making of steel. That's the first thing. The interesting thing is that the people who speak the most, as far as I'm concerned, about how we should curtail shipping coal to China like to drive things like hybrid vehicles made of steel.

Without having metallurgic coal, you don't have steel. China is one of the major manufacturers of steel in the world. We don't have a steel industry in Canada that can compete.... Well, we just don't have one. So the shipment of coal to China is pretty critical to keeping our industry here supplied with the material it needs and to keeping the world supplied with things like the metal that's used in the microphones that the opponents to coalmining like to use when they espouse their standpoint. So it's kind of a contradiction as far as I'm concerned.

[1610]

The interesting thing is that China, I think, is extremely interested in converting to liquid natural gas from what they're using right now to fuel much of the industry in China, and that's a great improvement. That's a step forward.

There are other forms of power down the road that China may look at, but a conversion from what they're using today, which would be thermal coal in many industries, to liquid natural gas would actually be a big step forward. So for that member or other members to say that somehow the fossil fuel industry should be set on the back burner and we should stop looking at things like natural gas, I think, is really not looking at reality.

What I really want to speak about is what's going on here. This bill came forward, and for the last few days we've been debating second reading of the bill. Now, we don't get into the House.... Just for the folks at home so that they understand, when a bill comes forward at second reading, we get up and we speak about sort of the politics of the bill, and then it moves into committee stage where section by section in the bill is analyzed. There are questions asked, and there are answers given.

The full explanation for what's inside the bill really comes out at committee stage. That's the working part of the Legislature — to put an act through. When we don't get there, really, in my view, that is a form of disservice. But why aren't we getting to committee stage?

Well, I think if one were to look at *Hansard*.... I've got numbers of speeches that have been made over the past few days by members of the opposition that repeat the same things over and over. We get stalled here, and why are we stalled at second reading? Why have we not gone to committee stage?

The answer is pretty simple. It's all about politics. The members opposite like to say: "Gee, we should be out there really looking at this bill in depth." Really, what they're trying to do is drag things out so that at the end of the session — which we all know is at five o'clock this afternoon, we're going to vote on this bill — then they can say that we cut off debate.

They could have moved into the committee stage of this bill days ago. Anyone who wants to go back to *Hansard* and read what's been going on here for the past several days surely would understand that this is not really productive time. This is sort of stickhandling and skating so that we can pass some time, so that we don't have to get to that stage — so that politically the opposition can say: "Gee, they cut off debate again."

That's, I think personally, cheesy politics. I would have far preferred to see us get to the committee stage of this bill so that the people out there in the province could hear what the real facts behind this bill are — not just a bunch of political rhetoric, but the actual workings, section by section, of the bill.

I think it might have been of some interest to the public and, actually, would have been fairly enlightening. But instead we get stalled with the kind of rhetoric.... If you go back and read *Hansard*, you've got to wonder. Both sides of the House.... We all do it, but we're the ones....

We would have loved to get into committee stage in this bill. That's where we wanted to go. We're on a fixed schedule, and we all know we're on a fixed calendar. We all know when the Legislature starts and when it ends.

It's kind of up to the opposition to time how we get through legislation. But if they don't want to get through legislation, if they want to play the politics and allow things to get to the end so that closure is invoked — that's a political decision that's made, but it deprives

the public of the opportunity to hear at committee stage what the actual workings of a piece of legislation are.

Interjection.

Hon. R. Hawes: The member opposite — who was in government through the '90s, through that dismal, dark period — actually understands this process very well, and frankly, she's part of the group that doesn't want this stuff to go through. But when they start to make some noise, it's actually when you're hitting home with some truth.

The truth sometimes hurts, and I understand that. I understand why you would want to heckle and say that I'm wrong, because the truth does hurt sometimes. I do empathize with you. I know that when the truth does come out, it does hurt.

I want to say that this is a great bill. The Clean Energy Act actually builds for the future.

[1615]

Interjections.

Deputy Speaker: Members.

Minister, wait one moment.

Members.

Continue, Minister.

Hon. R. Hawes: I'm just going to be very brief here. It's just a shame that we didn't get where we should have got to in this bill. We should have been debating yesterday. We should have been at committee stage in this bill. I think everybody here knows that.

Now we're debating a motion to basically refer the bill out, which the opposition knows is not a motion that's going to carry any weight. They know that. This is what they call skating, stickhandling. Let's pass some time away so that we can get to the end and force those guys to invoke closure.

It's a shame we had to do that. It's a shame that the opposition didn't want to see this bill go to committee stage, where the real truth about the bill, the facts about this bill and the great stuff that's in it, could have been put out on the table so that the public can see that this is actually a great bill.

I could tell you. I believe, Madam Speaker, the opposition doesn't want it exposed, that their opposition to this is really all about politics.

It's all about: should all power production in the province be unionized, or should the private sector be allowed to be involved in power production? Should we be using private money rather than public money on some things? The opposition likes every single thing, every job, everything in the province, to be controlled through government and through the government unions. I get that.

I get it, but at least we could have been honest here. We could have allowed this bill to go to the public in terms of having some debate or some edification at committee stage. It's just a shame it didn't get there. It hasn't.

That's really all I want to stand up and say. It is just too bad that we weren't able to complete this bill without closure, but I know it's the wish of the other side that closure be invoked, and that's the way they want to play the game. With that, Madam Speaker, I'll take my place.

J. Horgan: For the Clerk's benefit, I'll be the designated speaker on this referral motion. For those who are just tuning in now, it's 15 minutes past four o'clock on the third of June. This is the last 45 minutes of any opportunity to expose to light of day decisions affecting B.C. Hydro, their ratepayers and the expenditure of up to — and beyond, hon. Speaker — \$10 billion. It's \$10 billion expended by a public utility with no scrutiny, no oversight.

In addition to that, we have the integrated resource plan. Every plan for the next 30 years that B.C. Hydro produces and creates and generates will go into the cabinet chamber. The president of the executive council, currently our good friend from Vancouver–Point Grey, will be able to say: "All those in favour." He'll scan the room. Any word of discontent will mean a quick exit from the cabinet room, and that will be done. It will be over — end of story.

This motion — I'll read it to you — was moved by my colleague from Vancouver–Kingsway: "Be it resolved that Bill 17 Clean Energy Act not be read a second time now but that the subject matter be forwarded to the Select Standing Committee on Crown Corporations and further that the committee be empowered to invite witnesses to appear before it to assist in its deliberation."

Hon. Speaker, we've had a raucous few months here, and you know that better than most as the presider of the proceedings, sitting in the chair trying to keep order in what is one of the most raucous legislatures in the Commonwealth. Or it has a tradition of such. I'm proud and pleased to be participating in that raucousness today. I have 45 minutes at my disposal, and I'm hopeful.

I'm hopeful that I'll be able to persuade the members on the other side to see the wisdom in taking a pause, sober second thought. I have the member for Vancouver–Point Grey to back me up on that. I want to read to you a B.C. Liberal policy paper from 2001. It was part of the *New Era* document that the government, the members on that side, ran on and were elected.

[1620]

They were elected largely because the Premier, the member for Vancouver–Point Grey, had made a case to the public that he was going to do things differently. One of the things they said they would do goes as follows: "We believe that all-party committees should travel to every region of the province and conduct hearings that

are open to the public and the news media, with all recommendations routinely submitted to government."

Does that make sense? I would have supported that. I have to confess: I did not vote for the B.C. Liberals. I've never voted for the B.C. Liberals. I will never vote for the B.C. Liberals. But when I look at that as a regular citizen, as an ordinary citizen, knowing the history and tradition of this place, of the partisan back-and-forth, I would probably have said: "That's probably a good idea."

We have 85 people in here, hon. Speaker. Yourself in the chair, and we have 84 members participating in debate today on Bill 17 and other pieces of legislation. If this bill passes, there will be no further opportunity for members of this Legislature — and, by extension, the citizens they represent — to look at and examine \$10 billion worth of expenditures. The B.C. Utilities Commission is, in effect, neutered by this bill. They will no longer be able to look with any detail at the proposals brought forward.

My good friend the Minister for Mining just said that it was all about union jobs. Our buddy from Kamloops–South Thompson was going on about how, in his simple world, it's all about black and white. Well, most people live in a grey world where sometimes you do this and sometimes you do that.

The opportunity that our friend from Kingsway has presented to the Legislature — and, most importantly, to the members of the B.C. Liberal Party — is to take a contentious piece of legislation that was introduced just a month ago.... This document was dropped upon us, changing forever how we regulate power production and generation and distribution in British Columbia.

There's \$1 billion worth of smart meters in here. That may be a good idea. We've heard people on both sides talk about smart meters as a potentially useful instrument to reduce our energy consumption, as a positive tool for conservation.

That may well be true. But we will not be able to look at a business plan, which was promised to us by the Minister of Energy just six months ago. Six months ago the Minister of Energy in this place, in this Legislature, said to me, the critic: "Worry not, member for Juan de Fuca. All details will be revealed at the Utilities Commission." I can read the quote. I've read the quote in at second reading. The members are well aware of it. It's been noted by other members as well.

It's a commitment from a minister, a representative of the Crown, who stood in this place not six months ago and said: "We will not spend \$1 billion without a business plan. Rest assured, Member. Stop asking me these annoying questions. All will be revealed at the Utilities Commission."

Six months later, what happened? Bill 17. What is excluded, what is exempted from oversight at the Utilities Commission? Smart meters and \$1 billion. It may be a good idea; maybe it isn't. It's public money. It doesn't

just come to the government, as the Minister of Health often assumes. "Well, it's all going to be paid for in the end. You NDPers just don't get it."

It's public money out of ratepayers' pockets, and the commission is in place to protect the public interest, not from the Liberals or the NDP but from government. Government is not inherently good. Sometimes governments make bad decisions, and this government has got a real track record for that. The past twelve months have been a heyday for bad decisions.

The opportunity to refer this bill, I believe, is one that the government should take. Why wouldn't they, when they have a committee membership.... I want to go through the members of the committee.

The convener, who would be the Chair, is the member for West Vancouver–Capilano. Now, I would argue, and I think I would get support from virtually every corner of the House, that the member for West Vancouver–Capilano is among the most well respected members in this place. I'm certain he's the oldest member in this place — I can say that categorically — but he is also wise in his years. He has a vast array of experience. I believe he's an engineer by training. He has a PhD in economics. He knows what he's talking about.

Why wouldn't the people of British Columbia want to benefit from his wisdom as the Chair of this committee, the Crown Corporations Committee? And why wouldn't the government want to put someone of that calibre to good use, to good purpose? This bill is tailor-made for someone like the member for West Vancouver–Capilano.

Who else have we got on that committee? Well, we've got the independent member for Delta South, who spoke very capably at second reading. She has very strong views on this matter. She's not left or right. She's an independent.

[1625]

We've got the senior member, in terms of time on the planet, the member for West Vancouver–Capilano, as the Chair. We've got the independent member from Delta South, who's not bringing a cudgel to beat anyone with, according to her speeches in this place. She's bringing forward the interests of her constituents, as we all do, but her without a party label. You've got the Chair, the senior member of this place, and you've got one member from the independent section of our august body here.

We also have the member for Peace River North who, although he doesn't have an affinity for trade unions and has a whole bunch of people who have signed a petition that suggests that his support of the HST might have been misguided.... He is the member representing the area where Site C will be built.

Again, I would suggest to you, hon. Speaker, and to members of this place.... One side of the river belongs to him, the other side to the Minister of Energy. But I

would suggest that the membership of the committee, including the member for Peace River North, would also be a net benefit to the people of British Columbia. He knows of what he speaks. It's his neighbourhood that's going to be affected by \$6.6 billion of unregulated expenditure. I think that would be a good thing.

We've got the member for West Vancouver–Capilano. We've got the member for Delta South. We've got the member for Peace River North. We've got a couple of ex-cabinet ministers, one that I think rather highly of most days of the week — the member for West Vancouver–Sea to Sky, where there are a number of independent power projects. She has spoken passionately in favour of them, I passionately against, but nonetheless, I respect her views, and she carries them very eloquently and passionately.

The government need not fear that the committee is loaded up with supporters of public power, because I don't think there is a voice louder than the member for West Vancouver–Sea to Sky in favour of private power production. So there's some balance. I'm seeing some balance coming out of your good idea, Member from Kingsway.

We've got the senior member of the place, an engineer and an economist. We've got the member for Peace River North. We've got the member for Delta South. We've got a former cabinet minister, who supports private power, from Sea to Sky. We've also got the member for Surrey–White Rock, who would bring the jujubes to the committee if nothing else — and chocolate-covered jujubes, no doubt — but he would also bring his experience as a legislator and also as a community-minded individual that has an understanding of these issues. I think there's balance again.

