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**DEBATES OF THE
LEGISLATIVE ASSEMBLY**
(HANSARD)

Wednesday, November 2, 2011

Afternoon Sitting

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THE HONOURABLE BILL BARISOFF, SPEAKER

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

FOURTH SESSION, 39TH PARLIAMENT

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Honourable Bill Barisoff

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WEDNESDAY, NOVEMBER 2, 2011

The House met at 1:33 p.m.

[Mr. Speaker in the chair.]

Routine Business

Prayers.

Introductions by Members

C. James: Today is Take Our Kids to Work Day. Karen Aitken, our director of public education and outreach for this assembly, has her son at work today. So I'd like to introduce Alistair Aitken, who is a grade 9 student at Oak Bay Secondary School, and ask the House to please make him very welcome today while he visits his mom's work.

The second group visiting today is a school group from my riding. It's Sir James Douglas School, and it's 26 grade 5 students and five adults. Would the House please make those guests very welcome.

Hon. M. Polak: Carrying on with the theme of "Bring your children to work day," I'd like us to welcome to the House this afternoon Marlon Couture, who is a grade 9 student at Oak Bay high school. She is here today with her stepmom, Maria Wilkie, who is a hugely valuable asset in my ministry. Would the House please make them welcome.

[1335]

K. Corrigan: It gives me a great deal of pleasure to have two good friends in the gallery today I'd like to introduce: Don Jantzen and Orville Jantzen. They and the whole Jantzen family have made so many contributions to their communities, to the labour community, to the political community, and I hope that the House will make them very welcome.

Hon. I. Chong: I, too, would like to, in the same vein, welcome some people to the gallery today in the spirit of Take Our Kids to Work Day. I appreciate that the other members have already introduced children going to Oak Bay high school, which, of course, is in my riding.

Today I would like to introduce Tessa Graham, who has been with the provincial government for over 20 years and who I had the pleasure of working with when I held a different ministerial portfolio. Today she has brought along her daughter Charlene Booth, who is going to Reynolds high school, along with her daughter's friend Matthew Trembull, who goes to Lambrick high school, another high school in my riding. I hope the House would please make all three of them very welcome.

D. Black: I would also like to take a moment to welcome Don Jantzen and Orville Jantzen. They're long-term friends of mine as well. As a matter of fact, the first time I ran for nomination for Member of Parliament, Mr. Don Jantzen decided that he would support a different candidate. After that nomination I was successful, and he became one of my biggest supporters and was very helpful in my many years in politics. I want to make both of them welcome in the Legislature today.

Hon. G. Abbott: Building on the compelling theme that has emerged in introductions here around "Bring your kids to work day," in the gallery is a large group of highly valued Ministry of Education employees, along with their incredibly bright and charming grade 9 kids. They're here today to take part in the Learning Partnership 17th annual Take Our Kids to Work Day. Over 200,000 grade 9 students across the country are taking part today.

May the House please make welcome the students — Nicole Calvert, Ben Firkins, Kristin Fraser, Lilly Powell, Emma Hornell, Elsa Staift, Megan Vieweg, Harrison Archdkein; and their parents — Cherrie Calvert, Jacqueline van Dyk, Brian Fraser, Janet Powell, Janet Bartz, Christina Teskey, Lenore Gibbons, along with some additional ministry staff who are making sure the adults find their way safely around this Legislature. Would the House please make them all very welcome.

G. Coons: In the gallery today are two good friends. On the topic of bringing your kids to work, Doug Thom is a retired teacher, so he doesn't have a place to bring his daughter Laura to his workplace. They're from Prince Rupert, and he has brought his daughter to watch us work today, so please make them welcome.

J. Thornthwaite: This morning we were joined in one of our caucus outreaches by the lovely women from the Catholic Women's League of Canada, the B.C.-Yukon council. I'd like to welcome Lorilee Jordan, Nancy Simms and Pat Deppiesse to the gallery, and I would like the rest of the group here to make them feel welcome.

Hon. D. McRae: I believe that the Premier has been detained, so I'll take the opportunity to welcome 20 members from the Ag Council to the Legislature today. I'd like, if I may, to actually read off some names because they do so much important work for British Columbia: Lou Cook, Kevin Boon, Ray Baylis, Irma Kutcher, Ray Marlik, Dick Klein Geltink, Ken Vanderberg, Rolf Soth, Jack DeWit, David Green, Joe Sardinha, Lynda Atkinson, Steve Heppell, Rhonda Driediger, Bob Pringle, Reg Ens, Grace Cho, Rob Candle, and ably led by both Dennis Lapierre, who is the vice-chair for the B.C. Ag Council, and Garnet Etsell, who is the chair of the B.C. Ag Council.

They do so much good work for British Columbia and agriculture. Could this Legislature please make them most very welcome.

[1340]

Hon. C. Clark: I'd like to join the Minister of Agriculture in welcoming the B.C. Ag Council here to the precincts. I know that I'll be meeting with them later today as well.

I'd also like to introduce Nicholas Pantazopolous. He is here for a visit to the Legislature on bring your kids to work day. He is an avid political watcher, a self-described amateur historian, a grade 9 student at Reynolds Secondary, an avid reader of the newspapers — says that he prefers the fiscally conservative columnists. Would the House please make Nicholas very welcome.

Statements (Standing Order 25B)

MOVEMBER FUNDRAISING CAMPAIGN FOR PROSTATE CANCER AWARENESS

J. Slater: Each November thousands of British Columbians join their fellow men around the world and stop shaving their upper lips. They do this not to just look more macho but to raise money for a great cause: prostate cancer research. This year is no different, and once again several MLAs and staffers have decided to form a team, Political Momentum.

This cause is clear, and the rules are simple. There are only five. Four have to do with shaving, and the fifth mandates that all participants conduct themselves like country gentlemen. Well, maybe four out of five's not bad.

Movember is a relatively new phenomenon, started in 2003 by some ambitious moustache lovers in Australia who sought to bring the noble 'stache back into fashion. By tying it to a noble cause, I believe they have succeeded. Last year some 119,000 Canadians raised some \$22 million for prostate cancer research, and since 2003 Movember raised \$176 million around the world.

More is needed. One in six Canadian men will be diagnosed with prostate cancer in their lifetimes. One in 26 will lose their lives to it. For that reason, prostate cancer is not a political issue. I encourage my friends from the opposite side to form their own Movember team, or if they don't feel like storing their razors for a month, they can donate to ours.

ROWING IN VICTORIA AREA

L. Popham: Shoulder, ready, up! The Victoria City Rowing Club is a non-profit community rowing club operating out of the Victoria Rowing Society boathouse located on Elk Lake in Saanich South. Rowing became

established in Victoria because of the Royal Navy base in Esquimalt. Races between naval officers and the civilian amateur oarsmen of Victoria were a natural outcome. Races on the Gorge and the Inner Harbour attracted hundreds of spectators. These rowing events were as much social gatherings as sporting events in the 1800s.

The first rowing club of Victoria was established in 1865. After that, rowing moved into the 20th century and continued to exist in Victoria in one form or another. In 1927 the club moved to the Gorge. Belonging to the club on the Gorge was somewhat of a status symbol, and most members of prominent society were members. However, when the Depression struck, it gradually took a toll on the club, and in 1938 the clubhouse was sold, became a beer parlour and moved to Esquimalt.

World War II hit, and when James Bay Oarsmen returned from the war in 1945, they discovered that their clubhouse was now inhabited by sea cadets. Club morale dropped. There were problems between the executive and the oarsmen.

In 1952 the oarsmen moved their headquarters to Elk Lake, where they took out a 99-year lease. Its current location provides a base of operation for the Canadian national team, the University of Victoria, the Victoria City Rowing Club and the Greater Victoria Youth Rowing Society. This weekend I look forward to watching my son, Kye, participate in the south Island high school regatta.

If you ever find yourself out in Saanich South on Elk Lake in a shell, remember this. Hold her hard, and watch your blades.

COMPENSATION FOR INJURED VETERANS

G. Hogg: As Canadians, we expect our government's practices, policies and legislation to reflect our values. Our compassion, our caring for others, our history, our heritage, our collective memories and our wonderful pluralistic, multicultural society are all reflections of those values. One of our most cherished memories is that of the soldiers who fought for Canada, fought for our way of life.

[1345]

Today's soldiers have honoured and maintained the proud tradition established by our military, from protecting democracy to peacekeeping missions around the world. However, we are not now providing our disabled veterans with the support that I believe most Canadians would expect. The father of a recently injured soldier has expressed that a soldier with internal trauma and the loss of multiple organs recently received a lump sum payment of \$41,000. If they had purchased an annuity, they would receive \$141 per month.

If that same person were a tree faller or logger in British Columbia covered by WorkSafe, they would receive \$1,400 per month. We have hundreds of injured

veterans across Canada. We are not supporting them as well as we support our injured workers.

A newly formed society, Equitas, is dedicated to supporting injured veterans and rectifying this inequity. A law firm offered pro bono legal services to assist this dedicated group of Canadians as they work to provide balance, equity and fairness for our newly disabled veterans — a fairness which Canadians understand and a fairness which I believe Canadians expect. I urge this House to support Equitas in their drive to ensure that our practices, policies and legislation reflect our values — Canadian values.

RCMP SERVICES IN BURNABY

K. Corrigan: For the last 60 years the RCMP have been providing policing services to the citizens of Burnaby. The Burnaby RCMP is the second-largest detachment in Canada and the third-largest police service in the province of British Columbia.

I'd like to welcome our new chief superintendent, Dave Critchley, returning from a challenging assignment in Afghanistan where he served as a senior police officer mentoring the Afghan national police. He is a strong supporter of community-based policing, an approach to crime prevention that has always been a cornerstone of Burnaby's success in deterring and preventing crime. I would also like to congratulate Staff Sgt.-Maj. John Buis, who has just celebrated 35 years of service with the RCMP.

In Burnaby officers are out and about not just when there is a crime, but visible and involved at events and active in community organizations throughout the community. For example, Superintendent Critchley and other officers attended a citizenship celebration where he spoke about policing in Burnaby to new citizens and their families, many of whom had come from countries where the police are not to be trusted or sought out for help.

The RCMP, working closely with the city of Burnaby, have had spectacular successes in the past several years with crime tracking steadily downward since 2002. Community safety is not just a job for the police but is a community effort. There are over 80 auxiliary constables who volunteered almost 10,000 hours in 2010. In addition, there's a vibrant Block Watch program, SpeedWatch, a highly successful youth restorative justice program, the school liaison program and much more. I just want to thank the RCMP who have proudly served in Burnaby for the past 60 years.

CANADIAN SEARCH AND DISASTER DOGS ASSOCIATION

M. Coell: When disaster strikes, the difference between life and death can often come down to just minutes. That makes the work of organizations like the Canadian

Search and Disaster Dogs Association all that more important.

With its primary operations located on the Saanich Peninsula, CASDDA provides trained dogs and trained handlers for search and rescue of survivors trapped in disaster areas or in the wilderness. These services are provided completely free of charge to communities that put out a call for help in times of need, whether they are local, national or international.

Run entirely on an extraordinary team of volunteers, the association's committed handlers put in long hours every week. They train their dogs day and night in all types of weather so that the team is best prepared for any type of situation they may encounter. These remarkable men and women are willing to put their personal and professional lives on hold with just a moment's notice, travelling across the world to offer their help whenever and wherever it is requested.

One example came last year when their invaluable services were called upon after the devastating earthquakes that occurred in Haiti. The men and women of CASDDA believe that in a world that is torn by natural disasters, discrimination and misunderstandings, we must all do our part to lend a helping hand, offering help and hope where the need arises.

[1350]

I ask the House to join me in thanking the dedicated volunteers of the Canadian Search and Disaster Dogs Association for their tireless efforts and commitment to the safety and well-being of not only our community but communities around the world.

CHANTAL BILULU AND KAIROS CANADA WOMEN OF COURAGE TOUR

M. Elmore: This year KAIROS, a national organization that unites 11 churches and religious groups for ecological justice and human rights, organized a Women of Courage Tour to highlight the contributions women make in the struggle against violence and for global justice and peace. The tour of women human rights defenders aimed to raise awareness about the impact of armed conflict on the lives and rights of women and girls and to make visible the violence faced by women in migrant and indigenous communities in Canada.

Last month I had the privilege of hosting a reception for Chantal Bilulu, a representative of Héritiers de la Justice, from the Democratic Republic of the Congo. We were joined by women from the local African-Canadian community and community partners and organizations.

Chantal painted a grim picture of violence in villages, attacks in the middle of the night, rapes, murder and disposition of lands. She explained that there is an epidemic of rape, a common weapon in the ongoing resource war. Impunity contributes to the effectiveness of sexual violence as a strategy of war.

Chantal organizes workshops to counsel and train women who have been victims of sexualized violence and accompanies them to court to file charges against the perpetrators. Chantal shared stories of the intense bravery of women in the DRC who, in the midst of terrible violence, of war, of rape and of hunger, come together to shape the future of the country, to pass laws against sexualized violence and ensure women's participation in the government. She called for support from the international community for justice and peace in the DRC.

While the DRC is a long way from B.C., we have similar issues and struggles here. Amanda White, a Haida elder who had lost a cousin in the residential school system and another on the Highway of Tears, said, "Our struggles as women are similar," and that we need to include men in the struggle.

Chantal concluded by saying that women of courage need other women who dare to speak their truths. We need to break the silence and build alliances with other organizations and do this without fear. Chantal is a true woman of courage and a great inspiration.

Oral Questions

COSTS TO B.C. OF FEDERAL ANTI-CRIME LEGISLATION

A. Dix: My question is to the Premier. I want to ask: does the Premier agree with the Liberal Premier of Ontario and the Liberal Premier of Quebec that the federal government must not be allowed to download the cost of its crime bill onto provincial taxpayers?

Hon. C. Clark: In British Columbia we are concerned about the potential costs associated with the crime bill. There's no question about it. We are in discussion with our colleagues federally on how exactly we will manage those costs, and I know that the Solicitor General is working very, very hard on that with her federal partners at the moment.

But let me say this, though. We are not, on this side of the House, interested in throwing the baby out with the bathwater. I say that because there are many elements of this bill which I think British Columbians and Canadians feel are important changes for Canada.

I think that British Columbians like the idea of making it tougher for people who commit sex offences against children to get out of jail. I think British Columbians support protecting the public better from violent young offenders, and I also think that British Columbians generally support ending the practice of house arrest for serious crimes. Those are all things that British Columbians are behind, and they're all things that people on this side of the House are also 100 per cent behind.

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

A. Dix: Well, as the Premier will know, the federal government first introduced the bills 18 months ago, virtually the day after the last election. The Prime Minister said that he was going to bring in and reintroduce these bills and pass them within 100 days of the throne speech. That was his intent.

[1355]

The government has had lots of time to prepare, so on the issue of costs, I guess the question to the Premier is very simple. What is the government prepared to do to ensure that B.C. taxpayers aren't the ones footing the bill for a crime bill that's going to cost provincial taxpayers a huge amount of money?

Hon. C. Clark: I'd really like to know where the Leader of the Opposition and his party stand on this particular bill, because what they do is stand up and talk about the costs, which are serious issues. We're concerned about them, and we're certainly working to make sure that we can find a way through that.

But you know what? What about the cost to our society of sex offenders walking out for free? What about the cost to society of young offenders who commit violent crimes getting away with a slap on the hand? Canadians and British Columbians are not in support of that approach to crime.

If the Leader of the Opposition doesn't have the courage to stand up and state where he stands on the content of the bill, I will quote one of his colleagues in his own party who says she finds the federal bill offensive.

Well, frankly, I don't find it offensive. I think Canadians and British Columbians do want to know that they live in a country where our justice system is indeed a system of justice, and they want to know that the laws of this country are going to keep our streets safe.

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

A. Dix: I am sure that the Premier will be communicating that position to her national leader, Bob Rae.

Interjections.

Mr. Speaker: Members.

Interjections.

Mr. Speaker: Just take your seat for a second, Member. Continue, Member.

A. Dix: You know, I just note to the member for Chilliwack that I always take everything he says seriously.

The Parliamentary Budget Officer, Kevin Page, has said that in his view, there will be substantial costs to the provincial treasury: \$6 billion to \$10 billion — right? Kevin Page has made this case.

You know...

Interjections.

Mr. Speaker: Members.

A. Dix: ...these are pretty serious issues, and the Minister of Finance and others who have created a situation in British Columbia....

Interjections.

Mr. Speaker: Members.

Just take your seat for a second.

Members, we've got to be able to hear the question so we can also hear the answer.

Continue, Member.

A. Dix: What's happening in British Columbia, as all members know, is that this government isn't funding the justice system, as it is, properly. That's why we've seen a dramatic increase in cases, which we've raised in this Legislature, of criminals going free — because of this government and because it's taken too long to bring charges to court. This is the reality of the situation right now. This is the reality people are facing in the justice system.

This is what the Ontario Liberal Premier is saying. The Ontario Liberal Premier is saying he demands of the federal government.... "If, for example, you want us to build new prisons in Ontario and staff those prisons with highly trained personnel at an additional cost to us, it is incumbent upon you, as the creator of those costs, to come up with the money."

So does the Premier of British Columbia agree with the Liberal Premier of Ontario, the Liberal Premier of Quebec and the Conservative Premier of Newfoundland that there has to be a discussion of cost-sharing before this bill is passed?

Hon. C. Clark: Well, first, let me join the Minister of Finance in congratulating the Leader of the Opposition on being concerned about costs, being concerned about taxpayers' money and how it might be used. I'm delighted. Maybe we can look forward to their assistance and support as we work toward balancing the budget, which is absolutely what we intend to do. I'm delighted to see he's up and supporting fiscal responsibility. It's the first time. But you know what? I hope that there will be many more times.

[1400]

I will end by saying this. The Leader of the Opposition stands up and talks about costs. I am concerned about

the costs. We do need to be. We're certainly working with the federal government to try and make sure we find a way through the mechanics of this so that it doesn't end up being incredibly costly for British Columbians.

But you know what is costly? It's costly for all of us when people who commit sex crimes against children don't go to jail. That's costly for all of us in our society. It's a crime against every British Columbian when something like that happens.

It's costly for all of us when violent young offenders walk away with a slap on the wrist. It's costly for all of us when we have a system of justice in our country that people have lost confidence in and that people don't believe delivers justice for the victims of crime.

I support keeping our streets safe, I support making sure that our children are safe from sex offenders, and I support the elements of this bill that will mean that Canada and British Columbia are safer places because we have laws that will protect us.

K. Corrigan: The federal crime bill is not a new development. It's been around since last year. The homework to be at the table to negotiate funding should have been long done. It should have been done months ago, but it wasn't.

These increased costs are coming at a time when our justice system is already strained and under-resourced to the point of crisis. Our provincial courts are already backlogged. On average, ten cases are thrown out every month because of delays stemming from a shortage of sheriffs, prosecutors and judges.

My question to the Premier: why has this government failed to have a plan in place to make sure that B.C. is not left with downloaded costs?

Hon. C. Clark: Well, my question remains for the opposition. Where do they stand on the content of this bill? Where do they stand on a bill that intends to make Canadian streets safer? If we can agree on that, if we can agree that we want to get to the same goal, then surely we can find a way to work together to get there.

But the opposition sits here and says, "Well, first of all, we're not going to tell you where we stand on the content of the bill. We're not going to tell you whether or not we support these measures," which I believe will make British Columbia's and Canada's streets safer. Then they say that they want to figure out.... They can't even figure out a way to get there.

The answer to this lies in this approach. First, agreeing where we want to get to. And we do want to get to the same place as the federal government does. That's making sure that British Columbia's streets are safer and making sure that our justice system has the confidence of the public. Then what we need to do is sit down with the federal government, which we surely are right now, and try to figure out how we are going to get there.

But when the member gets up and asks her next question, she should stand up and tell us exactly where she stands on the contents of this federal bill.

Mr. Speaker: The member has a supplemental.

K. Corrigan: It's this government that has created a crisis in our court system, and it's this government that has created a crisis in our prison system. Our prison system is becoming increasingly overcrowded and volatile. Already B.C. is grappling for resources to deal with a growing inmate population.

