



Fourth Session, 40th Parliament

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LEGISLATIVE ASSEMBLY**
(HANSARD)

Monday, March 9, 2015

Afternoon Sitting

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THE HONOURABLE LINDA REID, SPEAKER

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PROVINCE OF BRITISH COLUMBIA
(Entered Confederation July 20, 1871)

LIEUTENANT-GOVERNOR
Her Honour the Honourable Judith Guichon, OBC

FOURTH SESSION, 40TH PARLIAMENT

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Honourable Linda Reid

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MONDAY, MARCH 9, 2015

The House met at 1:33 p.m.

[Madame Speaker in the chair.]

Routine Business

Introductions by Members

D. Horne: It's with great pleasure today, this afternoon, that I introduce a group of Washington state legislative interns who are visiting from Olympia. They are part of an annual internship exchange between Washington state and British Columbia. The exchange is an opportunity to share, learn, observe and compare our two systems of governments. We share a border and many natural resources and often work together to mutual goals.

This exchange is a valued part of our own B.C. legislative internship program. Our visiting U.S. interns represent eight universities in Washington state and a wide variety of academic pursuits — from law to justice, managerial economics and political science. They are accompanied by two staff members: Paula Rehwaldt, the House civic education intern coordinator; and Emily McCartan, the Senate civic education intern coordinator.

May the House make them truly welcome.

S. Robinson: Just like everybody else here in this House, when we put our names forward to run for office, we're not just running independently; we're running with our families. My husband is here joining us for the first time since I've been elected. I'd like the House to please give him a warm welcome and show our appreciation for all of our spouses who put up with so much from us.

Hon. S. Cadieux: Visiting the Legislature today is the president of the Rotary Club of Surrey-Newton, Mr. Kultar Thiara, and his wife, Surjit. They are joined by friends Harjinder Dau and Loveleen Dau and their three children — Kavita, Isha and Anya. Visiting from the U.K. are also Mr. Shingara Dau and Ms. Jaswant Dau, parents of Harjinder.

[1335]

I'd like to make them welcome and would ask the House to do so as well.

C. James: I have two constituents who are visiting today. Sharon Klein, prior to her well-deserved retirement, was involved with the B.C. Paraplegic Association and the Canadian National Institute for the Blind as their coordinator of special events on Vancouver Island. Sharon lives in Victoria, but even though she is retired, she's actively involved in her volunteer work with the Living Edge society, which is an organization that delivers grass-roots food programs.

Sharon is here with a very, very special guest. One of her ten grandchildren is here with her today. Vanessa Mai

Hayes is six years old and is a grade 1 student at Oaklands Elementary. They're visiting a regular who sits in the gallery and watches all of us and who said he doesn't want an introduction. I would ask the House to please make very welcome Sharon and Vanessa for their visit here today.

Hon. A. Wilkinson: I'd ask the House to welcome the representatives of the executive of the BCIT Student Association — President Dylan Smith; VP, external, Tyra Bermudez; VP, student affairs, Evan Findlay; and the chair of School of Business, Joseph Prophet. Please make them welcome.

H. Bains: I'd like to join with the Minister of Children and Family Development in welcoming Kultar Thiara, the owner of the Grand Taj banquet hall in the Surrey-Newton area, along with his family and his relatives from England.

On behalf of all of us, I just want to say thank you so much to Surrey-Newton Rotary, him being president. They did a fundraiser on Saturday night in their hall for a school in the Philippines to help those children who were left without a school because of a typhoon at that time.

I say thank you to you, Mr. Thiara, and thank you to the Surrey-Newton Rotary. I think they have raised more money than was needed — that is another issue — which is a good problem to have. So thank you very much.

I say please help me make them really welcome here.

Hon. T. Lake: The Heart and Stroke Foundation has been a great partner with the province of British Columbia on programs like the automatic external defibrillator program, meeting with folks in the Legislature around stroke awareness. I'd like the House to welcome today Adrienne Baker, their CEO, as well as Mark Collison, their director of advocacy. Would the House please make them welcome.

K. Corrigan: I'd like to join with the Minister of Advanced Education in welcoming the BCIT student association — Dylan, Tyra, Evan and Joseph. They do great work for the institution, and I hope the House again will make them very welcome.

S. Robinson: I apologize for not properly introducing my husband. I was so excited he was here, I never said who he was. His name is Dan Robinson, and would the House make him really welcome.

Introduction and First Reading of Bills

BILL 18 — ADMINISTRATIVE TRIBUNALS STATUTES AMENDMENT ACT, 2015

Hon. S. Anton presented a message from Her Honour the Lieutenant-Governor: a bill intitled Administrative Tribunals Statutes Amendment Act, 2015.

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

Motion approved.

Hon. S. Anton: I am pleased to introduce the Administrative Tribunals Statutes Amendment Act.

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

Bill 18, Administrative Tribunals Statutes Amendment Act, 2015, introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

[1340]

Statements (Standing Order 25B)

BRIAN SMYTH AND CONTRIBUTIONS OF FIREFIGHTERS

L. Throness: Today, as we celebrate the contributions of firefighters across the province, in my own riding we are mourning the passing of a firefighter over the weekend: Brian Smyth. Brian was a comparatively young man, just 57 years old, when he suffered a heart attack on Friday while attending a house fire near Cultus Lake, just minutes away from his own home in Lindell Beach.

He had been a member of the Columbia Valley fire department for ten years, a hall that is particularly close-knit. His 20 fellow volunteers are taking the loss hard. Brian grew up in Chilliwack. He was an avid 4-H Club member, known as a kind and gentle person, always looking to encourage the needy ones in his community. He is survived by his sister Sarah Wiens, whom I spoke with today, and his nephew Andrew Wiens.

British Columbians find all sorts of ways to care about each other. Some might work in health care or pastoral ministry. Others volunteer in any one of 27,000 societies in B.C. But it takes a special kind of person to care for their fellow citizens by undertaking the stresses and the hazards of fire, collapsing structures and toxic chemicals on their behalf.

Brian took on these risks every day, along with thousands of volunteer and professional firefighters across B.C. expressing their care for fellow British Columbians by jeopardizing their own safety to protect them.

Today we welcome the B.C. Professional Fire Fighters Association to Victoria as they honour 15 fallen comrades who have lost their lives in the line of duty in the past two years. The condolences of this House go out to the family and fellow volunteers of Brian Smyth and also of Kevin Hagerty and all others who have lost their lives in this courageous work.

We're grateful for the risk our firefighters undertake every day for us. We honour their sacrifice, and along with them today, we remember the fallen.

EQUALITY FOR WOMEN

M. Karagianis: "Make it happen." That was the theme for International Women's Day held all over the world yesterday, and millions did make it happen. People came together to celebrate the achievements of women and raise awareness of the need for greater equality. It was a time to reflect on ways that society can work towards more support for women and girls, opportunities for advancement and equal pay for work of equal value.

Today we live in a world where the lives of women and girls are less and less restricted by their gender. However, many countries still face discrimination, economic struggle, health issues and gender-based violence, abuse, trauma and neglect.

Here in British Columbia it's time to acknowledge that we must do more to support women and encourage women in all ways possible. We need to make meaningful action to knock down the barriers and to keep women and girls safe.

Gender-based violence and domestic violence remain as serious issues facing girls and women in our province. There is work to be done to improve our resources, our laws and our justice system. The government should move as quickly as possible to implement all of the recommendations made by the Missing Women Inquiry in 2012. That would help in so many ways.

It's been a long journey across a century since the very first International Women's Day in 1911. In the struggle for genuine equality for women and girls, we have made great progress. But women and girls will not truly be equal until they are all afforded the same opportunities, are protected from discrimination and are safe in their communities and their homes. This is a goal towards which we must all continue to strive — to make it happen.

WOMEN IN TRADES

M. Bernier: Also, following up this weekend's International Women's Day gives me a perfect opportunity to highlight again that we are at an exciting time for women here in our province in the trades. Doors are opening across British Columbia for women who want to pursue careers as plumbers, electricians, sheet metal workers, carpenters or heavy-equipment operators, just to name a few.

Personally, as a tradesperson, I used to see very few women take up a trade. In fact, there were actually none in my class when I went through the school. But now there are so many opportunities.

The Industry Training Authority is working to ensure that programs like women-in-trades training can sup-

port women taking a career in the trades. Since 2009 more than 2,500 women have been served through this program. My sister-in-law, for instance, started right out of high school in a trade and has had a successful and rewarding career as a welder.

Times are changing. This last weekend I met with some instructors in my riding who told me that the present high school trades class only has one boy in it; the entire class is made up of girls who are getting ready for their apprenticeships. Right now there are approximately 3,900 registered women apprentices in B.C., representing 10½ percent of apprentices.

[1345]

When I told some of my friends that I would be speaking on this, this last weekend.... One of them owns a car dealership, and he told me that the last three apprentices he hired last year were all women. The stigma in the trades, and particularly for women in the trades, is long gone, and where it isn't gone, it should be. The trades are practical, they can be creative, and most importantly, they are a well-paying and valuable occupation.

With all the expected job openings, I encourage women interested in the trades to consider pursuing a fulfilling career.

DELTA FIREFIGHTERS

V. Huntington: We were blindfolded, weighed down with gear — wearing an oxygen tank, a hat I thought would break my neck and rubber boots that may as well have been waders — crawling on hands and knees, astride a firehose, trying to hold onto the boot in front. I was hoping life wouldn't end right there. It was precisely the moment I decided better them than me — definitely better for the people of Delta.

The invitation to the firefighters challenge at UBCM was an enormous lesson, and I shall forever remember how the teeny, tiny member for Coquitlam-Maillardville sailed through the course. She didn't turn sideways and shimmy through 4-by-4s. Oh no, she just turned square on and backed through. She scrambled over obstacles taller than herself and held onto hoses that whipped the rest of us around. It was an outrageous display of athleticism.

Today I'm talking about the best of the best, Delta's firefighters. They aren't just the guys and gals who get us out of crushed cars and subdue fires that devastate lives. These are the guys who arrive on our doorstep when we call 911, who get there first and who don't leave until all is well. These are the guys who show a tenderness belying the machismo, who treat our grannies with compassion and our sons with empathy, who will give a superb farewell to a colleague who has left them.