We have a new member, the member for Richmond Centre. I heard him speak on the bill, so I'm sure he would also add to the tenor of discussion at committee. And we have three opposition members — myself, the member for North Coast and the member for Surrey Newton.

It strikes me that again, if I were the member for Vancouver–Point Grey.... He said the following. Again, I want to read back another quote from his open-government platform back in the day.

Interjection.

J. Horgan: Is it unfair of me to do this? Well, I'm going to quote him anyway. My friend from Whalley is suggesting to me that it's just not right to bring back the words of the learned gentleman from Vancouver–Point Grey, but I'm going to do it nonetheless.

He said the following: "We need to change how governments work. The trend towards centralization of power, closed-door decision-making and legislation by cabinet order without public debate.... This lack of ac-

countability too often results in" — let me just finish this off; Members, listen up now — "scandal, mismanagement and misplaced priorities."

An Hon. Member: Did he say "Trust me"?

J. Horgan: He didn't say "Trust me" after that. This was then, back in the day when the member for Vancouver–Point Grey was trying to demonstrate to the people of British Columbia that he was going to do things differently. What a difference a decade makes.

"The lack of accountability too often results in scandal, mismanagement and misplaced priorities." That is the very reason why you shouldn't be making multi-billion dollar decisions on technical issues.

I know that the member for Vancouver–Langara is steeped in energy policy, but as a member of cabinet, she is the last person that's going to get a chance to look at the integrated resource plan of B.C. Hydro. Not the independent Utilities Commission. Not with cross-examination from experts. Not with any public input whatsoever.

Hydro is going to bring the document forward, drop it on the cabinet table. The member from Langara, the member from Peace River, the member for Shuswap — they're going to be passing judgment on issues that they may not necessarily know everything about.

That's a danger to them, it's a danger to their government, and most importantly, it's a danger to the people of British Columbia. That's why we have an independent Utilities Commission, and that's why this bill should go to committee.

[1630]

Interjection.

J. Horgan: Again, we're into the black-and-white world of the Minister of State for Mining. Life is complicated. It's not always simple. We get it. They get it. Most importantly, the public gets that.

What the public doesn't want is to pass on, without sufficient oversight, decision-making power to a government that said it would not privatize B.C. Rail, that said it would not introduce the HST and that said before the election, "We need private power for self-sufficiency," and after the election said: "We need private power to export to my friend Arnold Schwarzenegger."

That's not a government that I trust. It's not a government that's trusted by the people of British Columbia.

We have an opportunity....

Interjections.

Deputy Speaker: Member, one moment. Ministers.

Interjection.

Deputy Speaker: Minister.
Proceed, Member.

J. Horgan: These are cautionary tales. I hear the member make reference to projects in the past that have gone astray. This happens to all governments. It does.

I support both ministers. If they took a moment to take their partisan hat off.... I know the member for Shuswap spent some time on this side of the House, and when he did, he took his role and responsibility very seriously.

The member for Kamloops–South Thompson, not yet having any experience on this side of the House, should maybe go back and take a look at what British parliamentary democracy is all about. You have a government, and you have an opposition. They both have vital, important roles to play in our democratic process and society.

Because we offer suggestions does not denigrate the value of those suggestions. Because we don't wear the same uniform as the people on other the side doesn't mean we don't have any brain matter in our heads. We have things to offer. All members of this place have things to offer.

Most importantly, I would argue with respect to this referral motion, the member for West Vancouver–Capilano has a great deal to offer. He could chair the committee that this bill is being referred to. He would do it capably, he would do it fairly, and he would do it beyond reproach.

What are you afraid of? That's the question that we have on this side of the House, that the independent member for Delta South has. What are you afraid of?

If the contents of this bill are so perfect.... I know most things come full-blown out of the head of the member for Vancouver–Point Grey, perfect creations all of them — never made a mistake in his life, never made one mistake in his life. I know that everyone watching right now, everyone in the gallery is absolutely certain that every decision they've made in their entire lives has been the correct one.

Hands up, and say....

Interjection.

J. Horgan: Have you ever made a mistake, Minister? In your life, have you ever made a mistake? Of course you have. Of course I have. All members of this House have. That's why we have a government and an opposition. We are here to ensure that excesses don't happen on the other side, just as the member for Shuswap was in his day.

The advantage we have with this motion is to take the vitriol and the venom, whether it be from me or from members on the other side, out of the equation. Take that, and put it to one side.

Interjections.

J. Horgan: Maybe you might want to take a walk, Minister. It might be better for your health.

Interjections.

Deputy Speaker: Members.

Ministers and Members, we have only a short while left for this debate. Please, can we have it, the last few minutes, with decorum from both sides?

Proceed, Member.

J. Horgan: My point was that we are all human. We're all fallible. We all make mistakes.

The objective of government is to advance an agenda, and I respect and appreciate that. However, one would think that when you have a controversial subject matter and you have capable, thoughtful, intelligent, rational people from both sides of the House, you would take advantage of that expertise. That's what the public would demand, I would suggest.

[1635]

If we could pass judgment, if the people of British Columbia could pass judgment on the question before us today to refer contentious subject matter that could cost them an awful lot of money.... If the public had an opportunity to say yes or no to that question, I am absolutely confident beyond the shadow of a doubt that they would say: "Well, I don't know what you people do anyway, but if this is contentious, and if you can take it and take a respected member like the member for West Vancouver–Capilano to steer it through and come up with a resolution that is in the public interest...." Goodness me, they would jump on that opportunity. They would jump on that opportunity.

The members on the other side are so certain of their course, so confident in their purpose, that I believe they're missing the reason that they got involved in public life, which was to serve their constituents and to serve the best interests of British Columbia.

Interjection.

J. Horgan: Let's look at the best interests of all of us, hon. Minister. Let's look at the best interests in all of us and suggest to you that this bill would be improved by having an opportunity to have rigorous scrutiny from an independent member, from members of the opposition, from thoughtful members on that side. This isn't the B team here. We've got ex-ministers on this committee. We've got the senior member on this committee, a mix of representation from rural and urban British Columbia. It's almost a match made in heaven, I would think.

I would think that the member for Vancouver–Kingsway had a look at the membership of this

committee and suggested: "Oh, well, there's a solution. Here's a lifeline for the government. Here's an opportunity to give the B.C. Liberals an opportunity to say to the people of British Columbia...."

You've got 600,000 people signing petitions because you won't listen to them. You've got an opportunity to demonstrate that you can listen. You have a capacity to grow. You have a capacity to have a second judgment, a second thought on a public policy matter.

Interjection.

J. Horgan: It's \$10 billion, Minister.

If the B.C. New Democrats were in power today, and I was the Minister of Energy, and I stood up and said in this place, "I'm going to spend a billion dollars, and I'm not going to tell you how I'm going to do it," there would be outrage. There would be a cacophony from the chamber of commerce unknown in human history. The noise would be deafening.

But when the members on the other side do it, it's okay. It's all right. "We know best. They trust us." Now, I've been criticized for expressing publicly that I consider the member for Peace River South to be a friend of mine. I've been criticized by my colleagues for that, but I know....

Interjection.

J. Horgan: Name names, he says. I know in his core that he would want to do the right thing, and that is.... He's chaired committees. He's been a chair of a committee that I served on, and he recognizes, I am certain, as the former chair of the Finance Committee, which travelled extensively, the value of bringing forward witnesses, bringing the expertise of British Columbians to bear for the interests of all British Columbians. What a novel concept.

When you hear the rancour and the venom between the two sides in this place, it's little wonder that the public turns the channel. They dial out. They dial out because they don't have any confidence in any of us. Here's your chance. The member for Vancouver–Kingsway has given us all an opportunity to restore a modicum of public faith in what we do in this place.

We disagree on fundamental aspects within this bill. The minister brings it forward passionately and with commitment — at the behest of the member for Vancouver–Point Grey, admittedly. But he brings it forward as his role and responsibility in a parliamentary system. I and my colleagues on the other side do our job to highlight and bring forward alternatives and suggest that perhaps the Utilities Commission has served us well. They may have turned down projects that the Premier wanted to see. But you know what? That's the way it goes.

If the Premier was genuine when he said that we need to change how government works, he wouldn't be introducing this bill today. He would not be introducing a bill that takes away transparency and openness — takes it away.

I read a piece in the paper today, and it's a bit of a diversion, but I know you'll indulge me because it will bring us back to the importance of this referral motion. It was about the Freedom of Information Act, and someone had made a request for information from the government of British Columbia. The minister's here. I know I'm not supposed to say that he's here, but I'm glad to see him nonetheless.

There was a request made to the province of British Columbia. There was a request made to the state of Washington — same question. The state of Washington responded in a month and a half for \$62.55 in photocopying charges. The government of British Columbia has still not responded.

So openness, transparency and opportunity for the public to see what government is doing is in everyone's interests. Were the members on that side of the House sitting in opposition, they would agree with what I'm saying.

[1640]

Send this piece of legislation to a bipartisan committee, which includes our independent member for Delta South, and allow the people of British Columbia to come and make their case. What do they want to see?

Before the election the government said that we needed to increase our power production to meet our domestic needs. That's what they said. They ran on that. They campaigned on that. The Minister of Mines might be forgetting that part, but that's what they said. Minus any economic rationale, mind, they said that self-sufficiency was driving us to an independent power future where private companies would harness our energy capacity and deliver it at a modest return to their shareholders, whether they be in British Columbia or Alberta or anywhere else.

They would have to borrow money at about 10 or 12 percent, but we would factor that in. We'd raise the price. We're buying power at \$120 a megawatt hour from our private power friends, and we're trying to sell it on an open market for 50 bucks.

I don't know. That doesn't make a lot of sense to me. It doesn't make a lot of sense to British Columbians. Somehow it makes sense to my banker friend, the Minister of Mines. It's inconceivable to me.

If you have an argument, it's sound and it can withstand rigour, then let it go to the Utilities Commission. Let the experts have a look at it. Let the cross-examination begin. Let the Independent Power Producers Association come along, West Coast Environmental Law, Public Interest Advocacy Centre — a whole bunch of people representing consumer groups, large industries. Let them come and make their case. Let them come.

Why is that a problem? When the Premier was in opposition: this lack of accountability too often results in "scandal, mismanagement and misplaced priorities." So what's changed? What's changed in ten years?

Well, the Utilities Commission turned down some projects. The Utilities Commission said that this initiative is not in the best interests of British Columbians or, more importantly, the ratepayers of B.C. Hydro.

The long-term acquisition plan was presented to the commission. There was thorough examination. Hundreds — actually, thousands — of questions get asked at these. I've been to the Utilities Commission. I've been an intervener at the Utilities Commission with my colleague from Skeena on Alcan issues some years ago. It's rigorous. It's open. It's transparent. There's cross-examination. Hydro has an opportunity to make their case.

If they can't make their case, the commission rules — not in the interest of a government, not in the interest of a corporation — in the public interest. That, I thought, was why we were all here.

Some days we make progress. Some days governments bring forward initiatives that are positive and are supported by oppositions, whether they be here in British Columbia, in Alberta or in the Parliament of Canada.

Oftentimes there's unanimity on pieces of legislation. My colleague from Surrey-Whalley pointed out a portion of unanimity back in the 1960s, when W.A.C. Bennett nationalized B.C. Power and B.C. Electric and created B.C. Hydro. There was unanimity at that time. Both sides of the Legislature embraced the notion that the public interest was best served by creating a public utility.

That was legislating at its finest. This, I would argue.... When the reviews come in on our performance over the past number of days on this bill, I don't think we're going to meet that bar. But we do have an opportunity to salvage a modicum of our collective dignity as legislators, as well as to protect the public interest.

The expenditures contemplated in this bill, with the exemptions from utilities oversight, plus all those projects that will come forward through the integrated resource plan, will no longer be decided by energy experts but will be decided by the Mines Minister, the Minister for Climate Action, the Minister of Transportation, the Minister of Children and Families — who, by the way, has more than enough to deal with without having to get her head around energy policy.

No one expects her to. We expect our cabinet ministers to have a broad understanding of government policy, as they should, but they have dedicated responsibilities in a parliamentary system with a cabinet government. They have a dedicated responsibility.

I don't expect the Minister of Citizens' Services to understand what the spot market is for electricity, what the engineering and geophysical challenges may be at Site C, what the impact of that loss of agricultural land

will mean to food security. That's not his responsibility. That's not his problem. He may have a passing interest in the subject matter — I'm sure he does — but he has more than enough to chew on, I would suggest, as a minister of the Crown.

With this bill, he now has an added responsibility to ensure that he's making the right decision for millions of ratepayers at B.C. Hydro. How does that feel? Take a drink of water. I'll join you. I'd be a bit worried about that if I were you. I would be very worried about that.

