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OFFICIAL REPORT OF  
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**Morning Sitting**

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LIEUTENANT-GOVERNOR  
Her Honour the Honourable Judith Guichon, OBC

**SECOND SESSION, 40TH PARLIAMENT**

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TUESDAY, APRIL 29, 2014

The House met at 10:05 a.m.

[Madame Speaker in the chair.]

### Routine Business

Prayers.

### Introductions by Members

**J. Yap:** I am delighted to welcome to the Legislature for, I think, their first visit some friends who are representatives of the notaries public community. Akash Sablok, Tammy Morin Nakashima and Wayne Braid are in the gallery. Would the House please give them a warm welcome.

**M. Karagianis:** This is an introduction that is usually made by my friend from Juan de Fuca, but as he's not here today, I'll make this introduction.

Joining us in the gallery this morning is a group from the PATHWAY Project. Can the House please join me to welcome William Barnes, Casey Boughton, Vonty Desmond, Jake Donahue, Brittany Doucette, Krista Gough, Robin MacMillan, Tory Peterson, Melissa Paige, James Tierney; and the facilitators, Duane Burke, Tara Hall and Randy Waldie.

**Hon. P. Fassbender:** I am honoured today to introduce a gentleman from the Parliament of Western Australia. The Hon. Paul Brown was born and raised in the agricultural region that he represents. This is his first term as an elected parliamentarian, and when we had breakfast this morning, he said he found himself as an accidental parliamentarian. Some of us may know how that feels.

The area that he represents is in excess of 200,000 square kilometres in size and has a population of approximately 150,000 people. So you can see that the area is very large and diverse. It's an agricultural production area consisting of sheep and cattle, along with the main grain-growing area contributing to a majority of the 17 million metric tonnes of wheat, barley, canola and lupins grown last year.

Having been heavily involved in agriculture, he is travelling throughout western Canada, learning about distance education and other things that are of interest to himself and his parliament.

I would ask every member of the House to give him a great "G'day, Mate" welcome to the province of British Columbia.

**C. James:** I have two guests in the gallery today. The first is a constituent. He's a musician and an avid political watcher and participant who is visiting the gallery today.

But he is bringing a very special guest with him today. His fiancée is visiting from Japan. She is here touring British Columbia and touring Canada. I know they've gone to visit relatives on the Prairies as well.

Would the House make Richard Fahl and Sachiko Isogami very welcome, and welcome to British Columbia.

**Hon. A. Virk:** Joining us in the precinct today are a number of leaders from post-secondary institutions across British Columbia. We have with us the president of BCIT, Kathy Kinloch. We have the president of Nicola Valley Institute of Technology right up here, Ken Tourand. With him I have John Chenoweth, the dean. We have John Bowman from North Island College; Kathryn Laurin, the president of Camosun; and we have Christopher Seguin representing President Shaver from Thompson Rivers.

**L. Popham:** I have the pleasure of introducing Kelvin McCulloch today in the Legislature. Kelvin is an outstanding civic leader and business person, and I'd like to welcome Kelvin back to his old stomping grounds, as he was a legislative intern for the B.C. Conservative Party in 1979.

[1010]

Early in his professional career he was a principal in the public sector consulting and auditing practice of Ernst and Young, later KPMG, in Victoria. He ran audits for 41 of the largest medical facilities in the province for the Ministry of Health. He also conducted a number of forensic audits for the Ministry of the Attorney General. After that he worked in Asia for almost a decade, holding senior positions with KPMG, Oracle software, Panasonic and the Asian Development Bank in Manila.

On returning to Canada he organized the purchase of Buckerfield's and remains a principal shareholder, chairman of the board and CEO. I'm meeting with him today to discuss his concerns with MMBC. Thank you, and welcome to the chamber.

**Hon. S. Bond:** Later today 32 amazing British Columbians will be recognized at Government House for their continued commitment to making a difference in our community. They are the recipients of the 2014 B.C. Community Achievement Awards. Of the 32 recipients, there are two individuals from Prince George: Judy Dix and Selen Alpay. Today I'm very pleased to introduce Selen Alpay and his amazing wife, Anita. They are joining us in the gallery today.

Selen is known in our community for his huge heart. He is a leader, and he champions youth and sport. He is a huge advocate for health care. He serves on the Spirit of the North Healthcare Foundation, the Elizabeth Fry Society, Baldy Hughes Therapeutic Community. The list goes on and on.

He's a major supporter. In fact, he drove the support

truck for the Cops For Cancer Tour De North. He is a Canadian Tire store owner, and he encourages his staff to participate in community causes and donates to countless events and groups.

Selen exemplifies selfless service to our community and to our province. We want to thank him today, and we congratulate him on a much-deserved recognition later this afternoon. I would ask my colleagues to make Selen and Anita very welcome today.

**M. Elmore:** I'd like to welcome my friend Akash Sablok here from Sablok and Sablok, Notaries Public, in Vancouver-Kensington. We're actually neighbours. They have 45 years combined experience in notarial practice. You'll see it's not 45 years of Akash, but it's him and his father, a family business well known in the area's institutions not only for providing excellent services of notary public concerns for the public but also very active and involved in the community, taking leadership roles, volunteering and supporting many initiatives.

I'd like to extend a welcome to Akash and also the other representatives from the notarial industry. Please make them welcome.

**Hon. T. Stone:** It gives me great pleasure today to introduce some outstanding Kamloopsians who are here in the gallery with us this morning. We have a number of representatives from the Kamloops Central Business Improvement Association, KCBIA; the general manager, Gay Pooler; the administrator, Tanya Orozco; the president of this organization, Brendan Shaw; as well as one of the other directors — I believe he's also the secretary — Bill Sanesh Jr.

These are individuals who work very, very hard on behalf of the downtown and central business area of Kamloops. It's one of the reasons that the downtown in Kamloops is one of the most vibrant downtowns I think you'll find across British Columbia.

I would ask that the House please make these four fine Kamloopsians welcome this morning.

**J. Tegart:** I'm pleased to welcome two guests in the House today from the community of Merritt. Ken Tourand is the president and CEO of Nicola Valley Institute of Technology, and joining Ken is John Chenoweth, the dean at NVIT. NVIT provides excellence in education grounded in aboriginal experience and indigenous knowledge.

I'm proud to have such an innovative facility in my riding. I ask the House to make them welcome.

**D. Barnett:** Today I have two special guests. One was an MLA in this House from 2001 to 2005. He's a great advocate for the Cariboo, for his community. I know he caused a little bit of problems for a few of the opposition here from 2001, so one guest I would like you to welcome

is Walt Cobb. He's here with us today.

[1015]

As Minister Bond has said, later today we will be giving out the Community Achievement Awards. Walt's wife, Lynnette Cobb, who is with us, has spent 48,000-plus hours in our community with the crisis line, with helping victims in court and with those people who need assistance in many areas of crime and abuse and women's issues. Lynnette is strong. She has MS. She never complains, and she never quits.

Welcome, Lynnette.

**Hon. T. Lake:** We are privileged to have a lot of distinguished Kamloopsians in the House today. Another distinguished member of our community, Bob Gieselman, is here. Bob is very active in the real estate industry, with the Kamloops and District Real Estate Association and the B.C. Real Estate Association. Bob has made a tremendous commitment to his own health over the last number of years doing, as I learned last night, hot yoga three times a week. He said it's a great way to stay in shape and look after your physical and mental health.

Thank you for that advice, Bob, and would the House please make Bob very welcome.

**D. Bing:** I have some visitors to the House to introduce today. Two of them are old friends from Calgary, Alberta: Donald and Cheryl Henderson. Also some new friends: Jamee Justanson, of the Greater Vancouver Real Estate Board, and her friends. Would the House please make them welcome.

**Michelle Stilwell:** Visiting in the House today are two individuals from up-Island, from the Downtown Nanaimo Business Improvement Association: Cory Hostetter and Jane Vinet. Would the House please make them feel welcome.

**M. Bernier:** I thought it was going to be a bit of a surprise that I was going to introduce these folks today, but since they've seen me stand up and down about ten times, probably not so now.

Like my northern and rural MLAs, it's not often we have the privilege of introducing people from our constituencies. I'd like to introduce these folks. They're not so much, since they've retired, constituents anymore. They're semi-constituents since they retired and are enjoying all the lifestyle they have with that and traveling. Will the House please welcome my friends Colleen and Martin Ferrante.

**Hon. M. de Jong:** Jake Siemens is a long-time resident of the central and eastern Fraser Valley. He was here with the group of realtors yesterday. He has dedicated countless volunteer hours to the cause of real estate education and was one of the group that hosted many members of



the House yesterday. I'd like to welcome him and his colleagues to the House as well.

**Hon. D. McRae:** I see in the gallery today we have a Comox Valley realtor — a business person and a member of a longtime farming family. We have Neil Woodrow in the gallery today. Would the House please make him welcome.

**Statements  
(Standing Order 25B)**

LITFEST NEW WEST  
LITERARY ARTS FESTIVAL

**J. Darcy:** A few weeks ago in this House the member for Kelowna–Lake Country spoke about his extensive research which proved that anger is bad for your health. I have conducted no such scientific research, but I can say without a shadow of a doubt that laughter is good for your health, especially the kind of laughter that starts way down deep and just keeps rolling and rolling.