We have hundreds of millions of dollars in additional costs stemming from the federal crime bill that could push our correctional system to a breaking point. Will the Premier inform Ottawa that this government will not accept costs being downloaded onto B.C.'s correctional system?

[1405]

Hon. C. Clark: So we're sitting here listening to a member stand up and lecture us all on how we need to have a justice system that works, when she's the same member who stood up and ranted for months about the fact that she didn't want to have another provincial prison built in her community. Where is that? Where is that? The member doesn't support putting people in prison because she doesn't support actually having prisons in her community.

Interjections.

Mr. Speaker: Just take your seat, Member. Just take your seat.

DEATH OF SENIOR AT CARE FACILITY AND CALL FOR SENIORS ADVOCATE

K. Conroy: Another day, another story about the failure of seniors care in British Columbia. Ted Powis, who was 93, fell down a flight of stairs at Hollyburn House in North Vancouver. By the time staff found him in the stairwell the next morning, he had passed away. Maybe if there was a security camera in the stairwell, staff would have found Mr. Powis before it was too late.

We have seen the benefit of the Representative for Children and Youth in bringing to light serious issues for children in this province, and we know that a seniors advocate could make recommendations to ensure that facilities are safer for seniors. An advocate can point out problems before they become tragedies.

Will the Health Minister finally do the right thing and commit to instating a seniors advocate for British Columbia?

Hon. M. de Jong: No member of this House could see the circumstances in which this gentleman was found

and in which he passed away and not be affected and not want to extend condolences to the family.

The information, as I understand it, is that the facility involved was an independent living facility. People — individuals and their families — make choices about the type of facility that they want to live in, based on their abilities and their abilities to function independently.

I'm advised that the home in this case is examining what has taken place, the opportunities to make improvements. In this kind of independent living facility there is not the kind of surveillance that exists in higher standards of care, but there is always room for improvement.

I have said to the member in the past in this House that I see the potential for a role for a seniors advocate, but we are working with groups, including the B.C. Health Coalition and the Ombudsperson, to establish what that role might be.

Mr. Speaker: The member has a supplemental.

K. Conroy: Families are growing frustrated waiting for this government to do something, waiting to ensure tragedies like this don't keep happening. Seniors, families, caregivers, stakeholders and the opposition have repeatedly raised these stories. The Liberal government's consistent response is: "Everything is fine. Nothing needs to change. We're looking into it."

Well, the Liberals have had ten years. Why the delay? Why does it take so many tragedies before we see any action? When will we finally have a seniors advocate for people in British Columbia?

Hon. M. de Jong: We all seek improvement, but to suggest, as the member has, that improvements haven't been made; to dismiss out of hand, as she apparently does, the dramatic expansion of housing alternatives; to dismiss out of hand, as apparently she does, the statutory creation of a residents bill of rights.... These are significant steps forward. To dismiss, as she does, the establishment of a patient care quality review panel that every day provides residents, patients and their families with an avenue to explore the kinds of concerns that we all have — that is disingenuous.

[1410]

I have assured the member that we are working with the Ombudsperson. We will continue that work, and we will continue to work with the groups who day in, day out dedicate themselves to the task of providing dignified care to seniors, to ensure that we provide them with dignified care and improve that care as we go.

ACCESS TO INFORMATION ON SENIORS CARE FACILITIES

C. James: This minister says he's working with the Ombudsperson. Well, given this government's record,

that is no comfort to seniors and their families. This is the same Liberal government that has failed to implement the Ombudsperson's recommendations around full disclosure.

On Monday in this House we raised the issue of the choking death of Eldon Mooney at Sunrise of Lynn Valley. There were 23 reported breaches of care at that facility. Well, if you look on the government website today, there is still no report of those breaches of care. A family that was looking into this facility would see no breaches of care. The Ombudsman called for a one-stop comprehensive website to disclose these issues at facilities.

My question is: will the minister stop stalling and commit to full disclosure today in this Legislature?

Hon. M. de Jong: I don't know that I can be any clearer than I was yesterday when we canvassed this very issue. I made it clear to the opposition, to members of the House that the government's expectation, the government's objective and my expectation is that patients, residents and their families will have unimpeded access to detailed information that will allow them to make an informed choice about their housing alternatives.

We have made progress. People can go to a website. Now, I think there are improvements that can be made to that website, but contrast that with the information that was available ten years ago. You know what that information was? Nothing. Nothing, Mr. Speaker. Contrast that with the options that existed for patients and their families to pursue a complaint against a facility. What existed ten years ago? Nothing.

We have work to do. We will do that work. We will work with the Ombudsperson. But to suggest, as this member and others are, that we haven't made progress is just wrong.

Mr. Speaker: The member has a supplemental.

C. James: I'd say to the minister: 23 breaches of care, and what's on the website? Nothing. Nothing from this government.

This isn't the first time this issue has come up, that we've raised these concerns with this government. In 2007, I stood in this Legislature and raised the concerns around Beacon Hill Villa, a facility that you can see right here from the Legislature, and the kinds of concerns of care that were there.

In 2008 the former Health Minister committed to a full, comprehensive website. He said, after we raised the issue of Beacon Hill Villa, that he would move on it "in a matter of weeks." Well, that was more than three years ago.

The Ombudsman recommended the same type of website in 2009, and what happened today? Nothing. So much for action from this government. So much for the claims of openness and transparency from this Liberal government. Seniors and their families deserve better.

I will ask again: why won't the minister take action today?

Hon. M. de Jong: And I will say again that if the member wants to be taken seriously in a discussion, she should have that discussion on the basis of facts, because there is a website, a comprehensive one. It may not be perfect, and it may not be the kind that she likes, but seniorsbc.com was established in direct response to the Ombudsperson's recommendations.

The member can stand up here and try to score political points by rewriting history, by trying to pretend things haven't happened that have happened, but they have. Actually, if we are going to have an informed conversation, we should agree to do it on the basis of the facts.

[1415]

Do I think there can be improvements made to the website that was established in response to the Ombudsperson? Of course I do.

But again, to suggest that we haven't made major steps in providing information and expanded information to their patients and their families is wrong. It is disingenuous, and I must conclude that it is being advanced simply to advance a political agenda and not actually to improve providers of seniors care.

INVESTIGATION OF ELECTION CAMPAIGN FOR MEMBER FOR VANCOUVER-FRASERVIEU

L. Krog: My question is to the Attorney General. The Finance Minister himself referred to the original allegations surrounding the member and the Liberal campaign for Vancouver-Fraservieu as "very serious." Now there are even more serious allegations of \$40,000 worth of overspending during the election....

Mr. Speaker: Member, just take your seat. I warned yesterday to be very careful in the direction that you're taking this. You should not be looking to impugn another member in the House.

Continue, Member.

L. Krog: I will simply ask this question, then, hon. Speaker. Has a special prosecutor been assigned to look into the new allegations surrounding this matter?

Hon. S. Bond: Mr. Speaker, it is unbelievable to me that the member opposite, who I believe is a member of the bar, would actually ask the Attorney General of British Columbia whether or not a special prosecutor has been appointed. It is absolutely not within the purview of the Attorney General to know that or to be informed about that, and I am not getting involved in anything to do with those kinds of decisions, as is the role that I have as the Attorney General.

Mr. Speaker: The member has a supplemental.

L. Krog: It's serious enough for the CEO of Elections B.C., an independent officer of the Legislature, to be considering the issue. I would think it's serious enough for the Attorney General to consider. The question is very simple: has a special prosecutor been appointed — yes or no?

CHILDREN AND FAMILY DEVELOPMENT
MINISTRY HANDLING OF PERSONAL
INFORMATION PRIVACY BREACH

D. Routley: Yesterday I raised the issue of private government information found in a Saanich dumpster. Mr. Speaker, unlike the ministry staff, this morning I took the opportunity to view the actual footage of the dumpster documents. The woman who found and retrieved the documents reports that she called the Ministry of Children and Families and was told she would get a call right back. But a week later, after not hearing from the ministry, she called *CTV News*. We know that B.C.'s Information and Privacy Commissioner has launched an investigation into this issue.

My question to the Minister of Citizens' Services is: during that week when the concerned citizen did not hear anything back and those documents were still sitting in that dumpster, what steps did the ministry take to retrieve the dumpster documents?

Hon. M. Polak: I would be happy to once again review the timeline with respect to what has happened in regard to this incident with the member, as I have done previously.

I am pleased to inform the House that all of the individuals whose information was contained in the documents that we have in our possession have now been contacted. I am concerned that the documents in our possession do not match the description of those reported in the media.

I have to say that if the media have information that is related to a privacy breach, I really would expect that they would cooperate and provide that information to government lawyers so that we can actually do our job and address this situation.

Mr. Speaker: The member has a supplemental.

D. Routley: I understand the ministry has had the opportunity to view the files. I had that opportunity, and I took it. The minister does everything but brush this off.

It is a serious privacy breach. Clearly, the Information and Privacy Commissioner feels that there's a serious issue, yet this government appears to have done nothing while sensitive documents from the Ministry of Children and Families sat in a dumpster. A concerned citizen took this seriously. The media took it seriously. The opposi-

tion takes this seriously, and the Privacy Commissioner now takes this seriously.

[1420]

Why did this government sit on its hands for a week while sensitive information about British Columbians sat in a dumpster?

Hon. M. Polak: For the benefit of the member and for other members of this House, I will review the timeline once again. The Ministry of Children and Family Development came into possession of the documents from the Saanich police on Friday afternoon. By the end of day Monday we had completed the review of those documents and had contacted all but one of the individuals affected, and by the end of day yesterday we had completed contacting all those individuals.

The ministry has done all that it possibly can with respect to the documents in its possession. However, we do remain concerned that the description the media has provided about that documentation, which they have on film, is not consistent with the documents in our possession. We would hope that if the media are in possession of information that would assist us in investigating this breach, they would provide it.

Unlike the member, the ministry has not been afforded the opportunity to view the film outside of making it part of a filming opportunity for the reporter, which in turn causes us concerns with respect to the privacy of those individuals.

B.C. FERRIES EXECUTIVE COMPENSATION

G. Coons: Yesterday we asked the Premier what she intends to do about the outrageous executive bonuses at B.C. Ferries. The comptroller general said in 2009 that the targets used to determine the bonuses "appear to have been set too low." Yet the very next year the million-dollar man and his three vice-presidents get floated \$1.1 million more in bonuses alone.

The Transportation Minister came to the Premier's rescue yesterday, saying: "When it comes to salaries and benefits for the executives at B.C. Ferries, we dealt with that." That's absolute nonsense, hon. Speaker. British Columbians know it's nonsense. The comptroller general knows it's nonsense.

So again to the Premier: will she immediately end the outrageous bonuses for the executives at B.C. Ferries?

Hon. B. Lekstrom: We did canvass this yesterday, and I will reiterate what I said then. Obviously, we share the concern with the public on the salaries and the benefits that came to light through B.C. Ferries. We actually, as a government, took an initiative under Bill 20 to ensure that that doesn't continue.

But what I'm hearing the member say is, "Go ahead and break contracts," something I thought the member

didn't stand for — or the other side, his party. It was incredible to me....

Interjections.

Hon. B. Lekstrom: Let me carry on, because this is a good question.

Member, if what you're asking for is to break contracts, you should stand up and say it in those words. But what I'm telling you in this House....

You were here, Member, when we dealt with Bill 20. We dealt with it. We have made sure that those salaries and benefits will not continue, but what we're not going to do is break an existing contract and cost the taxpayers of British Columbia more money.

[End of question period.]

**Point of Privilege
(Reservation of Right)**

Hon. M. de Jong: Mr. Speaker, I rise on a matter of privilege relating to comments made by the member for Victoria–Beacon Hill, who is, I should say, a respected member, an hon. member of this chamber, a former Leader of the Opposition.

Yesterday I advised this House of my expectation that regular routine inspection reports and inspection reports dealing with incidents and verified complaints would be posted. Today during question period the hon. member stood in the chamber and asserted that that wasn't the case.

Interjections.

Mr. Speaker: Members.

Hon. M. de Jong: Out of fairness to the member, as is customary in this House, I offer her this opportunity — and the House will want to offer her this opportunity — to withdraw those comments in light of the fact that the....

Interjections.

Mr. Speaker: Members.
Opposition House Leader, just take your seat.

[1425]

Interjections.

Mr. Speaker: I would advise the member to briefly state his point of privilege.

Hon. M. de Jong: Thank you, Mr. Speaker. The website, which I assume the member did not consult before

she made her statements in the House, says: "Vancouver Coastal Health has now posted a full investigation report into the death of Mr...Mooney, a resident of Sunrise of Lynn Valley."

Such reports have not been previously posted due to the privacy concerns. However, given the public nature of this incident, it has been posted with the permission of the family.

The member's statements were incorrect. She misinformed the House, and as is customary in this House, I offer her this opportunity to withdraw those remarks.

Interjections.

Mr. Speaker: Members.

Opposition House Leader, or the member for Victoria–Beacon Hill, you have a right to respond.

J. Horgan: Well, thank you, hon. Speaker. Clearly, then, the Minister of Health wants to engage in debate after question period. He had ample time....

Interjections.

Mr. Speaker: Members, Members.

J. Horgan: I suggest, hon. Speaker, that if we were to review the amount of time the minister did take to respond to his questions, he would have given the member the opportunity during that time to make any retraction that might have been appropriate. However, to bring up sections of a website after the fact makes it extremely difficult for us to respond.

I would suggest, hon. Speaker, that we be given an appropriate amount of time...

Interjections.

Mr. Speaker: Members.

J. Horgan: ...to review the material before we respond.

Interjections.

Mr. Speaker: Minister, just take your seat.

I will take both submissions under advisement and come back with it.

Hon. M. de Jong: My submission was merely to provide the member with the customary opportunity. It seems I will have to reserve my right to make a formal presentation that the member deliberately misled the House, Mr. Speaker.

Interjections.

Mr. Speaker: Members.

Tabling Documents

Hon. K. Falcon: In accordance with section 6 of the Balanced Budget and Ministerial Accountability Act, I am tabling a revised schedule F for the fiscal year ending March 31, 2012. The revised schedule F reflects the changes to ministerial accountabilities resulting from the government reorganization that took place on September 26, 2011.

Hon. S. Bond: I have the honour to present the following report: the Public Guardian and Trustee of British Columbia *Annual Report 2010-2011*.

Orders of the Day

Hon. R. Coleman: This afternoon we will start with Bill 2 in committee, intituled the Flathead Watershed Area Conservation Act. Should we complete that, we will move to second reading of Bill 10, intituled the Nurse Practitioners Statutes Amendment Act, and then to Bill 9 in committee stage, the Natural Resource Compliance Act.

[1430]

Committee of the Whole House

BILL 2 — FLATHEAD WATERSHED AREA CONSERVATION ACT

The House in Committee of the Whole on Bill 2; L. Reid in the chair.

The committee met at 2:34 p.m.

On section 1.

Hon. S. Thomson: I move amendments to section 1 standing in my name under the orders of the day. The proposed amendments to section 1 delete the provisions in the definition of the Flathead Watershed area that exclude protected areas from the watershed area, and replace the term "mineral claim" with "mineral title".

[SECTION 1, by deleting the text shown as struck out:

"Flathead watershed area" means all those parcels or tracts of land that on November 9, 2009, were situated in the Kootenay District and contained within the boundaries as shown on the official plan for the Flathead Watershed Area, deposited in the Media Vault, GeoBC, Victoria as Official Plan: Flathead Watershed Area, dated November 9, 2009; but does not include the following:

- (a) a park, recreation area or conservancy, as those terms are defined in section 1 of the *Park Act*;
- (b) an ecological reserve under Schedule A or Schedule B to the *Protected Areas of British Columbia Act*;
- (c) an area established as a protected area by order in council under the *Environment and Land Use Act*]

On the amendment.

Hon. S. Thomson: The amendment to the definition of the Flathead Watershed area ensures that deletions from the area can be carried out only by amendment to this act. This more closely complies with the spirit and intent of the agreement with the state of Montana and the Nature Conservancy.

Replacing the term "mineral claim" with "mineral title" ensures that placer mineral claims are included in section 5 of this act. Section 5 prohibits a free miner from registering mining claims in the Flathead Watershed area.

R. Fleming: I wanted to ask the minister, around the section of definitions here, there are some things noticeable by their omission. One of them is including what I think is a rather standard definition of "recreation areas."

[1435]

There is an opportunity in this bill to include some kind of definition for the watershed area that would define and clarify recreation principles and definitions, but it's not included in the act. I wonder if the minister can explain whether that was contemplated or if there is another reason why its inclusion is not in this bill.

Hon. S. Thomson: Before I respond to the question, I just wanted to introduce the staff who are assisting here today. Barb Thomson with Energy and Mines, director of corporate policy and legislation; Richard Grieve, the director of policy and legislation with the Ministry of Forests, Lands and Natural Resource Operations; and Bryant Fairley with the Intergovernmental Relations Secretariat.

Just to respond to the question specifically. "Recreation areas" is not defined in the definitions because it's not referred to in the act. The recreation in this area is dealt with through the land use plan. There was no need to put the definition specifically into the legislation because it's not referred to in the act. The act is specific to dealing with the prohibition and disposition in that area related to mineral, coal, and oil and gas exploration and activity.

R. Fleming: I wanted to ask the minister why there is no definition — it is included in other pieces of legislation looking at lands that have been set aside in British Columbia — that defines what a resource use permit is. There is no inclusion in this bill, and I wonder if the minister could explain its absence.

Hon. S. Thomson: Again, the term "resource use permit" is not used in the act. There is no requirement to have it in the definitions, because it's not referred to

in the act. The answer and response for that question is the same as the answer to the first question.

R. Fleming: The title of the bill is very explicit in that it considers what it will accomplish as law as a conservation act. Yet, I think, also curious by its absence is any definition of conservation goals for the area in question, for the watershed. I'm wondering if the minister, again, had discussions about whether explicitly conservation principles or goals of the act should have been included in the definitions section of the bill.

Hon. S. Thomson: Again, this definition is not in there because it's not referenced in the act. The conservation goals are set out in the land use plan which has been developed over a long period of time for this area.

This act, again, to point out to the member, is specific to addressing the commitments of the legislation to deal with the prohibited activities in the area, following through on the commitments of the memorandum of understanding and the agreement between the province and the state of Montana in terms of prohibited activities.

[1440]

That's what this bill is specifically designed to do — to follow through on those commitments that were previously done by administrative order and order-in-council to enshrine those principles in the legislation as part of that commitment and agreement.

R. Fleming: I would ask the minister, in the definition regarding "Flathead watershed area," definition 1(c) — "an area established as a protected area by order in council under the Environment and Land Use Act" — if the minister could highlight all of those areas that are included under this subclause that are dated on or before November 9, 2009, and if there have been any additions to that that fall between the period referenced and today's date.

Hon. S. Thomson: I'm advised, firstly, that the boundaries of the Kootenay district have not changed since November 2009. And just to be clear to the member, the section (c) that he is referring to is part of the amendment which is being removed from the bill as part of the amendment that we are speaking to.

R. Fleming: I would ask the minister maybe to respond, again, to the question I asked earlier about conservation policies not being explicitly referenced in conservation goals in the legislation. To be considered a conservation act, one would think that that would be a key feature of the bill that we have before us here today at committee stage. In fact, it is not.

There are some prohibitions, of course, that are very important and that have been worked on by various parties internationally and in our province and in our

neighbouring province of Alberta. But in this bill there is nothing that explicitly talks about the conservation activities that would be set out for the area to be achieved. It simply prohibits some activities.

And given that protected areas have been reviewed provincewide very recently by the Auditor General, who issued a report that showed that in many of the managed land areas, like this one, those lands are not well managed in terms of the goals and plans that govern them....

So I think a key point of accountability of new legislation like this is to make explicit what the purpose of the legislation is, to include that, of course, in the definitions section and in the subsequent clauses in the bill. And we don't see any. We see very little discussion and anything in this bill before us that has anything to do with conservation other than the title of the act.