[1645]

It's not that I doubt your capacity, Minister, or any of the ministers on that side of the House, but you've got more than enough to do. You shouldn't have to take over the responsibilities of the B.C. Utilities Commission as well just because the Premier didn't get what he wanted two years ago. That seems to me to be bitter and vindictive, rather than in the public interest.

I want to talk for a moment about the Premier's former enthusiasm for the Utilities Commission. I think when you put that beside his desire to have the committees of this Legislature work and function not only in the interests of good public policy but in the public interest, it starts to make you see a pattern here.

If, when you're in opposition, you say you want to restore independence at the Utilities Commission, most people will take you at your word when you say that, and they will probably pause and say: "My goodness, didn't that fellow say, before he got elected, that he was going to actually restore independence?" There was some suggestion by the member at the time that the independence of the commission had disappeared.

Governments can direct the commission by what's called a special direction. The current minister has issued a special direction. I saw them issued in the 1990s. They were issued in the 1980s as well. If government is set on a position, set on a policy directive, they can advise the commission on how they want the commission to proceed. It doesn't require a blanket exemption for all projects.

If the minister is not confident that the smart meter initiative — \$1 billion of expenditure without a business plan — will withstand the rigour of independent analysis, he could have issued a special direction — not legislation, not for all time, not a whole host of other projects lumped in together at the same time.

So the Premier said: "I want to restore independence at the commission." Then the Premier said....

Interjection.

J. Horgan: No. I've already conceded to be your friend. I'm not going to give you a second of time.

The Premier said, "I want to restore and revitalize and recharge the committees," and I've already suggested that the membership of this committee, I would argue, is pretty

impressive. I know that the member for West Vancouver-Capilano was blushing at the prospect of my affection for him and his ability to take on this important task.

He's got a couple of PhDs, I believe, being an engineer to boot. A smart fellow — not a single person in this room would dispute that fact — and also one who cares dearly about this place and the work that happens in it. So why wouldn't we all collectively say: "Why don't we give that member a good, hearty piece of work to do"? This summer we're coming....

Here's another challenge, and I didn't want to spend too much time on this. We have a legislative calendar here, and we're going to feel the effects of that in about 13 minutes when the Government House Leader and the Speaker come in and we end debate on Bill 17 for all time, without having the opportunity to go detailed clause-by-clause, which could ably be done at committee, I would suggest. I know that the minister would be welcome there.

But one of the aspects.... When the Premier was talking about recharging committees and restoring independence at the Utilities Commission, he also introduced a fixed calendar. He said then that there would be a sitting in the spring. We would take a fixed time off in the summer. This was designed, I think, to ensure that families had an opportunity to stay together, and I support that. I'm looking forward to not looking across at the members on that side, and I am absolutely sure they're looking forward to not looking back at this side.

The whole point of a fixed parliamentary calendar was certainty that we would have an opportunity in the fall, starting in October, to pick up where we had left off. That was reasonable. Most people agreed with that. Commentators supported the Premier when he suggested that was the way we were going to go.

But since then there has been a vigorous opposition to the B.C. Liberal agenda. Since 2005 — when the numbers, the balance, was restored to this place — we haven't spent as much time sitting here in the fall. In fact, when we look at the number of sitting days, the average number of sitting days in the 1990s — 77 sitting days.... I'm not even going to bother going into the fact that our days started early and went into the wee hours. The member for Shuswap remembers that full well. They were ridiculous. It would be two or three in the morning, and you'd be debating a piece of legislation. The whole point of the fixed calendar was to avoid that.

[1650]

What we've got instead is truncating of debate. We are now saying, by a fixed calendar, that we are obliged to pass this odious piece of legislation because it's the third of June — not because it's good, not because it's withstood the rigour of debate, not because we've gone clause by clause, burrowed down to find out what the real intent of government is, but because it's June 3. June 3 at five o'clock — we're done. That's it.

How could that be good for anybody? How could that be good for anyone? My friend from Columbia River–Revelstoke supports me in this initiative. I'm certain he does. Thank you for that.

How is that good public policy? If we're coming back in October, let's rise, report progress and ask leave to sit again. Why couldn't we do that? We've got an opportunity here to send this to committee, chaired by my friend from West Vancouver–Capilano, ably assisted by West Vancouver–Sea to Sky, my friend from White Rock, my friend from Delta South and, of course, a small band of intrepid opposition members.

You've got the numbers. You're going to pass it. Why not open it up, shine a light on it? Don't stick it under a bushel, Minister. Pull it out. Shine some light. Even my friend from North Thompson or South Thompson, wherever he's from now, would support that.

Interjection.

J. Horgan: Yeah, yeah. So why not do that?

Since the Liberals introduced their fixed calendar we have sat 21 percent less than we did in the 1990s. Now, I know that the ministers like to say that the 1990s were terrible and nothing happened. Well, at least we spent a lot of time here, and it was always driven by the opposition.

It's an old rule in the parliamentary system. Hon. Speaker, you know this. Governments start legislative sessions; oppositions end them. That's the way it happened here until the fixed calendar came into place.

Now government says: "We're going to stay till the third of June, and then we might come back." I heard the Government House Leader out in the hallway during the break, and he said, in response to questions from the collected press gallery.... When they said, "Are we coming back in October?" he said: "We're not sure yet."

Our fixed parliamentary calendar is worth about as much as a promise on a questionnaire during an election campaign — absolutely nothing. "We will not bring in an HST. We will not sell B.C. Rail. We will only build private power for our basic domestic needs." These are the three fundamental fallacies of the B.C. Liberal agenda.

An Hon. Member: At least at the moment.

J. Horgan: At the moment.

Then you go back into the openness and transparency. If the integrated resource plan from B.C. Hydro was going to go to an open cabinet meeting, then maybe I'd feel a little bit more comfortable when all of the members on that side would be able to take off their aboriginal affairs hat or take off their children and families hat and put on their energy expert hat. Then, all of a sudden, they would be able to address these complicated and detailed issues about water flows.

What's the snowpack? What's the impact going to be on fish? Do we have enough water to meet our needs with respect to a Columbia River treaty? If we're proceeding with Site C, what are the impacts going to be in Alberta?

There are a whole bunch of complicated issues. I don't have the answers. I've spent 15 years in this stuff, and I have no idea of the answer to some of these questions. But somehow the Minister of Children and Families.... On the day that the integrated resource plan comes to cabinet, she's going to be ready to go because the public affairs bureau will be able to put down in front of her the right answers to all of the tough questions that are going to come to her from the "Langley Gleaner" or whatever the newspaper in her neighbourhood is.

I think it's ridiculous. Obviously, cabinet has to shape and direct energy policy, with the Minister of Energy leading the way. I have no quarrel with that, none whatsoever, but historically, for a long, long time, through three different types of governments — Social Credit, NDP and Liberal — the independent Utilities Commission has been an opportunity for the public to take their concerns about the way the utility is run and about what's happening to their rates and to do it in an open and transparent way.

I am certain that if my constituents are unhappy about the 29 percent rate increases running down at them as they're trying to manage the harmonized sales tax, when I say to them: "Just give the member for Vancouver–Point Grey a call. He's in charge now — not the Utilities Commission, not the Minister of Energy, but the president of the executive council. He's the guy that's going to make those decisions. He's the one you should take your grievances to...."

I don't think that's good for the public. I certainly don't think that's good for anybody.

[1655]

I'll just give way to my friend from Surrey–Tynehead so that he can make an introduction.

Introductions by Members

D. Hayer: Thank you to the member. I have three very special guests: three volunteers and hard-working residents of Surrey. One of them is a very special guest of mine who is my wife. Isabelle Martinez is here. Another one is my son. Anthony is here, and his girlfriend, Sabrina Dzedzic. My son and his girlfriend are both paramedics. Would the House please make them very welcome.

Debate Continued

J. Horgan: Again, the referral, which is an amendment.

I want to close. I know that many members are anxious to get back to their loved ones and their con-

stituents. I know that the members on the government side.... Certainly my colleague from Peace River North is going to want to go up and make a spirited defence of the harmonized sales tax to his constituents.

But I want one last opportunity to say to my friends on the government side: "You're going the wrong way with this bill." There are many positive initiatives in here that I would support. There are many odious initiatives that can be improved. The opportunity is here with this amendment.

Keep in mind the words of the Premier in 2001 when he said: "The legislation by cabinet order without proper debate.... This lack of accountability too often results in scandal, mismanagement and misplaced priorities." That really sums it up.

[Mr. Speaker in the chair.]

You've got a bill that's taking independent oversight and transparency away from a public body and transferring it to the executive council. That is a weight — I would suggest to the ministers present and the ministers current — that's going to be pretty tough to bear. You have a sufficient obligation, I believe, to manage your own portfolios without taking on a buddy and boosterism for the Minister of Energy.

The Utilities Commission is the place these decisions should be made in the public interest, keeping rates low, ensuring that expenditures are not excessive and not beyond our needs. Self-sufficiency as described by the minister, I would argue, should have some foundation in sound economic policy — just a modest foundation.

To buy high and sell low makes no sense to the utility. It makes no sense whatsoever to the ratepayers. It only makes sense to private power companies that stand to benefit and the bankers that lend them the money. It's wrong. It's time members on that side of the House do the right thing, support this motion and have this referred, as the Speaker would know, to a committee chaired by the senior member in this place, the good member for West Vancouver–Capilano. We will get a better result if we do that.

That's what we all got elected for. That's why we all said.... I know I see some of the newer members. Our member for Surrey–Panorama didn't come to this place to make bad decisions. She came to this place to make the world a better place. That's why we're all here.

This bill will not do it. The title sounds great. The principles contained on the second and third pages sound great, but the bill is \$10 billion and counting, and that is something that should have scrutiny, should have rigour and should have an opportunity for cross-examination.

With closure, with the use of a fixed calendar and no opportunity to bring this bill back for sober second thought, we are passing judgment today, now and forever, on \$10 billion of expenditure. The public should

by all rights be outraged by this, but they are just beside themselves with the notion that the HST is coming at them regardless.

What chance is there that the government members will listen to the member for Vancouver–Kingsway and the members on this side of the House and refer this bill to committee so that it can have some rigour, can have some cross-examination?

Bring in witnesses; bring in the independent power producers. Paul Kariya is a good fellow. I know that members on both sides of the House have a high regard....

An Hon. Member: Don McInnes.

J. Horgan: Yeah, Don McInnes could come in. I'm sure he'd have something to say. We could invite witnesses to make the case on behalf of the government. We could invite witnesses to make the case on behalf of ratepayers, and B.C. Hydro would be the better for it as well.

We have a new CEO at B.C. Hydro. He's an accountant; he used to run a hockey team. He managed to get the Olympics going, so that's good for him. I think that's great, and he may well be a very good and positive addition to the B.C. Hydro executive. But he is not grounded in electricity policy whatsoever.

[1700]

He can join the member for Langley, the Minister of Children and Families, as someone who probably has a passing interest in electricity but is not grounded in it. I use the "grounded" pun there.... I'm getting a nod from.... [Applause.]

There you go. Not a minute, Member.

An Hon. Member: More.

J. Horgan: Well, thank you, Member.

Last minute, hon. Speaker — this is it. After this minute has passed, members on that side will no longer have the opportunity to do the right thing.

Refer this to committee. Protect yourself from the excesses of the Premier. Say to him, without reservation, that you believe that the best public policy outcome would be to take this, pass it on to the member for West Vancouver–Capilano. Invite witnesses to come in. Have a rigorous debate — not the back and forth, the partisanship, the vitriol that we have in this place at this late hour. Isn't that correct, hon. Speaker?

Noting the time, is that what...?

Mr. Speaker: Hon. Members, pursuant to the order of the House adopted Wednesday, June 2, 2010, all necessary questions for disposal of all remaining stages of Bill 17 will now be put. The first motion is the referral motion.

[1705]

Amendment negated on the following division:

	YEAS — 32	
S. Simpson	D. Black	Fleming
Farnworth	James	Kwan
Ralston	Popham	B. Simpson
Austin	Karagianis	Brar
Hammell	Lali	Thorne
D. Routley	Horgan	Bains
Dix	Mungall	Chouhan
Macdonald	Corrigan	Chandra Herbert
Krog	Simons	Gentner
Fraser	B. Routley	Coons
Sather		Trevena
	NAYS — 44	
Horne	Letnick	McRae
Stewart	Coell	McNeil
Chong	Polak	Yamamoto
Bell	Krueger	Stilwell
Hawes	Hogg	Thornthwaite
Hayer	Lee	Barnett
Bloy	Reid	Thomson
Falcon	Penner	de Jong
Hansen	Bond	MacDiarmid
Abbott	Lekstrom	Coleman
Yap	Cantelon	Les
Sultan	McIntyre	Rustad
Cadieux	van Dongen	Howard
Lake	Slater	Dalton
Pimm		Huntington

Hon. B. Lekstrom: I would move second reading.