I was lucky enough to enjoy that kind of laughter last Friday night at the opening night of LitFest New West, featuring New Westminster's own comedy duo Linda Cullen and Bob Robertson of CBC's *Double Exposure* fame. Their imitations of Jean Chrétien, Brian Mulroney, Pierre Trudeau and Chantal Hébert are legendary, and they do a great job of poking fun at certain B.C. provincial politicians too — who shall remain unnamed, of course.

LitFest New West is about much more than comedy. It is quite literally a feast of the written and the spoken word. Workshops on songwriting, business writing, writing for children, travel writing, comedy writing, publishing, and much more.

[1020]

There's a marketplace where you can meet and buy the books of over 30 different authors, including many from New West. Then the gala showcase, which included the celebrated Canadian author Gary Geddes; our poet laureate, Candice James; local author J.J. Lee, who wrote *The Measure of a Man* on the social history of suits, including how a man stands, buttons his suit and then holds forth with great authority. I'm sure we're all familiar with that.

And of course, the powerful poetry of the incomparable Renée Saklikar, accompanied by musical composer John Oliver.

LitFest is organized by a wonderful group of volunteers from the arts council, including the president, Rick Carswell; Leanne Ewen; Andrée St. Martin; and is supported by Douglas College and our public library.

So if you want to laugh, if you want to cry, or if you simply want to be entertained for a few hours, LitFest New West is the place to be next year.

GEORGE LEACH

**J. Tegar:** I rise today to recognize a remarkable Interior musician, artist and actor, George Leach. George is a member of the St'át'imc Nation and calls the Lillooet area home.

Singer-songwriter George Leach's musical style centres on classic rock, R & B and soul. George's artistry and talent are being recognized. He recently won the 2014 Juno Award for Aboriginal Album of the Year for his album *Surrender*.

The Junos are Canada's most prestigious music awards, recognizing our country's top music talent. George Leach joins the ranks of Juno Award winners, including Arcade Fire, Michael Bubl , Buffy Sainte-Marie, k.d. lang and Alanis Morissette, among a host of other Canadian talent.

George's album *Surrender* comes 12 years after he released his first album *Just Where I'm At* in 2002. In August 2013 *Surrender* took home three Aboriginal Peoples Choice Music Awards, including Songwriter of the Year, Single of the Year and Best Rock CD. In June, George Leach headlined Aboriginal Day Live in Winnipeg to much acclaim.

George is also an actor, appearing in productions like *North of 60*, *This Is Wonderland* and *La Femme Nikita*.

Notably, George Leach is also a renowned pottery artist who mentored under Six Nations artist Steve Smith.

With his creative mind and remarkable achievements, George Leach is an innovative and talented artist. In the lyrics of his song "You Got It," George Leach writes: "We are all born to shine like the sun." And George is definitely shining brightly.

HOMELESSNESS

**S. Chandra Herbert:** A box, a shipping container, an old stump, under the stairs, in the doorstep in the wet and cold, behind the stores, down by the tracks, in the bush, or right in front of us — homelessness.

A mom, a dad and their kids; an elder renovicted; a teen struggling with discrimination; a man never diagnosed with mental illness; a woman dealing with childhood trauma; a person struggling on two minimum-wage jobs; a person struggling, addicted to drugs — all British Columbians, all homeless, all neighbours of ours.

I ran to be an MLA back in 2008 in part because of the huge number of British Columbians who were ending up on the street. My neighbours told me they were sick of stepping over people, and the homeless people I talked to told me they were sick of being stepped over. They needed help.

At that time there were 2,660 homeless people on the streets of Metro Vancouver. Unfortunately, some never made it. I still remember Tracey, the sweetest smile, who burnt to death on our streets. Darrell, Ed — and the list goes on of people who needlessly died alone, often cold

and wet on the streets or in hospital from illnesses they could never beat while living outside.

It's a precarious life. Poor health, crime, discrimination, challenges with the law and no security. It's also more expensive. The cost of homelessness to society and to the individual are even more expensive than the costs of housing and supports, if we acted.

So what have we done? We've built some housing. We have opened some more shelters. But we have more people homeless today than in 2008, with approximately 2,770 people living without a roof over their head according to the latest homelessness count.

[1025]

Hon. Speaker, we are not doing our best for our most vulnerable citizens. Hon. Members, we must do better. We need consistent action now if we're ever going to end homelessness. We need more affordable housing, a poverty reduction strategy, mental health supports and prevention programs like the Vancouver rent bank. The solutions exist. We must act.

#### TECHNOLOGY FOR RECYCLING OF PHOSPHORUS FROM SEWAGE

**R. Sultan:** There's a critical environmental balance between how we grow our food, what we choose to eat and what we dump into the sea. My constituent Donald Mavinic led a team of UBC engineers developing a new technology which recycles a vital element in our food chain, phosphorus. Agriculture depends on phosphate fertilizers. We eat vegetables and meat, excrete phosphorus-rich waste down the loo, as they say in the U.K., and it heads for the ocean, shrugging off conventional wastewater treatment — forming concrete, or struvite, which plugs up pumps and drains — and is lost forever in the sea. Some believe we will eventually run out of the stuff.

Funded by Metro Vancouver and the federal government, the environmental engineering group at UBC recently demonstrated their fourth-generation reactor to an admiring audience, including me, at Annacis Island. They extract the phosphorus and convert it into slow-release fertilizer.

These facilities have been operating in Saskatoon and Portland for several years. Metro Vancouver, which funded this important innovation, are thinking about it. Congratulations, Metro Vancouver, but keep in mind it's always the shoemaker's children who go barefoot.

#### STEPS FORWARD PROGRAM FOR STUDENTS WITH DEVELOPMENTAL DISABILITIES

**G. Heyman:** STEPS Forward is a B.C. initiative formed in 2001 by a group of parents who saw that fuller inclusion of students with developmental disabilities was limited by a lack of resources in post-secondary classrooms. They wanted their kids to participate in both the academ-

ic and the social aspects of B.C.'s colleges and universities. STEPS Forward helps provide the extra support that classrooms need to provide this inclusive environment.

An example of the group's success is a student with a passion for computers. He wanted to study computer science but couldn't write code, so STEPS helped modify the course material around the coding requirements. This allowed him to learn about all the other aspects of computer science. His professor suggested he'd be well suited to a career in quality assurance, so the facilitators from STEPS helped set up a successful summer co-op work term, which was extended as a job when he returned to university in the fall.

STEPS alumni are given continued support by the organization to help find meaningful, paid, long-term employment. The program has grown from supporting one student at Emily Carr University to other campuses across B.C. After completing the program, students have said that they feel like an adult for the first time. They've learned that they are capable academically and that they've found their skill set to be twice as strong as it had been before participating with STEPS.

A recent CBC report featured a number of employers who claim that hiring people with disabilities is good for business. They're eager, committed hard-workers who enjoy the opportunity to contribute and prove what they can do.

We know there are opportunities for lots of volunteer work for persons with disabilities but still far too little paid employment. My community office is pleased to allow STEPS to use meeting space to carry on their work. We need to do more. STEPS Forward is helping to show the way.

#### NOTARIES PUBLIC

**J. Yap:** I rise today to talk about a group of professionals who have served our province well for more than 100 years. The Society of Notaries Public of B.C. regulates more than 320 highly trained notary professionals. A profession with a long historical tradition, notaries around the world have provided service for more than 2,000 years, dating back to ancient Roman times and the renaissance.

B.C. notaries have offices in every city and most small towns. On a daily basis they provide valuable personal assistance to individuals, families and businesses who seek the services of a notary, which include a range of non-contentious legal matters.

[1030]

These matters include residential and commercial real estate transfers, simple wills, representation agreements, powers of attorney, certifying true copies of documents, letters of invitation for foreign travel, affidavits and other important documents. In addition, some B.C. notaries also provide marriage licences and mediation services.

Notaries in B.C. continue to seek ways to further help and serve British Columbians. Notaries are highly trusted professionals. After all, the notarizing of a document means that the document is authentic. The services that notaries public provide help British Columbians at various stages of both their business and personal lives. Notaries help complete business transactions between strangers. Notaries help our civil society function on a daily basis. Let's go out and hug a notary today.

### Oral Questions

#### IMPLEMENTATION OF MISSING WOMEN INQUIRY RECOMMENDATIONS AND BUS SERVICE ON HIGHWAY 16

**M. Karagianis:** In 2006 the symposium on the Highway of Tears called for a shuttle bus system along Highway 16. In 2012 the Oppal report on missing and murdered women also made an urgent request for the same service. Yet these calls have been ignored over and over again by this government.

Every single day people along this highway put their lives in danger, hitchhiking to access everything from food to medical services, from therapy for their children to vital court and social worker appearances. These appointments are not frivolous. They could mean the difference between people keeping their children or losing them into government care.

My question is to the Minister of Justice. Will she listen and finally put in a shuttle bus service along Highway 16?

**Hon. S. Anton:** The recommendation from the Oppal Commission was very clear that we needed to have safe transportation options on northern highways — Highway 16, the highway up to Fort Nelson. There are thousands of kilometres of northern highways. Fundamentally, that means two things. In fact, we've broadened, really, the suggestion from Commissioner Oppal on transportation, because it means both transportation and personal safety. Those highways need to be safe at all times, when there's transportation and in the many hours of the day when there is not transportation.

Government, on both of those fronts, has taken significant initiatives. We do invest \$4½ million annually in public transportation options. For personal safety we've expanded cell phone coverage. We've got improved policing, and there's a number of initiatives of personal safety for the northern British Columbia highways because our highways need to be safe at all times. They are safer now than they were 15 years ago. We must always be vigilant and continue to improve safety at all times on our northern routes.