So again, I would ask the minister whether it was discussed in his office and with other parties that have had a longstanding interest in the bill that's before us to explicitly include conservation principles and goals for the watershed area that is proposed to be protected from oil and gas activity.

[1445]

Hon. S. Thomson: Again, I want to remind the member that this act is specific to dealing with the prohibitions as part of the agreement. The overall conservation goals and policies for this area — you know, broad goals — are dealt with through the southern Rocky management plan, through the higher-level Kootenay-Boundary plan, through the memorandum of understanding between British Columbia and Montana on management of the area, through management direction for forestry in the area through the Forest and Range Practices Act.

The overall conservation goals, which have all been recognized as contributing to the unique nature of this area, are recognized as doing that. This legislation is specific to dealing with putting in place the legislative strength behind prohibitions that have been agreed to as part of the agreement between British Columbia and Montana.

R. Fleming: With the indulgence of the minister, I'd just ask him to back up a little bit from when he introduced the amendment a few minutes ago to explain again the deletions and the implications of the references to the Park Act and the Protected Areas of B.C. Act and the Environment and Land Use Act, which were in the section that we're debating now.

Again, he barely had an opportunity or had no opportunity to motivate on why they were originally included and why he has now proposed to amend them out of the bill before us. So I'd just ask him to back up a minute and walk me through that again.

Hon. S. Thomson: The reason for providing the amendment, so that it doesn't include the following, is to exclude those areas from the Flathead Watershed area to ensure that there is not a process around where those areas could be established in there.

As you know, within certain classifications, those areas — for example, a class B park, potentially, that was created — could allow for some of those activities that are actually prohibited by the legislation. So it was removed in order to make sure that there wasn't a process that could bring an area into the Flathead Watershed area that would, by virtue of establishing that, not be covered by the prohibitions that are provided for in the legislation.

[1450]

R. Fleming: So I think the minister has said that the motivation for it was to provide flexibility for future agreements in the area that may include additional and more formal land protections in the watershed but to allow flexibilities for what those agreements may contain that would otherwise be out of compliance with existing legislation. Is that the answer I just heard?

Hon. S. Thomson: No. The reason they were removed in the amendment.... What it previously said was "but does not include the following." What it means is that if you had established those areas within the Flathead Watershed area, any one of those provisions potentially would not have been covered by the prohibitions in the legislation.

This was a step to strengthen this to make sure that we fully complied with the intent of the agreement and to ensure that the prohibitions are applied to the full area and that there isn't a process to be able to establish and put in a different classification within that Flathead Watershed area that would then not be covered by the provisions of the legislation in terms of the prohibitions.

R. Fleming: Well, again, not trying to put words in the minister's mouth but to ask him to explain it another way. If I hear him correctly, he's saying that in order to make the prohibition more explicit and enforceable with regards to oil and gas activity and mineral exploration in the watershed, that is enhanced by removing references through these three other pieces of legislation. Is that the advice the minister is getting?

Hon. S. Thomson: To be clear, what we are doing here is strengthening the legislation to ensure that the prohibitions apply. By not providing the opportunity for other areas to be created within that watershed area, it would then not fall under the provisions of the prohibitions because the wording previously said "but does not include the following."

If steps were taken to create a class B park in a portion of the Flathead Watershed area that's covered by

the prohibitions, potentially that would mean these.... Because it does not include those areas, then it would not be covered by the prohibition.

So it was a step, based on legal advice, to make sure that the legislation fully complied with the agreement and the intent.

R. Fleming: If I could just ask the minister to elaborate on his answer. In the example that he gave, suggesting that were there in future a class B park created in a portion of the area that we are discussing today, if there was a reference to the Park Act, which is now proposed to be deleted in the amendment....

Is he saying that that is because there are actually stronger abilities to make mineral claims under that designation of park than there would be under the legislation we're contemplating today? Is that part of the explanation in the example that the minister used?

[1455]

Hon. S. Thomson: Maybe I'm having a little difficulty in clarifying the point or making it clear. The way that this works is you have the watershed area, total area that's defined, where the prohibitions apply. By having the previous list of the sections there that says "but does not include the following" — with those lists — you could have the theoretical situation where, within that overall boundary of the Flathead Watershed area, a class B park could have been created inside that area.

That would have meant that the prohibitions of the legislation do not apply to that because, as it was previously worded, it said "but does not include the following."

There are circumstances within a class B park or a controlled recreation area where some of the activities that are prohibited by this legislation could take place.

This was to remove that potential opportunity or potential weakness in the wording that's currently there — to make sure that the total area continues and the prohibitions that are provided from this legislation will apply to the total area and that there isn't a process where some of the area within that overall box could have been excluded from those provisions through that kind of step.

Amendment approved.

On section 1 as amended.

M. Sather: First of all, I want to briefly congratulate, certainly, the minister and the government on bringing this legislation forward. It's going to be, and has been, widely accepted, particularly in that part of the province which is directly affected.

Previously, as intergovernmental relations critic, I had the opportunity to visit the Flathead and was absolutely astounded by not only the beauty and the diversity

of wildlife in the area but by how accessible it is to any that want to visit it.

I just wanted to ask the minister a couple of things.

Well, I should mention, also, that kudos, of course, go to those in the non-profit sector that helped to bring this issue forward those many years. I think particularly of Casey Brennan and John Bergenske from Wildsight. They, of course, do have concerns, as the minister will know, and perhaps has intentions, as well, of bringing it into park status at some point in the future. But that remains for another day to be discussed, I should think.

Now, I noticed that under the definitions, section 1, "mining activity," there was a change made from the order-in-council regarding the Flathead Watershed area with regard to gravel, rock and those operations, which are, as the minister will know, highly contentious, some of them, throughout the province, particularly in settled areas. I know in Pitt Meadows we had a contentious issue over the quarry there.

I see that changes have been made, or it appears to me that they have been made, such that the legislation brought forward refers to: "... does not include a quarry or a sand or gravel operation where the area of activity is 2 hectares or less...." And then it gives a tonnage amount as well.

[1500]

So for relatively small operations — quarries and sand and gravel — the definition of mining activity does not apply. Then I'm assuming from there.... I guess maybe it's self-evident, but I'll ask the minister anyway, if I have that right. Those small kinds of operations — sand, gravel, quarry operations — would be, then, permitted under this act.

Hon. S. Thomson: This section is in the definitions section because it directly reflects the agreement in the memorandum of understanding between the province of British Columbia and the state of Montana, where it states, clearly, under the agreement, under definitions: "For further certainty, 'mining' as referred to in this MOU does not include the small quarry or sand or gravel operations where the area of activity is two hectares or less, and not more than 20,000 tonnes per annum is removed or to be removed."

The provision in the definition directly reflects the agreement that was signed. That was the commitment of the province to do that. That was part of the administrative order, and it's part of what we are now bringing forward in the legislation.

M. Sather: Thanks to the minister for clarifying that.

I guess what I am looking at is the order-in-council of February 9, 2010, where it said: "'mining activity' means any activity related to (a) the exploration and development of a mineral, a placer mineral or coal, or (b) the production of a mineral, a placer mineral or coal." It

doesn't mention those others, but I think the minister is probably referring to another document that I am not aware of.

Given that those smaller gravel and sand operations are permitted, I think one of the things.... That seems reasonable on the face of it, but I am wondering. A lot would depend, I would think, on the placement of such an operation. If it were along the Flathead River, for example, which has a fairly flat approach to it in many locations....

I don't know. I have no idea where such operations might be, but I'm just wondering the minister's thoughts or if there are any provisions — I don't see it here — with regard to placement of these smaller sand and gravel operations. Or could they be virtually at any location within the Flathead Watershed area?

[1505]

Hon. S. Thomson: Just to be clear, any approvals for activity with these operations would be subject to the Mines Act, to the mineral exploration code. So any activity would require a permit. The gravel, which is in many cases utilized for roads.... The roads within the area are primarily forest service roads, which are covered under the Forest and Range Practices Act.

I think one of the other important points that members opposite and the member would benefit from — and I view this the same way — is that on the Montana side of the Flathead there is a very, very extensive road network. If we had a prohibition on these activities within the area on our side of the border, within the area it would mean we would have to be trucking gravel in for those purposes from there or from other areas.

This is actually, in one sense, an environmental protection measure by recognizing that there is the need for some of those materials within the area to support other activities in the area and recognizing that this has been carried on for many years. We still have the area recognized as a very unique area. We continue to support the resource activities that continue to be permitted in the area, and it actually is a protection measure. Again, to reference that any activity requires permit, which is under the Mines Act and the mineral exploration and reclamation code.

M. Sather: I just wanted to clarify, then. I believe the minister said that there was a more extensive network of roads on the Montana side around the Flathead, which wouldn't entirely surprise me, because there isn't a tremendous number of roads on our side — as I've seen, anyway. There are some, but it's not roaded to a really highly extensive degree.

I'm wondering, though, if there was something I maybe didn't understand, or if the minister could clarify. Now, he was saying that we didn't want to restrict these kinds of activities, the mineral activities, and he made

mention of the larger amount of roads on the Montana side.

I wasn't sure exactly what point he was making there. Was it that Montana would have some objection, or might have had some objection, to us being more restrictive around sand and gravel prohibitions? What was the inference there, particularly with regard to Montana having a more extensive road network and wanting us to not prevent mineral exploration?

Hon. S. Thomson: I just want to back up one step and thank the member opposite for his acknowledgment of the very important step that has been taken here with this legislation.

Just to clarify the point I made, it has been a long-standing practice to have the small operations in here to support road activity or other activity. This has been there for many years, within the area. It was viewed, and I think it is viewed — as that's why it was specifically referenced and identified in the MOU — that it has less impact overall by being able to allow to continue to have these small quarries or operations within the area, as opposed to having to truck and bring gravel into the region from another area.

[1510]

M. Sather: That brings me, then, to a question. I mean, earlier there was a discussion about the title, and conservation not being laid out, and the minister talked about how it is laid out in other acts. Fair enough. But what does the minister, as logging is permitted in the watershed area...? I didn't notice any roadbuilding when I was down there.

Being that forestry is also under his bailiwick, what does he anticipate in terms of further roads in the near future or, let's say, over the next five years for logging purposes in the area? I guess we would then need more mining activity, sand and gravel activity, to assist in the construction of those roads.

Hon. S. Thomson: First of all, any road activity with respect to the forest industry is subject to the Forest and Range Practices Act. The major licensee in the area is Tembec. They are a certified licensee, a certified operation, and work to the highest standards. Whenever they undertake activity, they bring in partner environmental organizations to ensure that the activity they plan and undertake continues to meet the certification standards they operate under. The overall area is covered by the southern Rockies resource management plan. Again, the provision to be able to have these small quarry operations helps support those activities where they take place.

While I am up, I just wanted to clarify — because I understand from the Chair that in dealing with the amendment for section 1, it may not have been clear

when I made my additional comments — that we had two amendments in that first amendment, one dealing with removal of those sections. The other was the one section replacing the term "mineral claim" with "mineral title."

I understand there may have been some lack of clarity as to whether that was caught in dealing with the amendment. Just so we make sure we deal with this correctly, I would move the second amendment, which is in section 1, the definition, to replace the term "mineral claim" with "mineral title."

[SECTION 1, *by deleting the text shown as struck out and adding the text shown as underlined:*

"**mineral claim**" "**mineral title**" has the same meaning as in the *Mineral Tenure Act*;]

On the amendment.

M. Sather: I'm assuming the minister can clarify this. Is the reason it has changed from "claim" to "title" that it's the word "title" that's used in the Mineral Tenure Act? I'm just wondering: what is the difference between a mining title and a mining claim?

[1515]

Hon. S. Thomson: Just to clarify, the "mineral title" is a broader definition. As noted in my comments, it ensures that the placer mineral claims are included in section 5 of this act. Section 5 is the section which prohibits a free miner from registering mining claims in the Flathead Watershed area, so it's a broader definition.

M. Sather: I don't know if this question is out of order. But can the minister tell me how many titles there are in the area?

Hon. S. Thomson: I'm advised there are 13 mineral titles or mineral claims, including coal, and no placer claims.

Amendment approved.

R. Fleming: I wanted to ask the minister about the definition of mining activity that explicitly refers to and excludes quarrying, sand and gravel operation activities and to ask the minister for some information that may be of interest to committee stage of the debate about current permit activity.

Also, when we get to the section where mining activity is expanded upon, what is going to happen after permits expire? I'm only aware of one quarrying permit in the watershed currently. It does have an expiry date. If the minister could expand upon whether those will be renewed or can be applied to be renewed or whether they become extinguished upon the expiration of permits.

Hon. S. Thomson: I think I've addressed the response to the first part of the member opposite's question quite

extensively in the previous answers, when we discussed why the provision is here in relation to the specific agreement in the MOU.

But just to confirm, there is one current permit in the area. That permit, when it expires, would be eligible to be re-permitted if the applicant made that application, provided that it would stay within the limitations currently in the legislation. Any other permit that was made that falls within those limitations would be considered and would be subject, as I said earlier, to the Mines Act, to the regulations and everything that governs those permits. But at the current time, there's only one permitted quarry operation in the area.

R. Fleming: The restrictions that the minister refers to are simply around the size and volume. Is that correct? Those are the only ones referred to here. But I'm wondering if he has something else to add to the discussion. I appreciate his previous answer about the existing quarrying permit and what the permit holder may do, what rights they may exercise upon the expiration.

[1520]

I think there is some confusion amongst the business and the individual that operates that permit now, because I think it's been communicated to them that they don't anticipate they can renew that permit. If there needs to be anything more explicit said on that on the record here and then, of course, maybe with staff in the region with that individual, I would ask the minister if he would kindly do that.

Hon. S. Thomson: I've just been advised of where the confusion may have occurred with respect to this, and this one particular permit. It goes back to a point where the member previously talked about the OIC provisions that were brought in where the OIC didn't have the provision in it, and in fact he's correct there.

We had a time period between the OIC provisions and this legislation where this particular condition or this particular part of the agreement was actually not in place. There would have been some potential confusion on the part of the operator that he may not have been able to renew his permit, and there may have been some communication related to that because of the provisions of the OIC.

What I am advised is that staff have been in contact with the operator — that the misunderstanding is being clarified. Clearly, if the operator wants to continue that permit beyond the expiry date, provided that it remains under the limitations in this legislation and provided that it meets the other requirements through the permitting and application process and then compliance with the provisions in a regular application process, he would be able to continue his operation.

R. Fleming: Just while we're on this definition of mining activity, I wanted to ask the minister if he's aware of any other activities under this subsection around sand

and gravel operations and quarrying that may not be permitted — in other words, they do not fit the new restrictions — and whether there will be any eligibility for those holding tenures to seek compensation from government.

Hon. S. Thomson: There are no other permitted sand or quarry operations within the Flathead.

G. Gentner: I want to refer back to the mining activity. Does that include all previous mining activity in that definition?

[1525]

Hon. S. Thomson: Just to be clear, this legislation prohibits permitting for mining activity as outlined here, other than the limitation of the quarry or sand or gravel operation. As I stated previously, within the Flathead there is only one current permitted sand or gravel quarry operation that is within the limitations of this legislation and this agreement.

G. Gentner: I was thinking in terms of previous exploration. Cabin Creek, Howell Creek were subjected to some preliminary exploration studies, etc. I'm just curious as to whether this legislation will deal with some previously disturbed areas.

I also want to know: under the production of a mineral placer — mineral, coal, sand, gravel or rock — does this legislation prevent removal of peat?

Hon. S. Thomson: Just to confirm, peat does not fall under the definition of mineral, so it would not be captured by this prohibition. Any activity there would need to potentially be covered under a Land Act tenure application process there.

Maybe I'm not quite understanding the member opposite's question, in terms of what he's referring to. I just want to be clear that this legislation prohibits the permitting of activity in the areas that are referenced here. I think we've covered well the issue around quarry and sand or gravel operations.

G. Gentner: The minister mentioned, of course, that the reason for these small quarries is to provide tonnage for, I believe, maintaining roads in the area. Has the ministry done any strategic plans or have an idea of how many tonnes it will take to maintain the roads in the Flathead?

[D. Horne in the chair.]

Hon. S. Thomson: No. Regular maintenance is undertaken in the area. We've had no difficulties accessing gravel for the regular maintenance.

[1530]

Again, just to confirm, there are no permit applications. This provision has been in operation for quite some time. But no, we haven't done any strategic plan as to what amount of gravel may be required in the future. But again, it would have to come through by permit. It would have to fall within the limitations of this legislation. Again, I want to stress specifically that this legislation brings in the provisions of the agreement and the MOU between British Columbia and Montana.

G. Gentner: I understand that it can permit future roadbuilding in the area. It's alarming to me that the ministry hasn't captured how much gravel it will take to maintain or perhaps look at future roads for forestry.

But my question is: how much gravel...? Can gravel within the Flathead area be used for purposes outside the Flathead?

Hon. S. Thomson: I think the very short answer to that would probably be: theoretically, yes; economically, probably no.

Section 1 as amended approved.

On section 2.

R. Fleming: I wonder if the minister can explain procedures and details around subsection 2(1)(c) around the issuance of licences to occupy and use Crown land in the Flathead watershed as it relates to section 39 of the Land Act.

Hon. S. Thomson: This reference is to section 39 in the Land Act, which is a provision where the minister may issue a licence to occupy and use Crown land, called a licence of occupation, subject to the terms and reservations the minister considers advisable. What the legislation says here with respect to this section is that the minister is prohibited from doing that if it relates to mining activity.

R. Fleming: I understand the prohibitions in this section. I wanted to ask the minister some questions about compensation — potential liabilities, in that regard, to the province. I think this is probably the best section to ask the minister about that.

The first question would really be about whether this bill has exposed government to any compensation claims and negotiations as a result of the mining prohibition and the loss of mineral tenure. I guess, really, the minister could at least back up his response to the MOU that was signed with Montana prior to the formalization of those conditions in this bill and really anything that relates to negotiations with the Crown around compensation from the extinguishment of mining and mineral tenures.

[1535]

Hon. S. Thomson: As the member opposite likely knows, when the MOU was signed and the OIC put in place, there was a commitment that there would be compensation discussions related to the existing tenures. Those discussions are underway and continue.

R. Fleming: I wonder if the minister could expand upon that and describe how many different negotiations and different mineral tenure claims that have been forfeited are now underway with the Crown.

Hon. S. Thomson: Just to confirm, as I stated earlier, there were 13 tenures. Discussions continue, and we need to allow those discussions to continue. I'm not prepared in the House here to discuss the details or the nature of those compensation discussions. Those continue, and that's where the discussions are appropriate to take place, not here on the floor of the Legislature.

R. Fleming: I wanted, nevertheless, to ask the minister a couple of questions around the parameters. The passage of this legislation, I think, is relevant to some of the questions that we have on the opposition side around Crown liabilities, potentially, for loss of tenure. We have seen recently the courthouse steps model of settlement play out in British Columbia, and that has been very expensive. We want to be reasonably assured that mistakes that are costly are not being made in regards to the Flathead.

My question to the minister would be how these negotiations are being carried out, if indeed they are being led by his ministry, and if so, whether they're using a set of guidelines and procedures that government follows that are related to the loss of mineral tenure for compensation.

We know that part of the backdrop of signing the memorandum of understanding with Montana and having that announcement in time for celebrations in 2010 was able to leverage private conservation and charitable foundation money from the United States and from Canada, Alaska, and that was deliberately for tenures and liabilities that would be incurred.

I would ask the minister to at least give the House some additional information about how negotiations are being carried out and whether they're in accordance with a set of guidelines and procedures.

[1540]

Hon. S. Thomson: Again, just to confirm, as I said previously, compensation.... The discussions, negotiations are underway. It's being managed with a cross-ministry process, in addressing it. Again, what I will say is that discussions continue, and I'm not prepared.... Given that those are important discussions between government and the tenure holders — to not state further detail with respect to those discussions because they continue currently.

R. Fleming: I take part of the minister's point, but I think it's fair that the House be assured that the government is evaluating the mineral tenure and conducting the negotiations with some confidence.