They are also the men and women who spend hours giving to community. The Delta Firefighters Charitable Society is one of Delta's great charities, which over the last year alone has donated to B.C. Guide Dogs, stroke

recovery, juvenile diabetes, cystic fibrosis, and on and on. These are the firefighters whose annual boot drive raises the most money in Canada. These are the men who have won the world championship Firefighter Combat Challenge, the iron men of the firefighting world.

They are at every event, every parade. They bring their barbecue, their little burning house and their miniature iron-man course. They are Delta's firefighters, and we are grateful.

INTERNATIONAL SCIENCE FAIR AWARD RECIPIENT VICTORIA PLATZER AND PROJECT ON INVASIVE PLANTS

P. Pimm: Invasive plants are the worst nightmare for our farming community. Unfortunately, I have to report, they're alive and well in the Peace country. That is what Victoria Platzer found. Victoria Platzer, a grade 9 student from Bert Bowes junior secondary in Fort Saint John, recently won the B.C. agriculture in the classroom award.

If that wasn't good enough, she went on to win the gold medal in the environmental and sciences category at the world-renowned Taiwan International Science Fair. The Taiwan International Science Fair selects students based on their science fair project work, their communication skills and their ambassadorial qualities.

Her award-winning project, called "Hay Aliens," examined how prevalent invasive plant species are in hay. Victoria sifted through hay from 22 farms across the North Peace. From her sifting, she got 5,568 potential seeds that she took pictures of and planted. The results of the experiment showed that 628 of her potential seeds were invasive plant species, which harm plants and animals. It's fantastic to see a student like Victoria sharing her knowledge, research and enthusiasm of science with the world.

I'm extremely proud of how Victoria represented both B.C. and Canada on the international level. If I do say so myself, she did an amazing job, and we will see more from her in the future. Her great work is proof that we must continue our battle against invasive plants, better known as invasive weeds.

COMMUNITY RESPONSE TO APARTMENT FIRE IN COQUITLAM

S. Robinson: On the afternoon of February 16 a fire ripped through a condominium complex in Coquitlam, leaving many people displaced for what could be months. Our Coquitlam fire service did an amazing job, as there was no loss of human life. In spite of their efforts, many of the suites were completely and totally destroyed by the fire, and about 100 people in Coquitlam now have no home, no furnishings, no belongings. Gone are their valuables and their prized possessions. Many in this complex do not have home insurance and have no resources from which to rebuild.

While the city of Coquitlam did set up emergency services to help people get through those first 72 hours immediately following the fire, others in the community set about thinking about how to help their neighbours in the weeks and months ahead. This is a heartbreaking story, but it's also a heartwarming story.

[1350]

I live in a wonderful community of amazing people with roll-up-your-sleeves leadership. Within a day or two of that devastating fire my community pulled together and recognized that these people who were left homeless would need our help and donations of gently used clothing and household items, and financial contributions started pouring in.

A local church offered to be the drop-off site for these donations, but it soon became apparent that a larger space would be needed to properly sort out the donations. The following day such a space was identified, and volunteers came out to transform the space into a warehouse of donated clothes, toiletries and household items. The donations just kept pouring in.

I want to acknowledge the great roll-up-your-sleeves leadership of two Coquitlam councillors, Chris Wilson and Dennis Marsden, who called on all of their contacts and relationships to set up a bank account, establish a website, communicate with the community and coordinate dozens and dozens of volunteers, who then sorted through donations and worked with fire victims to determine how to best help.

Coquitlam is lucky to have a great fire service and wonderful leaders like Dennis and Chris quietly working away in the background to mobilize the giving spirit of Coquitlam citizens so that they can care for their neighbours in a thoughtful and coordinated way.

I'm so very proud of my community. Their generosity makes me proud. I'm so grateful to have witnessed the coming together of this caring community when people needed it most.

Oral Questions

AUDITOR GENERAL FOR LOCAL GOVERNMENT PERFORMANCE AND WORK ENVIRONMENT REVIEW

J. Horgan: Last week we asked the Minister of Community and Development why it was that the Auditor General for Local Government had done one audit for \$5.2 million over a two-year period. The minister at that time said: "It is my understanding that the AGLG has developed a revised plan to complete all of the outstanding audits. We look forward to these audits being presented shortly."

Now, this was, as you know, the Premier's pet project. She was committed to making sure that other governments were accountable, even though her government is not necessarily as accountable as we would want it to be.

We've had a week to reflect. The minister has had a

week to reflect. Could she advise the House if she is still of the understanding that everything is fine.

Hon. C. Oakes: Thank you very much for the question. It provides us the opportunity to talk about the work that the Auditor General for Local Government, as an agency, is doing. We're committed to ensuring that local governments have the tools that they need to deliver services at the best value to B.C. taxpayers.

The Auditor General for Local Government is currently working on 18 plans. In Sechelt the AGLG expects to publish a performance audit on local government capital procurement projects and asset management programs. In Delta the audit topic focuses on achieving value for money in operational procurement, for instance. They also are completing their second round of audit reports in Rossland. I'm sure I can go on.

I look forward to further questions so that I can go through the rest of the list.

Madame Speaker: The Leader of the Official Opposition on a supplemental.

J. Horgan: Well, I'm certain that the minister would like to go through the rest of her list, as has been prepared for her by her able staff.

But I'm curious, and those on this side of the House and, I would expect, municipal governments across British Columbia are concerned to learn that a leaked report entitled the *Auditor General for Local Government Work Environment Review*, undertaken by the director of strategic human resources in her ministry — just January of this year, not that long ago — said the following: "Over the course of January 9 to January 30, 2015, a human resource representative maintained a presence" — this is like we're in Cyprus — "in AGLG office with the primary purpose of ensuring a respectful workplace for all employees."

If the list is not enough, perhaps the minister could refer to the document prepared by her ministry that says there's chaos and dysfunction at the AGLG and perhaps focus on accountability there, rather than an inventory of things that might happen in the future.

Hon. C. Oakes: It's a good opportunity to remind the member opposite again that, as we know, for any auditor to be effective, it needs to be independent from politicians. In this case, it is here as well.

[1355]

Government has no ability to direct the AGLG in reporting and timelines. However, if I may, I would caution the member opposite in this line of questioning. The Public Service Agency is the appropriate arm of government that deals with specific HR issues.

Madame Speaker: The Leader of the Opposition on a further supplemental.

J. Horgan: If you need to call in peacekeepers and an agency of government, then you've got a problem on your hands. The report that was published in January of this year paints a pretty grim picture of activities at the AGLG. According to one quote from the report: "Feedback regarding shifting priorities and unclear direction was a common struggle among staff. Priorities lose focus or shift focus, causing time lags and delays in the work." It goes further: "The most common frustration was wasted time and work."

If we're looking for best practices, I would suggest to the minister that perhaps looking at the Auditor General for Local Government wouldn't be the place to start. In fact, I would suggest that if we're looking for accountability in government, \$5.2 million put in a pile and lit on fire is not an effective use of public dollars.

I'll put to the minister again. Will she save the taxpayers some money and get somebody in there to fix the mess that the Premier created before they spend any more money?

Hon. C. Oakes: Thank you for the question. We identified that we are disappointed with the amount of audits that are being performed. Again, I will remind you that in order for any auditor to be effective, it needs to be an independent body from politicians. There is a case here as well. But let me make it clear. It was our government that created the AGLG to enhance transparency and accountability for all local governments.

S. Robinson: Well, the minister just wants to point fingers at others, but let's make no mistake. She is responsible for this office and the waste of \$5.2 million of taxpayer money.

It keeps getting worse. According to the review conducted by the minister's staff, the AGLG is just really making it up as she goes along. To quote the report:

"There was not a consistent and established process to determine the knowledge, skills, abilities, competence and accreditation required for various positions. As a result, there is inconsistency in the office. For example, it was unclear what positions required an accounting designation. It was difficult to ascertain if the right resources were in the right place."

Two years and \$5.2 million later, and the AGLG still doesn't know what skill sets or professional qualifications her staff require. When the minister was asked about this last week, why didn't she tell this House and the people of British Columbia that this AGLG office was in complete and utter turmoil?

Hon. C. Oakes: Thank you for the question. We've canvassed this in previous years during estimates. Again, I look forward to having that conversation with you. We talked about that this week.

Again, any auditor, to be effective, needs to be independent from politicians, as is the case here. On this side of the House we remain committed to this kind of transparency. I wonder where this interest is now in the

Auditor General for Local Government, when the members opposite were so opposed to this very idea of bringing accountability into this House.

Hon. Speaker, if you'll allow me, I'd like to continue on with the audits that are happening. As you can see, the auditor general audit topics also include a number of key areas, such as police and procurement arrangements and asset management programs. These are truly beneficial to local governments, as they identify ways to deliver effective, efficient and economical services to taxpayers.

The members opposite may oppose more accountability with taxpayers' money, but on this side of the House we'll continue to look at efficiencies for taxpayers of British Columbia.

[1400]

Madame Speaker: Coquitlam-Maillardville on a supplemental.

S. Robinson: We are opposed to wasting \$5.2 million of taxpayers' money on one report.

The report that we referred to earlier found that, in addition to significant human resources problems, the AGLG has a problem managing contractors.

The report found that "specific concerns were raised regarding the lack of oversight and direction provided to KPMG that resulted in poor quality of product to support the audit work of the office. This caused frustration for the audit staff."

To the minister, what steps has she taken to ensure that the next time she cuts a \$2.6 million cheque to the AGLG, it won't be wasted on poor-quality product?

Hon. C. Oakes: Thank you for the question.

Again, the Auditor General for Local Government is functionally an independent office with a high degree of autonomy. We continue to work with them and the audit council on the revised plan that they bring forward.

I remain committed with the idea that it is critically important that we have audit topics that look at police procurement, that look at performance audits, that identify ways to support local governments with asset management programs.

We continue to support these type of initiatives that'll help local governments create the efficiencies that they've asked for.

C. James: I'd suggest to the minister that perhaps instead of looking at audit topics, it might be nice to look at audit reports. That's what you paid for. That's what we don't have.