**Madame Speaker:** Recognizing Esquimalt–Royal Roads on a supplemental.

**M. Karagianis:** Well, I would suggest that the Minister of Justice go and drive the Highway of Tears, because she will then have the personal experience of spending long hours with no cell service, with no individuals, households, any type of contact anywhere in those areas. If you are hitchhiking, if you are isolated in that area, you are in danger. For the minister to kind of just brush this off and say that they've made adequate changes is completely absurd.

People in these communities are entitled to the very services we all take for granted. They are entitled to access services, to be able to go and buy groceries for their family; to be able to take their children to medical appointments if they are sick or hurt; to get to health support services, mental health therapies; to get to court; to get to work; to see the social worker so that you can keep your children.

Many people along this highway, on Highway 16, hitchhike to these services with their children because there are no other options, in order to keep their families fed and safe and healthy. It is shameful, and it is unjust.

Will the Minister of Justice commit today to implementing a public transportation service along Highway 16 for all those communities that deserve it?

[1035]

**Hon. S. Anton:** The member opposite mentioned medical appointments. I know she was only there for a short time, so she may not have had a chance to learn about the Northern Health bus. The Northern Health bus is an investment of \$3 million a year by Northern Health. It travels four times a week from Prince George, both directions, between Prince George and Prince Rupert. It travels three times a week from Fort Nelson to.... Sorry, I'll just get that one. It has a number of short-distance trips all around the north.

This service takes people between northern communities to the Northern Health services that they need. It is available to all communities between Prince Rupert and Prince George, between Prince George and Fort Nelson. It's a regular service — a shuttle service, if you like. It's a service that takes people to their medical appointments.

It's too bad. It's unfortunate if the members opposite did not hear about it when they were up north, but it's an excellent service operated by Northern Health — a regular scheduled service.

**J. Rice:** I would agree that the northern connections bus is a great service for health appointments. But if I had a counselling appointment, that bus won't take me to see my psychiatrist. If I had a court date that would determine whether I would keep my children or not, that bus won't get me to court. Whether I could get groceries or not — that bus does not get me to do groceries. It does not allow me to do groceries.

Last week I drove Highway 16 from Prince Rupert to

Prince George with some of my colleagues. We listened to the people along the highway. They told us a shuttle bus would make a difference in their communities and in their lives.

One of the people we met was Marlene Swift. Marlene experienced terrible violence on this highway. She was abducted, she was raped, and she was beaten and only managed to escape by crawling through the woods to safety. She told us: "If it saves one person, it is worth the cost."

Will the Minister of Justice show that she agrees by committing to bringing shuttle bus service to communities along Highway 16?

**Hon. S. Anton:** Fort Nelson to Dawson Creek.

Yes, thank you for the continued question on this so that I can continue to talk about the other services that are available. B.C. Transit operates services between Smithers and Telkwa, since 2008; between Hazelton, Smithers and Kispiox, since 1998; Terrace and Kitimat, since 2006; and Prince Rupert and Port Edward, for quite a few years now.

These services through B.C. Transit are subsidized by \$1.5 million a year to provide local transportation services between those communities — subsidized to \$1.5 million a year. At the same time, there's a private bus service that goes daily back and forth along the highway, and there is a train service that goes three times a week. So the train service three times a week, private bus service and individual services in those communities that I mentioned.

At the same time, B.C. Transit has spoken to other neighbourhoods, other communities in the area and is willing to partner with them. A lot of these services do come up through a community consultation and community partnerships. That's why there are very robust transportation services in those communities I mentioned.

[1040]

**A. Dix:** We're used to, I think, cynicism and obfuscation, but this is a disgrace. The missing-women report found, as a matter of fact — and this is the Minister of Justice — that the lack of public transportation along Highway 16 was a significant factor leading to the abduction and murders of young aboriginal women.

That report came out in December 2012. When it came out, the Minister of Justice at the time, and I'm referring to her as she said it in the Prince George *Citizen*, said that there would be initial discussions in the new year — that was 2013; we're now in 2014 — and that broader consultations would follow. The Minister of Transportation at the time, now Minister of Environment, said: "In the new year we'll be starting targeted consultations." Promises made, promises broken about this subject, the safety of women in the north.

This is not good enough. There's a specific recommendation by Mr. Oppal. Last summer, by the way, the Minister of Justice called it a terrible situation, about which she has done nothing. So will the Minister of Justice tell us when and how she's going to respond to the specific recommendation for transit services in the north?

**Hon. S. Anton:** As I described, there is \$4.5 million annually spent on public transportation options in northern British Columbia. As I mentioned, though, we are approaching this in a broader way than suggested by Commissioner Oppal, who talked about transportation.

We are also talking about personal safety, because no matter how much transportation you put in, you have to address personal safety. That's why cell phone coverage has now been increased through a partnership of the British Columbia government and Telus — so that 70 percent of that highway, Highway 16, is now covered by cell phones.

At the same time, we have given \$100,000 to the Carrier-Sekani First Nation so that they can do personal training and safety workshops along Highway 16.

All of these things are needed. The member from Prince Rupert the other day talked about feeling frightened when she was on a layover on the highway. That's why you need cell phone coverage. That's why the highway itself needs to be safe.

The other aspect of the safety on the highways is that the police have far more ability than they had before. They have the knowledge. They have the screens. They are aware of all of the issues on the highway.

Cell phone coverage, policing, personal training workshops — we need to keep people safe on Highway 16 and all the northern highways. That's government's commitment, and that is what government is doing.

**Madame Speaker:** Leader of the Opposition on a supplemental.

**A. Dix:** All that the government has done.... Everything they said they were going to do in response to this recommendation — every single thing — has not been done. They promise consultations, and they don't proceed with them, and they think that's good enough. They think that that game of bait-and-switch is appropriate to this issue. It is not appropriate to this issue. It is absolutely not appropriate to this issue.

If what the minister is saying is that she's rejecting Commissioner Oppal's recommendation, which was specific and important, let her say that today. Let her justify that today. Don't talk about services that existed before. The minister, by the way, talked about private transportation systems which have actually been cut in the period since the Oppal report came into place. This is a disgrace.



Why doesn't the Minister of Justice...? We have a major report that this government commissioned that recommended this, and they have done nothing about it when it involves the safety of women — nothing about it.

Will the minister say today specifically what she intends to do about this urgent recommendation that involves the safety of women, made by Commissioner Oppal?

[1045]

**Hon. S. Anton:** The Leader of the Opposition wants consultation? Consultation is good, but I want action. Government wants action. That's why government has acted.

That's why we are subsidizing northern transportation to the tune of \$4.5 million every year. Northern Health runs a bus on all of those highways. There is private bus transportation on all those highways. There is increased cell phone coverage on those highways, and that helps everyone on the highway. There are personal safety workshops so that people know how to be safe on the highway.

I am pleased to be able to say that our northern highways are safer now than they were 15 years ago.

#### GOVERNMENT OVERSIGHT OF TEMPORARY FOREIGN WORKER PROGRAM

**H. Bains:** People across this country are raising serious concerns about the temporary foreign worker program. Before the election the Premier told us that she, too, had concerns about this program. After the election she said she would be glad that the federal government was reviewing it and that after the election her government would be "advising them on how they can make it work."

That was before the election. After the election her government has allowed the program to grow, and her government ignored complaints that this program was allowing unscrupulous employers to pass over qualified British Columbians and exploit temporary workers.

To the Minister of Jobs: how can we trust this government to stand up for all workers when the Premier has done nothing to keep her commitment she made a year ago?

**Hon. S. Bond:** We have said clearly and repeatedly, and we will continue to say it, that British Columbians come first when it comes to jobs in British Columbia. We also recognize that there is a federal program that should, in legitimate.... After rigorous evaluation and when there is a need.... It would be interesting to hear the members opposite actually stand up.... We just spent time talking about northern British Columbia.

There are times in British Columbia when there are legitimate needs for workers from outside of our province. What we want to assure, and what we agree with the federal government on, is the fact that there needs to be

a rigorous process and that there should absolutely not be abuse by employers.

But we've been clear: British Columbians first. That's what we've said, and that's what we intend to work on.

Interjections.

**Madame Speaker:** Members, please know that the Chair needs to hear the answer and the question.

**H. Bains:** Here's another example. The minister and this government say one thing, and they do quite the opposite. The results are clear: the highest youth unemployment, in B.C., of all of Canada. This minister knows, the government knows, and everyone in British Columbia knows that that program is deeply flawed and open for abuse.

Let's be clear that this isn't about actions of the workers from overseas — not at all. This is about this government, which supports corporations that increase their profits by hiring temporary workers and that throw the resumés from British Columbians into the trash. British Columbians are being passed up or squeezed out of jobs that they're ready, that they're able and that they're willing to do. The records are there. Still the B.C. Liberal government has refused to step in.

Again to the minister: how can we trust that this government is committed to workers in this province when you're allowing companies to build a low-wage workforce at the expense of British Columbians?

[1050]

**Hon. S. Bond:** We're hardly going to sit on this side of House and be lectured about unemployment in British Columbia. Let's be clear. In British Columbia today we are in single-digit unemployment all across this province. I can tell you, from my perspective, that at the end of that opposition side's government, the unemployment rate in Prince George was hovering at 18 percent. Now, that is shameful.

We need to be very clear. We do not accept or tolerate employer abuse of the temporary foreign worker program. We agree that the federal government did the right thing. They are adding more enforcement. They are ensuring that if employers have a legitimate need....