We've just seen probably the worst example of how a claim has been extinguished in British Columbia, which had a serious cost escalator clause to it, by government changing its mind and telling tenure holders one thing and doing another and running interference in the background. That has been an expensive and very poor episode, I think, in this government's most recent experience.

My questions are simply to ask the minister about whether it has evaluated its mineral tenures and its potential exposure to claims here and whether it's using third-party methods to do so. What we saw in the Blizzard uranium mine example is that lawyers evaluated the claim, not based on sunk costs, not based on real expenses that that company made but other factors that had everything to do with incompetence in managing the tenure claim for that company.

I think it's important, in passing potential protections through this law, that the public have some assurance that it's going to be able to do so in an orderly fashion and that the negotiations that are being done by government are being done competently, because most recently we've seen an example where the opposite was the case.

[1545]

Hon. S. Thomson: Again, to confirm. There's a cross-ministry team working on the compensation discussions and negotiations with those impacted tenure holders. Those processes continue. They are underway, and I think at this point it's just appropriate to say that the discussions continue.

Given that those are negotiations between private companies and individuals in government, beyond acknowledging that there is a process underway and the compensation discussions continue, that's the extent of the information that I should provide here, because I want to ensure that in no way, in terms of my response, do I prejudice or complicate any of those discussions that are underway.

There is a senior cross-ministry team managing that process. I'm confident that they will continue to do so within all the provisions of policy and from a legal perspective.

R. Fleming: I wanted to ask the minister about a status report of the commitment that private conservation groups made that surrounded the signing of the memorandum of understanding with Montana. I believe the figure was a commitment to raise \$15 million. I don't know if there's a breakdown of those figures — how much would come from the United States fundraising efforts and how much would come from Canadian sources or Canadian organizations.

It would be, I think, an appropriate question at this point in time, because we are talking about exposure

and liabilities around mineral tenures that are being surrendered, just to see how that's progressing and how much money has been fulfilled from the date of the MOU from that commitment.

Hon. S. Thomson: As was announced at the time of the signing of the MOU, the commitment from the organizations was \$9.4 million. That comes from the Nature Conservancy of Canada and The Nature Conservancy, which is the U.S. organization or the U.S. equivalent. How that is split between those two organizations is up to them, but in combination the commitment is for \$9.4 million.

The commitment is that that would be provided once government had followed through on their commitment to bring the previous agreements, which were done through administrative processes, into legislation.

R. Fleming: I want to thank the minister for that answer and just ask him for his commitment — and whether the government will publish figures and details around final payments that may be necessary for compensation for the loss of mineral tenure.

[1550]

Hon. S. Thomson: Just to confirm, we have the assurances of those organizations that on the passage of the legislation, the commitment for the funding is there. In terms of the compensation payments, those would be part of public accounts.

M. Sather: There are some unique lands in this area known as the Dominion coal blocks, some 33,000 hectares in the headwaters of the Flathead River and 66,000 hectares in the adjacent Elk Valley. I wanted to ask the minister if the Dominion coal blocks are within the Flathead Watershed area, in whole or in part.

Hon. S. Thomson: Just to confirm, with respect to the Dominion coal blocks, there are two blocks. The northern block is completely outside of the area. There is a percentage of the southern block that is within the area. I'm advised that the total size of the southern block is 45,000 acres and about 20 percent of that is in the area.

M. Sather: Well, it is a unique parcel that dates back to, I think, around the early 1900s with the CPR having acquired these properties. There were negotiations in recent years about transferring the Dominion coal blocks from the federal government to the province. I wonder if the minister could update the House on whether those negotiations are still ongoing or whether they've been abandoned or concluded.

Hon. S. Thomson: Just to advise the member, discussions continue. There are ongoing discussions. There have

been, as you know, ongoing discussions for many years on this. From time to time those discussions take on some additional activity, but I think the way to portray this is simply that there are ongoing discussions.

[1555]

M. Sather: It's my understanding, then, that on those lands the surface rights, including coal, would be owned by the federal government, but the subsurface rights, including leased petroleum and natural gas would be under the purview of the province. Would that be correct?

Hon. S. Thomson: Yes.

M. Sather: One of the interests in development of that area has been around coal bed methane, which, as I understand it, is situated next to the Dominion coal block, in that area — in the Crowsnest area. Would there be a prohibition, then, under this act, from mining for coal bed methane?

Hon. S. Thomson: Chair, I think the member opposite may have moved.... Maybe he's wanting to advance the debate, but I think he's moved on to the next section. But just to be clear, with respect to the next section, that section would prohibit that.

G. Gentner: Under section 2. I'm trying to grasp the severity or trying to get clarity as to what you can't do under section 11 of the Land Act or section 38 of the Land Act, which I think has got more to do with leasing, and section 39, which is more about licensing. To the minister: is not forestry a type of leasing or licensing from the Crown?

Hon. S. Thomson: All of the authorizations for forestry are under the Forest Act.

G. Gentner: What other activities are authorized, after the placement of sections 38, 39 and 11, of the land, other than forestry?

Hon. S. Thomson: Just to be clear, this section relates to all possible activities or permitting with respect to mining. That's the purpose of the legislation, so that reference to these sections is specific to mining activity in the Flathead Watershed area. That's the purpose of ensuring that these sections prohibit mining activity in the area.

Sections 2 to 4 inclusive approved.

On section 5.

Hon. S. Thomson: I have two amendments standing in my name to this section, so I move the amendment to section 5 standing in my name that adds subsection (1.1) to section 5.

[SECTION 5, by adding the following subsection:

(1.1) The chief gold commissioner must not exercise the power under section 21 (3) of the *Coal Act* to cancel all or part of the coal land reserve established under this Act.]

[1600]

On the amendment.

R. Fleming: I would ask the minister to maybe explain in more detail the reason for this amendment, which was just put on the orders of the day, around the chief gold commissioner and why he is prohibited from exercising other powers under the Coal Act — if he could give some background and information on this amendment.

Hon. S. Thomson: Under the Coal Act the section says: "The chief gold commissioner, by regulation, may cancel at any time all or part of a coal land reserve subject to the terms and conditions the chief gold commissioner prescribes."

Obviously, what we have done with this legislation is put a coal reserve over the prohibition, over the area, and what we want to make sure is that by the provisions under the Coal Act, the chief gold commissioner, by regulation, can't turn around and cancel that reserve.

Again, this was brought forward by legal counsel, and it's a provision to make sure that we cover the full intent of this legislation and to make sure that we have the full strength in the legislation.

R. Fleming: I would ask the minister if there are any other activities that are going to be circumscribed by the chief gold commissioner or the mine commissioner as a result of potential passage of this bill.

Hon. S. Thomson: No. In terms of the chief gold commissioner there are no other provisions. This amendment covers off any potential risk that may have been created by having that provision under the Coal Act. The legal advice was to make sure that we covered it off in the first drafting. That was not caught, and we wanted to make sure that we corrected that.

R. Fleming: I wonder if the minister could give me the courtesy of detailing when the gold commissioner was first given jurisdiction over coal reserves in B.C. I realize this may be an old piece of legislation.

Hon. S. Thomson: You're really taxing my knowledge of history here, but I'm advised that this goes back to the late 1800s, when the chief gold commissioner position was established under the original Coal Act.

R. Fleming: I have some questions about the measurement and calculation of coal reserves. I will actually just sit down, and we can deal with the amendment.

[1605]

Amendment approved.

Hon. S. Thomson: There's one additional amendment standing in my name.

[SECTION 5, *by deleting the text shown as struck out and adding the text shown as underlined:*

(3) A free miner must not register a mineral claim in the mineral reserve established under subsection (2).]

On the amendment.

Hon. S. Thomson: That's to replace the term "mineral claim" with "mineral title" in this section, and to ensure that the placer mineral claims are included in section 5, which prohibits the free miner from registering mining claims in the Flathead Watershed area.

We dealt with this one in the definition section, and this is simply providing the reference here in this section to change from mineral claim to mineral title, to be consistent with the definition.

Amendment approved.

On section 5 as amended.

R. Fleming: I wanted to ask the minister for some explanation about government's calculation of reserves — how it does this and the details specifically on this reserve that's referenced in the bill.

Hon. S. Thomson: It's defined by the surface and the boundaries of the area. It covers the overall surface and everything within the boundaries of the watershed area.

R. Fleming: I'm wondering if the calculation of the reserves has anything that is quantifiable in terms of how much of the resource is expected to be contained within the reserve; obviously, where it is; and whether this is published data.

Hon. S. Thomson: Just to confirm that we don't estimate coal in place until it's been explored. That is how it's determined, so we wouldn't have that estimate. We stopped exploration in the area by this legislation, so we would not have that estimate.

R. Fleming: Then I would ask the minister if government has any intention to do any testing or exploration in addition to what has been done over many years, to actually look at the scope of reserves or whether government's quantification of that would be not pursued and would be subject to the same restrictions that private exploration will be bound by.

[1610]

Hon. S. Thomson: I am advised that we do have historical exploration records that provide some information.

But from that perspective, we don't have plans to do further exploration. That's prohibited by the legislation that we're debating here.

R. Fleming: I am just wondering, then, from the minister... The term "coal reserve" denotes storage, but I know that from what the minister has described, that does not appear to be the case, although he has just said there are historical records about the quantities of how rich in the resource this area is.

Again, I would ask him: is that published for this area and other parts of the province where restrictions like this are either in place or contemplated?

Hon. S. Thomson: Just to confirm that reserve in this respect, within this, means reserved from disposition. That's the purpose of the prohibition. In terms of historical records, I am advised that those historical records are available in the Ministry of Energy and Mines.

Section 5 as amended approved.

On section 6.

G. Gentner: Just regarding section 6, can the minister give an explanation why the Offence Act, section 5, does not apply to this act?

Hon. S. Thomson: Section 5 of the Offence Act makes it an offence to do anything that the act or regulation forbids, or omitting to do something that an act or regulation requires. Stating that section 5 of the Offence Act does not apply means that it is not an offence to fail to comply with the provisions of the Flathead Watershed Area Conservation Act.

This is normally done when requirements of an act are imposed on government, since it would be inappropriate to address a failure to comply by means of a provincial prosecution. Persons wishing to enforce the act against government can do so by means of a judicial review.

Sections 6 to 10 inclusive approved.

On the title.

R. Fleming: I want to thank the minister and to congratulate government for working with many stakeholders and parties over many years to accomplish, I think, what are some key protections in this bill. My colleague also passed on his congratulations earlier, and I wanted to do that at this stage of debate.

I did want to say that I think the title is somewhat misleading. We have discussed at second reading debate and a little bit this morning that, in fact, it's a stretch to call this a conservation act. It is an act that brings into

being some prohibitions around sources of energy that put a watershed at serious risk that was recognized by UNESCO and has been well studied and conserved to the highest standards possible by UN biosphere and by National Park on the Montana side of the border and, indeed, in Alberta.

That is not what is being achieved here today. I don't believe this is a conservation act. If I were to suggest a more accurate title, it might read, "The elimination of mining and oil and gas activity in the Flathead Watershed area act" or something like that, which I think is a more true description of it.

[1615]

I thank the minister for the opportunity to ask questions this afternoon to clarify that and for him to explain the amendments that were put on the orders of the day today, and thank him for his role in bringing the bill to passage. This is going to be an achievement for the Flathead which successive governments can build upon in years to come.

Title approved.

Hon. S. Thomson: Very quickly, before I do the motion.... We've had a good discussion here, but I do again want to just reflect on the significance of this bill, the importance of it to the province, the great work that has been done by previous ministers involved in this, by government, by staff, and to recognize that with this bill we have completed our commitments under the MOU.

We've also achieved what I believe is a very important balance in terms of the prohibition of activities and continuing to provide for sound management of the area, continuing to recognize the current resource values in the area and the important role that this plays in the economy of the Kootenays.

We've received tremendous support for this, letters of compliments for the undertaking. So we've had a fairly detailed debate, but I don't want the significance of the moment to pass without those comments.

The Chair: Minister, do you want to move a motion?

Hon. S. Thomson: I rise and report the bill complete as amended.

The Chair: The motion is that the committee rise and report completion, as amended, of Bill 2.

Motion approved.

The committee rose at 4:17 p.m.

The House resumed; Mr. Speaker in the chair.

Reporting of Bills

BILL 2 — FLATHEAD WATERSHED AREA CONSERVATION ACT

Bill 2, Flathead Watershed Area Conservation Act, reported complete with amendments.

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

Hon. S. Thomson: By leave, now.

Leave granted.

Third Reading of Bills

BILL 2 — FLATHEAD WATERSHED AREA CONSERVATION ACT

Bill 2, Flathead Watershed Area Conservation Act, read a third time and passed.

Hon. T. Lake: I now call second reading of Bill 10, intituled Nurse Practitioners Statutes Amendment Act, 2011.

Second Reading of Bills

BILL 10 — NURSE PRACTITIONERS STATUTES AMENDMENT ACT, 2011

Hon. M. de Jong: I am pleased to initiate second reading debate on Bill 10.

The bill addresses 12 different acts, specifically with respect to the role that nurse practitioners may play and, I suppose, more accurately, participate more fully in the continuum of health care services in British Columbia.

[D. Horne in the chair.]

I think that it's also fair to say that the intent behind the legislation is to provide British Columbians with more options when seeking medical opinions or accessing the various government programs that are provided for in the legislation that is addressed.

As we go through the legislation that is covered by this bill it will become apparent that a number of existing statutes restrict nurse practitioners from providing the full range of services that are within their scope of practice. That became apparent in the years since the discipline was recognized as we listened to some of the concerns brought forward by not just nurse practitioners but others involved in the delivery of health care services and learned more about how nurse practitioners can play an even more effective role in the delivery of health care in B.C.

[1620]

The nurse practitioners themselves, as I think members may recall, were introduced in B.C. in a formal sense in 2005. The expectation and the objective was to have them fulfil additional roles in areas like primary care, chronic disease, disease prevention and health promotion. They are, again, as I think members know, registered nurses who have received an additional level of education at the master's graduate level, and they do have an expanded scope of practice that extends beyond that of a traditional registered nurse role. They have, as I have said, that enhanced training, but they are not physicians. They are not medical doctors and would be the first to admit as much.

When we get to the committee stage we will have an opportunity to explore in detail how the various acts are being amended to allow nurse practitioners to provide services to their full scope of practice, and I don't propose in the second reading debate to go through each one of the acts individually.

By way of example, and I may have mentioned this at the introduction of the bill, the Employment Standards Act and changes to that act would give nurse practitioners the authority to provide certification for pregnancy leave, including confirmation that an employee is able to return to work; parental leave; and compassionate care leave. The mechanism by which that is generally accomplished in the amendments that are included within this act is to amend the definition of a medical practitioner to include a nurse practitioner. That is certainly true in the case of the example that I have just mentioned.

The sum total of the amendments, again, is to increase the options for primary and community health care and to support a broader range of options for families.

In the Crime Victim Assistance Act, even though nurse practitioners are now primary caregivers, under the existing provisions of that act they cannot provide a diagnosis confirming that a patient has sustained psychological harm in the way that would allow them to be eligible for benefits under the act.

These amendments, again, by way of altering the definition or amending the definition, would remove that impediment and would allow a nurse practitioner to render that opinion and that diagnosis in a way that would allow an individual to access the benefits under that program. It would eliminate the need for someone to get a second opinion from a psychologist or a doctor when they are already a patient of a nurse practitioner.

In many parts of the province I suppose it may be possible to say that this will be an added feature, an added dimension that will be convenient but not necessarily essential. In other parts of the province that is not so.

We still, despite the additional training that is being provided and efforts that are being made to expand the availability of physicians, have communities that are underserved, in some cases communities that have no medical doctors. In those communities the role played

by nurse practitioners is essential, and removing the statutory impediments that presently exist to them offering a full range of services within their scope of practice represents a major and important step forward.

I commend the legislation at second reading to the House as a positive step forward, as one that will provide more options to British Columbians and that safeguards the always overarching concern — that is, the safety of patients — by guaranteeing that medical practitioners are providing services within defined areas that are covered by their training and their scope of practice.

[1625]

With that, I look forward to the comments and observations from other members of the House and move second reading.

M. Farnworth: It's a pleasure to rise on second reading debate of Bill 10 and to offer a few observations and some comments from this side of the House on this particular piece of legislation. It is an important bill, as the minister has said. It is a step forward. It deals with a number of issues as a result of nurse practitioners in British Columbia — the creation of which the minister commented about, in 2005 — and having to rectify about a dozen pieces of legislation so that nurse practitioners can in fact take full opportunity of their advanced training and the skills that they have and their scope of practice as it was laid out.

On this side of the House we will be supporting the legislation. There will be a number of questions that we have in second reading about some key sections and some key areas. We'd also like to offer some commentary in terms of what the bill does in those particular sections, and also on what the bill doesn't do. While there's much to applaud in this particular bill, there's also a fair bit that we are concerned about because it's not in the bill, and also the government's direction that we've taken with nurse practitioners since the creation, the implementation, in 2005.

I think the critique or the criticism is not so much saying that the government has failed, but rather that I don't believe that we as a province and the health system have lived up fully to the potential that nurse practitioners have to play in the delivery of health care in British Columbia. The minister has talked about primary and community care, and that's absolutely right. There is a tremendous role for registered nurse practitioners to play in the delivery of primary care and community care in B.C. But in order to do that, it means that there have to be spaces and jobs and employment opportunities for them.

One of the things that does concern us is that the ministry, the government, used to make grants to health authorities to hire nurse practitioners. Well, that is no longer the case, particularly when you're dealing with.... As is often the case when you do something new, it takes

a little time for that to take hold, for people to understand the full opportunity that can be created by making a positive change, such as the introduction of nurse practitioners in 2005.

Those grants that allowed health authorities to do that, I think, were a positive incentive to say: "Look, we can change the model of how we deliver health care, and we want to work with you as the health authority in doing that. Nurse practitioners can play a key role in delivering community care and primary care in rural B.C. and in urban B.C., and to do that, we have an incentive to allow that to take place." Well, I think the elimination of that is a mistake. I think that's something that the government seriously needs to look at.

Right now there are only 13 opportunities, employment vacancies, in the province of British Columbia, yet there are 72 nurse practitioners looking for work in B.C.

We spend a great deal of time and opportunity in terms of training nurse practitioners. They get a master's degree. That's a pretty significant commitment on their part in terms of dedication to the profession, in terms of an increase in their skill set and their education level.

I think we need to make sure that we are doing everything we can to take full advantage of that and that they're working here in British Columbia, as opposed to going outside the province to work in other jurisdictions, where they're taking advantage of the considerable resources that we as a province have put into ensuring and creating the skill set and the skill level that has been achieved here in British Columbia. I think that's an area of concern.

There's an opportunity, as well, for us as a province to look at what other provinces are doing. In Ontario, for example, nurse practitioners are playing a significant role. Again, that's something that we in this province can look towards and design something, which does not have to be identical to what is in Ontario, to look at how their successes can be applied here in B.C. Again, I think, that's an area of concern that we have in this province.

[1630]

The nurse practitioners have said that they are supportive of this particular piece of legislation, that it addresses some of the issues that they have been working to resolve. I think it is important to acknowledge just exactly what some of the important changes are that this legislation will implement.

As the minister stated, it will amend 12 different pieces of legislation, and it will allow nurse practitioners to carry out a range of health-related services — for example, being able to provide certification for pregnancy and parental leave. It seems pretty straightforward, but right now you can't do that if you're a nurse practitioner. Well, this legislation will change that.

Provide a diagnosis if a patient has sustained psychological harm that allows them to be eligible for benefits under the Crime Victim Assistance Act. Again, it would

seem straightforward, but at present it's not. So again, that's a positive change.

Carrying out health examinations for people committed to a corrections facility. Substantiating that a consumer has experienced a substantial change in health circumstances for the purpose of cancelling a continuing service contract. Certifying that an employee's family member has a serious medical condition with significant risk of death within 26 weeks. Reporting on the health of patients injured in a motor vehicle accident, for the purpose of ICBC.

Admitting a person to a mental health facility without risk of liability. I know in this particular area we will have a few questions for the minister in the appropriate section during committee stage, and I'll look forward to hearing answers to those questions.