The work environment report found that staff frequently complain about shifting priorities and unclear direction. It found "Almost all employees shared examples of preparing work based on direction, only to find out that direction had shifted and the work wasn't needed."

After two years, \$5.2 million and 17 missing audit reports, the AGLG still can't decide what direction she's going and what work is needed. The minister calmly tells this House that everything is fine. How did the minister let this office get so out of control?

Hon. C. Oakes: Thank you for the question. We said we were disappointed. We have said that. We are continuing to work with an independent agency to look at a revised plan to complete the outstanding audits.

It's misleading to suggest that the office has spent this money on only one audit. In fact, all of the remaining audits are underway and are in a path of completion. The resources of the AGLG office have been deployed to support all 18 audits, not just one.

Madame Speaker: Victoria—Beacon Hill on a supplemental.

C. James: I'd say to the minister that taxpayers aren't looking for disappointment. They're looking for action on their tax dollars to be spent well in all of this.

The report shows that the AGLG was mismanaging contractors and wasting time and money. That report was written less than six weeks ago. At the same time the Premier is demanding that school boards find so-called low-hanging fruit to save money, she could care less if the AGLG is squandering more than \$5 million.

My question to the minister: what steps is she going to take — not tomorrow, not the next day but now — to stop the waste at the AGLG?

Hon. C. Oakes: Thank you for the question. Again, the Auditor General for Local Government is functionally an independent office with a high degree of autonomy.

[1405]

Government has no ability to direct the AGLG reporting regarding this. We will continue to work with them and the audit council to support them through this process.

G. Heyman: Perhaps looking out for taxpayers' dollars is just another one of this government's aspirational goals. In fairness, the staff are trying their best. The report found that they have a strong work ethic, heavy workloads and put in long hours. Not surprisingly, the report found that seven of the staff are unsatisfied with the organization and six are unsatisfied with their jobs.

There are only ten staff at the AGLG. To the minister, with such a staggering level of discord, how can she claim all is well at the AGLG?

Hon. C. Oakes: Thank you for the question. I've heard three times that I keep saying all is well. I've said we're disappointed. We continue to work with the audit council to ensure that we are able to have a revised plan through the AGLG, and we're committed to doing that.

Madame Speaker: Vancouver-Fairview on a supplemental.

G. Heyman: It's clearly going to be a challenge to meet that commitment. Half of the staff couldn't answer whether they would stay with the organization if they were offered a similar job elsewhere. Two years after the Premier created the AGLG, and half the staff don't care if they stay or if they go. Far from identifying best practices for local governments, the AGLG hasn't even adopted proper practices for its own office.

To the minister, will she implement the recommendations of her own director of strategic human resources?

Hon. C. Oakes: Thank you for the question. Again, I'm disappointed that the office has not delivered the performance audits on original timeline, but we are working with the AGLG with a revised plan to complete the remaining outstanding audits. I would remind the member opposite that the Public Service Agency is the appropriate arm of government that deals with specific human resource issues.

K. Conroy: The report is very clear about the real source of the problems at the AGLG. Seven of the nine staff interviewed had a negative view of executive-level management, and seven staff did not believe that they were empowered to provide input and make decisions to do their job well. That means that only the AGLG herself and maybe two other staffers think that she is doing a good job.

To the minister, this review was conducted by staff in her ministry. What is she going to do to fix the leadership void at the AGLG?

Hon. C. Oakes: Thank you for the question. I've said that we're disappointed and that we're going to continue to work with the AGLG. But a reminder that for any auditor to be effective, it needs to be independent from politicians such as you and I in this House.

Let me make it clear. It is our government that created the AGLG to enhance transparency and accountability on local governments, where you on that side of the House opposed it.

K. Conroy: Let's be clear. For an auditor to be successful, they need to complete some audits. The AGLG only has ten staff. Half of them don't think that they work in a respectful environment. Only four of them have a positive view of the AGLG's vision, mission and goals. If this wasn't so tragic, it would actually be comical.

[1410]

The Premier promised that the AGLG would provide local government with recommendations about how to improve the effectiveness of operations.

To the minister, does she think the AGLG could pass a value-for-money audit?

Hon. C. Oakes: We've regularly seen members opposite use the protection provided by this chamber to impugn the reputation of hard-working civil servants.

I'm going to go through the list of audit topics that are coming out. Again, the AGLG expects to release the audits of Delta, Sechelt and the second part of Rossland. For example, in Delta the audit topic focuses on achieving value for money and operational procurement. In Sechelt the AGLG expects to publish performance audits on local government's capital procurement projects and asset management programs.

As you can see, the AGLG topics include a number of key areas, such as policing, procurement arrangements and asset management programs. These are truly beneficial to local governments, as they identify ways to deliver effective, efficient and economical services to taxpayers.

N. Simons: The report makes five recommendations for fixing the mess. They include having the executive provide clear direction, having the executive effectively deploy resources and having the executive figure out the roles and responsibilities for staff — things that should have probably been done in the first month, not two years and \$5.2 million later.

To the minister: why did it take two years for the AGLG to figure out that it needed a clear direction and well-deployed resources?

Hon. C. Oakes: For I think the third time in the House, there is a list of audits that the Auditor General for Local Government and their staff are currently working on. All of the remaining audits are underway and are on a path of completion.

Madame Speaker: Powell River–Sunshine Coast on a supplemental.

N. Simons: The minister didn't thank me for my question. I'm a little upset.

Perhaps this question will be more to her liking. As damning as the report is, it's just the tip of the iceberg. According to the report, other reviews are being conducted simultaneously that will further inform next steps. We understand that the Public Service Agency has also conducted a review of the AGLG.

Last week this minister told the House that things were moving along at the AGLG when, in fact, it has been the subject of at least two government reviews in less than two months. Will the minister table any other report the government has conducted on the problems at the AGLG?

Hon. C. Oakes: To the member opposite, thank you. You read it really well. If it was up to me, you would be in the top five. [Applause.]

M. Farnworth: I can understand why members on the other side of the House want to clap and applaud and eat up the time on the clock, because these questions are quite painful.

The minister stood in this House today and tried to fob off the issues at the AGLG by saying that it's functionally independent. Answer after answer has shown that this government is functionally unable and functionally unaccountable to the people of British Columbia for the waste of \$5.2 million. If the minister were to go to her own website, it would say: "By reporting through the minister to government, the audit council ensures the office's accountability to British Columbians."

The minister has stood in this House and has said that everything is well, that she's disappointed, but British Columbians expect better than that. At the current rate of production of one audit in two years, we can expect the next audits that the minister has listed off to be completed in 34 years — sometime just before 2050. Can the minister tell this House just when the mess in the AGLG will be finally cleaned up?

Hon. C. Oakes: Thank you very much for the question. Again, we canvassed last weekend, and we canvassed that the Auditor General for Local Government has developed a revised plan to complete all the outstanding audits.

Madame Speaker: The member for Port Coquitlam on a supplemental.

M. Farnworth: The minister stands in the House and says last week a plan was being developed. Well, at the same time, a review was being done of the office of the AGLG, which was done in January and which paints a picture of complete and utter chaos.

Before you can get any audits done, if you want to improve on the record of getting them completed in 34 years, you have to take care of the complaints and the chaos in the office, which means getting the office straightened out. The minister has failed to even remotely address that today in this House. Once again, can the minister tell the House when the office for the AGLG is going to be cleaned up so that they can actually get on with the job which they were paid to do, which is to do these audits instead of wasting \$5.2 million?

Hon. C. Oakes: Thank you for the question. In case we missed it a little bit earlier, we talked about, for instance, how the AGLG expects to release the audits of Delta, Sechelt and the second part of Rossland this spring.

SEISMIC UPGRADES FOR SCHOOLS

R. Fleming: Just before the last election, on April 8, 2013, the Premier held a splashy campaign announce-

ment about school seismic upgrading, saying: “Absolutely nothing is more important to me than the safety of our kids.” She spoke on that day about the loss of life in Christchurch, New Zealand. She talked about the near miss that we had off our own coast, in Haida Gwaii.

But now, today, 22 months later, after an election, her own Minister of Education is saying these upgrades will take ten extra years than what the Premier promised on the eve of the last election — an extra decade of delay, of risk to our kids, and another entire generation of students in unsafe buildings at risk of collapse when an earthquake hits.

The Premier looked right into the cameras and directly promised parents that their children’s safety was her top priority. How can the Minister of Education utterly fail to do his part to keep her promise?

[1420]

Hon. P. Fassbender: Well, I don’t think I’ll thank the member for his last comment at all. I will say this. Where the member opposite is dead wrong is the facts. This government has committed or spent \$2.2 billion for seismic upgrades.

As a matter of fact, the member opposite who just posed the question joined me at a photo op and said to the press in his own riding how he applauded a seismic upgrade program in his own community because of how good it was.

Madame Speaker: Victoria–Swan Lake on a supplemental.

R. Fleming: I want to give the minister credit for one thing. When he was a director at PavCo, he made getting a new roof for B.C. Place his number one priority. The question that parents have around British Columbia is: now that he’s the Minister of Education, why can’t he make their kids’ safety his number one priority?

In a 2003 letter to the *Vancouver Sun*, the Premier said: “These upgrades can’t happen overnight.” She was right; 25 years to complete these projects is certainly not overnight. And for parents, kids, and teachers in high-risk schools, 2020 was long enough, and 2030 for students in my constituency is utterly ridiculous. Another ten-year delay to even do these upgrades until completion is ten more years of unacceptable risk.

Again, to the minister, how is he even able to contemplate such an utter failure to kids and parents by failing to implement the Premier’s promise that she made to them?

Hon. P. Fassbender: I will be tabling two letters from experts — not politicians but experts on seismic upgrade programs and why British Columbia leads the world in seismic upgrade programs.

I appreciate the questions from the members opposite. I would like to remind them that when they were in gov-

ernment, the members opposite, some of whom are still here, cancelled a seismic upgrade program for a school in favour of seismically upgrading a liquor warehouse.

[End of question period.]

Tabling Documents

Hon. P. Fassbender: I’d like to table the two letters which I just referred to.

Madame Speaker: Is leave granted?