I'd like the members opposite to stand in this House and say that there is never, ever going to be a need for legitimate use of that program. Let's stand in the House and hear whether or not there will ever be a legitimate use for a worker from outside of British Columbia in this province. Let's hear it.

**M. Elmore:** Let's bring ourselves into 2014 and talk about the unemployment rate. How about that? That's novel. A recent report by the C.D. Howe Institute is very critical of the temporary foreign worker program. In

fact, the report found that this government's hands-off approach to the program made it easier for employers to hire temporary workers, and those changes contributed to a hike in the joblessness rate in B.C.

To the Jobs Minister: when is this government going to step up and actually keep its promise to protect jobs for British Columbians?

**Hon. S. Bond:** We know this: we wouldn't have to be even having the discussion about jobs in British Columbia if we left it to the other side. It is simply no — no to every single project that would create jobs and investment in British Columbia. No. We haven't heard a yes yet.

Which part of the program, the federally regulated program...? Let's look at the fact that the largest group of temporary foreign workers in British Columbia, 39 percent, are actually youth mobility students. They are students. They're called the youth mobility program. So 39 percent of them come to British Columbia to experience the rest of what we do in Canada. Are the members opposite opposed to that part of the temporary foreign worker program as well?

**Madame Speaker:** Recognizing Vancouver-Kensington on a supplemental.

**M. Elmore:** Well, this is par for the course, empty rhetoric, and this government is missing in action in terms of oversight of this program.

To quote the Premier, she said: "Our focus is to make temporary foreign workers a last resort," when "we've trained up every British Columbian and we've accessed every other part of the country." But we know that there are corporations that use temporary workers in virtually every location they operate, whether it's Victoria, Langley, Fernie or Fort St. John. We know that those same corporations take applications from Canadian workers and put them in the trash.

To the Jobs Minister: who is more important to this government — the corporations that abuse the program or the thousands of British Columbians who are getting shouldered out of work?

[1055]

**Hon. S. Bond:** Less than probably two minutes ago in this House I made it very clear how we feel about whether or not employers are abusing the system. We've been clear. We support the federal government's approach to say that if you abuse this process, you will not be able to apply for temporary foreign workers, and in fact, you will be blacklisted.

Let's take a look at a quote from someone that the members on the opposite side of the House have a great deal of respect for. Let's listen to a quote from April 4, 2014. "They're building a new smelter in Kitimat, a huge

job. There are 7 or 8 percent temporary foreign workers on that job from the United States that come through the union and go to work there, and then they go back home. That's not new. We've been doing it for a long time." I'm quoting Jim Sinclair of the B.C. Federation of Labour.

#### CLOSING OF YOUTH CUSTODY CENTRE IN VICTORIA

**C. James:** Yesterday, with no notice, we learned that the government is shutting down the youth custody centre in Victoria. Just a month ago I asked the minister directly about changes in youth justice facilities. She said that "we have no plan in place to make any significant changes" because we're still looking at our options "to maintain the best service for youth that we do have in custody."

The member for Juan de Fuca asked that same question a few months before, and here's his response. "My colleague forwarded your concerns regarding the rumours of youth custody services being closed. There is no foreseeable closure of youth services at this time."

My question is to the minister. How does the minister expect the public to have any kind of faith in the Minister of Children and Families when one day the minister says that they aren't looking at significant changes and the next month the centre is closing completely?

**Hon. S. Cadieux:** I know that the opposition doesn't like change ever, but in fact, sometimes tough decisions have to be made. I decided yesterday to make public the fact that I had made a decision that we would have to close the Victoria Youth Custody Centre.

I made that public yesterday, because I know there's been a lot of speculation over the last number of months, as is clear from questions that have been received from the opposition and from staff about what the future might look like. There's been a lot of work going on to determine how best to continue to deliver youth custody in the province of British Columbia, because we have seen a dramatic decline in youth custody rates in British Columbia.

Our youth custody rates have gone from 220 youth in custody on average to 74 on average last year. That means, for example, that the youth custody centre in Victoria on average has 15 youth in custody in a facility built and staffed for 60. That is not sustainable. We have to ensure that we're able to have the numbers of youth in custody maximized for the availability of the best services to those youth, and that's the decision that's been made.

#### FINANCIAL OVERSIGHT OF MULTI-MATERIAL B.C. RECYCLING PROGRAM

**L. Popham:** New recycling rules are set to come into

effect on May 19. This government has failed to do the work to ensure businesses are ready and willing to make those changes. Businesses will be paying large fees to MMBC under the new producer-pay model.

Many companies are refusing to participate, because there is no independent financial oversight under the Financial Administration Act and the Auditor General Act — companies like Buckerfield's, Pepper's Foods and Glacier Media. They don't trust that MMBC will provide financial transparency with their money.

[1100]

Will the minister bring MMBC under their jurisdiction of provincial financial transparency laws to ensure that audits are done and that businesses can have confidence in this new system?

**Hon. M. Polak:** I suppose what interests me most about the member's question is that we have just heard a long litany of questions that seem to represent opposition on the part of members of the other side to big business, big industry.

Here in this question, we hear the members suggesting that organizations like Coca-Cola, big brand names, shouldn't have to pay to dispose of their packaging. Instead, the member seems to suggest that taxpayers should continue to pay for that.

There's no question that there's a choice involved. When it comes to disposing of packaging and printed paper, the member may choose to support a model that requires taxpayers to pay for it. We have instead embraced an extended producer responsibility model that requires the producers of the packaging and the producers of the printed paper to pay for its disposal.

[End of question period.]

### Orders of the Day

**Hon. M. de Jong:** In Committee A, the Committee of Supply, for the information of members, the ongoing estimates of the Ministry of Education. In this chamber, continued committee stage debate on Bill 17, Miscellaneous Statutes Amendment Act.

### Committee of the Whole House

#### BILL 17 — MISCELLANEOUS STATUTES AMENDMENT ACT, 2014 (continued)

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

The committee met at 11:03 a.m.

On section 115 (continued).

**S. Chandra Herbert:** I'm just curious. A number of constituents have contacted me. They're supportive of this legislation, but they do wonder....

Interjections.

**The Chair:** Order, please.

**S. Chandra Herbert:** When a child is born and they are intersex, often it's not clear what gender or sex you would put down on a birth certificate. They're questioning why we are putting a gender marker down on a birth certificate when it's not clear what gender the child may be. In fact, the science shows that for these children you may not know their gender until they're three or four, because that's when, the science shows, the brain starts to connect these things. In fact, the brain does have clear differences for transgender folks, for people born male, people born female. There are actually differences in the brain.

[1105]

I'm just curious. They've argued that by putting on a gender that early on, in a sense you are bringing in discrimination, creating a class, a name for them that is not themselves. They wonder why this is being done and why, instead, we don't just have the registration of birth, which collects a gender for a variety of population health needs, and then have that put on later — with IDs, having photos, everything else. Is this necessary?

**Hon. T. Lake:** International identification and driver licensing standards do require a field called "sex" that contains either the M or F designation, which is on B.C. documents. Without that, B.C. documentation would not be internationally recognized as legitimately issued documentation.

I take the member's point, but in order to integrate with international systems, we are required to have an M or an F on those documents.

**S. Chandra Herbert:** International systems can also be discriminatory. Certainly, we've seen that over the years, and they've been forced to change, just as the B.C. government is being forced to change.

Harriette Cunningham, the ten-year-old, who I believe is now 11, really championed these changes. She says this change doesn't go far enough. She says for her and for others, this creates, in a sense, more discrimination because if they are not female and the doctor decides to mark F on their birth certificate, then that carries with them for quite some time.

Now, I wasn't asking about drivers' licences, because of course, a newborn wouldn't be getting a driver's licence. I was asking about birth certificates. If the minister could bring his comments back to birth certificates, that would be helpful to explain this.

**Hon. T. Lake:** The birth certificate is a foundational document for identification, and it is from the birth certificate that information required on a driver's licence is obtained. Also, the birth certificate supplies that documentation for passports, which are necessitated to have an M or an F as part of the internationally recognized standard. Without having this on the foundational document, the consequent documents would not be able to have the M or the F on it as well.

I wasn't implying that newborns would be able to drive, but that it is a foundational document upon which other documents rely.

**S. Chandra Herbert:** Were any transgender or intersex people consulted on the creation of this legislation?

**Hon. T. Lake:** Simultaneous consultations were carried out about the policy for the B.C. Services Card and the changes to the Vital Statistics Act. The College of Physicians and Surgeons and College of Psychologists were consulted, but also, consultation with the transgender community was undertaken.

[1110]

While I would say that there wasn't total agreement on the extent of the changes, I think the consensus was that this was moving, by and large, in the right direction. As I say, I think there were members of the transgender community that were very happy with this, but I think it's fair to say that some members of the community did not think it went far enough.

**S. Chandra Herbert:** I think it's important. We're not talking about changing genders here. We're talking about changing the mark on a piece of paper. We're talking about changing it in the system. Contrary to what some have suggested — that this is about changing genders, necessarily — this is about making sure the paperwork accurately reflects the gender of the person. This is not about a change; this is about reflecting who people really are.

As we have no transgender folks that I know of in this Legislature, just one quote. Harriette Cunningham says: "In my dreams, I was never a boy." To me, that really reflects what this is about and why this legislation is important and why we do need to make this change in legislation to accurately reflect where people are at and who they are, so they don't face the discrimination, so they don't face the torment, so they can really feel — not only in terms of who they are, because they feel that way their whole lives, generally....