Certifying that a person is unable to wear a seatbelt for a medical reason, under the Motor Vehicle Act. I know that is an issue that we have had considerable debate about in different legislation, but the fact is there are people — not many, but a few — and a nurse practitioner would have the skills to make that determination. I think it's only appropriate that that is recognized in terms of the changes that are needed to legislation to take full advantage of their skills.

An important one — particularly since a lot of the focus around the creation of nurse practitioners was around the primary and community care aspect of the delivery of health care in this province — is certifying that a student is able to return to school following a communicable disease. If primary care and community care, communicable diseases.... If that's not the level where we would like to see much of that attention or much of it dealt with, I don't know what is.

So again, that's a change that I think is a particularly positive change. It's one that, I believe, the sooner we make, the better it will be.

I also think it is important, though, to recognize that whenever we make changes, there are groups and organizations who have questions, legitimate questions, that they would like to see answered. I know the BCMA has raised concerns in terms of the lack of consultation with their organization, and they have some issues around training and standards.

Again, those are issues that we will want to raise during committee stage of the bill, and I hope that the minister can provide answers that are satisfactory not just in terms of this House but also in terms of physicians and the BCMA.

Finally, I think one of the areas that I would like the minister in his closing remarks or in his reply remarks to address is some of the government's thinking and the direction of where they see nurse practitioners going in British Columbia in terms of the state of negotiations with nurse practitioners, in terms of dealing with other areas that are still outstanding that have not been ad-

dressed by this particular piece of legislation and a potential timeline for when those would be addressed, and also, the government's sense in terms of funding mechanisms.

I know one of the issues that has been raised in the past is fee-for-service versus salary. I know that's been an issue with....

Interjection.

[1635]

M. Farnworth: I thank the member from Kamloops for that interruption. I would just like to, for his clarification, because....

Interjection.

Deputy Speaker: Order.

M. Farnworth: I have to say that praise from the member from Kamloops South is definitely praise indeed.

In my remarks what I am trying to accomplish is for the House to know that this is a positive piece of legislation that will have many, I think, significant and important changes in the delivery of health care if it's implemented in the correct way, if it's part of an overall strategy that seeks to maximize the potential of nurse practitioners in British Columbia. I think it's something that has been a long time coming.

Other jurisdictions in this country are trying to do that. Ontario is one of them. At the same time, one of the things that I also know, having been a former Health Minister, is that whenever change is made....

Interjection.

M. Farnworth: Exactly. At any Health ministers anonymous meeting you will find that the discussion gets around to changes being made. There will be many stories of discussions around the reactions that happen when change is made. Some are positive; some are not so positive.

But one of the things that I think is important is that there are questions and issues that are legitimate and issues that organizations are concerned about. I think it's important that those issues are on the table and that they know, even if they disagree with them, that they have been thought about, that they have been looked at, that there is a sense on the part of government, an understanding of the basis of those concerns and that government is able to offer an explanation as to why a change has taken place or why a change has not taken place.

I think it's important that that is on the record and that we explore those issues at committee stage.

Anyway, getting back to my main point of the comments I am making, we have an opportunity in this province to

take advantage of something, which I think is positive, that the government did in 2005 with the establishment of nurse practitioners, which is for them to be part of a health care system and to be able to play a significant role in the delivery of health care in this province.

Along with these changes, I think it means a commitment to recognizing that there will be more changes taking place, that there needs to be probably more assistance from government in terms of making that happen. But also, I think, a recognition that: you know what? We don't have all the answers here in British Columbia. We can be looking at what is taking place in other provinces and other jurisdictions in this area, and we can design something that works for us.

Anyway, with my head full of the accolades and praise from the member from Kamloops South, I will take my seat and look forward to the comments of other colleagues. As I said to the minister, there will be a number of questions that I'll have during the committee stage of the debate. I'll look forward to the answers in response from the minister.

N. Letnick: It's interesting that in the last few hours we've seen two members of the opposition whose faces.... The colour of their faces matches their poppies. But they look like they were having a good time, especially the hon. member, the opposition critic for Health, the member of the HMA. I thought HMA used to stand for something to do with health authorities, but now I know it's the Health ministers anonymous group. It looks like we still have a cohort of three members of the HMA right here in this House, and I look forward to hearing what they all have to say during committee stage on the bill.

But I also recognize that even though the member for Port Coquitlam did provide praise to the Minister of Health over the introduction of this bill, he also took an opportunity to swipe government just a little bit on its performance in the health care area, especially primary care over the last few years.

[1640]

I just want to put it on the record to remind the hon. critic that over those last few years it's this government that has doubled the number of spaces for new doctors from 128 to 256.

It's also this government that's doubled the number of nurse training spaces in B.C. since 2001, over those same last few years. There have been over 17,000 nursing credentials awarded since 2001. I think, along with the doubling of spaces of doctors and the focus on primary care innovation, that government is definitely going to the right place and should be congratulated. I'll continue with that, Mr. Speaker.

What we have is something that was first started in 2005. The nurse practitioner program is now being expanded in scope to allow them to practise after their six

years of university education and different levels of experience in different hospitals and communities around British Columbia, to really put to work the skills they have accumulated knowledge for.

I remember, just a few weeks ago, that I was present with the Minister of Forests, Lands and Natural Resources Operations and also the member for Westside-Kelowna at the opening of a new partnership between Okanagan College and UBC Okanagan. We now have the opportunity to see nurses start two years of college and then move over to UBC Okanagan to finish their two years to get their RN and then have the opportunity from there to go on to be practical nurses.

This is a great way of expanding the number of nurses that we have in the province and also expanding the scope that these nurses can work under and share their knowledge and their passion for health care throughout B.C., especially in rural areas. We can do that. We can continue to train nurses.

We have 45 nurse practitioners that graduate every year, 15 of which are from UBC, 15 from UNBC and 15 from UVic. As we all know, as we all talk about in this Legislature, what we see is that where you are trained is usually the place that you stay, so it's good that we have these nurse practitioners being trained all across British Columbia.

I also want to note that as of October 2011 there were more than 210 nurse practitioners in B.C. It's not an alarming number of thousands and thousands, but it's a good start, and I look forward to seeing, with these changes that this legislation puts forward, that more and more nurses will choose to become nurse practitioners so that they can continue to practise their calling in different parts of the country in a larger scope.

Just to give you some background on who our nurse practitioners are, I'd like to read from a summary produced by Alison Roots — she's a PhD candidate; and also Dr. Marjorie MacDonald, who is an RN, as well, from the University of Victoria on some brief statistics as to what nurse practitioners do and their profile.

"The average nurse practitioner in B.C. is 44 years of age. They serve a population, about 41 percent of them, in areas with greater than 100,000 people; 22 percent of them in areas less than 10,000; and 37 percent between 10,000 and 100,000." So they run the whole community of British Columbia, from rural all the way to the most dense population areas of our province.

What they do is work mostly in community health centres. Fifty percent of nurse practitioners work in community health centres. Aboriginal health centres get 7 percent; family practice has 30 percent; home care, 4 percent; and other is 9 percent. And 71 percent of nurse practitioners work in sole nurse practitioner settings. I found that a very interesting statistic.

Their funding is mostly from health authorities; 78 percent of all nurse practitioners get their funds from

health authorities. There's some blended funding with the health authorities and the ministry of 13 percent and some private practice dollars. Just 3 percent goes to nurse practitioners.

Frequency of patient care activity. Here's what nurse practitioners currently do. Chronic illness is 25 percent. Wellness care prevention is 22 percent. Episodic care and minor illness is 17 percent. Mental health is 13 percent. Health promotion is 9 percent. And the rest is built up in the 10 percent, including some palliative care.

[1645]

What we are talking about is allowing nurse practitioners to do all of these things but to increase their scope so that they can continue to provide excellent primary care and other health care throughout B.C.

Some of the things that I think we're going to be talking about over the next few hours are the actual changes to the acts — the Correction Act, the Crime Victim Assistance Act, Employment Standards Act, Insurance Act, Mental Health Act, Motor Fuel Tax Act, Offence Act, School Act and Vital Statistics Act.

While I'm sure my colleagues on both sides of the House will go into detail on all the acts and what their changes are, I just want to say from a high-level perspective that these numbers of statutes restrict nurse practitioners from providing services that are fully within their scope of practice. We're introducing these 12 amendments that will allow nurse practitioners to participate more fully in the health care system and to be more effective as first points of contact and primary care providers to all their patients.

It's important we remember that the health care system isn't static. The health care system is constantly looking for innovations that allow us to do more for more people and, of course, in a sustainable way. As we age as a demographic, as we continue to see inflation in normal inflation plus the inflation of health care costs, both in terms of labour and of product, we will be faced with a lot of difficult decisions over the years to come.

It is really important that at every opportunity we can find some innovation or ability to empower people to follow their passion, to follow their calling, to improve health care for us and citizens around British Columbia and that we take that opportunity to give them the tools they can use to make sure that that happens.

I will join with the Minister of Health, with the hon. opposition critic of Health, all the other HMAs and the members of this House in supporting this legislation and ask that the nurse practitioners get their little bag ready to go out there and serve the people of British Columbia.

C. Trevena: I, too, am going to be talking in support of this act, which will allow nurse practitioners to practise more widely than they are able to at the moment. Like my colleague who spoke before me from Kelowna—

Lake Country, I'm going to be speaking on a higher level. I'm not going to go into the details about all the different amendments that this act will bring.

But it will bring a very important change. It will mean nurse practitioners can do a lot more, and from a rural perspective that really is very important.

It has been noted that not everybody does have a doctor, and not all communities can attract doctors. But in many instances, when you're talking about health care needs, they could be met by having a nurse practitioner working either in tandem with the doctor or on their own running a clinic, or one or two running a clinic. I think this could be a real solution. In fact, I know people working on health care issues in various parts of my constituency are really clamouring for nurse practitioners.

I think one of the things that we really will have to deal with pretty quickly after the passage of the legislation is encouraging more people to train as nurse practitioners and more spaces to open up — the health authorities to be able to give the space to them.

As I say, I know that in Sayward there would be an eagerness for a nurse practitioner to work there. I know that in a number of other communities they would be looking for nurse practitioners to either work there on their own or to augment the medical care.

This would really, I think, help stem what has become a crisis in rural health care — the fact that people can't get doctors, that doctors, because they are on a fee-for-service model, find it not particularly profitable, because they need to run their clinics.

It's not profitable for them to come to a rural community where there is a small base of people and where they are trying to make a business go. They are expected by the community to be on call all the time, and it turns them off. In this day and age many doctors aren't the old-style family doctor who wants to be out at all hours. So the pressures of working in a rural community are really very great. If we can get more nurse practitioners, who are able to do a lot more, I think that's going to be extremely, extremely helpful.

[1650]

I think one of the reasons why I'm very enthusiastic about nurse practitioners is that it makes such sense. I don't know how other people grew up with their health care, but when I was growing up and you'd go to the health centre, the first person you would see would be a nurse. And that nurse would be the one who judged, really, whether you needed to see the doctor or whether they were able to treat you and send you on your way.

It is, in many ways, a very, very efficient way of operating our health care system. As I say, in rural areas it really can meet the needs of rural communities. It can provide the health care coverage that many small rural communities need. It can provide the backup so doctors themselves, if there are doctors there, can ease off a little.

I talk about my constituency. In Port Hardy there's been a big flurry recently because there were fears that the emergency room was going to close permanently in the hospital in Port Hardy. That was because the doctors really couldn't manage being on call all the time. They're working. They were running their clinics and they were expected to be at emergency. They were working sometimes all night long. They were working almost like a drop-in clinic when they were on call at the hospital.

It is extremely stressful. If you have nurse practitioners who have more ability to do more practice, it'll take that level of stress off. It will also, as I say, work in isolation. But if they are working in a doctor's clinic in a very integrated way, they can take some of the load off the doctors. They can make sure the doctors will be able to spend more time with their patients, not necessarily seeing more patients.

I think that if we're looking at a model where we had more health clinics in rural communities — and in urban centres but definitely in rural communities — where nurse practitioners were part of a team of health care professionals, they are there, able to provide that service. As I say, it really is a very efficient way of providing health care.

To be quite honest, we keep hearing many, many calls many, many times about the soaring costs of health care and how we're never going to keep up with health care costs. Nurse practitioners are a way of ensuring that our health care costs don't skyrocket.

They are very much the people who can be there, on a salary, providing a service for patients in a way that will take off some of that burden. It will mean that the doctors are able to give more quality time to the patients who need it, and we'll start seeing a balancing out.

I think it is really just an excellent way of dealing with health care and with health needs — some of the areas that doctors don't have to deal with — that nurses are quite capable of dealing with, are well trained to deal with, have a lot of experience to deal with and have a manner, many times, that is more compatible to patient needs than doctors. You know, you have oftentimes an easier relationship with a nurse or a nurse practitioner.

In so many ways, the nurse practitioner is going to be very beneficial for the communities, very beneficial for the health care system, and I think very beneficial for the structures as we are progressing and trying to deal with the difficulties as we go forward.

I am not going to belabour the point. I think that changing a number of statutes that this act changes is going to be very important for health care provision — particularly, health care provision in rural communities. I'm looking forward to seeing health authorities embrace this measure and encourage the use of nurse practitioners.

I represent the Island. I hope that the Vancouver Island Health Authority will take this seriously and ensure that

it gets nurse practitioners out to many of the rural communities, not just selecting specific communities that they think will be a fit but talking with communities and working out where they will fit best, talking with doctors' practices and seeing how they can be integrated into doctors' practices, and ensuring that we really do get a comprehensive system of health care where we're not just relying on doctors and fee-for-service but do get a basic levelling of the playing field so everybody can have access to quality health care no matter where in the province they live.

This is a right under a public health care system — that everybody has the opportunity to have high-quality public health care. And if that's provided by a nurse practitioner, I think that's going to be great for the people of B.C., particularly for people in the communities I represent.

[1655]

D. Hayer: I'm also honoured to speak in support of this important Bill 10, introducing changes to fully allow nurse practitioners to practise in the health care system.

I've been hearing from my constituents, and they always say that you should allow all the professionals to fully utilize the skills they have learned, and that will be good for everything. In this case, it's going to save a lot of money. At the same time, it will make the nurses really happy and provide better service for our constituents.

Nurse practitioners play an important role in the health care system to care for patients when doctors are not necessary. This bill was first introduced in B.C. in 2005. The nurse practitioners fully fulfil the additional role in the primary health care system for chronic diseases and disease prevention and health promotion.

They are RNs, registered nurses, with additional education at the master's degree level, and they have an expanded scope of practice over the traditional RN roles. Some people call them supernurses. They are not doctors, but they are great nurses who can help the health care system. In many of the rural areas it makes a huge difference, because they are there and can look after the patients when they don't have doctors available.

Currently B.C. has 45 nurse practitioners graduating, as was stated by my colleagues before. There are 15 at UBC, 15 at UNBC and 15 at UVic. There are more than 210 nurse practitioners in B.C. as of October of this year.

We are graduating nurses not just in Vancouver, but up in the Prince George area, also in Victoria and the Vancouver area. That allows the students to live in the area where they grew up, and they can hopefully work in the area where they get their education. That allows us to have our health care professionals all over the province. They have worked in that area and done their practical experience in the area, and they have done their education there.

These changes introduced today will provide British Columbians with more options when seeking medical opinions and will improve access to a variety of government programs, including those involving mental health and justice systems. By removing barriers, we are allowing nurse practitioners to work within their full scope of practice.

Following the principles of open government, the changes being discussed today are based on consultation with nurse practitioners about how they can play a bigger role in the health care system. These changes contribute to a more effective, efficient and cost-effective system for the patients and the providers and British Columbians.

Our government did a good thing by setting up nurse practitioners, and today we are building on our success. My constituency of Surrey is one of the fastest-growing cities in Canada, which places a strain on services like health care. This solution will help and go a long way to providing excellent health to my constituents.

Our government is committed to meeting these challenges through initiatives such as the well-known.... We recently opened the new Jim Pattison Outpatient Care hospital, which was opened this year. Also, the construction of a new eight-storey emergency tower under construction at the Surrey Memorial Hospital is another big solution for us.

It is important to note that our government has doubled the number of doctors graduating here, and our government has more than doubled the number of nurses attending university here.

So this bill goes a long way to helping health care. This bill is just another step we are taking to ensure that British Columbians have access to world-class health care, and I encourage all members of the House to support it.

It was good to hear both members of the opposition who spoke. They also supported it. And I want to congratulate the Minister of Health for listening to our constituents and nurses by making these changes for the nurse practitioners.

[D. Black in the chair.]

M. Mungall: It's a great pleasure to be able to rise today on what I hope will be the beginning of steps taken by this government to increase the use of nurse practitioners throughout British Columbia.

[1700]

Many of the other members have already spoken to the benefits of nurse practitioners. So let me add my comments to that as well. Nurse practitioners provide an excellent practice and opportunity for patients to get a little bit of extra health support than what they might be able to get from a general practitioner, from their physician.

Of course, by no means am I saying that the work of general practitioners is less than that of nurse practitioners, because they in fact work together in many, many clinics.

For example, a nurse practitioner would be able to work with somebody for about a half an hour, let's say, instead of an eight-minute time frame, because they're on salary, not fee-for-service. In that half an hour, say, if someone has diabetes or chronic pain or multiple sclerosis, the nurse practitioner is able to work with them to develop a long-term health plan for health management rather than just reacting to day-to-day illnesses that can come up with somebody who has diabetes or chronic pain or multiple sclerosis or a variety of issues.

Nurse practitioners provide excellent primary care. They're able to do that prevention, which is so critical to long-term wellness. Nurse practitioners are also, because they're on salary, able to do home visits so much more than many general practitioners are able to do. In fact, I know that nurse practitioners throughout British Columbia have been able to do exactly that — provide home visits to people who for whatever reason, due to their illness, are not able to leave their home.

Nurse practitioners are able to go there and provide that extended time of service that, of course, benefits that individual's health tremendously and, of course, eases the concern and the care for families as well.

Furthermore, nurse practitioners, in working with GPs, are able to provide.... For instance, your primary health provider might be a general practitioner. However, your general practitioner might not have the time or the primary care expertise that an NP in their office has. They're able to defer to the NP and ensure that their patient has that expertise available to them when we have NPs in family practices.

This bill allows that scope of practice to be expanded. Of course, it is only targeting 12 pieces of legislation. The BCNPA and the College of RNs are looking at a broader scope. They're looking at, actually, 40 pieces of legislation to fully develop nurse practitioners' scope in this province. So I do hope that this is the beginning.

Another reason why this needs to be the beginning is, of course, that nurse practitioners have such a tremendous role that they can play but yet aren't playing currently in the health care system. The member for Surrey-Tynehead talked about how many schools are graduating nurse practitioners here in British Columbia. But the sad reality is that currently, right now, we only have 13 vacant positions for nurse practitioners, and yet we have 72 nurse practitioners looking for work.

Now, one might argue that we can be exporting our nurse practitioners. Maybe we don't need that many nurse practitioners here in British Columbia. But that's not the case at all.

Let's just take, for example, my constituency in Creston. The Creston Valley currently has about 2,000

orphaned patients. That's 2,000 people who currently do not have a GP or an NP as their primary health practitioner. Nurse practitioners, if we had them in the Creston Valley, could alleviate that, could actually take on a large bulk of those orphaned patients.

But despite incredible advocacy to the Interior Health Authority by the community, by myself, by municipal governments, nothing is coming forward from the Interior Health Authority because they can't get the funding for nurse practitioners from the Ministry of Health.

[1705]

So this bill is a step in the right direction, but it's not addressing some of the critical things that are happening, namely — for my constituents but, of course, for people all across British Columbia — in being able to access health care. Nurse practitioners could alleviate the pressure that's currently on the system. We need to be funding those positions so that instead of leaving 72 nurse practitioners competing for 13 positions, we actually have enough positions for those that we're graduating, who will serve the people in our communities who need them.