Leave granted.

Orders of the Day

Hon. M. de Jong: In Committee A, the Committee of Supply — for the information of members, the continuing estimates of the Ministry of Forests, Lands and Natural Resource Operations. In this chamber, second reading on Bill 6, the Justice Statutes Amendment Act.

[1425]

Tabling Documents

Hon. M. de Jong: Madame Speaker, if I might, I should have done this a moment ago. I am, in accordance with section 6 of the Balanced Budget and Ministerial Accountability Act, tabling a revised schedule F for the fiscal year ended March 31, 2015. The revised schedule F reflects the changes to ministerial accountabilities resulting from the government reorg that took place on December 18, 2014.

[D. Horne in the chair.]

Second Reading of Bills

BILL 6 — JUSTICE STATUTES AMENDMENT ACT, 2015

Hon. S. Anton: I move that Bill 6, the Justice Statutes Amendment Act, 2015, now be read a second time.

Bill 6 amends a number of statutes. Amendments to the Business Practices and Consumer Protection Act will strengthen protections for consumers who use debt settlement services. Under the proposed changes, debt settlement companies will be prohibited from charging fees until both the debtor and creditor have approved a debt repayment agreement, as well as setting other requirements for these companies to follow. The proposed changes will also update the debt collection law to reflect current practices.

Minor amendments to the Coroners Act will ensure that it is clear that provisions in the act relating to a body

also apply to parts of the body of a deceased person. Since location and context of a body is critical to determining cause and manner of death, they must be left in place for examination by a coroner.

Amendments to the Judicial Compensation Act will provide for a more effective and efficient judicial compensation commission process. The proposed changes would amalgamate the two existing commissions respecting Provincial Court judges and judicial justices into a single commission that will make recommendations for both groups of judicial officers.

The amendments would also update the criteria that the commission must consider when arriving at its recommendations, create a new formula for sharing the costs of the judiciary's participation in the commission process and permit judges to remain active members of their pension plan until their mandatory retirement age of 75.

The purposes of the proposed amendments to the Jury Act are threefold. The proposed amendments provide that the allowances sitting jurors are entitled to receive are set out in regulation, similar to fee entitlements. Secondly, the amendments will provide the Lieutenant-Governor with the ability to set conditions for the payment of an allowance or fee. Lastly, these amendments will also provide that past panelists and jurors may not make claims for allowances not paid in the past.

Although the Jury Act regulations were amended in 2003, removing the entitlement for reimbursement of certain expenses to panelists, a statutory entitlement to an allowance for necessary and reasonable expense for panelists continued to exist until it was repealed in 2012.

Finally, this bill includes minor amendments consequential to the enactment of the Family Law Act in 2013. The amendments are needed to ensure the policy of the Family Law Act is appropriately implemented and will clarify that family law arbitration awards are enforceable under the Family Maintenance Enforcement Act.

It will make the definition of "spouse" in the Power of Attorney Act consistent with all other B.C. legislation and update the Power of Attorney Act and the Representation Agreement Act to accurately reflect when a relationship ends within the meaning of the Family Law Act.

Mr. Speaker, I now welcome comments from other members of the House.

L. Krog: I appreciate the opportunity to say a few words about Bill 6. We can always look forward to at least one or two or three of these in any given session, little tidbits from various ministries, correcting little mistakes and dealing with little problems that have perked up from time to time.

[1430]

Let me say, in general, that the opposition — but more importantly, the people of British Columbia — have been waiting for the provisions of this bill that amend

the Business Practices and Consumer Protection Act for a very long time. This is not some issue that just popped up earlier this year and came to public attention. This has been the subject of considerable public concern and, indeed, concern raised very frequently by Consumer Protection B.C.

A long article in the *Vancouver Sun*, March 9, 2013. It starts off with a lovely paragraph: "Not a week goes by that bankruptcy trustee Blair Mantin doesn't see at least two people in his office who have been burned by a debt settlement company. He has seen seniors, recent immigrants and families all owing more money than they started off owing after working with settlement companies that say they can negotiate to reduce a borrower's debt, for a fee."

In 2011 Consumer Protection B.C. received eight calls, and in 2012 they received more than 210 calls all related to this issue. It is now 2015. With great respect to the minister and the provincial Liberals, it isn't that difficult to draft legislation that is designed not to protect their wealthy 2 percent friends, the folks in British Columbia who just got a fantastic tax break from this government, but to protect the most vulnerable amongst us....

The article itself referred to them: seniors, recent immigrants, families who have fallen on hard times, families for whom the breakdown of a refrigerator or a minor automobile repair represents a crisis beyond the reach of many to solve or succeed in overcoming. This very legislation finally addresses what is a longstanding problem, where these companies have treated abominably the most vulnerable amongst us by charging outrageous fees and often not delivering any real service for what they've charged.

I have a little list: Manitoba, Alberta, Nova Scotia, Ontario, Prince Edward Island and Quebec. What do all of those provinces have in common? They all beat us to the punch. They all beat us to the punch by enacting legislation to deal with this very problem.

Interjection.

L. Krog: The member opposite may find it amusing, but when you've been taken and you have so precious little resources available to you.... When you've been taken by a debt settlement company, it's not a laughing matter.

I don't want to go over the top, but there's a bit of biblical precedent for the attitude of Jesus towards the moneylenders. They were chased out of the temple.

There was a reason for that. Predatory practices like this have been dealt with in six other major jurisdictions in this country, including the two largest provinces of Canada. Several others are looking at it, and finally, British Columbia, being the seventh, is going to act at last, after a long period of public criticism around this very issue.

It's not as if we believe that the government doesn't have a number of minions whose daily job is to peruse

every kind newscast in the province, read every newspaper, ensure every bit of TV news coverage isn't gleaned for anything that might impact negatively on the government or, alternatively, give them information and evidence to attack the opposition on whatever issue they can possibly raise.

This wasn't some secret hidden away. This problem and its consequences for British Columbians have been known for a very long time. We know that Consumer Protection, as I said, had raised this issue before, very clearly, with the government. Indeed, back in 2010 Manjit Bains, who was the vice-president of corporate relations at Consumer Protection B.C., said: "We have seen a spike of more than 2,000 percent in calls about debt settlement over the past two years. This has been clearly an emerging, hot issue over the past few years."

[1435]

What does that tell you when Consumer Protection B.C. is telling the government that this is an issue? You have to ask: why didn't the government act? They knew there was a problem. They knew it was capable of a solution. They had examples of legislative remedies from other provinces that they could rely on and use and literally copy and paste in order to protect vulnerable British Columbians. Instead they chose, quite deliberately, to treat this the way they treat most problems that involve the poor and vulnerable in this province — as a low priority.

We can jump quickly when it involves the friends of the B.C. Liberals. We can save the top 2 percent millions and millions of dollars in income tax. That's not a problem. We can put a roof — a lovely, expensive roof — on a stadium, but we can't seismically upgrade schools. We can make, for years, the vulnerable children of this province suffer by clawing back child-support payments that were their due, but when it comes to helping those in need, again the poor and the vulnerable are always the last.

John Davison Rockefeller was once asked what he thought the greatest invention in the history of the world was. You know what he said, that rapacious capitalist? He said: "Interest." The abuse of people who find themselves in tough circumstances, who have to borrow money, has been going on for a very long time, and governments that care and have compassion have acted, always, to ensure that people were protected.

The problem we're talking about solving has a Dickensian ring to it. This is the kind of thing that drove Dickens to write. This is the kind of stuff that takes us back to the thinking of debtors prison, knowing that people who are at their absolute worst — who are already deep in debt, on the verge of bankruptcy, on the verge of losing everything they have — go to these debt settlement companies and then get one final ripoff.

They pay money up front, they scrape and save, they stop paying their creditors to try and accumulate the

moneys to pay the fees charged by these companies. If they can't raise it, the fees and moneys are kept, they're worse off, their creditors go unpaid, and they face bankruptcy.

Finally today, after all the public complaints, after all the concerns that have been raised, the British Columbia government has decided to act. Again, as I said, it tells you in graphic terms what the priorities of the B.C. Liberals are all about.

It isn't about helping people who are in need. It isn't about protecting consumers. It was about leaving open one of the final frontiers of this horrible practice, one of the final frontiers in this country, when the vast majority of Canadian citizens were protected, including even the people of Prince Edward Island — tiny Prince Edward Island — let alone the provinces of Ontario and Quebec. Those Canadians, those consumers, the citizens of those provinces were protected. We left the last little gold rush, if you will, for these rapacious companies, here in British Columbia.

So I am pleased to say thank you, with no small amount of sarcasm, to the government for finally bringing this in. I would have loved to have heard in the explanation, when the Attorney General introduced this today, what the excuse was. What was the reason? What possible complication could there be in enacting legislation that is common in other provinces? Why did it take so long?

Now, the other provisions of this act are all pretty standard stuff. I don't think we're going to be beating that to death. The changes to the Coroners Act, family maintenance, judicial compensation, the Jury Act, the Power of Attorney Act, the representation act are all bringing into force things that have needed to be done for a long time period.

[1440]

I am particularly pleased to see us moving towards a very common definition of termination for a marriage or marriage-like relationship. Certainly, the whole concept of who constitutes a spouse is a problem that exists across all legislative jurisdictions, across various organizations, contracts, unions, etc. To move towards some kind of common definition that implies across legislation for this purpose is, indeed, a very good move.

At the end of the day, those provisions aside, those things for which the opposition will only have questions and — I would suggest, unless something dramatic occurs — no opposition, it never gets us past the main thrust of this bill. It's a pretty thin bill at that, for a government that chooses to govern so rarely. It's a pretty thin bill, and it is, for many British Columbians, an awfully precious gift for those who've suffered.

Imagine the immigrants who come to this country, struggling with English, who fall into difficulties, who are the victims of already-existing predatory lenders, then find themselves in the situation where they're forced to try and negotiate to avoid bankruptcy and then are at-

tacked and taken to the cleaners one more time. Finally, here in B.C. there's going to be a little bit of relief.