[1710]

Second reading of Bill 17 approved on the following division:

	YEAS — 43	
Horne	Letnick	McRae
Stewart	Coell	McNeil
Chong	Polak	Yamamoto
Bell	Krueger	Stilwell
Hawes	Hogg	Thornthwaite
Hayer	Lee	Barnett
Bloy	Reid	Thomson
Falcon	Penner	de Jong
Hansen	Bond	MacDiarmid
Abbott	Lekstrom	Coleman

Yap	Cantelon	Les
Sultan	McIntyre	Rustad
Cadieux	van Dongen	Howard
Lake	Slater	Dalton
	Pimm	
	NAYS — 33	
S. Simpson	D. Black	Fleming
Farnworth	James	Kwan
Ralston	Popham	B. Simpson
Austin	Karagianis	Brar
Hammell	Lali	Thorne
D. Routley	Horgan	Bains
Dix	Mungall	Chouhan
Macdonald	Corrigan	Chandra Herbert
Krog	Simons	Gentner
Fraser	B. Routley	Huntington
Coons	Sather	Trevena

Hon. B. Lekstrom: I would move that the bill be referred to a Committee of the Whole House forthwith.

Bill 17, Clean Energy Act, read a second time and ordered to proceed to a Committee of the Whole House for consideration forthwith.

Committee of the Whole House

BILL 17 — CLEAN ENERGY ACT

The House in Committee of the Whole (Section B) on Bill 17; L. Reid in the chair.

The committee met at 5:13 p.m.

Sections 1 to 76 inclusive approved.

On section 77.

Hon. B. Lekstrom: I would move the amendment standing in my name on the order paper.

[SECTION 77, by deleting item 2 of the table and substituting the following as indicated:

Item	Column 1 Provisions of Act	Column 2 Commencement
2	Sections 21 to 33	July 5, 2010]

Amendment approved.

Section 77 as amended approved.

Schedules 1 and 2 approved.

Title approved.

[1715]

Hon. B. Lekstrom: I would move that the committee rise, report the bill complete with amendment.

Motion approved.

The committee rose at 5:16 p.m.

The House resumed; Mr. Speaker in the chair.

Reporting of Bills

BILL 17 — CLEAN ENERGY ACT

Bill 17, Clean Energy Act, reported complete with amendment.

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

Hon. B. Lekstrom: Now, Mr. Speaker.

Third Reading of Bills

BILL 17 — CLEAN ENERGY ACT

Bill 17, Clean Energy Act, read a third time and passed on the following division:

YEAS — 43

Horne	Letnick	McRae
Stewart	Coell	McNeil
Chong	Polak	Yamamoto
Bell	Krueger	Stilwell
Hawes	Hogg	Thornthwaite
Hayer	Lee	Barnett
Bloy	Reid	Thomson
Falcon	Penner	de Jong
Hansen	Bond	MacDiarmid
Abbott	Lekstrom	Coleman
Yap	Cantelon	Les
Sultan	McIntyre	Rustad
Cadieux	van Dongen	Howard
Lake	Slater	Dalton
	Pimm	

NAYS — 33

S. Simpson	D. Black	Fleming
Farnworth	James	Kwan
Ralston	Popham	B. Simpson
Austin	Karagianis	Brar

Hammell	Lali	Thorne
D. Routley	Horgan	Bains
Dix	Mungall	Chouhan
Macdonald	Corrigan	Chandra Herbert
Krog	Simons	Gentner
Fraser	B. Routley	Huntington
Coons	Sather	Trevena

Hon. M. de Jong: Committee A has yet to complete its work. I'm going to move — with, I think, consent from the opposition House Leader — that this chamber briefly recess to allow Committee A to complete its work.

Mr. Speaker: Hon. Members, we'll take a ten-minute recess while Section A wraps up. We'll be back here at 28 minutes after five.

The House recessed from 5:19 p.m. to 5:33 p.m.

[Mr. Speaker in the chair.]

The Committee of Supply (Section A) reported resolutions.

Hon. M. de Jong: I call Committee of Supply.

Committee of Supply

ESTIMATES:
LEGISLATION

The House in Committee of Supply (Section B); L. Reid in the chair.

The committee met at 5:35 p.m.

Vote 1: legislation, \$68,004,000 — approved.

ESTIMATES:
OFFICERS OF THE LEGISLATURE

Vote 2: Auditor General, \$15,400,000 — approved.

Vote 3: Conflict-of-Interest Commissioner, \$440,000 — approved.

Vote 4: Elections B.C., \$7,740,000 — approved.

Vote 5: Information and Privacy Commissioner, \$4,470,000 — approved.

Vote 6: Merit Commissioner, \$965,000 — approved.

Vote 7: Ombudsperson, \$4,945,000 — approved.

Vote 8: Police Complaint Commissioner, \$2,457,000 — approved.

Vote 9: Representative for Children and Youth, \$6,973,000 — approved.

Hon. M. de Jong: I move the committee rise and report resolution.

Motion approved.

The committee rose at 5:38 p.m.

The House resumed; Mr. Speaker in the chair.

Committee of Supply (Section B) reported resolutions.

Mr. Speaker: When shall the report be considered?

Hon. M. de Jong: Forthwith.

Hon. C. Hansen: I move the reports of resolutions from the Committees of Supply on March 23, 24, 30, April 1, 12, 15, 20, 22, 27, May 3, 5, 18, 20, 27 and June 1, 2 and 3 be now received, taken as read and agreed to.

Motion approved.

Hon. C. Hansen: I move there be granted from and out of the consolidated revenue fund the sum of \$33,373,502,000. This sum includes that authorized to be paid under section 1 of the Supply Act (No. 1), 2010, and is granted to Her Majesty towards defraying the charges and expenses of the public service of the province for the fiscal year ending March 31, 2011.

Motion approved.

Hon. C. Hansen: I also move that there be granted from and out of the consolidated revenue fund the sum of \$774,598,000. This sum includes that authorized to be paid under section 2 of the Supply Act (No. 1), 2010, and is granted to Her Majesty towards defraying the capital, loans, investments and other financing requirements of the province for the fiscal year ending March 31, 2011.

[1740]

Motion approved.

Introduction and First Reading of Bills

BILL 22 — SUPPLY ACT, 2010-2011

Hon. C. Hansen presented a message from His Honour the Administrator: a bill intituled Supply Act, 2010-2011.

Hon. C. Hansen: I move that the bill be introduced and read a first time now.

Motion approved.

Hon. C. Hansen: This supply bill is introduced to authorize funding for the operation of government programs for the 2010-2011 fiscal year. The amount requested is that resolved by the Committee of Supply after consideration of the main estimates.

The House has already received, taken as read and agreed to the reports of resolutions from the Committees of Supply and, in addition, has resolved that there be granted from and out of the consolidated revenue fund the necessary funds towards defraying the charges and expenses of the public service of the province for the fiscal year ending March 31, 2011.

It is the intention of government to proceed with all stages of the supply bill this day.

Mr. Speaker: Hon. Members, in keeping with the practice of this House, the final supply bill will be permitted to advance through all stages in one sitting.

Bill 22, Supply Act, 2010-2011, introduced, read a first time and ordered to proceed to second reading forthwith.

Second Reading of Bills

BILL 22 — SUPPLY ACT, 2010-2011

Hon. C. Hansen: I move that the bill be read a second time now.

Motion approved.

Hon. C. Hansen: I move that the bill be referred to a Committee of the Whole House for consideration forthwith.

Bill 22, Supply Act, 2010-2011, read a second time and ordered to proceed to a Committee of the Whole House for consideration forthwith.

Committee of the Whole House

BILL 22 — SUPPLY ACT, 2010-2011

The House in Committee of the Whole (Section B) on Bill 22; L. Reid in the chair.

The committee met at 5:44 p.m.

Sections 1 to 3 inclusive approved.

Schedules 1 and 2 approved.

Preamble approved.

Title approved.

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

Motion approved.

The committee rose at 5:45 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

BILL 22 — SUPPLY ACT, 2010-2011

Bill 22, Supply Act, 2010-2011, reported complete without amendment, read a third time and passed.

Mr. Speaker: Hon. Members, the Lieutenant-Governor is in the precincts, so if you would remain in your seats. Hon. Members, would everybody remain in their seats.

The Lieutenant-Governor will enter the chamber.

[1750]

His Honour the Lieutenant-Governor entered the chamber and took his seat on the throne.

Royal Assent to Bills

Clerk of the House:

Zero Net Deforestation Act
Forests and Range Statutes Amendment Act, 2010
Energy, Mines and Petroleum Resources Statutes Amendment Act, 2010
Veterinarians Act
Miscellaneous Statutes Amendment Act (No. 2), 2010
Gunshot and Stab Wound Disclosure Act
Forests and Range (First Nations Woodland Licence) Statutes Amendment Act, 2010
Motor Vehicle Amendment Act, 2010
Protected Areas of British Columbia Amendment Act, 2010
Armoured Vehicle and After-Market Compartment Control Act
Clean Energy Act
Haida Gwaii Reconciliation Act
Finance Statutes Amendment Act (No. 2), 2010
Miscellaneous Statutes Amendment Act (No. 3), 2010
Forestry Service Providers Protection Act
Horizons Unbound Rehabilitation and Training Society (Corporate Restoration) Act, 2010
Vancouver Foundation Amendment Act, 2010

In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to these acts.

Supply Act, 2010-2011

In Her Majesty's name, His Honour the Lieutenant-Governor doth thank Her Majesty's loyal subjects, accept their benevolence and assent to this act.

His Honour the Lieutenant-Governor retired from the chamber.

[Mr. Speaker in the chair.]

Hon. M. de Jong: Mr. Speaker, I move that the House at its rising do stand adjourned until it appears to the satisfaction of the Speaker, after consultation with the government, that the public interest requires that the House shall meet or until the Speaker may be advised by the government that it is desired to prorogue the second session of the 39th parliament of the province of British Columbia. The Speaker may give notice that he is so satisfied or has been so advised, and thereupon the House shall meet at the time stated in such notice and, as the case may be, may transact its business as if it has been duly adjourned to that time and date. And, in the event of the Speaker being unable to act owing to illness or other cause, the Deputy Speaker shall act in his stead for the purpose of this order.

Mr. Speaker: Just before we have the final adjournment motion, Members, I know that we had a long fall session and a long spring session. I know that this is going to be a time when members can go back to their constituencies and reconnect with their constituents and, by and large, reconnect with their families. I think that's the most important thing for all of us — that we do spend some time when we leave the House to reconnect with our families.

I want to thank all the members from both sides of the House. I think, by and large, we have done not an exceptional job but close to it in the decorum that we presented from across Canada. So I want to thank members for their ability to maintain the decorum and do the right things that we're all here for, and that's to represent the people of British Columbia.

Hon. M. de Jong: To all members: safe travels, good luck, *bonne chance*, bon voyage.

Hon. M. de Jong moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until further notice.

The House adjourned at 5:55 p.m.

PROCEEDINGS IN THE
DOUGLAS FIR ROOM

Committee of Supply

ESTIMATES: MINISTRY OF
ATTORNEY GENERAL
(continued)

The House in Committee of Supply (Section A); J. Thornthwaite in the chair.

The committee met at 3:09 p.m.

On Vote 16: ministry operations, \$366,149,000 (continued).

The Chair: Good afternoon, everyone. We're back in session. I'd like to introduce you to the Ministry of Attorney General estimates in the Douglas Fir Room and introduce the Attorney General.

Hon. M. de Jong: First of all, apologies to the members for keeping them waiting.

K. Corrigan: I have a couple of questions about the Olympics. It will be quite quick and somewhat painless.

[1510]

I wanted to ask about Olympic volunteers and secondments. There were two Olympic participation programs for government staff. Under the volunteer program, it was a leave matching program where employees who were accepted for volunteer positions were eligible for up to 7.5 days of paid leave to match vacation time use. The program cost, according to a press release of May 14, was approximately \$560,000 for salaries and benefits, and according to that release, 31 volunteers came from the Ministry of Attorney General. My first question is: is that number of volunteers correct?

Hon. M. de Jong: Here are the numbers I have with respect to volunteers from within the ministry. To VANOC, the number is 31. The Olympic Games Secretariat, 33. Then some volunteers performed what are termed regular duties. There were four of them. So a total of 68 individuals from within the ministry would have fallen within the broad category of volunteers.