Like I said, this is a great step in the right direction to ensure that nurse practitioners are being able to practise to their scope. But another thing that we need to be looking at and the reason why we should be rolling out nurse practitioners is because they are actually a cost savings to the system. The reason they are that cost savings to the system is because they work, like I said, on salary. Because they work on salary and not fee-for-service, they have a set figure which we know we are paying them.

As a result, they are able to take on, let's say, 700 patients in a family practice setting at a lesser cost than what physicians often charge the province for. So it's a cost savings to the province. It also fills a gap that, especially in rural areas.... It's not like we're displacing physicians at all. In fact, in rural areas we very much struggle to get physicians out to our communities, to attract them.

Again, going back to Creston, they spent well over a year attempting to recruit physicians, and they still have 2,000 orphaned patients. We welcome our newest physician, who is joining us from Nigeria, who is just opening up his practice in Creston. But it took well over a year to attract him, and we had to attract him from Nigeria.

Meanwhile, we're graduating British Columbian nurse practitioners, and they have nowhere to go. We would love to have them in the Creston Valley. We would love to have them in Kaslo. We would love to have them in Salmo and Nelson, the major communities throughout my constituency, and I know there are places throughout British Columbia that would also love to have nurse practitioners, that are currently struggling to get physicians there.

We have huge opportunities with nurse practitioners. Again, this government has taken this step in the right

direction. I only hope, and I know my constituents hope, that they will continue on this path and make sure they not only address the legislative issues, so that we can allow nurse practitioners to practise to their full scope, but so that we're also getting them into our communities, and that we have funding in our communities so that we can alleviate the pressure on the system so that no patients are orphaned and yet we're doing it in a fiscally responsible way.

With that, I add my contribution to this debate, and I look forward to hearing other members' contributions to this debate.

D. Barnett: I'm pleased to stand here today to support this bill, and I thank the minister for bringing it forward.

I also live, like my colleague across the way who spoke last, in rural British Columbia. The benefits to rural British Columbia, having nurse practitioners, will make a big difference. As we all know, our populations are aging. Our geographics are huge, and retaining doctors in rural B.C. is difficult. Being able to have more nurse practitioners and to give them greater opportunities, I believe, will give greater opportunities for better health care in rural British Columbia.

My colleague across the way said there are 72 vacancies. From time to time there are vacancies, but not because there aren't the dollars and cents there to pay for these positions. It's that professionals sometimes do not want to go to many, many areas in the province of British Columbia, and that is their choice.

I totally believe opening this field up will once again open up our education system to train more practitioners. Therefore, you will see more people move around the province of British Columbia. Opportunities are there.

[1710]

If you read the act and what it does, this is basically a housekeeping act. The act currently does not contain a definition of "nurse practitioner." It will give nurse practitioners the professional act they have been waiting for, for some time.

Now, while a nurse practitioner may assist a midwife during labour, they are currently prevented from giving notice of the birth. The amendment streamlined the process by allowing a nurse practitioner to complete the necessary paperwork. In addition, under the amendments nurse practitioners are now permitted to examine a foundling in order to determine the child's date of birth.

Out in rural British Columbia this will be such a great thing for our citizens living out there. In British Columbia since 2001 the number of nurse training spaces has been doubled. Since 2001 there have been over 17,000 nursing credentials awarded. The government has invested \$190 million since 2001 in our B.C. nursing strategy to

attract and retain nurses and provided more than \$15 million in grants to over 4,300 students. Many of these dollars and students are now training or have trained and are practising in rural British Columbia, which is needed as rural British Columbia grows.

We all know that the mining industry is growing, the resource industries are growing, the oil and gas industries are growing, and the natural gas industry is growing. What a great, opportune time to have this come forward to this House so that we do have the health care people we need out there in these resource industries working side by side with our citizens.

"The College of Registered Nurses of British Columbia is pleased to work collaboratively with government and nurse practitioners to ensure that nurse practitioners can completely fulfil this expanded role." That is a validator for Laurel Brunke, CEO and registrar of the College of Registered Nurses of British Columbia, in a government news release October 31, 2011.

Another validator, on behalf of the B.C. Nurse Practitioner Association and as a practising nurse practitioner in B.C.:

"I am very pleased to see this legislation. Including the title 'nurse practitioner' in the amendments reviewed will enhance the patient's health care experience and ensures that patients' needs related to the practices and processes covered in the legislation happen in a timely, simplified manner. Overall, this action contributes to a more effective, efficient and cost-effective system for both patients and providers."

So says Lorine Scott, B.C. Nurse Practitioner Association president, government news release, October 31, 2011.

There are many, many challenges out there. But as we know, there are many opportunities — opportunities for growth, opportunities for training, opportunities for new jobs and opportunities to have these types of initiatives brought forward to care for the people of this province.

You know, we take a look at many acts. We look at the School Act. This amendment allows a nurse practitioner to issue a certificate permitting a student to return to school after being absent due to physical or mental health reasons. This gives officials and parents of sick students another option for faster decisions on whether students are healthy enough to return to school.

Under the Offence Act the change adds nurse practitioners to the list of health professionals on whose opinion a judge may rely when ordering a defendant remanded to custody for observation.

[1715]

I think that this act will do so many things, will open so many doors, will help so many different agencies and industries throughout this province take care of our most vulnerable. I think that we just move ahead and look forward to more exciting things day by day.

N. Simons: I wanted to say that I'm pleased to be standing in this chamber debating a piece of legislation

that I think is supportable. It's perhaps a long time coming, but we're grateful for it to be here now.

I think most people in this province will recognize that nurse practitioners have been providing a high level of medical care and medical services to citizens throughout the province, and now we can formally put into legislation some of the expanded jurisdiction of their practice, which I am sure they are entirely capable of and entirely qualified to perform. Some of the statements made by previous speakers with respect to possibly expanding the jurisdiction even further for nurse practitioners, I think, are very much worth future consideration.

I have two great-aunts who are both actually doctors. Both graduated in the nineteen-teens from Dalhousie. Their practice, as they described it in some of their letters and books that they wrote, was one that entailed a broad variety of medical attention and medical support in India and in the Charlottes, as they were travelling medical missionary doctors.

I have two aunts who are also nurses. I know from personal experience that speaking about medical practice.... There has been discussion around the expansion of nurses' roles for many, many years. It's not about a dispute between my jurisdiction versus your jurisdiction anymore. It has to be about what is best for the patients and what is best for the community. I think this bill does reflect in many regards what has been discussed and advocated for by people in the medical profession for many years.

I think that committee stage will afford us an opportunity to look at some of the specifics as they relate to people who are being admitted into mental health facilities, and a concern of mine is into the prison system. I believe we do need to make sure that none of the impacts of any legislation has a detrimental impact on patients or people who are requiring the services or the attention of a medical expert.

Having been the director of health services for a First Nation, I also am entirely confident in the nurses that I have come across and hired and had the enjoyment of working with, not just for their dedication to the community but, as well, for their knowledge of the community and their ability to connect with people in a way that is different from doctors and in a way that I think does sometimes reduce the barriers to access medical attention.

I think when we have a system that could ultimately be geared towards more preventative health and a more consultative approach to health care, there's no profession better suited than the nurses of this province. So I am pleased that their expertise can be recognized in the legislation before us today, Bill 10, the Nurse Practitioners Statutes Amendment Act.

Just to go through a few.... Not specifically but in general, we see a number of changes to other legislation, including the Correction Act and the Crime Victim

Assistance Act. That's a good example, actually. When we talk about people who have been victimized by crime, in many cases there are physical or psychological injuries that result. The requirement previously to only be able to get an opinion of a doctor in terms of whether or not a person should be able to access victim compensation.... I think allowing nurse practitioners to take part in that assessment is something that will alleviate some of the stress for people who have been victims of crime.

[1720]

I'm not suggesting in any way that they wouldn't have their needs met by seeing a doctor. But we can be quite certain that as we expand the number of nurse practitioners in the province, their access to those professionals would be faster and possibly more seamless. I think that on another, not necessarily related, issue it would also be something that would free up resources for specialties and expertise that can only be provided by a doctor.

Now, as has been mentioned by some of my colleagues, there are broader jurisdictional opportunities for nurse practitioners. I think we need to be discussing this issue, especially in light of the aging population and the need to address palliative and hospice care in our province.

I believe that there is a broad range of service, potentially able to be delivered by nurse practitioners, in the end-of-life period for people who are in palliative care and whose comfort and quality of life are based on how comfortable they feel. I think nurse practitioners are uniquely placed in the community, in many cases, to be able to address those specific needs. So that's one area where I believe we can pursue further changes as necessary.

I would want to point out that the concern, if there is a concern, is that we need to make sure that the medical profession has bought into this entire concept. If not, we need to ensure that the necessary information that could preclude that buy-in be provided to the medical profession so there isn't any lingering doubt as to areas of jurisdictional overlap.

The Medical Association may have some reservations, which I believe could likely be addressed through good, open dialogue. You know, the time for protecting turf, perhaps, is past, especially in light of the increasing demands on an already stressed system. That system's stress will only be alleviated by ensuring that those qualified to perform tasks are given the authority to do so, and I think because of that, this can be one of those pieces of legislation.

Let it be known that, although accused of being negative at times, I find myself in the uncomfortable position of having to agree with legislation put forward by the government. However, we shall see the degree of that support in committee stage — nothing personal, of course, Madam Speaker.

I do believe that the government has in this case taken the opportunity to listen to people who are expert in the

field and recognize that there is not just an economic benefit to support nurse practitioners' expanded scope, but there is also a social benefit to this.

I believe that when we think of nurses and we see where they are rated in the order of confidence of the public, we know that they are quite opposite to where politicians stand, but I think that's unfair. Nurses are highly trusted in our society, and they are because of the fact that they are often seen as expert professional medical service providers and are also closer to the community and, perhaps in many cases, they do see more people in the system than perhaps do doctors.

So on behalf of the nurses that I know and the people who get exceptional service from nurses, I believe that this is a good step, and I look forward to having the specific little concerns that I have addressed at the next phase of this debate, at committee stage.

With that, Madam Speaker, I thank you for the opportunity to speak about this issue, and I look forward to hearing other comments from my colleagues.

[1725]

J. Thornthwaite: I, too, am standing up today to throw my support behind Bill 10 for the nurse practitioners.

As a former dietitian who has worked in the health care system for 22 years, I am definitely in support of utilizing the expertise of health care professionals, not just in the rural but also in the urban areas, and really expanding and utilizing the scope that they're trained to do.

All the amendments, 12 amendments, are an excellent direction to provide not only more options for our health care system but options for nurses, for people who want to expand their careers, certainly their pay scales — hopefully, to increase jobs and really make the individuals more proud and a positive direction for their careers.

Most of all, it provides more options for patients. I think that that's the main goal that we want to do here: to make sure that our health care system is sustainable, viable and definitely available to everybody that needs it throughout the province. This bill will definitely help to move in that direction.

Nurses, as we all know, are very valuable members in society as well as in the health care role. I'm told that this is a very prestigious position for nurses and also a definite career objective for many students that are in school right now, in university right now, looking to further their expertise in health care. They do require additional training, and I think that's great.

Some communities — as has been mentioned by the member for Nelson-Creston as well as by the member for Cariboo-Chilcotin — particularly in rural British Columbia, have a real problem retaining doctors.

Maybe there are a lot of situations within a clinic situation where you don't need the expertise or the expense

of a doctor, and nurse practitioners can fill that role in a lot of instances. Certainly, they're not doctors, but they are highly trained professionals that will be able to fulfil many of the roles that may have been traditionally done by doctors because there wasn't a qualified individual there. I think that's great.

The other issue that I think is really important about this bill is that it proves that we're listening. I noted what the member for Nelson-Creston had said, because she had been on the Finance Committee with me in previous years. We had heard from nurse practitioners about the expansion of their scope. I think this also reflects that the government is listening and realizes that we need to expand the scope for these health care professionals, and that's what we're doing.

I wanted to comment, also, on what the member for Powell River-Sunshine Coast reflected on — that this is a reflection of many, many discussions that have been going on in the health care industry for many, many years. Again, we are listening.

So what exactly is it? Well, I understand that these 12 statutes really put... Or that what was happening before these statutes were going to be put in place... It takes away the restrictions of the scope that nurse practitioners are already qualified to do, so it provides the ability for nurse practitioners to fully engage in the health care system and to act both as effective first points of contact and as primary care providers for their patients.

The changes will provide British Columbians with more options when seeking medical opinions and improve access to a variety of government programs, including those involving mental health and the justice system. It will remove barriers and allow nurse practitioners to work within their full scope of practice.

We listened to the concerns brought forward by nurse practitioners about how they can play a bigger role in the health care system. It's noted here that already there have been consultations that have gone on with the B.C. Medical Association and other groups, as well as, obviously, the B.C. Nurse Practitioner Association and the College of Registered Nurses, and there will be further opportunities for discussion as standards, limits, and conditions are developed by the College of Registered Nurses of B.C., nurse practitioner standards committee.

[1730]

Our government started the first program in B.C. to train nurse practitioners in 2005. Right now we can train 45 nurse practitioners in a year, 15 each at UBC, UNBC and UVic, and as of October this year there were 210 nurse practitioners in British Columbia. So this is huge.

What are the statutes that will be amended to assist the nurse practitioners in their scope of practice? The Business Practices and Consumer Protection Act. This will give patients the option of having a nurse practitioner help with a contract cancellation. What about the Employment Standards Act? Changes would give nurse

practitioners authority to provide certification for pregnancy leave, including confirmation that an employee is ready to return to work, and parental leave and compassionate care leave. The amendments increase options for quality primary and community health care and support families during a critical time.

As was mentioned before, the Mental Health Act will also be amended to allow a director to admit a person to a mental health facility for up to 48 hours based upon a nurse practitioner's opinion. In addition, the amendments allow the police to take a person to a nurse practitioner for examination when the person is apparently suffering from a mental disorder and is behaving in a dangerous manner.

Changes with the School Act will allow a nurse practitioner to issue a certificate permitting a student to return to school after being absent due to a physical or mental health reason. This gives officials and parents of sick students another option for faster decisions on whether students are healthy enough to return to school.

And then the last one I'm just going to mention — there are 12; I'm not going to go through them all — is the Vital Statistics Act. While a nurse practitioner may assist a midwife during labour, currently they are prevented from giving notice of that birth. So these amendments will streamline the process by allowing a nurse practitioner to complete the necessary paperwork. In addition, under the amendments, nurse practitioners are now permitted to examine a foundling in order to determine the child's date of birth.

This is all a real positive direction for the health care system, for nurses and their career and, obviously, for patients. So I'm very, very happy to stand here and support this bill, and I look forward to listening to my other colleagues and what they have to say.

B. Routley: Nurse practitioners. The whole notion is being debated today, and I rise to support the idea that we move forward in increasing the ability to utilize nurse practitioners throughout British Columbia.

I have some personal experience, in that we had a family member who was a nurse, and I certainly remember her. Her name was Margaret Woodman Morrison. She passed away just a few years ago. Margaret used to actually come down and listen to the debates in this Legislature, but in her elder years I sat with her, and she reminisced about stories of the things she'd seen over her life.

She was a nurse here in Victoria for the last part of her career, but she actually saw action. She was in the Second World War. She was in England, France and Germany. In her reminiscing, she talked about the difficulties and how tough it was to deal with young men coming back from the front lines, in some cases with just horrific and catastrophic injuries that required either limb removal or dealing with, you know, serious burns in some cases to major parts of their body.

When they were in the field, there wasn't the opportunity on every occasion for the doctors to handle the sheer volumes that would come through the door. She talked about being pressed into service and that in that early part of her career she saw more of the major kinds of issues that you would have to deal with than she actually did later on in life. I remember, in her reminiscing, the discussions about how valuable it would be if nurses were more fully utilized to their capabilities and to the skills they develop.

I think the qualifications have to be there, and certainly, we have to be working with doctors and the medical profession to make sure that whatever issues or concerns can be worked out. I have, again, years of experience in dealing with a different kind of conflict, but in a way somewhat similar. I remember the issues about trade conflicts between, say, a welder or a millwright or an electrician. Everybody got a little nervous about anybody else doing what was perceived as part of their jobs.

As the economy changed and things became more difficult in the forest industry, people realized — and Harmac is an example of that — that they had to forget some of those old notions and now think about how we could work together, how we could actually work together to make things better for the individuals on the job and in their workplace and, certainly in the case of the economy, to actually improve the economy.

In this case we're talking about health care, and there is no question that all of the studies talk about a silver tsunami coming. I feel some days very much part of that silver tsunami that's coming. We know, looking at all of the demographic information, that...

Interjections.

B. Routley: Some of the members on the other side of the House are suggesting I'm right. So there's more agreement in this House. It's a wonderful thing.

But it's good that we are able to debate things and from time to time actually agree. You know, once in a while they have to get it right. It is just a matter of the balance of probabilities. If you go through enough things, once in a while something is going to fall from heaven as an actual good idea. Here we have one of them. I think nurse practitioners are a practical matter.

Back in May of this year, 2011, there were 72 nurse practitioners looking for work in the province of British Columbia. You may have heard the statistic that there were only 13 vacant positions while we had 72 people looking for jobs. I heard members on the other side say: "Oh, well, maybe that's not true, because some people don't want to go where it's cold."

Well, they may not have tried, and they certainly didn't post the vacancies, because I've heard, anecdotally at least, that people are leaving our province because the grass is greener on the other side. Certainly, we're going

to talk about that in a minute. I want to talk about what's happening with our competitors in the United States or, certainly, in places like Ontario, where people are starting to look at the option to more fully utilize the skills in the skill basket we need to use if we're going to solve some of the major problems confronting us as British Columbians.

Certainly, the regions throughout British Columbia that already are reporting a lack of enough doctors to deal with their issues — there are plenty of reasons for us to be concerned and to start moving forward with this. This is a good, at least, first step in moving in that direction.

I know that it's supported by the nurse practitioners. I think they had a longer list of items they would like to address. For whatever reason, the government, in their review of what was possible in developing this legislation, has limited the basket of rights and obligations for nurse practitioners under this legislation. But it is a good step in the right direction.

[1740]

Some examples that I've been given that it doesn't address are.... Nurse practitioners cannot provide options for the sake of employment and assistance for persons with disabilities under that disabilities act, and nurse practitioners cannot order a person to be placed in isolation under the Health Act. So there are examples of areas that could be worked on additionally.

In talking about what's happened here in British Columbia, I did a quick look on the Internet and took a look at what was going on with our largest competitor, to the south. In fact, I know that when I deal with forestry issues, whether it's the Minister of Forests or others, they have to pay attention to what is happening with our competitors to the south as well as other provinces and other nations.

But in this case I want to camp for a minute on the issue of what is happening in the U.S. This is important, I think, to the debate because it talks about where our major competitor is going in terms of opportunities for nurse practitioners. So in the U.S. they say that employment for nurse practitioners should be similar to that of registered nurses. The Bureau of Labor Statistics predicts that over the period from 2008 to 2018 "employment for registered nurses will grow by 22 percent."

Let's just think about that for a moment. They're obviously addressing the problem in the United States. They've understood, and they're trying to get ahead of that wave, that big grey tsunami that's coming, and they're looking at major changes to improve the number of nurse practitioners that are out in the field.

To be looking that far ahead, to 2018, and talking about a growth rate of 22 percent is indeed impressive, and it shows the kind of work we need to do. We need to sit down with all of the stakeholders and do some additional work on what is possible.

I have to tell you a little bit of a funny story. When I was a brand-new MLA.... And this is relating to right there in the Cowichan Valley. We have a health care issue. You know, I couldn't believe my ears. I got a phone call. This dear lady phoned me up and said that she was going to bring her bucket and mat to my office and that she wouldn't leaving until she got some action. I said: "You know, that won't be necessary. I'm here to help. What can I do?"

She said: "Well, I have MS." That, of course, took me aback. Then she said: "I have MS. My mother is dying of MS. My father has cancer. I moved to the Cowichan Valley from the Campbell River–Courtenay area." She said: "I've moved into this place, and I can't believe the way I've been treated by the medical profession right here in the Cowichan Valley, and I need help. It's ridiculous. It's the summertime; it's sweltering. I'm sick, my family is sick, and they are making me come in to the doctor at least once a week for something that I used to be able to get the medication for, for three to six months."