I would hope.... I'm always optimistic about the B.C. Liberals. I always want to believe that we're going to see some blossoming of compassion over there, that maybe this might be the start of something positive in this session, that we'll see a little more legislation that will actually deal with the problems that affect the poorest and the most vulnerable amongst us.

I'm hopeful — nothing would please me more — but in the meantime, this government gets very poor marks for doing this so late when it has had every opportunity over several years to move to deal with this issue, to protect British Columbia's consumers, to protect the most vulnerable amongst us.

I know that several members have a great deal more to say on this issue. I won't take more of my time than is appropriate. I do hope the Attorney General appreciates that while this government has dithered, thousands and thousands of British Columbians have been victimized by a practice that could have been eliminated two or three years ago.

M. Farnworth: It's my pleasure to take my place and speak to second reading of Bill 6, the Justice Statutes Amendment Act, and to follow my colleague the MLA for Nanaimo. Hopefully, in my remarks I'm able to shed a little bit of light on one of his key questions that he had, which is: why has it taken so long for this piece of legislation to get here? I'm actually quite looking forward to telling him exactly why it has taken so long to get here.

Interjection.

M. Farnworth: My colleague from Surrey-Whalley wonders if it was too complicated to draft. Actually, the answer to that would be no, because much of it will still be done in regulation. That part has not been done yet, hon. Member, so it's not a question of it being too difficult to draft. And I know for a fact that we have some of the most capable legislative drafters in any province in the country, so it's not the ability of staff to draft the legislation.

No, it is something else. When you look at this bill, it is common sense. This bill is going to outlaw some of the most predatory consumer practices in existence.

There are rules around credit cards and issues around interest that is charged on credit cards and how that consumer debt is dealt with that way. There are rules around how one declares bankruptcy, for example. There are rules in terms of repayment with banks and insurance companies, and when and how they can cancel a policy and how long you have to pay. All those kinds of things have been in place for many, many years. But not when it comes to debt settlement.

Debt settlement is the last refuge of the predator, the last refuge of those who prey on people who, as my colleague from Nanaimo has said, have fallen upon hard times. Whether they be new to the country and don't have proficiency with the English language or whether they're young and inexperienced or whether they've lost their job through hard times and have had to seek alternative financial means to keep themselves afloat and have found themselves facing debt problems or a debt crisis, these firms are there.

They market themselves really well. They say: "Got debt problems? Don't worry. Contact us. We can solve it. We can fix it. We can deal with your problems."

L. Krog: Hallelujah.

M. Farnworth: Hallelujah, as my friend from Nanaimo says.

What they don't mention is the fine print — the fine print that means you're paying significant sums of money, exorbitant sums of money up front to settle a debt which, at the end of the day, may not be renegotiated, may not result in the desired outcome, that may in many cases leave you worse off than you were before.

The fact that this practice still continues in British Columbia is outrageous. But the fact that it has taken so long — and is a mystery to my colleague from Nanaimo.... It shouldn't be. It shouldn't be at all. I'll come again to why this bill.... I know my colleague is waiting with bated breath for me to say the reason why.

It's actually very straightforward. The importance of this bill is that finally we are going to be dealing with this issue. Finally, there will be rules in place that prohibit the charging of outrageous fees, that there must be a debt settlement plan in place that is agreed to by both the creditor and the debtor — and that's important.

It's important, too, because it will bring us in line with other provinces in this country. Six other provinces have already dealt with this issue. Ontario, Quebec, and — as my colleague from Nanaimo rightly pointed out — Prince Edward Island dealt with this issue ages ago. Except here in British Columbia.

You know, it's funny, because this government is always talking about: "Oh, we're the greatest. We want to be this, and we want to be that. We're the best at this, and we're the best at that." But you know what? Somehow, it never really seems to apply to ordinary people — ordinary people who find themselves in financial trouble, ordinary people who find themselves being taken advantage of by companies who see....

They specialize in human misery. They specialize in human frailty. They specialize in the unfortunate circumstances that happen to people who fall upon hard times because of lack of a job, who fall upon hard times because of, perhaps, poor financial decisions. Whatever the reason is, they are vulnerable. They are desperate to

find a solution, and the promise of being able to halve your debts, quarter your debts, pay 10 percent on what you owe is too enticing to turn down.

They're told, "No, don't keep making your payments to keep your good credit in check. No, don't worry about that. Don't declare bankruptcy, no" — even though we have some of the most up-to-date bankruptcy protection laws in the country. "No, no, don't do that. No, you just take that money that you're paying, and you give it to me. You give it to me at the ABC Debt Management Corp., and we'll solve all of your problems."

Yet time and time again there has been story after story in the major media, from Better Business Bureaus, in other provinces. We know that it's wrong. We know there's a problem. We know there are issues that need to be dealt with and should have been dealt with a long time ago, but they haven't. Now I will come....

[1450]

What I'm really looking forward to is getting further into this discussion when we get into committee stage on exactly how the government intends to implement these sections of this particular bill. They say that there will be further changes in the fall, and we know how this government has been when it comes to meeting timelines. I mean, we've seen it. For example, changes to the Police Act were supposed to have been done.... A review was supposed to be done by 2015, yet that's still not complete.

So when we see that the government is saying, "Well, there will be more changes in the fall," I want to explore, at committee stage, to see exactly what the timelines are going to be, what regulatory changes are going to take place, what new regulations are going to be put in place, how they're being developed, what kind of consultation was taking place. All of those things are important and need to be dealt with at committee stage.

Right now we're dealing with the second reading and the principle of the bill. We support the changes that are in this bill. It's just that they've been a long time coming. They have been a very long time coming from a government that has now been in power since 2001.

For a government that likes to say it puts families first, you really do wonder. Why has it taken 14 years to get to this point? Why has it taken 14 years to come to the realization that predatory lending practices or predatory user fees are a detriment to some of the most vulnerable in our society and, really, should be as much a priority for government as — if not more of a priority for government, in fact, than — giving a \$230 million tax break to the top 2 percent of income earners in the province of British Columbia?

One would think, for a government that likes to say that it's all about families, that something like that would be an obvious place to want to go. I see my colleagues' heads nodding. I know on this side of the House they understand that. But it wasn't.

That brings me to my point as to why this bill is here now. It will actually go back to something that my colleague for Surrey-Whalley, who asked about legislative drafting, said. And I said: "No, it's not. It's not about the legislative drafting."

I think that it has more to do with work that goes on in the ministries — work that goes on in the ministries day after day, week after week, month after month, year after year. Within the ministries, they understand many of the problems that British Columbians have to face. So they put legislation.... They get ideas around legislation. Legislation is, in fact, often drafted, and it goes into "the hopper" of good public policy bills that government could choose to enact.

I think that's what we have here. We saw it in the throne speech: a complete lack of real vision, a complete lack of any significant major agenda item that was going to be the dominant focus of a session. Instead, we've seen a government's....

Interjection.

M. Farnworth: Oh, oh, oh. My colleague, the minister, is going: "Speak to the bill."

Well, the minister knows that second reading debate is always wide-ranging, and I have been talking very exclusively about this particular bill. In fact, I'm talking about how the bill was developed and about the great work done within the ministry to draft this bill.

Interjection.

M. Farnworth: Ah, but you know what? That explains something, hon. member for Surrey-Whalley. Again, it just confirms why it's taken so long for this bill to get here.

Like I said, it was the throne speech. The throne speech was so devoid of content that it became clear that the government had to go reach into the vaults of legislation and ideas that were within the ministry and say: "You know what? We've got to have some sort of an agenda. So what bills do we have that are ready to go that we can table this session and make it appear that we've got an agenda that is going to accomplish something?"

That's how this got here, not through any real commitment by this government to doing something. If it was, they'd have done it a number of years ago, particularly given the fact that Ontario, Quebec, Manitoba, Prince Edward Island.... Six other provinces have already adopted this legislation. That's why this bill is here.

Now, having said that, like I said, we're going to be supporting the bill. But we've got a number of questions on this particular section. I look forward....

Interjection.

[1455]

M. Farnworth: The minister says she can hardly wait. Well, that doesn't surprise me, because she's not the one who actually has to answer the questions.

Interjection.

M. Farnworth: No, that minister doesn't avoid questions. She always answers the questions. The same cannot be said for some other members in this House, as we saw today in question period. But I digress, and I know the Speaker wants me to come back to second reading on Bill 6, and I am doing that.

Those clauses that deal with debt-servicing agencies we will be discussing very, I think, closely. I'm looking forward to what the minister has to say. But there are some other important areas of this particular piece of legislation.

One of them changes the Coroners Act. It clarifies what a body is. And, you know, some people may think: "Why is that important? Why does that need to happen?" Well, it is important, because that particular section will clarify what a body is. What it will do is ensure that before a body is removed by the RCMP — for example, before skeletal remains are removed — in fact, the coroner is notified. Also, if there are organ donation issues, again, the coroner will be notified. That is important.

It's interesting for some of my colleagues that with this section up here, the Attorney General doesn't take the opportunity on this particular piece of legislation.... She somehow doesn't seem to be that interested. I don't know why. Perhaps....

Interjection.

M. Farnworth: It was a rhetorical question, hon. Member. It was a rhetorical question that I wasn't expecting an answer.

There is an opportunity while this bill is up, perhaps, to deal with the issue on Haida Gwaii that we raised in the House during question period last week in terms of human remains, a serious and important issue. Perhaps it's one that the Attorney General might want to take into consideration and see if there's an opportunity in this particular bill at committee stage to look at perhaps making an amendment around there. I'm not looking for a commitment today, but there may be an opportunity at committee stage to try and address that issue. If not, then we may have to look at other opportunities.

The bottom line is this. There are a lot of housekeeping amendments in this bill. Many of them are good. They are the kinds of pieces of legislation that come up, as I said, when government wants to appear to have a vision and agenda that says they're committed to doing things in the public interest.

That's what this bill is about, and that's why, as I've said, along with my colleague from Nanaimo, we will

have more to say and more questions to ask at committee stage. But in the meantime, we will be supporting the bill at second reading. Really, as I said in the beginning of my remarks, the real issue is: why has it taken so long for this particular piece of legislation to come to the floor of this House in British Columbia?