K. Corrigan: I want to be clear that this was the leave matching program where there was a certain amount of time that they would use their own vacation time and a certain amount of time that they would.... That was the question I was asking, and if it doesn't fit within those categories, that's fine. I just want to understand exactly who did what, because I've been asking in each ministry,

and I want to be sure that I'm comparing apples with apples.

Hon. M. de Jong: Thanks to the member for clarifying that. It would be inaccurate for me to say that all 68 of these individuals were on the leave matching program. I'm not in a position to indicate to the member today which of the 68 were on the leave matching program, although I can endeavour to obtain that information.

K. Corrigan: I'm wondering if the minister could provide the information about what the costs of wages and benefits were that were attached to those individuals.

[1515]

Hon. M. de Jong: I'm advised that that material is in the process of being compiled for the public accounts. So to the extent that it should be readily available in the next four to six weeks, I think — public accounts are due for July, if memory serves correct — that information as required by the public accounts should be available.

K. Corrigan: One of the concerns that I have about relying on the public accounts is that it's not clear to me whether or not the information will be broken out by individual ministries as costs associated with the Olympics, so I'm wondering if the minister will indulge me and commit to providing that information.

I don't mind waiting for a few weeks for it, although I'm not really sure why it would take that long to provide the information, but I'd like a commitment that I can get that information. I have been getting it from the various ministries, and apparently it's not that difficult to put together.

Could I get the information about what the wages and benefits are associated with those individuals and, also, whether or not they were in the leave matching program or in the employee loan program and where they were seconded to? That's the information that I've been looking to gather, so I would appreciate a commitment from the minister that I can get that information.

Hon. M. de Jong: I'm going to do my best for the member, and I can give some information now, if she'd like. She mentioned the program relating to secondments, and that was far and away the largest part of contribution insofar as the Attorney General's ministry was concerned. They were mostly sheriffs, who are well positioned and trained, as the member might expect, to make a contribution to an event on this scale.

The gross cost, I'm told, associated with the deployment of sheriffs' staff, was \$1.32 million for — by the way, I didn't give the member the number — about 110 sheriffs and four other court services personnel. So it's \$1.32 million, but the ministry will recover just under a half-million dollars from the federal government and

\$61,000 from the city of Vancouver. All in, it's just actually over \$500,000.

Of course, those sheriffs likely would have been receiving their regular wage. The calculation that I have seen for the cost to government covering that part of it, therefore, was \$284,000. I hope those numbers assist the member. That's what I can provide, and I'll do my best in other quarters.

K. Corrigan: Okay. Well, now I'm confused, because when the minister was first speaking, the numbers were 31 to VANOC....

Hon. M. de Jong: That's volunteers.

K. Corrigan: Okay, so 31 volunteers. Then 33 volunteers to the Olympic Games Secretariat and then four other volunteers. That's separate from the 110 of the secondment? Correct.

Thank you very much. Can I just finalize, then, that the minister is committing to gather all the information that I've requested and to provide it to me in writing within a few weeks, perhaps a couple of weeks?

Hon. M. de Jong: I'm committing to do my best.

K. Corrigan: I'm wondering what impediments the minister would foresee so that the minister wouldn't say that the minister thought it was quite possible to provide that information.

[1520]

Hon. M. de Jong: I don't mean to be troublesome. I hope that I've demonstrated to the member my willingness to provide the information. I just don't want to make a deadline promise that I can't keep. The work is taking place with respect to the other deadline, and I'll do my very best to accommodate the member.

K. Corrigan: Thank you. I very much appreciate it. I think I was interpreting you're doing the best as being able to find the information, whereas what I think the minister was talking about was the timing. So I do appreciate it, and I look forward to receiving that information. Thank you so much.

L. Krog: I want to welcome the Attorney General back. I appreciate and I know that the Solicitor General and his critic are chomping at the bit to get into this place and be examined during the course of estimates, and I'm conscious of the time also.

There are a number of areas, clearly, that we're not going to be able to touch on today that I think are important, but nevertheless, the Attorney General has just announced the appointment of Craig James as acting Chief Electoral Officer. I have enormous respect

— I state that for the record — having worked with Mr. James on a number of committees over the years in his capacity as Clerk.

I do want to ask: was there any consultation with any other parties before this appointment was made?

Hon. M. de Jong: Not in the sense that I think the member means. There were, obviously, discussions with Mr. James himself, but not beyond that.

L. Krog: I'm just asking.... Unfortunately, because of the timing of this, I haven't had time to research it. Is there no provision in the statute presently that allows for some process or a deputy to the Chief Electoral Officer to step into the position when the position becomes vacant by virtue of the term ending?

Hon. M. de Jong: I have the section that authorizes the step that, to be technical, is in the process of taking place. I should say, as well, that there is a Chief Electoral Officer in place, and I have great respect for him as well, and he will continue until his term expires in a matter of days.

The provision, though, that was relevant to the announcement a few moments ago is section 9(2) acting Chief Electoral Officer: "The Lieutenant Governor in Council may appoint an acting chief electoral officer in any of the following circumstances." And it is: "(c) the chief electoral officer is removed or suspended or the office...becomes vacant when the Legislative Assembly is sitting, but no recommendation is made by the Legislative Assembly under subsection (1) or section 4 before the end of the session." That is the authority by which it is made.

L. Krog: Again, to the Attorney General on this issue. Given that the government is facing an initiative, and given the peculiar political circumstances in which it finds itself as a result, I must say that I am somewhat surprised that some consultation with either the opposition or others wasn't undertaken in these particular circumstances.

Again, I appreciate the distinction that Mr. James brings to his position with the Legislative Assembly now, but one would have thought that it would have behooved the Attorney General to consult with respect to this appointment — again, given the particular and peculiar political circumstances.

I'm wondering, in light of what the opposition is raising today, whether the Attorney General might consider or commit to this House that he will study this matter and consider some legislative amendments that would deal with this situation. One appreciates that it's unusual, but it's not as if it was a surprise that the present occupant, who has had a distinguished career in the public service as Chief Electoral Officer.... It comes as no surprise that his term was ending.

[1525]

Hon. M. de Jong: I have the member's point, and I think what he is suggesting is an adjustment to the requirements of subsection 9(2). I also understand the point that the member is making with respect to the unique circumstances — which, I think, was the term he used. That's why I do think it important, and I shared with the House the fact that whilst Mr. James has agreed to serve in this acting capacity, he will not be a candidate for the job on a full-time or permanent basis.

L. Krog: I appreciate that the Solicitor General critic is here, and I know that they're anxious to get on with that.

But I cannot pass without at least asking a couple of questions around judicial appointments. I understand that we're down 16. There's money to appoint nine Provincial Court judges across the province. One has been recently appointed. There is an outstanding appointment, which I'm aware that the member for Powell River–Sunshine Coast has raised. Is there any reasonable likelihood of that position being filled shortly?

Hon. M. de Jong: Thanks to the member for raising the point. I wonder if we might quickly begin here. There is agreement between the Ministry of the Attorney General's court services branch and the office of the chief judge that the net vacancy rate is actually closer to seven than to 16. That is, in part, a reflection of having to calculate the contributions made by the many senior judges that operate.

The member knows that as judges reach retirement age, they re-engage. That's helpful to the court — they bring their experience — but it also means that there is an obligation to provide the support services, which are a key aspect, a key component, of the court operating.

On the order of magnitude, the hon. member may — as well, at least — know what I think the vacancy rate is, as opposed to the number that he has offered. Nonetheless, it is a vacancy rate, and we are looking to address some of those specific vacancies. The member has mentioned one.

The member has also heard me talk earlier today, this morning, about a slightly altered process that I am interested in. We just talked about consultation. I suppose this is a case where I am interested in broadening the sources of consultation, but I recognize that can't become an impediment to addressing the needs of the court and moving forward with some of these appointments. So yes, we are working with the office of the chief judge, and I anticipate announcements with respect to appointments in the future.

L. Krog: On the issue of legal aid, I have a table of government funding for the Legal Services Society. It comes from public accounts. In the year '99-2000, the government provided \$82.197 million. That increased

in 2001-2002 to \$96.035 million. Then it has dropped in the 2009-2010 budget to \$68.5 million.

Clearly, even taking into account the moneys that the Legal Services Society receives from other organizations, that is still a substantial cut, when we know that there's been a significant increase in British Columbia's population. We know that we are coming out of difficult economic circumstances, when the demand for legal services by those who cannot afford it has increased dramatically.

[1530]

I've heard the Attorney General in his remarks earlier today talk over and over again about priorities and having to cut. It just strikes me that what the government has really done is cut across the board without taking into account the most vulnerable amongst us, those who are going to require the assistance of the Legal Services Society or, historically in this province, the community law offices, which were likewise eliminated by this government when it came into office. The funding for those is gone.

I discussed earlier the women's centres in this province that see no core funding of any substance, which are also part of the justice system, I would argue, in terms of providing advice, counselling and assistance to women who are in abusive relationships, who face other issues, whether it be with predatory landlords — all the hallmarks of people who are in difficulty.

I would like to hear from the Attorney General now. Given that these cuts appear to be across the board.... I mean, what are the priorities for his ministry that he sees that take precedence over something like legal aid, which is surely recognized as both a legal right for those who cannot afford it and is an absolute necessity for those thousands of British Columbians who are not now and cannot be in a position to pay for any legal services?

Hon. M. de Jong: Look, I understand the member is trying to grapple, as we both are, with the available time and has asked a far more general question than I think he would have preferred to ask.

[J. McIntyre in the chair.]

It is a priority. Within that area of priority, it is clear that we have to begin by recognizing the need for the state, the government, to meet its constitutional obligations in an area that is important, not just constitutionally but to the functionality and the workings of the court.

There are challenges, and I hear what the — if I can call it this — legal aid bar say. The prosecutors get modest increases. The judges get increases. The minister gets increases. The amount that's paid, available through the tariff, to the legal aid bar remains static or, in some cases, declines, and I think it is an issue. The member, if we had the time, would I'm sure draw my attention to the

decreasing number of lawyers who are taking legal aid referrals. That is troubling.

So identifying within the scant resources available and the areas of priority on the prosecutorial side of what the ministry does, the legal obligation to provide advice to government, finding additional resources to address something that too frequently doesn't find itself at the top of the pile is something that I hope we can address.

I mentioned this morning that sometimes it's even little things. I think the problem is more than little. But if you can address some of the things — like the fee associated with checking on a client's criminal record, \$30 or \$40 perhaps. But it's also, as members of the legal aid bar point out, a sign of respect for the work that they do.

This might be my opportunity to at least place on the record for the first time as Attorney General the profound respect I have for the service that counsel provide in making themselves available to serve clients through the Legal Services Society.

L. Krog: I was going to make that my last question, but the Attorney General, I think, has chosen — and I suspect quite deliberately — to lead the discussion and the question onto the issue of what lawyers are paid, when I think, in fact, he is obviously missing my point.

[1535]

The Legal Services Society is not just about funding lawyers. It is about funding such things as the LawLINE, which is gone. It is about funding people who can appear in court not just as actual advocates for people but to enable, to assist them to work their way through the court system. It is about the Justice Access Centre. It is about all of those things. It is about the community law offices that are gone.

The fact is that we have gone from what was a fairly good legal aid system in this province to one which is not, with great respect, functioning. The Attorney General has heard these words. He knows what the president of the B.C. Branch of the Canadian Bar Association, James Bond, had to say: "Legal aid is in crisis in British Columbia."

For the Attorney General to suggest this is just about what lawyers are paid.... That's part of it, and he's absolutely right. We are seeing a significant decrease in the number of lawyers who are prepared to take on legal aid cases. This, quite frankly, is a tragedy in two ways.

Firstly, it means that people who need services are not getting them. Secondly, it means that that great tradition of the bar of working with people who they otherwise wouldn't come into contact with because they'd be looking at getting paying clients.... That opportunity to acquaint them with their responsibilities, enjoying the position of being members of a self-governing profession, is, I suggest, with great respect, greatly diminished.

I think, with the greatest respect to the Attorney General, it is time for him to make it a greater prior-

ity that the Legal Services Society start to see greater funding. We cannot rely on other funding — be it the notaries, interest on notaries' trust accounts or interest on lawyers' trust accounts — to try and fill that gap. It has led to a dramatic crisis in legal services in this province, a dramatic crisis most importantly, though, for those who rely on that.

I would hope in the future the Attorney General will take that into account when he's pounding on the cabinet table trying to look after his ministry. We are talking about people who, when they need that help, have no other place to go. We do not have community law offices any more. We do not have societies and advocates available to help those people. It is absolutely outrageous that in a province that chose to eliminate the corporate capital tax, we would find ourselves in this position.

Having ended my harangue, I want to thank the Attorney General and his staff for being here today. I wish I had more time, and I'll certainly take that up with the opposition House Leader in due course. But I think it is important that the Attorney General understand just how difficult it is for the folks out there on the street.