It's not been a question that they've been tormented. What they've been tormented by is society's lack of recognition of who they are. I think that's the real issue we're dealing with here.

I had one question. What would happen in a situation where a child, let's say, has always felt their gender iden-

tity is opposite from the body that they've been born into? They want to make the official change on the documents to accurately reflect who they are. They go to their parents. Maybe they've got a dad and a stepmom or a mom and a stepdad or something like that.

Maybe there's an estranged guardian who has custodial rights on the weekends, or maybe they get to visit once a month. What happens if that person decides that they won't support such a change? What do you do in that situation, where some of the guardians support and maybe one doesn't?

**Hon. T. Lake:** This was something we wrestled with, to be honest. Knowing that young people often go through changes in their life, both physical and emotional changes, and just like there's a spectrum of where people are in that spectrum of gender, there's a spectrum of when people are knowledgeable and capable of making long-term decisions for themselves.

However, we did think it was important that parents have a say and a responsibility in making this decision with their child, so we have the parental responsibility and approval necessary.

However, we do recognize there are times, of which some examples have been made by the member, where there may be one parent that disagrees. Or in fact there may be a child that, essentially, is estranged from their parents. That's why there's a provision whereby the minister, with a compelling argument made on behalf of the candidate through a physician, psychologist or other advocates, could make an exception and grant this to someone that's under age of majority.

[1115-1120]

Section 115 approved on the following division:

YEAS — 70

Horne	Sturdy	Bing
McRae	Stone	Fassbender
Oakes	Wat	Thomson
Virk	Rustad	Wilkinson
Yamamoto	Sultan	Hamilton
Reimer	Morris	Sullivan
Cadieux	Lake	Polak
de Jong	Anton	Bond
Bennett	Letnick	Barnett
Yap	Thornthwaite	Plecas
Lee	Kyllo	Tegart
Michelle Stilwell	Corrigan	Simpson
James	Ralston	Dix
Farnworth	Popham	Kwan
Fleming	Austin	Hammell
Donaldson	Chandra Herbert	Huntington
Foster	Macdonald	Karagianis



Eby	Mungall	Bains
Elmore	Heyman	Darcy
Krog	Robinson	Trevena
B. Routley	Simons	Fraser
Weaver	Bernier	Martin
Moira Stilwell	Rice	Shin
	Holman	

NAYS — 4

Hunt	Dalton	Throness
	Gibson	

Sections 116 to 120 inclusive approved.

On section 121.

**J. Darcy:** Certainly, we support this amendment that "authorizes the registrar general officer to issue a copy or electronic extract of a registration of a death or stillbirth to a nurse practitioner," and so on.

[1125]

But I do feel that it's necessary to say that, important as that is, there are so many other issues that this bill should also have encompassed that the Nurse Practitioner Association has petitioned the minister about: the Health Care (Consent) and Care Facility (Admission) Act; under the Medicare Protection Act, the ability of nurse practitioners to be able to order MRIs; under the Pharmaceutical Services Act, nurse practitioners having independent access to PharmaNet, because not having it restricts their ability to conduct prescriptions, medication reconciliation, and so on; the Power of Attorney Act, which restricts a nurse practitioner's ability to confirm an individual's incapability, which is really critical for working with elderly and those with mental health and addictions issues, even though nurse practitioners are qualified for such diagnoses.

I think, really, the major thing that runs through these issues, as well as many of the others that I've referred to, is that we absolutely need to be bringing more nurse practitioners into the system. We need to be expanding their scope of practice. This is a good start, but there are about another 20 acts that are really critical if we're going to allow nurse practitioners to play their full role as health practitioners and to really assist in a health care team and in bending the cost curb downward, so to speak.

I think it's especially critical that we look at this so that we can expand the role of nurse practitioners in rural communities. Day after day, week after week we hear about rural communities that can't find family doctors, can't keep family doctors. Surely, part of the solution is to have more nurse practitioners as part of the rural health team.

I support this amendment. I would strongly encourage the minister to look at a whole raft of other amendments

that would finally allow nurse practitioners, who have advanced education, who have the ability to prescribe medication, who have the ability to order diagnostics.... Finally accept that they should be able to play their full role in the health care system.

**Hon. T. Lake:** I thank the member opposite for her comments. There wasn't a question there, but if I could just sort of summarize the role and the position of government vis-à-vis nurse practitioners.

In this legislation — and this is one of the sections we are on at the moment — we have nine acts that we are amending to expand the scope and practice: the Coroners Act, Employment and Assistance for Persons with Disabilities Act, the Family Law Act, Hospital Act, School Act, Vital Statistics Act, Wildlife Act, Workers Compensation Act, Youth Justice Act.

In 2012 we amended the Health Professions Act, again, to allow nurse practitioners to increase their scope of practice. In 2011 we brought through legislation and amended 12 acts to broaden nurse practitioners' scope of practice in a whole host of ways. So between 2011 and with this bill here, we've introduced over 20 legislative amendments, as well as regulatory changes, to enable NPs to practice to their full scope of practice.

Now, having said that, while we were identifying these amendments, we met with a wide range of stakeholders, including health authority chief nursing officers, the College of Registered Nurses of B.C. and, of course, the B.C. Nurse Practitioner Association.

When we're looking at whether to make further legislative amendments, there are other considerations that we need to take into account. The dependency on federal laws, for instance, is something that we do need to take a look at. Is there further work by the college of nurse practitioners that needs to be done to ensure that any amendments are of the type that will, in fact, allow nurse practitioners to practice effectively? And there are some cases where legal counsel has advised that a legislative change may not, in fact, be feasible.

Having said all that, I'm certainly willing to meet with the Nurse Practitioner Association to identify more areas that we can look at for legislative or regulatory amendments to allow nurse practitioners to be unlocked, to practise to their full scope of potential.

I think the member opposite and I fully agree that the nurse practitioner is an extremely important part of our primary health care system and can provide solutions, particularly in areas of the province that are underserved by existing practitioners.

This is not the end of the process. But it is.... I think, we've shown great progress, and we will continue to make progress in this area.

[1130]

**J. Darcy:** Thank you to the minister for that response.

Certainly, I know that the minister is aware that nurse practitioners already, within their scope of practice as defined by the college, can diagnose and treat illnesses, order tests, prescribe medications. They are health professionals who treat the whole person, addressing needs related to both physical and mental health. They can gather medical history, focus on how the illness affects patients' lives and their families' lives, offer suggestions for how to lead a healthier life, deal with chronic illnesses. They are also educators and researchers who can be consulted by other health care team members.

I'm glad to hear that the minister is willing to meet with the Nurse Practitioner Association because, certainly, what was done a couple of years ago was a good first step.

This is a good second step, but I think that there are many other areas that fall within what is already defined by the college, areas where nurse practitioners can begin to practise, especially with some further amendments to some of the pieces of legislation that I referred to as well — and I'm sure you'll hear this from the Nurse Practitioner Association — the Child, Family and Community Service Act, the Community Care and Assisted Living Act, the Continuing Care Act, the Health Care (Consent) and Facility (Admission) Act. I already mentioned the Health Professions Act, and there are several others — the Mental Health Act — in addition to that.

Minister, we have a situation where, yes, we are training. We are training a few more nurse practitioners every year. That's a very good thing. But at the same time, we are reducing the number of nurse practitioners in a number of areas, including in community health centres in the city of Vancouver and at Providence Health Care.

I would ask the minister if we and if nurse practitioners, who have worked hard to get further education in order to be full partners in all aspects of our health care system, can count on his commitment — if the Minister of Health will commit to it, forthwith, working with a lot of urgency to look at those other pieces of legislation and bringing those back before this House at the soonest possible opportunity.

**Hon. T. Lake:** It wasn't a question about this section of the legislation, but let me reiterate the support that this government has shown for the profession of nurse practitioners.

In May 2012 we announced the nurse practitioners for B.C. initiative, which provided funding for 135 new nurse practitioners — over \$15.7 million that is designed to fund 135 new NPs over three fiscal years. We have placed 87 additional nurse practitioners, so the member is incorrect saying that we are reducing nurse practitioners. There are 87 additional nurse practitioners through this program. In the coming months we will place the third round of NPs as we finalize opportunities with health authorities.

I meet with my own regional health authority. I meet with all of the health authorities. Everyone in the system understands the value of nurse practitioners. We are unlocking the potential of nurse practitioners both with funding and with regulatory legislative changes, and we will continue to do that.

**J. Darcy:** Just one last question, Minister. The minister said that nurse practitioner positions are being increased. Granted, they are being increased in some areas, but he responded to my comments by saying: "It's not true that we are reducing positions." In fact, there have been positions lost in Vancouver, in community health centres — at the Evergreen Community Health Centre, at Raven Song and at Mid-Main Community Health Centre — and at Providence Health Care, 2.5 positions in cardiology and one position in the respiratory department.

I would ask the minister if he could please clarify his remarks when he says that no nurse practitioner positions are being reduced, because in fact they are.

**Hon. T. Lake:** Well, there are some MLA's that don't come back to the Legislature, but there are still 85 MLAs. There are changes, workforce changes, to meet the demands of the people they serve. When changes occur to ensure that the system is optimized, sometimes that means the positions change.

But when you look at the net number of nurse practitioners practising in the province today, it has never been higher. The number of nurse practitioners being trained has never been higher. There is a net increase and will continue to be a net increase of nurse practitioners as we roll out the last part of the nurse practitioners for B.C. initiative.