Now, this is just an example that I'm using. The context of why I'm telling the story is that this is an example of the kind of thing that by helping to deal with the issues in the medical profession that are already starting to bubble to the surface.... We're already seeing a rising number of shortages.

But in this case I said: "Okay." My staff said to me: "Have you lost your mind? You're going to go to the doctor's appointment with this lady, and what are you going to do?" I said: "I have no idea, but it is better than the bucket and the mat treatment here at the office."

So down I went. I took a few cards that said that I was an MLA with me to introduce myself, and we got to know each other there in the waiting room of the clinic, right in downtown Duncan. Sure enough, her dad explained his health issues, and she said she was so grateful that an MLA would take the time to come down and actually go with her and be there when she confronted an issue that she felt she was totally powerless to deal with.

So we went in, and I had no idea what to expect. I go into the doctor's office.... I'd given her my card. She sits up on the gurney, and I thought: "Well, I hope nobody is taking any clothes off or anything like that while I'm in here."

[1745]

I gave her my card, sat down in the chair. Her dad was there. Fortunately, I knew the door was right there, and in comes the doctor. Lo and behold, it turns out it's a locum from India. I said: "I need to talk to somebody that's in charge of this clinic." So I did, and I said: "Look, here's the problem."

I talked to the head of the place, and I can honestly say that this was the first time I discovered that MLAs really do carry some kind of swat in the community — that people actually were interested that their MLA was there. The clinic suddenly.... Everybody came rushing to see what was going on. Why was this MLA hanging around their clinic?

In came the head of the clinic, and he said: "What's the problem, Mr. Routley? Why are you here?" And I said: "Look, I'm not a medical professional. I have no idea about medical issues. I'm not here to suggest that. But," I said, "I am interested, and I am concerned why somebody would be moving to our area and why when they lived up-Island they could get their medication for three to six months, and now they come to the Cowichan Valley, and for some strange reason, they're being brought in once a week."

It turned out that there was a little visit in the hall with the locum and the head of the clinic. The doctor came in, wrote out a prescription for six months, and this woman jumped off the gurney and grabbed me and gave me a great big hug. And I thought: "Man, I'm gonna like this job." All my years representing forest workers — I could get them a dollar-an-hour raise, and nobody jumped up and down and gave me a hug. I can honestly say that that never happened, so there's a big difference between that.... I thought: "Hey, this is pretty good."

Anyway, my point is that there's an example of the health care system. And it was just a small problem — you know, a small issue — but at the end of the day it helped, and every little piece.... It is those little pieces. It's getting those nurse practitioners so that they can fully utilize the basket of skills that they have to assist.

I would like to sit down with any doctor. In fact, I hope there's a doctor that will listen to this, and I would like to say to them: "We need you. Doctors are in short supply. You have nothing to fear." You know the old speech about nothing to fear but fear itself. "If you're a doctor, you have a job security plan like no one else in the country because you are...."

Actually, we're very concerned about the number of doctors, so having nurse practitioners can help us fill that gap. I am excited that we're moving forward with some ideas on what we can do that make some sense. And when you look to the south, it's fascinating to me to actually see what all they have and the kinds of job description, if you like.

On any job there should be a job description. What they have to say is that a nurse practitioner.... I can see this would kind of scare people, the idea they would be somewhat just below physicians because they have the ability to do a lot of the work that doctors do. They have close personal working relationships with physicians. They can perform many of the same tasks and can do a lot of diagnosing. They can deal with improving patient health and performing medical examinations and more.

Anyway, with that, I wanted to take an opportunity to say a few words about this. There's a lot more I could say, but time is limited. I look forward to supporting this bill.

B. Bennett: Well, hugs actually do have medical value. There have been many studies done on that, so I agree with the member for Cowichan Valley that hugs are a positive thing.

B. Penner: It depends from whom.

B. Bennett: "It depends on whom," says the member from Chilliwack.

[1750]

Hon. Speaker, it's my pleasure to support the bill today in second reading. I may or may not be the last government speaker. I think that members on both sides of the House have already spoken to the specifics of the bill and have, for the most part, I think, celebrated this piece of legislation. It obviously enables nurse practitioners to work to the fullest of their training and the scope of their training. We obviously, as many members have said here today, need more nurse practitioners.

I note that Ontario started training nurse practitioners in 1998, and they're up to 800. Had we started in 1998, we might be up to a larger number. In any case, we need to train more. There's no question about that.

I hope that in addition to training more nurse practitioners and in addition to enabling them to work up to their full scope of practice, we'll actually have a look, as time goes by, at extending and enlarging their scope of practice, because I believe there are more things, in fact, that they can do and take more of the burden off our physicians in the system.

What I do want to do here today, because I consider this to be an opportunity, is to talk about an issue that this bill brings up, because it's about making the health care system more effective, more efficient and more sustainable. I want to just briefly raise the issue about the sustainability of universal health care in Canada.

I know that both sides of the House support universal public health care in Canada, and I also know from experience — I think we all do — that when one side or the other starts to talk about the challenges of sustaining the system, it often deteriorates into a partisan debate, which is unfortunate because that part of the debate should not be partisan. We should at least all agree that there is a looming issue ahead of us with regard to the sustainability of health care in Canada.

The previous member talked about the grey tsunami. He's absolutely bang on. Every province in the country is wrestling with annual deficits. I don't think anybody is out of the red right now. Every province except Alberta is increasing its accumulated debt.

Yes, it's a cliché, but like many clichés, it is true. My kids, my children and my grandchildren will have to pay this debt off. While they're trying to pay that debt off or at least come to grips with it and balance the cost of that debt, they're going to be asked to pay the cost of looking after my generation as we age and live longer and longer.

There are, I have noticed, a few members, not very many, in this House, who I might call young, like the member for Nelson-Creston and also the Minister of Agriculture. There are not very many of them in this

House, and there haven't been that many in the time that I've been around here.

These relatively young people will be dealing with the debt that we've created over the past 30 years while they are paying for me and my baby boom colleagues, hopefully anyway, to receive the care that we require as we nod off into sublime forgetfulness and diaper changes.

I listened on the weekend to the president of the TD Bank, Mr. Ed Clark, on CTV's *Question Period*. The TD Bank is the sixth-largest bank in North America, and he obviously is a very capable and experienced individual. He was asked by Kevin Newman on *Question Period*, in the context of a discussion there about managing public debt and the European crisis, whether "our politics is capable of tackling these difficult issues."

Somewhat to my surprise, the president of the TD Bank started to talk quite passionately and quite frankly about the cost of health care in the context of international debt and debt of provinces, debt of nations. He referred to "a cone of silence" around the cost of health care. Mr. Clark said that politicians in Canada "don't want to touch certain issues."

[1755]

So when somebody with Mr. Clark's experience and his understanding of macroeconomics says on national television that he's worried that politicians are not willing to face up to the consequences of this inexorable annual growth of health care costs, it actually inspired me today to come in and, yes, celebrate this piece of legislation, because it will release physicians to practise up to their level of expertise, while others do what physicians don't need to do. But I think we should see this act as another step forward in making our health care system more efficient and more sustainable.

We have, I'm proud to say, in B.C. earned the honour of having some of the best surgical outcomes in the country, the longest life expectancy, with one of the lowest, if not the lowest, per-capita expenditures on health. I think we should be proud of that. I think that is the right direction. There has been an enormous amount of work done by successive Health Ministers and cabinets in the ten years that I've been here, but it's, frankly, not enough.

We have to continue to find creative ways to address the challenge of unsustainable health care cost growth. I believe it is our moral duty to our children and to our grandchildren. We need to drop the partisan politics around this particular issue, this big issue of health care costs. We need to have a rational discussion about how we are going to sustain the system that we all rely on and that we all care about in this country. We'd better start having that discussion today because, frankly, what we're doing right now, today, not only in British Columbia but elsewhere across this country, is not sustainable.

C. James: I rise to speak to Bill 10, to speak to this bill, in support of the direction that it's taking, in support of

adding to the health care system, not taking away from the health care system. I know other colleagues have spoken about the worry that's there, that nurse practitioners will move into areas of practice that others have in the system, but I want to speak today from personal experience about the fact that nurse practitioners add to our medical system, not take away from our medical system. There's certainly enough room in the health care system for all health care providers to be able to provide good-quality service.

I said I'll speak from personal experience. That's because I have the good fortune of having grown up in a community that was one of the leaders when it came to creative ideas around a medical practice and community involvement in health care, right here in James Bay, which is a part of the community that surrounds the Legislature and a part of my riding of Victoria-Beacon Hill.

Back in the 1970s there were a number of groups in our community that were talking about how to involve the community more in decision-making. Whether it was in the education system, the health care system, municipal government or zoning, folks wanted to be involved. I feel very fortunate that I live in a very active, involved community that doesn't just say: "Provide us our service." This is a community that says: "We have ideas. We have solutions. We have approaches. We want to be involved in how to provide that community service."

So in the 1970s groups got together. The James Bay Community Association, the James Bay Community School and, in fact, the government Human Resources department of the time got together to say that there was a need in our community to look at medical services and how we could do a better job of providing medical services right here in our community.

They came up with an idea that was supported by the government of the day, in 1975, to put together a community resources board, which then created the James Bay community health clinic. There were four resources boards around the province that were created that actually had community members involved in them, that helped look at how you provided social services in a community and how you provided health care in a community.

I'll come back to the nurse practitioner piece, because this does relate to Bill 10 and the issue of nurse practitioners. One of the exciting things that happened with the creation of that resources board was a community health centre that had doctors and nurse practitioners working together to provide quality care to the people in the community. I had the good fortune of being one of the early patients of that community health centre in the late 1970s after my daughter was born in '79.

[1800]

Our family received our health care from a nurse practitioner for most of my kids' growing-up years. Back in the 1970s nurse practitioners were not common. It

was not a common thing for you to receive your health care, and your primary health care provider was a nurse practitioner.

I'm here to say that we could not have received better service and better health care service than my family received from a nurse practitioner. So I am a huge supporter of looking at opportunities to include nurse practitioners as part of the practice.

My kids are pretty healthy, and as they were growing up, they had the usual kind of child ailments of ear infections or throat difficulties. We in fact saved the health care system. This is not simply just an issue of good-quality service. We saved the health care system because my kids saw the nurse practitioner.

They didn't need to see a doctor for a simple ear infection. A nurse practitioner was there, provided the quality service, took the time that they needed. My kids got to know a regular practitioner on a regular basis in our community health centre. There was never any fear for my kids of heading off to the doctor's office or having to see someone, because they knew the nurse practitioner was there. The nurse practitioner was going to take the time that they needed and was going to provide good-quality care.

So through their growing years, that was their primary care giver, a nurse practitioner. For my family, it's an odd thing for people to be complaining about nurse practitioners coming into a system and wondering what that will do to our health care system. I'm here to tell you I know exactly what it will do to our health care system. It will expand it. It'll expand opportunities. Bill 10 takes a step to looking at how to offer more choices to people in the health care system and good-quality care.

What I've also seen over the years, as one of my daughter's friends became a doctor — which is a very strange experience to have a friend of your child become a medical doctor... I have to say, Madam Speaker, it makes you feel a little old when you reach that experience of someone who was there playing with your kid when they were little and who now becomes a medical doctor.

What I've seen in the medical doctors who are coming into the system are young people who've grown up in the team environment, who've grown up through school, working together. The school system, for kids who grew up through the '70s, '80s and '90s, raised our kids to learn to work in teams, learn to work together, learn to work across disciplines.

[L. Reid in the chair.]

So you now have a group of young people coming out of the medical system who are doctors, who don't find it unusual to work in a team, who don't think it's unusual to have a clinic where you may have two or three doctors, a nutritionist, a nurse practitioner, all together, as part of the practice that's there.

It might have been back in the '50s and '60s, very unusual to see doctors who were either working in teams or working together. As I grew up, you tended to have a doctor in a doctor's office that you went to see. It was the one practitioner. They worked on their own. They managed their practice on their own. I think that's shifting.

I think this bill goes some way to encouraging that kind of shift and encouraging the support of the young doctors you see coming out of the system, who are keen and eager to work in that kind of model, who are ready to work in a model of teamwork, who understand the strength that that brings.

The other strength I see in Bill 10 and in the move to expanding the scope of nurse practitioners is the opportunities that it provides particularly for rural communities. Having lived in Prince George, having worked with rural communities up and down Highway 16, I've really seen the challenges there for those rural communities in being able to get health care providers, in being able to have doctors who want to live in those communities, in being able to recruit practitioners to those communities.

I think a nurse practitioner — not to take away from the doctors, not to remove the importance of having a doctor in a community... I am certain that most rural communities I go to would tell you that they want a medical doctor there and that a nurse practitioner isn't going to replace that medical doctor. But a nurse practitioner can add to the support for that medical doctor.

What you hear often from doctors in rural communities is that they're exhausted. They don't have the support they need. They're often the only one on call. They're working five days a week. They're managing a medical practice. They may be filling in, in the emergency room. They're also filling in on weekends, and they're absolutely exhausted. They're happy to stay in those rural communities, but they need help. Oftentimes you see those doctors end up resigning their positions, because they just feel they can't keep going on with the hours that are there.

[1805]

Something like Bill 10, a move to expand and add nurse practitioners to a practice, would just provide that extra support, would provide that extra body in an office — someone who could provide the expertise and could support the medical doctors that are there.

The other strength I've seen from the small rural communities that I worked with, the First Nations communities up north, is the ability to have a practitioner go into the community. A lot of those communities don't have a lot of trust in systems, whether it's the education system because of the residential school model or it's the medical system.

To be able to have a nurse practitioner who gets to know the community — who, hopefully, over the years will perhaps be someone from that community, who's

worked in that community, who's lived in that community — and to have that individual travel to a community and provide that kind of support in that community will make a huge difference. They'll be able to build that trust. They'll be able to provide the kind of early intervention that's necessary.

I think that's the other strength in this bill and in looking at nurse practitioners as an additional support to health care. It's the opportunity for a nurse practitioner, a way a medical doctor can't because of their scope of practice and because of the need for them to cover so many more things.... A nurse practitioner has a chance to be able to take on some of the chronic challenges we face in the health care system in a way that will save us resources and in a way that will provide good-quality care.

Nurse practitioners can take on, for example, clinics for patients who have diabetes and may need regular maintenance. There's an opportunity for a nurse practitioner, and that happens in some communities — a chance for a nurse practitioner to be able to provide the kind of support that a doctor with a day-to-day practice doesn't have the time to be able to do. That's a critical piece that would really expand the opportunities for nurse practitioners.

Now, this bill doesn't solve everything. There are going to be issues, I'm certain, over the implementation of this bill, around resources. That's one of the biggest challenges. We saw it right here in the clinic I go to, the Community Project. We saw it with resources for a nurse practitioner. Without having any kind of billing system, without having any kind of ability to access resources in the health care system, those dollars are often squeezed from other things. It means that if doctors' offices or others want a nurse practitioner as part of their practice, they have to give something up, have to look at how they use the already stretched resources to be able to provide for that additional practitioner.

So a piece I certainly will be interested in hearing the minister's discussion on as we get into the detail on this bill will be exactly that. What do the resources look like? How are doctors and practices going to be able to expand to include a nurse practitioner as part of their practice? How is that going to be possible within the existing health care system that is really run on a fee-for-service model and those who have billing, bill, and those who don't aren't able to? So that's a piece that I think will be important for us to hear about as we get into the details of the bill. But I think that from my perspective, only positive things can come from looking at expanding the practice.

Just to speak a little bit about the issue of seniors and the aging population, because the member before me was mentioning the issue of seniors and the challenges we face in the health care system. The strength of Bill 10 and the strength of nurse practitioners is that you have

an individual who can work with all generations. Nurse practitioners can be the ones there to assist with the babies as they enter the world, and the moms, and support them. They can also be the ones there to spend the time that's needed with seniors and their families as they try and navigate the system.

One of the big challenges we're going to face with seniors is the challenge of how to navigate a difficult system. Anyone who has spent time with families who are looking for long-term care or who have a loved one with Alzheimer's.... Trying to navigate the system and find your way through it is a huge challenge.

If they have a doctor's office that says, "You bring one concern to me, and you have 15 minutes of your appointment to do that," that makes it very difficult for a family that's already feeling stretched, already feeling stressed because of the difficulties they're dealing with, to be able to manage that.

[1810]

If you bring in a nurse practitioner, you have the opportunity to expand the time in the practice, to expand the opportunities within the practice and provide good-quality care. So the real strength of that nurse practitioner is the ability to work from the beginning to the end of the cycle and to provide support not simply to the patient but also to the families as well.

Although, as I said, I expect there will be some challenges around the implementation of scope of practice and debates about medical practitioners versus nurse practitioners and how you divide the duties that are there, I would hope that wouldn't prevent anyone from recognizing that nurse practitioners add to the system. They don't take away. They add to a medical doctor's practice; they don't take away.

I wouldn't expect there would be anybody who would speak to this bill who would say there shouldn't be medical doctors in the system, that we could do everything with nurse practitioners. Nor do I believe that you should be looking at a system that has simply nurse practitioners and no medical doctors. It's critical that we look at having a range of health practitioners.

The other piece that's a real strength in Bill 10 is the opportunity for people who are more engaged in their own health care to be able to work with a nurse practitioner to put a plan together to address that. It's one of the areas, if you look at research in health care, that people talk about as one that everyone needs to move on.

No longer is it the day when you go into the doctor's office and simply listen to the doctor tell you exactly what you need to do, and you go off and don't think about it again. It's important for all of us to be proactive around our own health care — whether that's exercise, prevention or in fact looking at the options that are there for treatment of diseases or challenges that people may have.

I certainly found, when I went through my own cancer treatment, that to be your own advocate is critical. The information is out there, and you need to be able to spend the time to go through that. But you also need, as I found, someone to help guide you through the system so you're not on your own, so you're not doing this by yourself.

Again, that's a real opportunity I see with nurse practitioners. Because they don't have the same scope as physicians, because they don't have the same day-to-day pressures, you actually have appointments that you can take more time to be able to talk through those issues.

The other part of Bill 10 that speaks to the scope of nurse practitioners to look at things like mental health and be able to help people who want to navigate the mental health system — to be able to be checked in and get the kind of support they may need in a mental health facility — again, is a huge plus to communities that are really struggling with providing supports to people with mental health and addictions.

It's a huge pressure on our health care system. It's a huge pressure on emergency rooms around the province. I'm sure other members have seen that as well. That's not a good use of resources, and it's not good service for people who are struggling with mental health or with addiction issues to be stuck in an emergency room, waiting in that emergency room to be seen. That's not good-quality service for them. That's not a good use of our resources.

Well, if we're able, through the expansion of the scope of practice that's outlined in Bill 10, to provide opportunities for more community health supports that could be there for people who are on the street, people who may be in supportive housing, to be able to address their challenges before they become a crisis so you keep them out of the emergency rooms, again, that's going to provide good-quality support. That's going to ensure that resources are saved in the system, and that's going to be a plus for individuals in our community. When we take a look at the challenges of people living on the street and look at the challenges we face right now, that could be nothing but an additional support when it comes to nurse practitioners.

I'm looking forward to the specifics and the discussion around the specifics of how this will be implemented. I think there are some real strengths in this direction. I would hope that this will be an opportunity for us to be able to look at health care as a range of professionals.

[1815]

There have been many people who have talked about alternative health care and the importance of including alternative health care in our health care system, whether that's acupuncture or traditional medicine. I don't think any of us, as we look at how we provide in our health care system, should be afraid of looking at other practitioners moving into the system, that we should be afraid

of closing the door to traditional medicine the way we've always done it.

I think those of us who grew up in the '50s know that times have changed. It's important for all of us to expand our view of what a health care system looks like in hopes that that will include things like acupuncture, nurse practitioners, other practitioners and traditional medicine.

Certainly, I saw living up north the use of First Nations medicine. I've seen it in my husband's own family as his mom passed away from cancer — the importance for their family of making sure that their traditional medicine was also included as part of the health care system.