We who have the privilege and honour of working in these hallowed halls sometimes forget what it's like to face a crisis where you don't even have the money to have the bus fare to get to an office, particularly when we don't even have the office in position.

Hon. M. de Jong: I have never questioned the passion or the commitment of the member for Nanaimo to the service of citizens and particularly citizens who are of more limited means. I can assure him that I was listening carefully as he advocated on behalf of the cause of legal aid and the Legal Services Society.

I know he will take up the other matter with his colleague the House Leader. But House Leaders are by nature an unreasonable lot.

I think, Madam Chair, we may need to deal with the votes for the ministry.

Vote 16: ministry operations, \$366,149,000 — approved.

Vote 17: judiciary, \$67,740,000 — approved.

Vote 18: Crown Proceeding Act, \$24,500,000 — approved.

Vote 19: British Columbia Utilities Commission, \$1,000 — approved.

The Chair: With that, Committee A will briefly recess before beginning estimates of the Minister of Public Safety and Solicitor General.

The committee recessed from 3:40 p.m. to 3:44 p.m.

[J. McIntyre in the chair.]

ESTIMATES: MINISTRY OF
PUBLIC SAFETY AND SOLICITOR GENERAL

On Vote 41: ministry operations, \$572,162,000.

The Chair: Welcome back. We're in Committee A, and we're just about to begin the estimates for the Ministry of Public Safety and Solicitor General.

[1545]

M. Farnworth: We don't have a huge amount of time for the estimates on the Solicitor General's ministry. That may be, I guess, a reflection of where we find ourselves these days in terms of the time available.

Having said that, there are a number of topics that I want to get through, as I outlined to the minister. I'd like to deal with the policing contract; the issue of corrections officers; issues around domestic violence, on which my colleague from Burnaby–Deer Lake will have some questions that she wants to ask; also, some questions around ICBC; and finally, some issues dealing with back-country legislation.

For the previous two Solicitors General, one of the topics that's been of importance in the estimates has been the issue around the status of the RCMP contract and the negotiations around that. As the minister knows, it's up for renewal in 2012. The last time negotiations took place was 20 years.

Can the minister update me as to what the status is of the negotiations right now and, specifically, also deal with some questions that I think are important for British Columbians? What are the goals that we are looking for in terms of if we're staying with the contract? What benchmarks has the government set in terms of how these are things that we have to see in a new RCMP contract?

Hon. M. de Jong: It's an important negotiation relating to our relationship with the province and with the nation's major policing agency. I am advised that back in 2005, when the proceedings began, the parties — that is, the province and the RCMP — settled upon a two-phase approach, the first being the exchange of information and research and then, secondly, the actual negotiation. The transition from phase 1 clearly into phase 2 is now occurring. We're squarely into a negotiation.

Objectives? I think that's a fair question. I should say at the outset as well — because I occasionally get this question speculating about the possibility of moving away from an arrangement with the RCMP — that we're in these negotiations to continue the relationship with the RCMP. This is not an exploratory mission that maybe the option is to re-create a provincial police force. The objective here is to settle upon an agreement, a long-term agreement with the RCMP.

Accountability is one of the things. We've talked in the past about serious complaints and devolving delegation to provincial investigative units. That is something that I think presented itself in a recent public inquiry report, if I am not mistaken. There are questions around accountability that we're trying to deal with in these negotiations — the re-creation of a genuine partnership.

[1550]

Certainly, part of the objective relates to costs and establishing certainty and containment around costs while ensuring that B.C. communities are receiving the policing needs that they require and are entitled to.

I might say just in passing — only because I happened to be there a few weeks ago — that the announcement by the federal government that they will be spending, I think, \$900 million or thereabouts on a new E Division facility in Surrey was certainly welcome news to the province. We will be a major tenant, various agencies in that facility, and that will be a key part of the partnership going forward.

M. Farnworth: I understand that this is not an exploratory exercise. That's always been perfectly clear right through the last number of years — certainly, in the last two years — as these negotiations have been taking place. But I think the key thing, what the public is looking for, is that there are a number of issues regarding policing that exist in British Columbia — accountability is one of them — which have arisen around a number of the tragedies that have taken place in B.C., particularly around the police complaints process.

Now, yes, there have been legislative changes. But in many ways, we have passed by those legislative changes, and the public is actually demanding a greater sense of civilian oversight in terms of in-custody deaths, for example, and changes that need to be made at that level. So despite what we've passed, I think there's an expectation that there will be an increase in that.

While I recognize that this is not about an exploratory set of negotiations but is substantive in terms of renewing a contract, we still, as one of the parties to that contract, have a significant interest in ensuring that the changes that we want to see take place are, in fact, incorporated into the contract. I mean, we are the largest detachment in the country — E division is. That should give us a significant amount of leverage in terms of contract negotiations around changes that we want to meet so that we're meeting our needs here in British Columbia, not just, you know, as is too often seen, something that's taking place in Ottawa.

What I'd particularly like the minister to talk to me about or to answer is: are there specific objectives in terms of, for example, around accountability and also around the issue of the police complaints process and the investigation of in-custody deaths — to make it so that we actually do have either, not just a unified process but

movement towards a single process as opposed to the two separate ones which you have right now, for municipal police forces and for RCMP?

Hon. M. de Jong: Well, this early in the proceedings, and I've already misspoke myself. The negotiations are actually between the governments and not the government of British Columbia and the RCMP itself. It's between the government of British Columbia and the government of Canada. The RCMP, as a contracting agent, will perform the work.

I think the member's question is specific and deserves a specific answer as it relates to things like the complaints process. That is a specific objective. The thing I wanted to clarify is that realizing on that harmonized complaints process whereby the federal agency is subject to a provincially created complaints process, we believe, will ultimately require federal legislation.

The fact that we are negotiating with the government of Canada is convenient because giving effect to that contractually is one thing. Having it function, as I understand it, will require, in all likelihood, legislative change on the part of the federal government and the federal parliament.

[1555]

M. Farnworth: In the requirement for the need for federal legislative change, one of the issues that comes up, for example, in terms of dealing with police complaints and having a unified process has been a call for a civilian-based model. That could take the form of either a provincial-based model or... Ontario has a model to deal with their particular situation. They have a provincial police force in Ontario. They've got one in Quebec.

My question is: has the government given any thought, during its negotiations with the federal government, to the type of accountability model in terms of investigating civilian oversight that could take place in British Columbia? Is it looking at a model that exists solely here in British Columbia? Or has it done any work on looking at a model that, for example, may apply in other provinces across the country so that it's done at a federal level as opposed to just a provincial level?

Hon. M. de Jong: Two sort of separate issues are being dealt with here. Just a moment ago we were talking about a situation in which a citizen has a complaint. We have a B.C. complaints process. At this point the RCMP are not subject to that. We've discussed changing that via the negotiation that's taking place and deriving agreement and, if necessary, legislative change to ensure that RCMP peace officers are subject to a provincially created complaint process.

The second issue that the hon. member has raised relates to: what happens when a police officer is being investigated for a potential criminal wrongdoing? The

government's view and what we are working towards is the establishment of a civilian-controlled, civilian-manned agency that would be responsible for investigating peace officers, police, including the RCMP.

I am reminded that the B.C. Association of Chiefs of Police some time ago brought forward a proposal to form that civilian-led integrated investigative unit, and the RCMP supported that. Happily, we seem to be at a place where the RCMP are lending support to that.

The member also, I think, wisely pointed out that there are some who are discussing the possibility of a broader federal umbrella organization. That is not the direction we are pursuing in British Columbia now, nor do we intend to. It would be a British Columbia unit. I'm not familiar enough with the Ontario unit to say how similar it would be, but they certainly have a provincial organization, agency, in Ontario that performs that function.

[1600]

M. Farnworth: I thank the minister for that answer, because I think it's important that the public have a sense of the direction that the province is going but also what we're not prepared to consider.

I think that both models could be effective, but I think that a provincial model is probably the way to go, because we do have two sets of... We've got the municipal police force that's independent. We have the municipal police force that's RCMP.

As I said, we've made some significant changes in terms of how complaints are dealt with. But in terms of the investigation side of that — and the minister is correct; they are two separate things — there is still the sense that we need to have one body that deals with both in this province. One of the things I would like to see come out of the negotiations is in fact that we move that along and get that body set up sooner rather than later.

Again, the fact that the chiefs of police have come out with a letter — I think it was last year that they did that — speaks to... Despite the changes that we've made, I think the public and, in fact, the police themselves have actually moved beyond those changes to recognize that further change needs to take place.

In terms of previous discussions with previous ministers on this issue, one of the questions I had was about studies or work that had been done in terms of costs related to regionalization. Again, that's something that I think, in terms of the negotiations around the contract, if we're looking and we've talked... Government's made statements in the past about greater integration of policing not just within the municipal forces and the RCMP but within units themselves. They want to see greater integration.

Previously I've asked — and it's often taken place in the discussion around regionalization of police: has work been done on costs associated with that, and if so,

what has the government found in terms of potential around increased costs? I've always been met with: "No, we have not undertaken that work."

I will ask the same question again: given the fact that we're in contract negotiations, given the fact that the government has stated that it wants to see greater integration taking place and given the fact that some of those changes will require either additional resources or additional costs and the federal government is one of the negotiating parties, have we done some financial analysis on what the costs of those objectives are and how they're going to impact, for example, on the minister's budget?

Hon. M. de Jong: I occupy a place in a bit of a line that the member has had this conversation with. I wonder, though.... I'm going to take a moment to discuss it, but can the hon. member...?

Regionalization means different things to different people. Victoria and Esquimalt — I suppose that's a form of regionalization. There are regionalized units. I am interested, in offering an answer, to learn more from the member about his notion of what we are talking about or should be talking about.

M. Farnworth: I appreciate the minister's comment. In previous discussions, when the debate was around.... I am not talking about a provincial police force. That's something completely separate. There has been considerable debate within British Columbia, particularly around the issue of regionalization within the Lower Mainland, about: is it time to move to a regionalized police force?

In previous estimates debates I've asked: has the government done any cost-benefit analysis around the pros and the cons of regional policing in terms of a regional police force in the Lower Mainland? How much would it cost? What are the benefits? What are the downsides, so that when we're into those negotiations with the federal government, we have a good sense of not just what the contract is going to cost us but what the alternative is if, for example, we decide that we didn't want that contract.

[1605]

The answer on that has always been no — that we want to see greater integration, that we could do regionalization without regionalization. We can do regionalization but still maintain the RCMP in Coquitlam, still maintain the RCMP in Surrey and still maintain the VPD. But what we want to see is greater integration taking place within, for example, the Lower Mainland or — the other obvious place — on southern Vancouver Island in the capital region.

[D. Hayer in the chair.]

With regard to changes in terms of the contract, have we done work in terms of what areas we would like to

see greater integration take place in and what potential financial impacts there are? So that when we engage in the discussions with Ottawa we're able to say, "Look, we're looking at making changes that are going to result in integration" — let's say in gang violence, domestic violence or any number of areas.... But that's going to require us to make some changes, and there's a financial cost to that. It's going to cost the province this, and we think the federal government also benefits from that, so there's the ability to look at potential federal costs as well.

[1610]

Hon. M. de Jong: I actually appreciated the manner in which the member distinguished between what we might call the formal notion of regionalization versus the concept of integrated services and integration, because the latter occurs on a wide range of fronts and does reveal itself insofar as the negotiations are concerned where we seek to confirm RCMP involvement.

There are funding advantages for both communities and the province by those higher-level provincial integrated teams. I can go through a list of them. Some of them are the gang-related homicide unit, sexual predator observation team, road safety. There's a series of them.

The approach — and hopefully this is not too general as to be worthless to the member — is predicated on the assumption that integration has both operational benefits and fiscal benefits. Therefore, insofar as the old adage — crime knows no boundaries — goes, to the extent that we can integrate without necessarily forcing reorganization and regionalization amongst agencies that may be hesitant to do so, we can accomplish those objectives. That, I'm advised and can relate to the member, does reveal itself in a very specific way in terms of the negotiations that are taking place.

M. Farnworth: I thank the minister for that answer. I think one of the issues out in the public is that there is this sense that we have municipal forces, and we have the RCMP. The contract is up for renegotiation. I mean, it is a 20-year agreement. Even though I think that the term to get out, if I'm not mistaken, is two years as opposed to five.... I stand to be corrected on that. I think there's a two-year notice.

The fact is we're looking at a 20-year agreement. It's a lot easier to get it right now as opposed to trying to wait another 20 years or try to make changes during those 20 years. Now is the time that both parties want to get an agreement. Now is the time when those issues that are outstanding or need to be changed are on the table.