**J. Darcy:** I just need to clarify to the minister that the issue is not about change; it's about whether it has changed for the better.

[1135]

Introducing more nurse practitioners into the health care team, both as part of a team and engaging in independent practice, is a very important change and one that the members on this side of the House have supported and advocated for, for many years.

It is most decidedly change for the worse when we're talking about taking nurse practitioners out of community health centres, out of Providence Health Care and those departments, because these absolutely are nurse practitioners who are playing a vital role now in the health care system. Surely, we should be expanding their role in interdisciplinary teams in the community rather than removing them.

**Hon. T. Lake:** Well, this isn't the venue for a debate. I was happy to answer questions in question period about this. We're talking about the section of the bill.

To the member opposite: it is important that the system is optimized, which means utilizing the people — the right person for the right patient at the right time. I think we both agree about that. Every time there's a change, there's a litany of complaints from the opposition that it must be awful, that things must be cut rather than being optimized. In the case of the community health centres, the changes will result in seven-day-a-week, longer service for a highly vulnerable population.

I had the opportunity to tour Raven Song Community Health Centre just last week. They do an amazing job, using an interdisciplinary team. That interdisciplinary team is best suited for highly complex, vulnerable people. That is why these changes have been made — to utilize nurse practitioners in areas where they can benefit patients the most.

I think we're saying the same thing. The opposition is using this as an opportunity to continue to make a point which, I think, has been lost on them — that changes for the better need to occur to make sure that the optimal service to a vulnerable population is provided so that the right person is providing the right care at the right time in the right place. We'll continue to support that kind of approach.

Sections 121 to 148 inclusive approved.

On section 149.

**S. Chandra Herbert:** I'm not sure if it would be appropriate to ask the question here, or to ask it on 150, so I will look to the minister for guidance.

I'm curious. A constituent has contacted me about this.

**The Chair:** Member, just wait.

Interjections.

[1140]

**S. Chandra Herbert:** I'm very supportive of this section. It's certainly something that our firefighters have called for, for a long time — something they at one point had and had to fight to get back. It's a good change, and I'm glad that we're getting this back into the Workers Compensation Act.

The question I had comes from a constituent. I wrote the minister about it. She has been writing the minister as well, I believe. I spoke about it on the second reading. The question is: what are we doing about folks who may not technically be, I guess, a firefighter in the sense that their primary objective is not fire suppression duties? Maybe they do this as part of their work. It's not the primary aspect.

The constituent asked about ferry workers who also had the job of being involved in fire suppression, and she spoke about her husband. But I think the question is a

wider one, because there are people who work in fire suppression who are not part of fire brigades but who may do so as part of their employment — as part of their job, but not the primary function of their job. They could potentially, depending on what the doctors said and what the science showed, also develop a presumption for an occupational disease similar to what we're considering here.

How do you determine who qualifies under this section and who doesn't? Right now my understanding is that it's just if it's primary, but what about those who do it as a secondary aspect of their job?

**Hon. S. Bond:** I appreciate the member's question. The presumption applies to firefighters who meet the definition of "firefighter" noted in the act and the requirements that are there. The definition of "brigade...." It does talk about being part of a fire brigade. It is a term used in the Workers Compensation Act, and it is not specifically defined.

What would happen is that WorkSafe would determine how the term is applied. They actually have some latitude to consider each case individually. In general, though, a brigade refers to a group of workers organized for a specific activity. In this case, it would be firefighting.

I think the answer would be that WorkSafe still has the discretion to take the act, to apply it to individual cases, and they would then adjudicate after they've determined eligibility. But this is primarily for people whose primary function is fire suppression.

**S. Chandra Herbert:** If I'm hearing correctly, the minister is not dismissing or discounting the idea that somebody who may be a firefighter as part of their job, but not the primary part of their job, could potentially still fall under this change to the act. Is that right?

**Hon. S. Bond:** I think so. The principle is that the claimant must be part of a fire brigade whose primary responsibility is suppression, and the worker would have to demonstrate that they are regularly exposed to the hazards of a fire scene throughout the worker's employment as a firefighter. If the conditions are not met, the presumption would not apply. So there wouldn't be a presumption, but WorkSafe would still adjudicate the claim. There could be a claim. The presumption would not apply.

The claim to determine.... There would need to be a determination of eligibility for workers compensation more broadly. Unless they can meet the test of eligibility, which is primary responsibility, part of a fire brigade, then there is a presumption, and there's no further need....

[1145]

One of the reasons firefighters are very relieved — I know the member opposite is very supportive of this — is that they no longer have to prove their case. It is because of the exposure and their work that there is now a

presumption. In the case of someone who can't meet the eligibility criteria, there would not be a presumption, but it does not rule out eligibility for a workers compensation claim more broadly.

**H. Bains:** My question is more to the effective date of this section coming into effect. I do have some questions as were asked previously, but I think a bit more clarified now. If you're not a regular firefighter, as the definition shows, or, it says: "has been regularly exposed, throughout the worker's employment as a firefighter, to the hazards of a fire scene...."

So it still talks about firefighters and not those who may have been employed to the fire scene. It could be different parts of the workforce. We could describe many different scenarios where there are firefighting crews who work regularly to watch and fight fires. I'm just wondering how that would apply to all those outside of the firefighters.

**Hon. S. Bond:** As I said earlier, I think that the key eligibility criteria reflect the fact that the person must regularly be assigned primarily to fire suppression duties and also that the worker must be regularly exposed to the hazards of a fire scene throughout the worker's employment as a firefighter. So we should be clear. This is legislation directly to respond to the ongoing and continuous exposure that firefighters, in particular, face.

As I said to the member opposite previously, it does not rule out the eligibility for a workers compensation claim more broadly. But if you are outside of the role of a firefighter — and this does include forest fire fighters — then WorkSafe would have to consider that claim under the broader mandate of workers compensation.

**H. Bains:** I agree. I think the firefighters have been lobbying for this for a long time, and I think all of those firefighters would be pleased to see this go into effect.

The effective date is.... I'm reading (9)(b).

**The Chair:** Member, we are on section 149. We have to pass that first.

Section 149 approved.

On section 150.

**H. Bains:** I'm looking at subsection (9)(b). As you read the entire line, it says: "The presumptions in subsections (7) and (8) apply only to a worker who (a) has been regularly exposed, throughout the worker's employment as a firefighter, to the hazards of a fire scene, and (b) is first disabled as a result of the heart disease or heart injury, as the case may be, on or after the date this subsection comes into force."

My question to the minister is: all those firefighters

who meet the qualification as listed above who have active claims on or before the date this act comes into effect — will they be covered?

**Hon. S. Bond:** There is no retroactivity considered in this bill. It is the historical approach. That is how workers compensation legislation in British Columbia has been made prior to this bill. In fact, the approach has not been to make changes that affect entitlement retroactively.

The firefighters and others that we had this discussion with were aware of that. So none of the existing firefighter cancer presumptions were made retroactive before the date of the specific presumption was announced. That's why this section is consistent with that practice.

[1150]

**H. Bains:** I want to read a letter that I received from Battalion Chief Michael Gains, CFB Esquimalt fire department. This is what he has to say about this, in regards to Bill 17, 2014, amendments to the Workers Compensation Act.

"I am a firefighter who is currently disabled to practise firefighting and had a WCAT, 2013. There is a case number decision rendered against my case on December 27, 2013.

"I have heart disease, and it was ruled that my condition was not related to my 35-year firefighting occupation. My situation was ongoing and in the appeal state when the election promise was made in the spring of 2013 to the B.C. firefighters by the Liberal government.

"As such, my arguments were in stream between the post-promise and the delivery of this law, and as the House did not have a fall sitting, the law has taken a full year to come before the Legislative Assembly.

"In view of this and how dramatically having the presumptive language may have affected my outcome, I would like to request an amendment to Bill 17, 2014, para 9(b)."

Basically, he's saying that except for people or firefighters who had a WorkSafe claim before the board and were sick or disabled or injured as of January 2012 and/or except for people, firefighters, who had a WorkSafe claim as of the spring of 2013 not yet determined at the appeal level.

"This would allow my representative to request a reconsideration of my circumstances and to use the presumptive heart disease language in my argument for the benefit.

"Thank you for the consideration.

"Sincerely,

"Michael Gains, battalion chief"

I think there will be many others who will be in a similar situation as Battalion Chief Michael Gains is arguing. I think he's making a pretty good case.

As a result, I'm proposing an amendment, and I have handed it to the Clerks. I think the minister has a copy.

[To amend section 150 of the Act by adding the text shown as underlined:

**150 Section 6.1 is amended**

(a) **in subsection (1) by striking out** "In this section," **and substituting** "In subsections (1.1) to (4) of this section," **and**

(b) **by adding the following subsections:**

(6) In subsections (7) to (9) of this section:

**"firefighter"** means a worker who is a member



of a fire brigade and is assigned primarily to fire suppression duties, whether or not those duties include the performance of ambulance or rescue services;

"heart disease" includes disease of the pericardium or coronary arteries;

"heart injury" includes heart attack, cardiac arrest or arrhythmia.