B. Ralston: It's a pleasure to join in the debate. I want to follow the two members that have spoken, my colleagues from Nanaimo and Port Coquitlam. I think the member for Port Coquitlam posed the question pretty accurately, and I found his answer to the question compelling. Why has the government delayed so long in introducing this piece of legislation?

It's very clear, in a time and in an economy where real wages have flatlined, if not declined — and there are some reports from Statistics Canada in the last ten years that the average median real wage in British Columbia has declined 6 percent — where consumer debt in British Columbia is among the highest, if not the highest, in Canada....

[1500]

You have a recent report from Benjamin Tal at Canadian Imperial Bank of Commerce. He's their economist. He talked about the decline in job quality. There's a rise in part-time contract work — sometimes called, in some of the literature, the precarious employment. People don't have jobs in the conventional sense of a full-time job with benefits and a certain work schedule. They're called in. There's an increasing movement in the economy to that kind of employment.

There are people, then, who are really working for wages but are classified legally as self-employed. If they encounter illness, if the work source that they're getting their flow of income from dries up, if there are problems in the family, if a married woman has to leave the household because of domestic violence.... These are people who run into financial problems.

In that context, the difficulty then arises of pressure on the budget. People generally tend to continue on by using the credit facilities that are available to them, typically maxing out their credit card. Then the crunch comes, where the debt-collection agencies begin to circle and hover and look for payment.

It's at that point that some of these people, unfortunately for them.... These companies, in what's called debt settlement — and it's certainly an oxymoron because that's not what they do — become attractive. They advertise, and they entice and create business for themselves.

Typically what they do is they take an upfront fee. The commentators, knowledgeable people in the industry — I'll quote from some of them in a moment — say that they'll take an upfront fee of \$3,000 to \$5,000 and encourage the debtor to stop paying and save money for the ultimate debt settlement, which never comes.

What happens is, not only do they pay the fee of \$3,000 to \$5,000; they don't make any dent in the debt at all. They're worse off than when they started.

This predatory, unconscionable business has been in existence and growing. It's not that the government hasn't been aware of it. The consumer protection agency Consumer Protection B.C. is an authority. Back in the halcyon days of 2001 to 2005 this agency was created to spin off those regulatory powers from government. They passed this message on to the government.

They've explained it publicly for literally four years. Manjit Bains, who's the vice-president of corporate relations at Consumer Protection B.C., said: "We have seen a spike of more than 2,000 percent in calls about debt settlement over the past two years." Again, to quote her: "This has been clearly an emerging hot issue over the past few years."

She said that in March 2013. She's referring back two years, so it's been a hot issue, a deluge of complaints, for over four years now.

There's support for that view in industry. Bankruptcy trustee Blair Mantin, of Sands and Associates, says: "B.C. is really late to act on this. I see vulnerable people in debt paying these companies \$3,000 to \$5,000 and getting no help. They end up in worse debt than when they started." He said that in 2014.

This government clearly hasn't paid attention to knowledgeable people. The very regulatory agency that's the most knowledgeable about this area of debt settlement has had its warnings ignored — and clearly demonstrated — for four years.

Mr. Blair Mantin goes on to say: "B.C.'s lack of response is embarrassing." This is what he said in March 2013 — again, two years ago: "When you look at what other provinces have accomplished over the past 12 to 18 months to deal with this issue, B.C. stands out as a huge failure in protecting vulnerable consumers from being preyed upon."
[1505]

That's two years ago. Manjit Bains was referring to an issue that's been out there for at least two years in 2013. So this issue has been something that... The knowledgeable people that the government should have listened to have been around for years. I appreciate that they're not in the top 2 percent. They won't be getting a tax break of \$235 million. Government doesn't particularly care about them. I would say they've been shamed into doing this, after four years, by public pressure.

As the member for Port Coquitlam said, the legislative agenda has got so barren and so dry that they've hauled this one out of the vaults and put it forward simply to fill some time. I don't sense a real commitment on the part of the government. Inaction over four years suggests that they really don't care about this issue, but they've been forced to, simply by a hole in the legislative agenda. Certainly, I support this legislation, but one wonders, really, why it took so long.

Secondly, the other aspect of the bill that I wish to comment on briefly is the issue of judicial compensation. I am hoping... I know that the relationship between the judiciary — that's the Provincial Court judges — and the government has been acrimonious and, in fact, led to some litigation. I believe one of the proposed commissions, its report tabled, was the subject of litigation in the B.C. Supreme Court. I believe they took an appeal to the Court of Appeal, which they lost.

Nonetheless, that's not the relevant part of it. I'm just hoping that these amendments will make that relationship more harmonious. There appears to be an effort to consolidate the bodies that consider judicial compensation and bring that to a more satisfactory conclusion. Certainly, there are challenges.

Judges have been fairly vigorous in their pursuit of increased compensation in a time when others have not received that compensation. Judges view — perhaps, I think, very strongly — that their compensation should be independent of the ordinary process of consideration because it impinges upon the independence of the judiciary. That's a view that, in the review that was taken in the court, the higher court did not agree with. Nonetheless, I'm hoping that that will be more harmonious.

Finally, on the issue of changes to the Jury Act. As a lawyer over the years and in a previous life, I did conduct jury trials. One of the striking things about the jury process and jury selection is how many people come forward and say they would like to participate in the process and be a juror but can't afford to take time away from their business, their employment. They're the only employee. They're self-employed. They're not able to participate because of the concern that that will pose for their income. Now, some of that may be special pleading. Some of that may be simply a way of expressing a lack of willingness to participate.

Of course, jury duty is an important aspect of citizenship and really brings an important element of common sense and the view of ordinary citizens into the judicial process, which has been regarded as invaluable over many centuries in the British common-law system. It's important that people be encouraged to participate in the jury process.

These amendments give the government, by regulation, the power to set compensation for jurors. Certainly, no one is asking that the compensation be excessive or inordinate or inappropriate. But the daily fees have not really kept up with, at least, even the pace of inflation.

[1510]

Some reflection of that in the future, I think, would be appreciated, particularly by those who come before either a civil jury or a criminal jury and by the system as a whole. I think it will strengthen the administration of justice generally. So I support those proposed amendments as well.

Those are the comments I have on this bill.

A. Weaver: I rise to congratulate the government on introducing at least the aspect of this bill that concerned me. That's with respect to the debt settlement. As the minister will recognize, I contacted her about this earlier this year.

As we know, debt settlement companies typically offer to negotiate, on behalf of a consumer, lump sum settlements with creditors for amounts significantly less than the consumer's outstanding debt. Consumers are often required to pay excessive, largely non-refundable fees up front and are encouraged to stop paying their debts and instead save up for a lump sum settlement. This differs from traditional debt-pooling services, which set up reduced-interest repayment plans and assist consumers with eventually paying off their full debts.

Many people are unable to save enough for the lump sum settlement amount and subsequently drop out of the program, losing any money they have already paid to the debt settlement company. There's no guarantee a creditor will accept the lump sum settlement, although this risk is often not communicated to consumers. This can negatively affect credit scores and further accumulate debt as late fees, missed payments and penalties build up.

The proposed changes, developed with the advice from a debt collection industry advisory group and in consultation with Consumer Protection B.C., would help prevent the negative practices and also modernize outdated provisions to ensure B.C.'s debt collection laws both reflect the present day collection and credit industry and align with other Canadian jurisdictions.

On January 5 of this year, after a rather large number of e-mails I received from people in the greater Victoria district, I contacted the minister and pointed out that in July of 2012 *CTV News* reported that the Minister of Justice at the time said: "In order to better protect consumers and families living in poverty, the B.C. government will provide legislative changes to regulate businesses that provide debt consolidation services and regulate advance fees paid."

As I pointed out in the letter, since that time there had been little information from government about when we could expect to see such legislation. I pointed out in that letter on January 5 that debt management companies prey upon some of the most vulnerable British Columbians. Rather than providing a solution to an individual's debt issue, these companies seek to profit off the situation.

A number of provinces, as I pointed out and as was mentioned by other members here — including Ontario, Alberta, Nova Scotia, Quebec and Prince Edward Island, which I hadn't realized until a member brought it up recently — have passed similar legislation to end these predatory practices within their jurisdictions. At the time, I pointed out that I believed it was past time for British Columbia to pass our own regulations in this regard. I asked the minister if she could reply to me with an update as to where we were heading in this direction.

I was delighted to receive a letter from the minister on February 12, which I communicated back to my

constituents and others, pointing out that debt collection in British Columbia is regulated under the Business Practices and Consumer Protection Act, that the legislation was designed to protect consumers by prohibiting deceptive practices and requiring debt industry professionals to be licensed.

At that time, the minister pointed out:

"The emergence of new types of debt repayment professionals has resulted in a need to ensure that they are also bound by the act's rules. Although I" — being the minister — "am unable to provide specific details regarding the development or timing of legislation at this time, I can assure you" — that is, me — "that government is committed to enhancing consumer protections against deceptive practices. To this end, ministry staff continue to work through the policy issues that are necessary to regulate debt settlement industries."

[1515]

It is with great pleasure that I stand to see that, in fact, this has entered into Bill 6, the Justice Statutes Amendment Act. I look forward to exploring some of the details further as we get into committee stage, in particular — I have some questions, obviously, and I'm sure other members will, too — with respect to 127(3), which talks about a debt repayment: "A debt repayment... must not charge fees or disbursements in excess of the prescribed amount." We'll be questioning, obviously, what that prescribed amount may or may not be and what the minister has in mind in terms of subsequent regulations.

I'm also pleased to see that the bill actually does include this entirely new category called the debt repayment agent. It's very reassuring to see regulations and guidelines put in place as to what a debt repayment agent may or may not do.

With that, I'm very pleased to stand in support of Bill 6 — at least the two components that I've spent some time working on: the Business Practices and Consumer Protection Act subcomponent as well as Collection Agents and Debt Repayment Agents.

With that, hon. Speaker, I'll thank you and look forward to committee stage of this bill.

Deputy Speaker: Seeing no further speakers, I'll call on the minister to close debate.

Hon. S. Anton: I just have two quick comments. I reject the comments regarding motivation made by the member for Surrey-Whalley — regarding the motivation for the debt settlement legislation. Clearly, these changes are needed to stop predatory practices and protect consumers and their families. That's what government is doing.