We would not have traded the hospital being there. We would not have traded that bed for hospice that was there. We would not have traded the importance of the regular health care that was there. But for their family, it was also important that the traditional medicine be included as part of health care. So I think this is, as I said, nothing but a plus to expand our health care system.

I hope it's the start of support from more nurse practitioners, having experienced it personally, having seen the strength of nurse practitioners and having met with a number of nurse practitioners last year who came out of being educated here in British Columbia and have gone to work in Ontario.

Ontario has done a big push around nurse practitioners and has expanded the opportunity for community health centres with nurse practitioners there. All but one of the last set of nurse practitioners that I talked to said they were being actively recruited by Ontario while they were in school here in British Columbia.

Well, I would hope we'll be able to use the strength of the individuals that we train here in British Columbia, the infrastructure and the resources that we provide to those individuals in training them as nurse practitioners, that this would be the last year they would have to leave to go to another province to be able to practise.

I would hope that with this bill and with the opportunities over the next number of years, we'll actually see those nurse practitioners staying right here in British Columbia, offering their expertise right here in British Columbia, because those people went to school here for a reason. They want to stay in British Columbia. They want to offer their support in British Columbia. Many of them have specific training in geriatrics or in early childhood, and those are the individuals we want to make sure that we maintain right here in our province.

I look forward to the discussion on this bill. I look forward to the implementation, and I look forward to expanding the opportunities in health care in British Columbia. It's not only good for the economy. It's also good for individuals, it's good for our communities, and it's good for families when it comes to practice.

I know that personally. I feel very grateful that I've had a nurse practitioner as my health care provider for most

of my kids' life and most of my later years. I've found it a good practice, and I would encourage other people to take a look at that.

M. Stilwell: I also rise to support Bill 10, intituled Nurse Practitioners Statutes Amendment Act, 2011.

Although I'm sure other speakers have covered some of these points, I think it's important to reinforce that nurse practitioners were introduced in B.C. in 2005 to fulfil additional roles in areas like primary care, chronic disease, disease prevention and health promotion. They are registered nurses with additional education at the master's level and have an expanded scope of practice over the traditional RN role.

We started the first program in B.C. to train nurse practitioners in 2005. B.C. can train 45 nurse practitioners a year — 15 each at UBC, UNBC and UVic. As of October 2011 there were 210 nurse practitioners in B.C. Since 2005-6 the province has provided combined base and one-time funding of \$62.6 million to health authorities for nurse practitioner positions.

The acts being amended by this act are numerous. I just want to touch on a couple that I think offered an insight into barriers or restrictions that are outdated and not helpful and that are small pieces of the provision of health care that don't require an MD and are completely appropriate.

For example, the Business Practices and Consumer Protection Act will allow the patients the option of having a nurse practitioner help with contract cancellations. In rural-remote areas where physicians are unavailable or certainly do not need to be spending time doing those kinds of things, this will be very helpful.

[1820]

The Correction Act will allow nurse practitioners to certify the health and fitness of their patients. This will improve efficiency in the judicial system by expediting the process for persons in custody. The Crime Victim Assistance Act and the Employment Standards Act, to name a few, will clearly update outdated barriers to full practice by these talented practitioners.

This is an important piece of a good health care system, and although B.C. has led, we're not alone. Certainly, as the member from Beacon Hill indicated, there's a growing role for nurse practitioners not just in B.C. but across the world. The *New England Journal of Medicine* this January had an article called "Broadening the Scope of Nursing Practice."

To just quote and paraphrase, it's clear that health care reform "must slow the growth of health care costs and improve value through...reforms." Some of these savings "will derive from implementation of innovative models of care" that can "bridge the gap in primary care and develop new approaches to care delivery."

Clearly, to do this, all health care providers "must be encouraged to practise to the fullest extent of their knowledge

and competence," including "establishing standardized and broadened scope of practice for advanced-practice... nurses, like nurse practitioners."

"Primary care services — such as wellness and prevention services, diagnosis and management of many common uncomplicated acute illnesses and management of chronic diseases such as diabetes — can be provided by nurse practitioners...safely and effectively."

We're now working to make sure that "primary care services can be more effectively provided to more people with the use of the full primary care workforce." Nurse practitioners can work initiating care and collaborating with other health care professionals. They can be found in a variety of community acute care and long-term care settings including community health centres, nursing outposts, specialty units, emergency departments and long-term care facilities, depending on their training and experience. They have a role working collaboratively to best use their nursing background, nurse practitioner education and nursing skills.

To quote from *Vision Science* from November 2010:

"Family practice patients and those from other specialties who are too complex should be seen by a physician, not an NP, but there are clearly situations where physicians refer patients to NPs who need more counselling, teaching, transitioning and just plain time. Experienced NPs suggest the best-case scenario would involve them as part of a multidisciplinary primary care team. The role would include assessing and treating common, acute and chronic problems and conducting wellness checkups."

As has been said by other people, it is true, too, that the education system is preparing health care providers of all types to work effectively as teams. In fact, today Dr. Nasir Jetha, president of the BCMA, said: "We welcome other health care providers to take care of patients as part of the multi-disciplinary team." He agrees that we want to work to be leaders, to innovate and fully involve all of the health care providers, and that physicians want to work to ensure that we all have a clear understanding of the roles and skills that help nurse practitioners bring their valued skills to the scene of health care.

I think previous members talked about their own personal experiences. It's clear that patients want to have more choices, they want to see nurse practitioners, and they want to have all their care providers be part of a health care team. Effective implementation of new delivery models, providing chronic disease management and transitional care requires the establishment of interdisciplinary teams, and this is something that we can lead on in B.C.

This is just a beginning step, as I've said, that we started in 2005. Nurse practitioners are part of a young profession, a young branch of an old and esteemed profession of nursing, and we in British Columbia have the opportunity to lead to ensure that they are allowed to reach their full potential to help.

We know, even in other countries such as the United States, that expanded scope of practice and team-based

approaches including nurse practitioners have been shown to improve both quality and patient satisfaction in institutions including the Veterans Administration health system and Kaiser Permanente. Clearly, we are starting something important and have an opportunity to include nurse practitioners as a part of an outstanding care system.

[1825]

I'd also like to say that there's an opportunity here to develop research and data around how expanded scope of practice can lead to better care and better savings. In fact, there have been few studies about the benefits and limitations of nurses taking on wider aspects of clinical roles, and I suggest that British Columbia and the nurse practitioner programs are a perfect place to do that.

Other speakers have also talked about the importance of making it economically viable to employ nurse practitioners in a general practice. General practitioners face challenges in trying to find the most efficient and effective mix of professions in a general practice. People have also spoken about the difficulties of being a solo general practitioner and the value of having team members who can help and support them. Efficient and effective health care will be provided as we figure out the actual care needs of populations based on their needs and the mix of professionals that can best provide for their needs.

In conclusion, I think this is an important piece of work that contributes to an improving health care system. I think it's just the beginning of an outstanding role for a group of professionals who have much to contribute, and I'll look forward to seeing this develop over the next few years.

Deputy Speaker: Seeing no further speakers, the Minister of Health closes debate.

Hon. M. de Jong: As always, I'm obliged to all of the members of the chamber who participated in the discussion today.

[Mr. Speaker in the chair.]

I recall one member of the House, I think a member of the opposition, professing a certain measure of discomfort at the degree of unanimity that seems to exist. My own view of that is: let us not lament the fact that the symphonic Legislature sounds as one. The beautiful music won't last, but today it has. That's a good thing, and I'm gratified by what I have heard.

Probably — more importantly, I think — nurse practitioners are gratified to learn via this chamber the measure of support they enjoy for the work they perform on a day-to-day basis and the presence they have carved out for themselves in a relatively short number of years on the health care landscape.

We have heard from physicians. We have heard from people, from MLAs from various walks of life, who have

commented in very flattering and favourable terms on the work that nurse practitioners are doing and, insofar as we are dealing with legislation that will remove statutory impediments to their continued good work, have spoken positively in support of that direction.

One of the speakers in the debate — it may have been the official opposition critic — spoke of the opportunity that this represents. In fact, that was a theme that members on both sides of the House have observed, and I would only say this. Given the challenges we face, whether it is the provision of services in rural communities and more isolated communities or the challenge we continue to face even with accelerated training programs for physicians and medical practitioners, nurses and other supporting professionals, this is not just an opportunity. There is an essential component to this that we realize on the skills and talents that these medical practitioners, these professionals — nurse practitioners — bring to the delivery of health care in British Columbia.

[1830]

The role will evolve. I have heard comments today about the need for us to be imaginative in terms of the arrangements that are contemplated that will allow nurse practitioners to find a place within communities, within clinics, within other medical facilities, and that is undoubtedly true.

I am happy to say that we are already beginning to see a measure of diversity in that respect. There is more work to be done. The government, via the Health Ministry, along with the health authorities, will want and will continue to work with agencies across British Columbia to tailor funding arrangements, to tailor other arrangements to the unique needs of particular communities.

I know of practitioners, physicians, who have seized upon the opportunity to create partnerships with nurse practitioners. I know of community health clinics which, through the assistance of health authorities, have found innovative ways to introduce the talents and tap into the expertise of nurse practitioners. There is a myriad of stories already that point to the important and valuable work that nurse practitioners are performing.

This legislation takes us a little further down the road to realizing the full potential that these professionals possess by addressing some of the statutory legislative impediments that heretofore have existed.

I am gratified to know that members of the House seem to share the government's view that this is an appropriate step, one that is warranted and one that will benefit not just nurse practitioners but, even more importantly, the patients across British Columbia who rely upon nurse practitioners and the other medical professionals that attend to their health care needs.

With that, I thank all members and move second reading.

Motion approved.

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

Bill 10, Nurse Practitioners Statutes Amendment Act, 2011, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

Hon. I. Chong: I call committee on Bill 9, the Natural Resource Compliance Act.

Committee of the Whole House

BILL 9 — NATURAL RESOURCE COMPLIANCE ACT

The House in Committee of the Whole on Bill 9; L. Reid in the chair.

The committee met at 6:34 p.m.

On section 1.

N. Macdonald: The minister is keeping busy here, I see. This is his third bill in short succession.

We're going to be going through this and asking a lot of questions. Of course, within the bill there is very little specific at all. As we said in second reading, really, this is the genesis of an idea. It's not a fully formed idea.

[1835]

To read the bill, you get very little understanding of exactly what the end result is going to be. So what is said here in third reading is going to be important.

Now, it's a short bill. There isn't a tremendous amount to it. In fact, in the two pages we have for a stand-alone bill — really, almost entirely an enabling act that gives the minister a huge scope to go through and try to pull off what is fairly complex....

I guess the first question is in the definitions. There are two definitions, and I'll just give the public an example of what one of the definitions is. It's "ministry." It means "the ministry of the minister responsible for the administration of this Act." So that's fairly vague and as safe as you can go on quite a broad scope, obviously.

The ministry really is not that clearly defined, and it sort of points to the possibility of continuous change. The Natural Resource Operations Ministry was first introduced by Premier Campbell. It was a massive reorganization which, at that time, one of the key ministers of the day was very critical of — that the minister of the day wasn't consulted, that it was in many ways a bungled attempt at a reorganization of an important ministry. Then the current ministry was established in the form that we have now, which is the Ministry of Forests, Lands and Natural Resource Operations.

So we were given to understand that a government MLA was tasked with reviewing the current ministry structure. Given the fact that "ministry" as a definition is left so broad, it seems to anticipate change.

I guess the question for the minister, first, is: has that review taken place, and have recommendations on the existing ministry structure been made?

Hon. S. Thomson: I'm pleased to begin the process for the committee stage discussion on this bill.

To the member opposite: as you know, the Parliamentary Secretary for Natural Resource Operations Review was appointed to do the review. He has over the summer consulted broadly — across the ministry with staff, with stakeholders and organizations and agencies and groups that we deal with within the ministry.

The parliamentary secretary is currently completing the work and the report and, once that has been completed, will be providing that report and those recommendations to me in the relatively near future.

N. Macdonald: Does the minister anticipate that when this report is complete it will be tabled in the House?

Hon. S. Thomson: The report that is being undertaken by the parliamentary secretary will be provided to me, and I will then review those recommendations and determine how we may respond to the recommendations in that report. It may require some consultation. It may require some further discussion with the staff and senior management within the ministry. So the report initially will be provided directly to me for my consideration.

N. Macdonald: As often happens with these reports, the minister, of course, has a period of time to look at it, and, as sometimes happens, the report is then made public.

Is it the anticipation of the minister that after looking at it and deciding the direction that he or cabinet wants to move with it, the report would then be made public and presented to the House?

[1840]

Hon. S. Thomson: Once the report has been received and considered, my expectation is that the people we have consulted with on it, the staff, will want to see the report. In that sense, the report will be made available. In terms of specifically tabling it in the House, I don't think that step will be necessary, but there is not an intention to not make the report available.

N. Macdonald: There's no question that the minister.... These processes are often interactive throughout the preparation of the report. Is there intention, then, that...? Does the minister anticipate the possibility of

another reorganization of the ministry, or is the minister anticipating right now that the format that is in place is something that is going to be supported by the work of the government member who has been tasked with reviewing the ministry?

Hon. S. Thomson: The purpose of the work was to bring forward recommendations that helped strengthen and enhance the structure that we've moved towards with the integrated decision-making process. My awareness of the response that has been received during that process was supportive of the current structure, was supportive of the direction we are putting in place here.

So it is my sense of this that this will not result in and is not intended to result in another reorganization. This will be recommendations around how we strengthen and enhance the work of the ministry moving to that integrated decision model just along the lines of the intent of this legislation here — to continue to move towards processes and continuous improvement that help us integrate the decision-making and put in place a more efficient structure with respect to compliance and enforcement, which this bill is designed to do. So it's all about continuing to strengthen and enhance the model and the structure that is in place.

N. Macdonald: Just, again, the term sort of anticipates the possibility of change. But what the minister is saying is that...

I guess a better question would be: were the terms for the parliamentary secretary that was tasked with reviewing this ministry structure such that the parliamentary secretary was simply to suggest improvements, or was there a broad terms of reference for the parliamentary secretary, including going back to a separate Ministry of Forests and other separate ministries? I guess the question is: what were the terms the parliamentary secretary was asked to deal with in looking at the existing ministry?

Hon. S. Thomson: The terms were generally broader. It was a review of the structure to provide recommendations to ensure that the structure and the organization that had been put in place were meeting the objectives that were set out in moving to one project, one process, one land manager — a more integrated approach to decision-making on the land base.

[1845]

I think if the evidence had been that the structure was not working at all, then the terms of reference of the review would have provided that ability to bring that recommendation forward. But clearly, that's not the case. It's not the response that we've had both from staff within the organization and from within stakeholder organizations and groups that we deal with that are involved on the land base.

So the recommendations coming forward will be about: how do we strengthen and enhance the current structure and the role within the ministry that we have in place? I'm not anticipating recommendations that would result in significant restructuring of our current structure, the current alignment that we have.

N. Macdonald: Just one final question from me, and then I'll turn it over to my co-critic.

The parliamentary secretary, then. That position is providing a report which it sounds like the minister is fairly confident will reinforce the structure that's there. But will there be an ongoing role for the parliamentary secretary in that he will continue in that position and continuously be working towards, I guess, improvements within the current ministry? Or is it something that comes to an end, and we get some certainty for a period of time that the ministry that is referred to in this act is the ministry as it exists right now?

Hon. S. Thomson: That's to be determined. At this point the terms of reference were to complete the review and provide a report and recommendations. Not having that report provided yet, the work is being completed on that. That's still to be determined, as to whether there will be an ongoing role in terms of continuing to work with the implementation of recommendations that may come out of that or some other process. I'm not sure.

At this time it's not an automatic consideration that the role would be continued but, certainly, as I review the recommendations, I will look at that to see whether there is need for a continued role in continuing to help us make sure we achieve our objective.

B. Routley: I'm not comforted at all at what I'm hearing. I'm becoming more and more convinced that we have a hodgepodge of legislation coming from this new ministry. The focus seems to be lost somehow. I almost worry that there's some kind of blender back there that you put words into and out comes...

You know, I did a little homework, and this definition is an example. You've got in section 1, "natural resource officer." I thought the forest industry was creative, but this is the best example of a limited job description. It basically says, "...means a person designated under section 2" — which is another way of saying: "We're going to make it up as we go along."

There's nothing in this bill that really, specifically outlines exactly what a natural resource officer does. It's certainly not in the definition. In the definition, you would think to find words that expound on the types of legislation that the person might be dealing with, that would kind of point the way on how this is going to be carried out.

But in terms of the question... In developing this definition or whatever, I wondered if the minister had done

any work on developing job descriptions. But when I phoned the union representatives.... I heard the other day that there had been some dialogue with staff, so I wanted to find out and dig a little deeper.

[1850]

We're specifically dealing now with the C-and-E, or compliance and enforcement, people that worked for the ministry. I talked to a union rep who was actually a C-and-E officer and trained specialist himself. He tells me there was recently a conference in Richmond. Just last week there was a conference in Richmond.

They had a session, and what they learned.... I mean, here's a gathering of B.C. specialists in compliance and enforcement, and I'm told that the discussion they had amongst themselves was that they were hoping there would be some kind of direction from the ministry forthcoming in all of this hodgepodge and new changes that seem to be coming down the pipe almost monthly. Instead, what they.... Again, this is alarming to me — absolutely should be alarming for all British Columbians — to hear that the line workers were being asked by ministry staff: "How could we make this work? How could we accomplish this plan?"

Somebody in the back room there crafted a plan — obviously, couldn't come up with a job description. It's a notion. This is a notion that we have on the page here. A notion. It's not even a half-baked plan. There is no plan.

If you can imagine that, hon. Speaker, to have a definition in Bill 9 with no clear definition, no clear understanding at all — the people being asked what to do. The other kind of comments I heard were: "They're telling us very little. The members don't have any...." They said there would be some kind of training, but they didn't have a training plan — no training plan whatsoever. No training has been scheduled at this juncture. There was no announcement of any training schedule to be rolled out in conjunction with a plan, with a job description and definition that really has.... There's no meat in it at all. It's basically....

The forest industry used to use a catch phrase. They used to say: "Other duties as assigned." I used to love to argue that. But this definition is even more broad-based. We get to have a definition that says: "...means a person designated under section 2." So we've got a definition here that lacks any kind of understanding.

So I want to hear from the minister: exactly what kind of plan or job description does he have on his mind? Does he have a series of job descriptions on how to cobble people together?

There must be some idea other than just a definition with words on a page, notionally about some kind of natural resource officer. Somebody back in the shop there has to have thought about: "Well, how are we going to do water, wildlife, wildfire, forests and mines, and with what group of people?" — other than just.... What I'm

hearing from the workers is that they're being asked how we can make this work.

I ask an important question, before I get to the.... Well, maybe one question at a time. We don't want to rush through this. We don't want to speed through.

We're going at breakneck speeds already, so I want to stop and give the minister the opportunity to answer the question about the job descriptions that certainly, I hope, must be contemplated. They've got to have them in their grab-bag back there. Maybe somebody in the shop can run back, look in the grab-bag and see if there is anything in there. Can you tell us what some of the job descriptions were?

[1855]

Hon. S. Thomson: So we need to go back to the intent and the basics of the act here. I challenge the member opposite. This is about creating a definition of a natural resource officer. The legislation then provides for setting the roles and responsibilities for that position to carry out the C-and-E enforcement under existing legislation, existing requirements that we have within our ministry. Those responsibilities, which are already in other legislation.... Those natural resource officers will then be able to undertake those specific responsibilities under that legislation.

The purpose is, instead of having a number of different names, different officials, different officers — we have a complicated delegation matrix as it currently exists — to be able to establish a term or a position that then can be a designation that can be provided to be able to allow that person or class of persons who are designated to be able to carry out the statutes and responsibilities under the current statutes that this ministry is responsible for.

Noting the hour, I move the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 6:57 p.m.

The House resumed; Mr. Speaker in the chair.

The Committee of the Whole, having reported progress, was granted leave to sit again.

Hon. I. Chong moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until 10 a.m. tomorrow morning.

The House adjourned at 6:57 p.m.

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