- (7) If a worker is disabled as a result of a heart disease and was employed as a firefighter at or immediately before the date of disablement from the heart disease, the heart disease must be presumed to be due to the nature of the worker's employment as a firefighter, unless the contrary is proved.
- (8) If a worker is disabled as a result of a heart injury and was employed as a firefighter at or immediately before the date of disablement from the heart injury, the heart injury must be presumed to have arisen out of and in the course of the worker's employment as a firefighter, unless the contrary is proved.
- (9) The presumptions in subsections (7) and (8) apply only to a worker who
  - (a) has been regularly exposed, throughout the worker's employment as a firefighter, to the hazards of a fire scene, and
  - (b) is first disabled as a result of the heart disease or heart injury, as the case may be, on or after the date this subsection comes into force, and for those who had an active Worksafe claim before the board and were sick, disabled, or injured as of January 1, 2012.

I move the amendment.

On the amendment.

**Hon. S. Bond:** It's hard to hear letters like that and to be seen as potentially being unsympathetic. It is nothing about that, because if we draw the line in 2012, there are people who will have circumstances in 2011 and 2010 and 2009.

The practice in dealing with workers compensation legislation has been to look forward. All of the cancer presumptions were done similarly.

I deeply respect the letter that has been shared and the circumstances that the member opposite has shared, but we will not be supporting the amendment. We want legislation and the approach to it when it comes to these kinds of presumptions and to workers compensation legislation to be consistent.

It is painful to draw a line, and it doesn't matter where you make that determination. There's always, or usually, someone on the other side of it. The practice has been that there has not been entitlement to benefit retroactively. That has been our practice. It was the circumstances with firefighter cancer presumptions.

I know that that was disappointing and difficult for some, but we made a commitment to restore this, moving forward, and that's exactly what the legislation does. So we will not be supporting the amendment.

**H. Bains:** I just want to add to the amendment I presented a few of my thoughts in support of the amendment.

[1155]

I understand what the minister is saying, and I understand that there always has to be certain dates if you are bringing a change. But I think what is being proposed here and what is being proposed by Battalion Chief Michael Gains is that we're not talking about it as retroactive openly. We're talking about going back to include those who had active claims as of January 1, 2012.

For those who do not have active claims, I understand they probably would be saying the same thing and could make a pretty good argument. But this is not asking too much. This is in addition to what is being proposed, which means that those who have already come forward had established their claims. The only reason they are being denied their claim is because the presumptive argument does not apply to them, and as a result, their case is denied.

I think it's fairly reasonable. I don't demean the argument of what the government is saying, what the minister is saying, and I fully understand that the minister is sympathetic to the argument. I think what we are talking about is a practicality of when we make this effective.

Making it openly retroactive I think would probably not be acceptable to the government. I understand that. But I think if we simply put a date, which is being proposed through my amendment, January 1, 2012, and those who have active claims on or after that....

I don't know how many numbers that would be, but certainly there's one here before us. There might be a few others. We don't know. That's why we say that this amendment makes sense, and it should be supported.

**Hon. S. Bond:** The challenge is.... Again, I want to be very clear about understanding how difficult this is and being sympathetic to all of the arguments that the member opposite and the captain bring to the floor. But if we were to agree to an amendment of the nature the member suggests, it does become retroactive. As difficult as it is, the legislation is written, in sub (9)(b) — the member is correct: "is first disabled as a result of the heart disease or heart injury, as the case may be, on or after the date this subsection comes into force." It is moving forward.

A claim in the system today would be adjudicated under the current situation. To extend the presumption, even in one case, creates a clause that is retroactive. As we've said, that was not the case in any of the cancer presumptions, and it is a difficult decision to make. When there is an arbitrary date that's selected, there is always someone who's impacted on the other side of that date.

In order for this to remain consistent, as difficult as it is.... Again, I want to say that I hear the concerns, and it's difficult to hear the letter. But in fact our principle is, and the legislation that we've provided and worked with.... We have added a significant number of new presumptions for firefighters. All of them have been proactive. So we would not be supporting the amendment.

Amendment negatived.

**Hon. S. Bond:** I ask that the committee rise, report progress and seek leave to sit again.

Motion approved.

The committee rose at 11:59 a.m.

The House resumed; Madame Speaker in the chair.

Committee of the Whole (Section B), having reported progress, was granted leave to sit again.

Committee of Supply (Section A), having reported progress, was granted leave to sit again.

Hon. M. Polak moved adjournment of the House.

Motion approved.

**Madame Speaker:** This House, at its rising, stands adjourned until 1:30 this afternoon.

The House adjourned at 12 noon.

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## PROCEEDINGS IN THE DOUGLAS FIR ROOM

### Committee of Supply

#### ESTIMATES: MINISTRY OF EDUCATION (continued)

The House in Committee of Supply (Section A); M. Dalton in the chair.

The committee met at 11:08 a.m.

On Vote 18: ministry operations, \$5,350,361,000 (continued).

**R. Fleming:** We just began the estimates yesterday and didn't get too far into the first topic, which was around funding shortfalls, which are very topical. As we've seen with yet another packed budget meeting in Vancouver last night with hundreds of parents, it is top of mind for parents right across the province due to funding shortfalls that are caused by what is essentially five years in a row of flat funding over this service plan, combined with the last two fiscal years.

I wanted to get back to canvassing the minister's understanding and appreciation for some of the challenges that districts are labouring under. I know he will speak again about a co-governance relationship that

he is striving to implement and to set out in principle with school districts. The reality is that there's only one partner in that co-governance relationship that has the authority to raise taxes and transfer funds. The other partner is in the weaker position, where they administer them, and, to their credit, they have demonstrated incredible efficiencies over recent years.

We talked a little bit about the cooperative gains mandate yesterday. I think that's where we concluded. The costs that were absorbed internally 100 percent by school districts in the last fiscal year — those are going to carry forward and in fact magnify, because wage increases are still to come that were part of that agreement in the fiscal year that we've just started.

[1110]

I think the minister answered, to the best of his ability, the cost of the CUPE settlement. He did commit to bring information about a precise dollar amount, as is his understanding, of what that may cost districts.

I want to go to the issue of inflation and ask him... In the last two fiscal years there was no increase in the operating funds that were transferred to districts from his ministry, yet inflation increased by 3.4 percent combined. Is it his understanding — and why, for example, is it not in the service plan, at least to be reflected — that the inflation rate, as projected by the budget of the government elsewhere, outside of his ministry plan, is projected to increase 1.7 percent in 2014, 2.3 percent in 2015, a further 1.7 in 2016 and then 2 percent in 2017? So there'll be considerable inflationary pressure on school districts.

I think where that plays out, in particular, is on supplies and services. School districts combined spend something like \$680 million on those sorts of things that fit into the supplies and services category. It would cost something like, looking at those inflationary numbers, \$20 million to \$30 million, depending on the rate projected, just to do the same thing in the previous fiscal year.

Does the minister understand that inflation is a key pressure that faces school districts? Just to stand still and do the same things that they've done in previous years, it costs more to buy those services. What have his discussions been with districts around the issue of compensating for inflation?

**Hon. P. Fassbender:** I did, before I answer the last question, want to bring a piece of information that I committed to. I also wanted, for the members that are in the chamber right now, to indicate that the superintendent of achievement, Rick Davis, is with me. Also, the ADM of resource management, Deborah Fayad, has joined me to provide me with assistance.

Yesterday I was asked about the effect of the increases to wage and benefit lifts. That was asked for. My understanding for the fiscal year '14-15 it's 3.5 percent, or \$36.6 million.

[The bells were rung.]

With that said, I'm assuming we need to recess for the House. With that, I would ask that we recess and reconvene after the vote.

**The Chair:** Thank you, Minister. We will recess until after the vote.

The committee recessed from 11:14 a.m. to 11:24 a.m.

[M. Dalton in the chair.]

**Hon. P. Fassbender:** Resuming my answer to the last question by the member opposite. As he clearly recognizes, 85 percent, roughly, of all budget in school districts is salaries. The remaining 15 percent and the degree that inflation actually affects that varies by item. We clearly recognize there are inflationary pressures. But we've been working closely with school districts, and they've done a great job to find efficiencies in shared services on a number of fronts, whether it's legal fees, other issues like that, HR programs.

[1125]

We've also, through B.C. Hydro, helped them implement energy-saving programs to reduce the amount of pressure. Those things that are left do not translate from the figures that I have looked at to the dollar figures that the member opposite quoted, but indeed, any inflation is going to affect any sector of our economy, whether it's us personally or whether it is institutions such as school districts.

**R. Fleming:** I think we've established that the inflationary pressures are in the tens of millions to districts each year. It is not funded or compensated by government's grant.

I want to move on to.... He mentioned the 85 percent of expenses that are related to employees. There are cost drivers there in terms of staff benefits and wage costs. One of them is teachers who are progressing through the different pay grades that they receive. That is not funded adequately to districts.

One that is completely within provincial control as well is the MSP premium increase. I want to ask the minister about this cost pressure because there was an increase just three months ago — January 1, 2014. There's another one scheduled, of 4 percent, on January 1, 2015, so over 8 percent within 16 months of the fiscal school year, or, I should say, in one and a half fiscal years there are two increases to MSP.

The estimate I have is that the 2014 increase that occurred three months ago was a \$2 million to \$3 million cost driver, so I presume that it will be another \$3 million for the MSP increase that's projected in the budget year that we're discussing today, beginning January 1,

2015. I'm wondering if he can confirm those MSP premium increases.

**Hon. P. Fassbender:** I just want to confirm that the actual increase projected as of July for 2014-2015 is \$2.6 million.

**R. Fleming:** Thank you to the minister for that answer. I'll move on to the next unfunded cost pressure that districts are facing, which is B.C. Hydro. Indeed, this is one that will resonate for all residential customers out there: government's announcement that as of April 2014, so a few weeks ago, a 9 percent increase on the front end followed by a 6 percent increase the next year and a 4 percent increase the following year — cumulatively, a 20 percent increase over three years on hydroelectricity costs for school buildings, some 2,000 buildings across the province, on a compounded basis.