That's why, whether it's on the complaint process or on an integrated investigative process unit — I think those need to be on the table right now — the issue is around accountability in terms of integration versus

those questions of regionalization. Again, I think we can identify priority areas where we want to see increased focus take place, whether it's on gang violence, whether it's on Internet crime or whether it's on identify theft. I think there are some opportunities here in these negotiations to achieve some provincial objectives, and I want to make sure we're doing that.

I am very mindful of the fact that we don't have a huge amount of time this afternoon, so while we're still on the issue of policing, I've got some questions around specific cases. I'd appreciate from the minister that if he doesn't have the information or a ready answer, he can get back to me on them.

While we're still on the subject of the RCMP, one of the issues that's out there.... One of the advantages of the RCMP is, of course, it's often classed as cheap policing, that it is cheaper than having your own detachment. It's something that you often hear in public. You often hear it from municipal officials, and you often hear it in the media — that there's a 10 percent, some call it, discount.

There are issues that come with that. It's not exactly quite that clear-cut. Because we are the largest RCMP detachment in the country, we serve as a reserve. So if there's a requirement, particularly when there are national or international events taking place, we are the detachment that the RCMP is most able to take people from and use elsewhere.

[1615]

My question to the minister is this. Is that one of the issues that's going to be addressed in negotiations?

I appreciate the minister is about to answer the question, but I also wanted to add one thing. I guess the example, one of the key examples, of that right now would be the G8 and the G20. For example, how many officers are being deployed from British Columbia to cover that event?

Hon. M. de Jong: Thanks to the member for raising the question. To put it in some kind of context, the member correctly identified the size of our detachment and contingent of RCMP officers. I'm told that we represent just over half of the total contract services for the country, so it is a sizeable contingent.

I'm also told that the protocols that guide when those kinds of deployments occur — whether it's officers from elsewhere in the country deploying to Toronto for a G8 or G20 summit, or officers coming from the Maritimes or other parts of Canada for an Olympics-size event like the one we've had — do exist within the master agreement that we have been talking about.

On the question I was asked — and sorry, I should go back to the question — I don't have the number here for the G20, G8 event that is taking place. I'll endeavour to get it. Broadly speaking, I'm told the senior officials feel that British Columbia has been well served

by the protocol. The specific example that was offered of recent vintage was the investigation that took place in the northeast around the pipeline bombings and activities, such that the right people were made available at the right time in the right place from the RCMP to assist in that investigation and other organized crime investigations.

So there is, as the member points out, a bit of an ebb and flow. The view of the senior officials within the government is that the existing protocols have tended to serve the province well, and they are contained — and, it's anticipated, will continue to be contained — within the master agreement.

[1620]

M. Farnworth: I thank the minister for his answer. So those protocols are in place, and as I keep coming back to, we are up for renegotiation.

I fully understand the ability to move officers to particular parts of the province or to other events in different parts of the country. Quite rightly, you're going to have to have security in place for the G8 and the G20. You may want to question why it's being held in downtown Toronto and not somewhere like Kananaskis at the end of a valley. You'd just block off one end, and no one could get in. That being said, the decision has been made. It's in Toronto, and you have to provide security.

Those officers come from the front line, or the communities, that the taxpayers in British Columbia pay through their local service, for police service. That is one of the conditions with the RCMP contract — that you have that ability. There's a plus side to that, and there's a downside in that you may see, in a big event, a movement of some officers.

I am wondering if those protocols are being updated and if there is a desire to either limit.... But more importantly, I think, from outside of the Lower Mainland, for example, the RCMP themselves made a significant policy change as a response to a number of very tragic circumstances where you had RCMP officers who were by themselves in detachments.

There was the tragic case in the Northwest Territories. I think there was another one here in British Columbia. That resulted in a policy change where the RCMP moved from having an individual to having at least two people in a detachment.

What I'm hoping is that the protocols recognize that, so that when we are saying, "Okay, we need 500 officers to cover the G20," we are not taking them out of some of those rural detachments where, for very legitimate safety reasons around the officers themselves and the communities themselves, we have said that we need to have two individuals in place, so that we're not using those communities as part of the reserve to send, let's say, back east or to other parts of B.C., leaving a single-officer detachment.

Hon. M. de Jong: A good point. I'm alerted to something that the member may be familiar with called the RCMP national backup policy, which is only barely a couple of years old. It states that there always has to be two members available. I think that goes directly to what the hon. member was talking about in terms of smaller centres where someone might be left entirely on their own.

I've also confirmed with the senior members of the ministry that it is anticipated that that policy will be explicitly referred to insofar as limiting redeployments of the sort that the member has referred to. You wouldn't want to affect or allow a temporary redeployment that ran contrary to or violated the RCMP's own national backup policy.

[1625]

M. Farnworth: I thank the minister for his answer. I think it is important that we have that recognized, so that that policy, in essence, supersedes any ability in a protocol to send, let's say, to redeployment. So I'm pleased to hear the minister say that.

With that, I think we'll move on. I'd like to go to some issues involving corrections officers. I still have a couple of questions around more cases, I think — one around witness protection and witness protection services and another around restorative justice. We'll come to them after we have dealt with the guards issue.

Can the minister outline the status of corrections officers right now in terms of numbers and in terms of recruitment and retention? Do we have all the positions filled, or are we facing a shortage of corrections officers in British Columbia?

Hon. M. de Jong: Corrections officers. The complement is 1,069, and they are fully staffed at the moment.

M. Farnworth: Does the ministry keep statistics on incidents of violence against corrections officers, and if so, can the minister tell us what has been happening over the last, for example, three years?

Hon. M. de Jong: I'll just take a moment, and the brevity of my remarks isn't meant to be in any way disrespectful. The corrections officers do tough work in a really tough environment, so anytime there is an incident of violence being perpetrated against a corrections officer, it is troubling. It is a tough, tough environment within which to work, and they are dedicated public safety officials in their own right.

[1630]

It's hard, based on the numbers I've seen, to speak of a particular trend. I'll share the numbers with the member, going back a few years. I should say that I wanted to check, to ascertain where these numbers are generated from, and I'm told they come from the reports that

corrections officers themselves file when an incident occurs as opposed to a WorkSafe number, which might be lower because they might not always result in a claim or time off from work.

Going back to '04, 62 incidents; '05, 88 incidents; '06, 53 incidents; '07, 61 incidents; '08, 55 incidents; and '09, 66 incidents. I don't have a number, to date, for 2010.

M. Farnworth: Is it possible to get a breakdown by institution? It doesn't necessarily have to be today, I understand, but if the minister has it handy, that would be great. If the minister could commit to get a breakdown by institution, I would appreciate that.

Hon. M. de Jong: I'm advised that it's tracked by centre, so we should be able to provide it to the member by centre.

M. Farnworth: Thank you, Minister.

The minister is right. This is a very tough environment. It's a very tough job. You're dealing with potentially very dangerous individuals. I know, for example, that overcrowding in facilities is very much an issue, and it contributes to potential opportunities for violence against corrections officers.

I know that in the North Fraser Pretrial Centre, originally the initial capacity was to be around 300. I think you can now find 600 in there, and I understand that's primarily related to issues around double-bunking. But that creates situations that result in opportunities for violence, and that's why I'm asking about particular facilities, to sort of see if there is a pattern amongst particular types of institutions, where clearly there needs to be issues that are addressed. So I'll just make that statement.

It's with that in mind that I know my colleague from Esquimalt–Royal Roads has some questions related to a facility in her community, but I want to specifically ask my question around the North Fraser Pretrial. If you get the stats for the North Fraser Pretrial, I would appreciate that.

I'll just leave it at that and turn it over.

Hon. M. de Jong: We'll endeavour to retrieve and provide that information to the member and his colleague.

I just wanted to say this — again, cognizant of the time. I have great respect for the corrections officers wherever they serve — in provincial facilities and federal facilities — and I have lots of those where I live, I can assure members. But there is an added element of unpredictability in a provincial corrections facility. The inmates are more transitory. They are not serving lengthier periods of time. Some of them haven't been to court and been convicted yet.

I recall from when I practised law that that reveals itself at times in a very unpredictable and very dangerous

way. So the point that has been made of about valuing the work of people who operate within that climate is entirely valid.

I know the member has some questions.

[1635]

M. Karagianis: In this line of questioning I'd like to ask very specifically about Wilkinson Road, a prison. I have many constituents, actually, that work in that facility. The minister may be aware that there has just recently been the fifth violent episode, where a young woman was attacked by a prisoner with a ballpoint pen.

This has been a facility that has had, I think, a number of these violent instances in a very short time period. I know from reports from the personnel within that facility that the capacity is pretty high. I think they're running 50 percent over capacity of what they should be — the number of prisoners to security personnel.

I'm concerned because I know there have been reports from that facility about even the segregation cells, which normally are to segregate a specific prisoner to let them calm down, to move them away from agitation by other prisoners. Most of the segregation cells now have two bunks in them, so that you now have two individuals being highly agitated.

While a prisoner is being brought in, another prisoner who has been segregated can often be agitated. Even the planning of this double-bunking has left it so that the new additional bunks are right at eye level so that any kind of physical altercation or anything that occurs while a second prisoner is being moved into the segregation cell is causing potential harm for some of these security guards.

I know the minister talked about the numbers of incidents and the statistics here, but in the case of when I talk to my constituents who work in this facility, these are real individuals, often women, experiencing violence at the hands of these prisoners because of overcrowding because of what seems, I would say, to be very poor planning around the segregation cells.

Is the government evaluating the pressures on these facilities if they are so overcapacity? Are they looking at the recurrence of these incidents and saying: "What changes can we make and what kinds of measures can we put in place?" Recognizing that if these facilities are becoming slight pressure cookers because not enough personnel, too many prisoners and too much crowding is being forced onto this facility, what are the kinds of solutions the government is looking at?

I know that it's of grave concern. People I know who work in this facility are really concerned about who's going to get hurt next. Not: is it a possibility in the future? Who is going to be hurt next? How soon will it happen? I'm very concerned, and I hope the minister can address this or talk about potential options that the government may be looking at, which I hope they are.

Hon. M. de Jong: I took the opportunity to provide the member's colleague with specific numbers for one institution. I could do the same for the member now, just to provide some context to the discussion we're having.

[1640]

For Vancouver Island Regional Correctional Centre: in '04, seven incidents; in '05, five incidents; in '06, nine incidents; in '07, eight; in '08, 11; in '09, nine; and thus far through May, five incidents. I think the member had that number and referred to it.

The other statistical bit of information I can offer to the member is that across the province, of the corrections officers — I gave the number to the member's colleague; 1,065, I think — 34 percent are female and 66 percent are male. That's the raw data.

The pressures, though, that the member alludes to are real. They exist at Vancouver Island, and they exist elsewhere in the province.

I'll provide some information regarding the expansion that is taking place around the province. In so doing, I do want to make this point: that the safety of the people who work in these facilities is paramount. The safety of the inmates is paramount also. We have that obligation as custodians of that fact.

I guess the other point I'd make is that the information I'll disclose here regarding the expansion is made all the more important because, insofar as the investigations and prosecutions of crime, we are seeking to do more.

The federal government has taken some steps around adjustments and amendments to acts around mandatory minimum sentencing, so the pressure is likely to increase, not decrease. I think we have to be mindful of that, going forward. Of course, that has cost implications as well.

At the end of March, the province was responsible for just over 2,700 inmates of various security levels being housed in nine provincial centres. We're investing upwards of \$185 million in expanding jail capacity.

The member knows, I think, about the Lower Mainland pretrial centre in Surrey, which will add 180 cells — and 20 new cells in Prince George and 100 cells at Alouette Correctional Centre for Women in Maple Ridge. That will create the need for an additional 200 staff. There is accelerated construction underway around interim beds, 174 interim beds, so the realization of the existing pressure and the anticipation of further...

Pressure is a polite word. We think there are going to be more people incarcerated. So we need to be in a position to house them responsibly, safely and in a manner that ensures that the staff charged with the task of being custodians of them are safe as well, and that's very much the objective.

M. Farnworth: The minister actually answered some questions that I had intended to ask. In his statement

he says that the federal government has made some changes, and he's correct. I will preface my question by saying that those are changes that we, on both sides of the House, have asked for, so I am not complaining that some of those changes have been made. There are others I may have some questions about.

But the result of this is that we may well see, particularly, an increase in the prison population. Those changes will have an impact on us at the provincial level, and it is interesting that they get to make the changes and we get to pick up the cost.

[1645]

One of the questions that flows out of the issue of the changes that have been made at the federal level is that that will be an increased cost to the province. Has the province done any studies or calculations on the increased cost of these changes in terms of what it means for our corrections facilities and the staffing of those facilities?