With that, I move second reading of Bill 6.

Motion approved.

Hon. S. Anton: I move that Bill 6 be referred to a Committee of the Whole House for consideration at the next sitting after today.

Bill 6, Justice Statutes Amendment Act, 2015, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

Hon. T. Lake: I now call second reading of Bill 14, the Tobacco Control Amendment Act, 2015.

BILL 14 — TOBACCO CONTROL
AMENDMENT ACT, 2015

Hon. T. Lake: I am very pleased today to move second reading of the Tobacco Control Amendment Act. In my mandate letter, the Premier asked me to “Work with the federal government to regulate the sale of e-cigarettes and flavoured tobacco to minors in British Columbia” and, in the absence of federal action, to look at legislative options.

We have worked closely with the federal government, and we are pleased to see that the federal minister, Minister Ambrose, is taking action. They’re committed to strengthening their legislation around flavoured tobacco and have announced plans to ban youth-oriented flavours in a much broader range of tobacco products. The candy and fruit range of flavour products available are very enticing to youth, as you can imagine, and are often targeted at youth by companies and by sellers offering them in small sizes.

British Columbia believes that the federal government should regulate the content of tobacco products, as they have done with fire-safe cigarettes and with their first range of flavoured tobacco restrictions. We feel this is the most efficient way of doing this, as products are made not just in one province; they’re made for a national market. To regulate the content of a product is much more easily accomplished at the federal level. Certainly, enforcement and knowledge would be much greater if it is done on a national level, rather than a provincial level.

So we believe that the federal action on flavoured tobacco will meet the standards set in the Premier’s mandate letter and that their changes will help reduce the appeal of harmful tobacco use to young people. But we also need to ensure that we are able to regulate e-cigarettes within the scope of provincial jurisdiction. Accordingly, these amendments ensure that we are able to regulate the sale, use and promotion of e-cigarettes in a manner similar to which tobacco products are currently regulated in British Columbia.

That will help us achieve our goal of promoting the health of British Columbians. It will also give greater tools to health authorities to protect the health of their patients, their clients and visitors by reducing exposure to tobacco and vapour products on their grounds. It will permit us to set regulations to keep e-cigarettes out of sight and out of the hands of young people, and it will allow us to keep public spaces free from vapour. Anywhere that currently restricts tobacco use would also restrict e-cigarette use.

[1520]

Why do we need this legislation? Well, we are committed to protecting those under 19 from the potential risks of e-cigarettes. As you know, we have worked hard at reducing smoking throughout the province and protecting all British Columbians from the danger of secondhand smoke, but now we’re faced with a new product. It may be years before we know the health impacts of e-cigarettes, and until we get more information, we must take the precautionary principle.

When you deliver a substance across the lungs, it is tantamount to injecting it into the bloodstream, unlike a product that’s taken orally with multiple barriers before it’s absorbed into the bloodstream and has its effect around the body. When you inhale a product, it crosses into the bloodstream very quickly and bypasses vital organs, like the liver, that can protect the body from the products in the substance that is being inhaled.

We know these products are out there. We don’t know what they contain and how harmful they may be. And while adults can make a decision whether or not to partake, we think young people should be protected.

These products are attractive to minors. They’re available almost everywhere, including convenience stores and on line, and they come in a vast array of flavours from bubble gum to fruit, so clearly marketed at young people. That’s very concerning, obviously, because we don’t want young people using e-cigarettes and potentially being exposed to chemicals or becoming dependent on nicotine. Some of these vapour products contain nicotine, which, in itself, can be toxic. These e-cigarettes can have a wide range of different chemicals in them, ranging from, as I mentioned, nicotine which can be harmful by itself, to products like propylene glycol, the effects of which are uncertain when they cross into the bloodstream.

Legislation like this protects vulnerable youth and lets us restrict their access to the sale, promotion of or exposure to e-cigarettes. British Columbia will be among the first jurisdictions in Canada to pass legislation specific to e-cigarettes and vapour products.

If we look at how things work at the moment, currently the Tobacco Control Act bans tobacco use of all kinds, 24 hours a day, 365 days a year, on school sites, at workplaces and within a three-metre buffer zone of doorways, open windows and air intakes. The existing legislation effectively regulates tobacco products but has no authority to regulate the sale, use or promotion of vapour products. In practice, at the moment, vapour products are a wide-open market.

If they do not contain tobacco, they are outside the federal and provincial restrictions on the sale and promotion of tobacco. The only legislation which regulates them currently is the federal Food and Drugs Act, which says that if they do contain nicotine or if they do promote themselves as a health product — for instance, a smoking cessation product — then they have to be approved for

sale by Health Canada. This is what happens with current nicotine replacement therapies.

Health Canada has approved those nicotine replacement therapies for sale as a cessation product. We know exactly what chemicals are in those nicotine replacement therapies and how they will impact the human body. But no vapour products containing nicotine and making a health claim have been, in fact, submitted to Health Canada for approval, so none are approved for sale in Canada.

We do not know exactly what chemicals are in these vapour products, as I mentioned, and how they may impact the human body. But as we have seen, the products are available just about everywhere — corner stores, on the Internet, in many different public spaces. This is potentially dangerous as there are no manufacturing standards for vapour products, and people can buy nicotine liquid and make their own. There are also no product standards, so toddlers and children can easily open the attractive, brightly coloured containers and accidentally ingest the liquid within, risking nicotine or other chemical poisoning.

These amendments expand the scope of the Tobacco Control Act. Accordingly, the statute is being renamed the Tobacco and Vapour Products Control Act. The act sets out a framework to regulate the sale, promotion and use of tobacco and vapour products in B.C. The amendments will require retailers to ensure vapour products — including e-cigarettes, e-substances, cartridges and filters — are only sold to adults aged 19 and older.

[1525]

The amendments also create authorities to regulate use, display and advertising of vapour products along the lines of the authorities available today for regulating tobacco products. Because we don't know what chemicals the vapour products contain or what happens when many people use them at once in an indoor space — like a work or public space — we are restricting their use in those sites as well. After all, people who do not use e-cigarettes should not have to be exposed to vapour in public or workspaces.

The legislation sets out authorities for the prohibition of the sale of e-cigarettes to those under 19 and regulates the promotion and display of e-cigarettes. An exception will be made for prescribed medical devices so that nicotine replacement therapies that are approved by Health Canada and nebulizers that are approved will not be affected.

Finally, the amendments add a ban on using tobacco and e-cigarettes on health authority property other than in specified areas, if health authorities wish to designate them on their site. We know that health authorities are leaders in protecting the health of their citizens by reducing tobacco use. This legislation will help them limit its use as much as possible on their property.

In closing, I want to emphasize that these amendments serve to reinforce our commitment to protecting young

people in British Columbia from the potential risks of e-cigarettes. This legislation will help us move forward with these goals. I look forward to hearing other members' comments on the second reading of this important legislation.

J. Darcy: I'm pleased to stand and speak on the Tobacco Control Amendment Act as the designated speaker for the official opposition. Let me begin by saying that this is certainly an initiative that we support.

It is critically important that we regulate e-cigarettes and that our tobacco control legislation includes e-cigarettes. Certainly, it's an important step forward when we look at the number of British Columbians who still smoke and, in particular, the number of young people who begin smoking every year — about 30,000. For many of them, e-cigarettes are a gateway drug.

I certainly agree with the minister that we don't know what's in many of these products, but we need to take the precautionary principle. We need to especially protect our children and young adults.

There are certainly some products that some people will say are very valuable in terms of harm reduction — to help to get people to quit smoking — but we also know that there could be high levels of nicotine as well as other substances in e-cigarettes. Therefore, it is absolutely critically important that we regulate them.

Substances that are in e-cigarettes clearly is a subject that needs further study and needs to be studied very carefully. The jury is still out on certain aspects of it, but this law, as the minister has said, doesn't ban them. It regulates them, which is something that we fully support.

Essentially, this bill now means that the same conditions that apply to tobacco will apply to e-cigarettes when it comes to where you can use these products, how you can sell these products, how you can advertise them and so on.

That's very, very important, as any survey in this province, in this country and across the continent shows that young people are using e-cigarettes in increasing numbers. Certainly, everywhere we go we see that more adults are also using e-cigarettes. There are serious concerns, as others have said, about whether these will, in fact, be a gateway drug to further smoking.

This legislation now makes British Columbia the third Canadian province, after joining Ontario and Nova Scotia, in regulating e-cigarette use. The Cancer Society of British Columbia has pointed out that 20 percent of 15- to 19-year-olds in Canada have tried e-cigarettes, which opens the door to them using and potentially becoming addicted to tobacco products. The Cancer Society has certainly expressed, over some long period of time, the importance of regulating them, the marketing of them, the use of them and ensuring, especially, that they stay out of the hands of young people.

[1530]

In addition to all of the other reasons, the fact that these products are also often flavoured with a wide variety of flavours that are more appealing to young people makes them, in fact, even more dangerous. They entice youth to try e-cigarettes, again paving the way for them to become a gateway for other tobacco products.

Some specific questions that I will also be pursuing when we get to the committee stage on this.... I've discussed this issue with tobacco enforcement officers, for instance, who work for our health authorities, and they are certainly concerned about the funding in order to be able to properly enforce these regulations already.

A program for tobacco enforcement in the past was funded 50 percent by the federal government, 50 percent provincially through the health authorities. That funding from the federal government, it's my understanding, has ceased a couple of years ago, and that means that the responsibility falls exclusively on the province — that is, on the health authorities. The tobacco enforcement officers I've spoke with say that they're already stretched very, very thin, so there's the issue of.... It's excellent that we'll have stronger regulations in this regard, but we certainly need the resources in order to enforce them.

I've also had concerns raised with me, again by tobacco enforcement officers and others, about some potential loopholes in the bill, which I'll also be exploring with the minister at the committee stage. Some of the issues related to displaying and promotion. The language in the bill refers to tobacco retailers. Potentially, this perpetuates an existing loophole in the legislation because it refers specifically to retailers who can't advertise, but there are other potential avenues.