There was a lot of discussion about this in the fall. There were a lot of appeals to both the Energy Minister and the Minister of Education to help school districts because of the cash position that they're in, the deficit and the risk of more unfunded pressures in addition to the ones that I have already talked about.

Does the minister have an estimate of what the hydro rate cost increase will mean to the 60 districts for each of the fiscal years in the service plan? It is ramping up quite steeply: 9 percent, 6 percent and 4 percent.

[1130]

**Hon. P. Fassbender:** The figures that I have are for 2014, and these are, of course, provided by the school districts through BCASBO. For 2014-2015 the increase across the 60 districts is \$748,677.20. We're looking for the figures moving out through the service plan.

I will point out again for the member opposite that, indeed, one of the things that B.C. Hydro has been doing actively, even prior to these increases being announced, is working with school districts on energy-savings programs. I don't have the figure right at hand on the kinds of savings, but I know they've been significant — in retrofitting and opportunities for energy saving. Hydro continues to work with all of the school districts as well as our ministry team and other capital maintenance improvements that will help with the overall energy costs.

**R. Fleming:** I think we'll come back to part of the minister's answer later in the estimates, about capital programs and how well and efficiently they're aligned together. When the school buildings opened up.... There are a number of different grant funds, and energy savings is one of the ones that has been challenged in recent years. We'll hold off for now.

I want to ask about unfunded pension plan increases that were formerly covered by government in the labour settlement fund in 2008. In 2010 there were in-

creases to the teachers pension plan that were in the cost magnitude of about \$41 million to \$42 million annually. Government helped districts meet those costs. They recognized that those pension plan increases did require an increase in the grants to the operating costs of districts.

The government no longer provides that kind of assistance and now downloads the costs entirely to school districts for the increase in the teachers pension plan. I understand in 2010-11 that was a \$23 million download. In 2013-14 it was a \$32 million download that was absorbed by school districts. Given that the districts' share of the 2014-15 increase to the municipal pension plan effective July 1 is a 1.4 percent increase, can he give a number as to what the 2014-15 estimated increases to the teachers pension and municipal pension plans will cost the school districts?

[1135]

**Hon. P. Fassbender:** The figures I have in front of me are for the teachers pension plan contribution this year. The cost of that, with the increase of 1.3 percent, is \$32,754,054.66, to be exact. We are planning, as we have in the past, to contribute upwards of \$30 million through contingencies for the unfunded liability portion of that plan. I don't have the figures for the other public sector workers within the system, and I will be happy to have my staff provide that to the member when they can get those figures.

**R. Fleming:** Thank you to the minister for his response. I want to ask him about the provincial learning network as well, because the upgrade that was required by the ministry... I recognize that some of the additional costs were added to the annual facility grant, but it's the service costs as opposed to the hard costs that concern districts in future years, including this year, and there is an estimate that there is about \$5 million that's unfunded that will be incurred by districts in service costs to support the provincial learning network.

I'm just wondering if that's something that he has discussed further with the secretary-treasurers association of the school districts, who wrote to the ministry and presented a number of options that they felt... Sorry, they responded to the ministry's letter around a number of options around deducting costs from holdback funds.

The ministry has suggested that it will scoop back service cost increases from the provincial learning network incurred by school districts from money that they would expect to receive, the holdback funding. Is that still the course that his ministry is taking with districts, and can they expect to have another nearly \$5 million hit to their budgets that isn't funded?

**Hon. P. Fassbender:** The member is probably aware that we're projecting roughly about 2,000 less enrolment this year. We will realize that, of course, when the final

counts are in, and that creates our holdback fund.

[1140]

It is our intent to fund that, which in effect means that the money that we have put aside for enrolment, if it's not realized, will be used to fund that. Again, it is that balance between projections on enrolment. When we did send out the letters to the districts, we made it clear that they would be funding those elements other than those funds that we might use from the holdback, which they don't budget for in any event. I think that's an important factor for the member to realize as well.

**R. Fleming:** I want to ask the minister about the funding shortfalls that have been reported to him by a number of districts. Kootenay-Columbia school district 20 is reporting a shortfall close to \$1 million in their budget update that they printed in March and is considering eliminating teachers, cutting library services, eliminating some or all teacher-librarians in the district and eliminating, possibly, library assistants as well.

Given the literacy goals and initiatives that the province has and that these are some of the options that are having to be considered because of the flat funding situation that districts find themselves in, in light of all of these rising cost pressures that we've discussed a little bit this morning and yesterday afternoon, how is the minister going to respond when the funding realities and the cuts that they necessitate around libraries...? I think we can talk about trades, other initiatives and English language supports as well.

How does his ministry's goals in the service plan...? They become self-defeating in this situation. Does he have any thoughts around the literacy initiatives that government funds and the possible closure or hollowing out of the library services in districts like Kootenay-Columbia and elsewhere in B.C.?

**Hon. P. Fassbender:** I think what's important here is to look at even the record in the Kootenay district, and indeed, they have a very successful outcome. They've worked very well. They've been able to manage their budget. They've been able to make the hard decisions that sometimes school districts face, and as the member knows, it is the districts that make the decisions — what types of teachers, what programs they fund and to what level, with the ultimate goal to ensure that they have great outcomes.

In that district and even provincially our graduation rates have risen for all students from 76 to well over 83 percent. We have aboriginal student graduation rates that have dramatically increased from 42 to 59 percent; English language learners are also better — from 79 to 85 percent graduation rates; and special need students, from 32 to 58.7 percent.

[1145]

What I'm heartened by is the hard work that I know



the districts are doing in tough financial times to balance their budgets but also to make sure that the core services — literacy, numeracy and those things — are maintained.

In Kootenay they're doing a great job. Their achievement records show that. I think it's the quality of the teachers that they do have. I know they've closed some schools, which is never easy in any community, but they've done that in order to balance their budget. I'm very heartened by the kind of work that they are doing.

**R. Fleming:** I think it's important that the minister hear from school leaders that these aren't hard decisions that they wish to be facing. They wouldn't categorize them as that. In some cases they would categorize them as poor decisions, but inevitable ones, because they are being forced upon them by the funder, and the funder is the provincial government.

Libraries are core to a school operation and to meeting the outcomes that the ministry sets around student achievement. They are being contemplated for closure and for being destaffed. That is the reality in this particular district, the Kootenay-Columbia district. There are other realities we'll get to later in this set of estimates.

Noting the time that we have available, just before we recess for a short period, I want to ask the minister very quickly about trades training, to see if the budget.... The numbers aren't broken out as clearly as one might like.

Historically, the Industry Training Authority has provided \$5 million of funding for the two main apprenticeship programs in high school, the ACE IT program and the SSA. Is that set to change over the next three years of the service plan, or does it remain at \$5 million that is shared between, I would say, 60 districts — but maybe the participating districts — that happens currently?

**Hon. P. Fassbender:** As the member may know, there is an announcement of some significance today as it relates to skills and jobs training. I'm not going to preclude that, but I will say this. Absolutely, skills and jobs training is a high priority for the government. We see it as an essential element of the educational program. I think the member can ask the question again after the lunch break and after the announcement. I can give more detail at that point.

I will say this. I know clearly, having travelled the province, that there is some great work going on in communities. In Campbell River, where I visited, Canfor, as an industry partner, has stepped up. I saw the same thing in Prince George on a unique program with five elementary schools, where Canfor again has stepped up to provide some additional funding. I've seen, the other day in Cranbrook and Fernie and Sparwood, some very innovative programs at the school level with the community participation. I recognize clearly that what school districts are

doing is embracing the philosophy of working with communities to find unique ways to meet the needs.

This government is committed to skills and job training. I think after the lunch break today the member will have a much better idea of the kind of things that we are planning on doing.

**R. Fleming:** I want to ask the minister about some enrolments, about trades training. I note that his own ministry does, indeed.... School districts deserve a lot of credit for some of the innovative trades-training programs that the minister has just described. But his own ministry characterizes the situation across British Columbia as ranging from weak to strong in the different districts in terms of what trades training looks like and what student involvement is like. There are some weak areas that I think we're most concerned about.

[1150]

I know the enrolment numbers in 2013 in B.C. schools were about 800 in the SSA program and 2,400 in ACE IT, the ITA-sponsored program — about 3,200 students enrolled in B.C. I don't know what that is in terms of the overall secondary school participation, but there are 550,000 public school students in B.C. of all grades. That would be interesting to note.

What's of interest to me is that the government had what it called a strategy released in 2012 to increase, over three years, trades-training involvement by students, enrolment, by 50 percent. We're pretty much getting close to the end of that. I presume this strategy began in 2013, 2014 and 2015. Could the minister give some numbers in each of the two out of three years that the strategy has been in place and how close it is getting towards a 50 percent increase?

**The Chair:** Minister, and noting the hour.

**Hon. P. Fassbender:** Indeed. Thank you, hon. Chair. I will make it very brief.

We are waiting for the figures from the ITA. The last figures we have are 2011-2012. We don't have the most recent graduation figures. We have, I think, an estimate, but I would not want to rely on that. We will be providing that information as we get it from the ITA.

I think, also, today what you're going to hear will reflect on the work of the ITA in our school districts. I think you will see some significant progress.

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

Motion approved.

The committee rose at 11:52 a.m.



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