Hon. M. de Jong: The member is right about a couple of things. First of all, it is very much a topic for discussion between the provinces, and between the provinces and the federal government. It's an example of "Be careful what you wish for" because, to their credit, the government of the day in Ottawa has responded.

The planning and the modelling have been made a little bit more difficult. It's complicated enough, but these pieces of federal legislation have enjoyed a fairly sporadic existence, what with being introduced and then being caught in prorogation proceedings. So some have advanced to proclamation and are now going to become embedded in law; others have not, though we know they're there, and we expect that they're coming.

I was asking whether or not the modelling has advanced far enough to be able to say to the member: "Two years after the enactment of Bill C-whatever we think that will result in X number of more incarcerations and, therefore, X number of more costs." It has not. It has not advanced to that stage yet.

There is no question, though, that when fully enacted.... The intent of the federal legislation is to result in more incarcerations, so we do have more work to do.

M. Farnworth: I would encourage the minister and the ministry to do that work, because I do think it's important. I do think there is the potential for a fairly significant impact on the provincial budget.

There's also, I think, an important significant impact in terms of staffing levels. We need to make sure that not just as new facilities come on line.... I know, for example, the minister has outlined areas where there is expansion taking place. But we need to make sure that.... You've got to have the bodies in place to staff and to serve and to operate those facilities, never mind our own expansion but given what has taken place at the federal level.

The minister has rightly pointed out that that will be an increase in the prison population. If it is violent offenders and those who are involved in gang activity, I'm very happy with that. I'm not complaining about that. But I do think it's important that we get an understanding of what those costs are so that we're ready, as this legislation comes in, and we see how it works and realize that there is an impact on us.

[H. Bloy in the chair.]

Which brings me, mindful of the time, to my next topic on this particular issue around corrections. We've talked briefly about, in essence, the changes taking place in the penal system with new capital projects and the federal legislation that is taking place.

[1650]

That brings us back to the other side of that, and that is, the penal system is not the only component of the justice system that the province has a responsibility for. There are other elements of the justice system that can deal with some of the pressures that we are facing outside of the non-violent offender, and that is around the issue of restorative justice.

That's another component that can be used to take some of the pressure off the system, to allow another track of the justice system to work. It is a component of the justice system that has been supported by communities across the province and has been supported by the police as being very effective.

My question to the minister is: given the changes that are coming, given the fact that we know there's increased capacity coming on stream, given that we know the prison population will increase, what steps is the minister taking to ensure that those things — for example, restorative justice — are going to be able to count on the funding that they need to operate over the long term and not just on a year-to-year basis?

If restorative justice is to work the way communities want it to and the police want it to, then I think it's key that that funding be in place over the long term.

Hon. M. de Jong: I agree strongly with what I understood as the philosophical bent of the member's question, and that is: how do you capitalize on what have actually, in a formal sense, been called alternative means or alternative measures for dealing with people beyond traditional approaches to incarceration?

You've got to be careful, because we live in a time where, with some justification, there is already a belief that serious crime doesn't always result in serious consequences, but there are people in cases and circumstances where you can achieve the purpose, the objective, of altering someone's behaviour and imposing a sanction but also reducing the incidence of recidivism by capitalizing on programs like restorative justice.

Going forward, I want to assure the member of two things. I and the government are utterly convinced that drawing on that resource is going to be vitally important in working with victims and working with accused who can be dealt with responsibly via alternative means.

Having said all that and recognizing that there are funds, for example, available at the local level through provincial programs, through the ongoing commitment to return fine revenues to communities.... In some cases restorative justice societies are accessing funding there. It'll be challenging to realign the manner in which the state operates to address that, because it draws from different....

[1655]

Housing. We know that housing is more now than just building a shelter. It is about having a support mechanism embedded and in place there, to address with restorative justice. So it is a far more complex thing than we are doing justice to here today. But I agree with the approach the member has spoken to.

M. Farnworth: Just one final question on this before we move on to our next topic. Restorative justice is a component, and it is an alternative form. The minister points out that there are questions in the public around sentencing and sentences that are meted out: does the punishment fit the crime? I think that's important to recognize, and that's one of the reasons why there has been strong advocating that violent crime needs to be dealt with — I think, in my mind — more severely than it has been.

That having been said, though, I think there is, as the minister rightly points out, clearly evidence and clearly the opportunity to use alternative forms, especially when they're supported by communities and by police and they have a track record.

One of the ways in which they can operate as effectively as possible is knowing that they have that stability in funding. Yes, they're able to access particular types of grants, and yes, they're able to access some community funds, but again, that varies from community to community. I think one of the messages....

One of the ways in which we can ensure the long-term viability and that they're able to be as effective as they can is for them to know that the funding that they get isn't on a year-to-year basis — that come March 31, they're not having to worry about whether or not the province is going to continue to fund restorative justice programs; that they will be able to continue on that. They will know that that source of funding is there. So I would encourage the ministry to ensure that that takes place.

The next issue that I would like to deal with is the issue around domestic violence. As the minister well knows, we've just received the coroner's death review report that has looked into a number of terrible tragedies,

tragic deaths that have taken place since 1995 in British Columbia. It came back with 19 recommendations.

I think it's particularly important because today there was another tragedy. A woman was shot, it appears, in a domestic dispute by a husband or a boyfriend. That occurred in Surrey.

To me, it just once more highlights the need for government to take action in this area and to recognize that the report that we have, which that is now on the minister's desk, and that contains those 19 recommendations needs to be very seriously considered — that those recommendations need to be implemented. I would be interested to know: does the minister have in his mind a set timeline to deal with that report and its recommendations and, if so, what that is?

Hon. M. de Jong: I hope the member will derive some comfort from this. First of all, I agree that it is in many ways a unique report looking at a period of time, I think dating back to '95, and it takes a series of incidents. We're actually invited or asked to provide a formal response to the recommendations by June 30, so the work is taking place.

I expect that what we will do in providing that response is highlight some of the areas where some of the collaborative work and some of the standardization and uniformity work is taking place, but also what some of the steps will need to be in the future.

[1700]

It'll be a response — a combination, in addressing those recommendations — of some of the work that is ongoing or is taking place, but also of what some of the objectives and requirements are going forward. We're obliged to do that by June 30.

M. Farnworth: I just want to confirm that the ministry is committed to meeting that June 30 deadline.

K. Corrigan: We certainly have been calling this week for the government to implement the recommendations of the report, but I want to talk about an aspect of it with regard to many women's groups in this province. Members of the opposition have been meeting with a number of women's groups over the last number of months. I'm going to read from a comment that I received from one of the women's groups.

"The coroner's report, which was released yesterday, does not include women's organizations or mention the life-saving work that they do. While it mentions homicides, it does not discuss this as an issue of violence against women, even though the investigation was instigated because of the Sunny Park and Christian Lee...."

What I'm hearing from a number of women's organizations is that the term "victims of violence" is being used but that there is a degendering of the area.

[The bells were rung.]

The Chair: The division has been called. If I could take a one-minute recess....

The committee recessed from 5:01 p.m. to 5:02 p.m.

[H. Bloy in the chair.]

K. Corrigan: There's a concern that's been expressed by many women's groups about the degendering in a sense of this area of violence against women. That has led a lot of them to be concerned about the funding situation for groups like Women Against Violence Against Women and some other women's groups that have been doing work in this area for a long time — and, they submit, very effectively.

The overall question that I have, given that last year \$1.2 million was going to be cut between September 9 and March 2010 to victim services and community programs, \$440,000 of which was from counselling services and outreach for women and children exposed to violence.... Although this was reversed, there's a real concern among these women's groups about what the plans are for funding of this sector and of the women's groups that are doing this kind of work.

Hon. M. de Jong: I appreciate the question. It's an important one, and it probably is deserving of more than a ten-second answer, so I'm going to suggest that we adjourn and ascertain what the status is next door. We'll have to come back in any event for a brief moment.

The Chair: The committee will recess until after the vote.

The committee recessed from 5:04 p.m. to 5:20 p.m.

[H. Bloy in the chair.]

K. Corrigan: I had asked a question. Does it need to be repeated, or are we okay?

The Chair: Minister — and noting the hour.

Hon. M. de Jong: To the member, who I know is a strong advocate for the organizations that dedicate themselves to addressing the issue of domestic violence....

I'm going to provide some raw data. I'm afraid it's.... Given the time constraints we're dealing with, I won't be in a position to do much more than that.

There are victim service programs that are funded to the tune of \$12.55 million. So 165 victim service programs, and 93 of them are police-based, or what is termed police-based, and 72 are community-based. All of them, including the community-based ones, of course,

involve volunteers and individuals who work tirelessly and are deserving of our respect and our appreciation.

There are specific programs dedicated to addressing violence against women: 99 Stopping the Violence counselling programs; 89 Children Who Witness Abuse counselling programs; 56 outreach service programs; and 12 multicultural outreach programs. All of them, again, are dedicated to addressing the specific issue of violence against women, and they cumulatively attract funding to the tune of \$16.17 million.

Any organization values some measure of certainty, and we have come through a fairly uncertain time, fiscally. But what these organizations, I'm advised, have been told is that this level of funding will remain in place, obviously, this year and in the year ahead, so one hopes that would provide some modest measure of comfort to them going forward.

The Chair: Member — and noting the hour.

K. Corrigan: That is some comfort. I just want to be clear. That would be for 2011 that that funding would continue? Okay. Thank you for that.

One of the concerns that has been expressed by some of these organizations that have contacted us is that the funding they've continued to have over the years.... Now that there are RFPs going out for these services, that is not stable funding, according to some of the groups that have contacted us. Groups are competing with each other. Not that there's anything the matter with competition, necessarily, but in this area.... These are programs or organizations that have provided services for many, many years.

In addition, they're concerned about some of the stipulations that might be attached to some of those RFPs. For example, women's groups that have provided services.... The RFPs, then, perhaps include provisions that you have to provide services to men.

Nobody is suggesting there should not be services provided to men, but if it's a women's organization, I think that it's understandable that there would be some sensitivities and concern about that, particularly when you're talking about violence against women. So I guess, as a last question, perhaps the minister could address that.

[1725]

Could I just, as an add-on to that...? Would it be possible to get a breakdown in writing of what all those programs are and what was mentioned by the minister in response to the last question, and the amount of money that is attached to them? I mean, I know it's fairly lengthy. You're talking a couple of hundred programs, but that would be really worthwhile to get a listing and what money is attached to each of those programs.

Hon. M. de Jong: We do have the information relating to the breakdown, and I'm happy to make arrangements for the member to receive it.

I'll just say this briefly. It's always a bit of a conundrum when organizations are involved in a particular sector of activity, doing good work, and are benefiting from a funding agreement, and then other organizations come along and say: "Well, we think we can do that work, too — or do it better, or do it at least as well — and how do we have an opportunity to draw into that?"

The answer for them is: "Well, give us a chance to make our proposal." Of course, that visits in a very negative way upon the organization that is already doing the work. I don't think that is based on what I have been advised is going to be an issue in the short term, but I can't say with any degree of certainty that that conundrum won't appear from time to time, because in a whole host of areas I know that it will.

M. Farnworth: I thank the minister for his answers. I know that there will be — because we're mindful of the time — some other questions that my colleague has. We will forward them to the minister, and if he's able to answer them, that would be great. In the meantime though, as a last question.... It's around victims' compensation.

I'm just wondering if the minister can confirm that you don't have to be a Canadian citizen or a resident of B.C. to qualify for victims' compensation if you are a victim of a crime that occurred in British Columbia and that you would also be able to apply, in terms of the victim services benefits — for example, such as funeral services costs and perhaps loss in educational costs that the victim and her family suffered.

Hon. M. de Jong: I'm advised, and I can advise the member, that if you are the victim of a crime in B.C., you

are eligible for access to the crime victim assistance program, and that is not contingent upon either citizenship or residency in the jurisdiction.

I'm advised that the general limitation is one year, but there is provision for, in extenuating circumstances, making an application to extend that.

M. Farnworth: With that, I will conclude, other than to say that my colleague and I will want to meet with the minister on an issue related to that, around compensation.

The final issue that I would like to bring to the minister's attention is the case of an Angela Klassen, whom I met with the previous Solicitor General about. There were supposed to be some meetings taking place. They have yet to take place, and so I'll be contacting the minister about that.

With that, I thank the minister.

[1730]

Vote 41: ministry operations, \$572,162,000 — approved.

Vote 42: Emergency Program Act, \$14,559,000 — approved.

Hon. M. de Jong: I move that the committee rise and report resolution and completion of the Ministry of Attorney General and the Ministry of Public Safety and Solicitor General.

Motion approved.

The committee rose at 5:31 p.m.

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