For instance, could you have a sandwich board on the street that, effectively, advertises something that is sold on the premises of a store that sells these products nearby? Could it be advertised in the shop next door? This may be speculative, but it's certainly an issue that has been raised with me by people whose profession, whose occupation is to enforce these regulations. I think that that's something that we need to look into.

There are various locations — school boards, health authorities, public properties — that the issue has been raised also — specifically, that I'll be asking the minister to respond at a later point — about enforcement in the context of health authorities, in particular. Certainly, health authorities are leaders in ensuring that our communities are healthy and safe. We're asking them to take on this responsibility, but what does the enforcement mechanism look like within the health authorities themselves — both their legal ability, as well as the resources in order to be able to enforce it?

Another question that I'd like to pursue with the minister has to do with duty-free shops. I understand that the display and retailing of tobacco are exempted from federal regulations. It's also, I believe, understood that that would be exempt from provincial regulations. I

think that's an issue that needs to be looked at. I will also be raising the issue of a recent court case where a judge has indicated that he thought that this was a significant issue that needed to be addressed as it relates to duty-free shops and whether or how the federal regulations apply and how the provincial regulations do or do not apply.

Another area I think needs some further clarification, and I'm hoping that the minister will be able to clarify this for me. I'd note that as we go through the various sections of the bill, sections 2, 3, 4, 5, 6, 7, 8 are all very clear about the prohibitions on where you can use these products, who can sell the products, the advertising and so on.

I know that the area that is the subject of the most debate and discussion, of course, is the issue of vapour products if those products are prescribed medical products. Section 9, in particular, speaks about exempting "persons from the prohibitions relating to distributing, using and promoting vapour products if these products are prescribed medical products."

[1535]

I understand the general intention of that, if it's a smoking cessation product that has been prescribed, but the relationship between that and the other provisions of the bill and whether it means that people are then allowed to use a smoking cessation product in all of the locations, for instance, that are prohibited elsewhere in the bill....

I see the minister nodding his head. I hope he thinks that's a question that is worth further clarification, because we wouldn't want there to be loopholes in the bill that can undo the intention — the very supportable intention — of the bill itself.

My colleagues may well have other questions, and as I've had the opportunity to study the bill further before committee stage, I will no doubt have other questions I will want to ask the minister. But I want to focus the rest of my remarks on what the bill does not address.

The minister said that he believes that this bill meets the obligation of the mandate letter given to him by the Premier to work with the federal government to close the loopholes regarding flavoured tobacco. The minister also spoke of the precautionary principle. Absolutely, on all matters related to health and safety, we should be exercising the precautionary principle. This bill does this as it relates to e-cigarettes.

I think the precautionary principle and the spirit of the mandate letter from the Premier also call for very clear leadership on the issue of all flavoured tobacco products. We already know the figures. I've spoken about them many times in this House. I've introduced two private member's bills that speak to this issue.

In the province of British Columbia 30,000 young people start smoking every year, and half of those use flavoured tobacco products. Six thousand people die in British Columbia every year because of cancer-related deaths, and cancer-related deaths related to smoking are the single largest preventable cause of death in this province.

The fact is that menthol flavouring has been explicitly excluded from the federal regulations. So when the Minister of Health says that this meets the obligation of ensuring that young people don't smoke flavoured tobacco and then potentially go on using it as a gateway drug to smoking more generally and smoking becoming a life-long and life-threatening habit, the fact of the matter is that the single most popular type of flavoured tobacco is, in fact, menthol-flavoured tobacco.

Why is menthol so popular? Well, we all know that menthol is a substance that is found in mint plants, such as peppermint and spearmint. It gives a cooling sensation. It's frequently used in various products, including cigarettes. It's used to relieve minor pain and irritation. Menthol, as we know, is found in cigarettes, cigars, little cigars, smokeless tobacco products, tobacco rolling papers and so on.

All cigarettes are harmful to our health, including menthol cigarettes. All flavoured tobacco is harmful to our health, including menthol-flavoured cigarettes. Many smokers think that menthol cigarettes are, in fact, less harmful, but there is no evidence whatsoever that menthol-flavoured cigarettes are any safer than other cigarettes.

Like other cigarettes, menthol cigarettes harm nearly every organ in the body, and they cause many diseases, including cancer, cardiovascular diseases and respiratory diseases. Menthol cigarettes, like other cigarettes, also negatively impact male and female fertility and are harmful to pregnant women and to their unborn children.

The Canadian Cancer Society has explicitly and repeatedly called for a ban on menthol cigarettes. I quote from Rob Cunningham, the senior policy analyst with the Canadian Cancer Society, who said in a statement: "Menthol is the most popular flavour among youth. Menthol reduces the harshness of cigarette smoke for youth and makes it easier for kids to smoke."

[1540]

Now, we all know that countless older smokers have puffed these minty cigarettes for decades. No doubt, there would be some political fallout amongst some people, some voters, in restricting or banning the use of menthol cigarettes. But the fact is they are just as dangerous to our young people as other forms of flavoured tobacco, other flavours of flavoured tobacco.

If I can go back to the Canadian Cancer Society. They've said very, very clearly that it's time to crack down on menthol flavouring in order to curb youth smoking. "Flavoured tobacco is tobacco with training wheels," said Rob Cunningham, senior policy analyst with the Canadian Cancer Society. They've been making that case for many years. They continue to make the case, and they have spoken to this issue very powerfully and very eloquently. In the time since the federal government first introduced the regulations for consultation on flavoured tobacco, they've been very, very clear that they do not believe that menthol flavouring should be precluded.

Last year, in a journal published by the U.S. Centers for

Disease Control and Prevention, researchers who were based in Waterloo, Ontario, and in Winnipeg discovered some very troubling patterns in the use of flavoured tobacco products in a recent survey. "Despite what many people think to be a ban on kid-friendly flavours, in fact more than half of our youth tobacco users are using a flavoured tobacco product," said study co-author David Hammond, who is a professor of public health at the University of Waterloo.

His statistics bear out what we know from surveys here in British Columbia. About 52 percent of young tobacco users said that they'd used flavoured tobacco products in the month before they filled in the survey. He said that the findings were a surprise to him. In particular, what he found surprising was that 32 percent of youth smokers reported menthol use — 32 percent of young people reported menthol-flavoured tobacco use. As he points out, that's somewhere around five to six times the usage amongst adults of menthol-flavoured tobacco.

What he goes on to say is that we have a very, very effective recruitment tool for kids to start smoking, one that remains prevalent on the market today and one that is not restricted or precluded, much less banned, by the federal government's regulations on flavoured tobacco.

As he points out, menthol not only gives an icy flavour; it also anesthetizes the throat to make it easier to inhale smoke. We should be worried about that. We don't want our young people to be using any products that make it easier or more pleasant for them to engage in smoking. Sadly, menthol was a flavour that was exempted originally from the federal government's restrictions on flavoured tobacco products and continues to be restricted in the current regulations.

He also says that in a country like the U.S., home to many of the world's biggest tobacco companies, with 40 percent market share.... When they're thinking of banning menthol, it begs the question why Canada is dragging its feet. He also points out that Brazil has banned menthol, and the European Union at that time was considering it and, in the meantime, has moved forward fairly aggressively.

The Canadian Lung Association. They certainly welcomed the introduction of regulations by federal Minister Ambrose in September. They also said very, very clearly: "Flavoured tobacco targets young Canadians. Dr. Deborah Lynkowski, president and CEO of the Canadian Lung Association, says: "This new legislation closes a loophole, but work needs to be done to reduce the availability of other flavoured tobacco products, including menthol cigarettes." That's the Canadian Lung Association.

She also cites some surveys conducted of Canadian high school students who consume tobacco that show fully 50 percent use flavoured tobacco. Of high school students who smoke — again, the same figures — 29 percent smoke menthol cigarettes. Those are very, very startling statistics.

[1545]

Even when you have a discussion with your colleagues and friends, many people are accustomed to thinking... Because menthol cigarettes have been around for decades — I think 60, 70 years — we're accustomed to thinking of them as products that adults use. But the reality is that today five to six times as many young people use flavoured menthol cigarettes as do adults.

I know that I can't use props. I wish I could show you some of the wonderful illustrations that go on the piece that I'm going to read from, but I can't do that. I'd be happy to share it with the minister, of course.

I'm referring to a publication of Physicians for a Smoke-Free Canada. It both describes eloquently as well as describing extremely well, in the colourful pictures and photographs that accompany it... It paints a very powerful picture of the dangers of flavoured tobacco and, in particular, how the tobacco industry baits its prey. That's the headline of it — *Flavoured Tobacco: How the Industry Baits Its Prey*.

It summarizes a number of things that come, actually, from internal tobacco industry documents that clearly reveal why the tobacco companies try and market flavoured tobacco. It says that these additives are (1) designed to make the first smoking experience more pleasurable by improving the taste and sensations for smokers and chewers; (2) designed to encourage experimentation; (3) designed to make smoking easier by masking the irritation on airways, preventing airways from tightening and preventing the smoker from coughing — coughing being the body's way of protecting lungs from inhaling harmful substances.

I remember when I first tried cigarettes in my twenties that I hacked and coughed a lot, and it discouraged me for some considerable time from trying them again.

It also points out that the marketing is designed to make smoking trendy and dynamic. Finally, it's designed to disguise the smell of secondhand smoke and thereby reduce concerns and complaints from non-smokers who are nearby other smokers.

Let me take several of these in turn. First of all: designed to make the first smoking experience more pleasurable. I'm emphasizing this, because while the federal regulations have now banned most flavours — like chocolate, various candy flavours, various fruit flavours — and have changed the rules about packaging, the fact is that they have not banned menthol flavouring.

I think you will realize — and I certainly hope that the minister will in hearing some of this in this document that I will share with him — that what Physicians for a Smoke-Free Canada is saying about flavoured tobacco is absolutely critical to understanding the impact of menthol-flavoured tobacco on our young people.

First of all: designed to make the first smoking experience more pleasurable. Flavourings reduce the unpleasant smell and taste of their products. A former employee

of Philip Morris, a major tobacco producer, says: "The harshness and bitterness of nicotine is not acceptable alone in a cigarette. There's strong scientific evidence to support both the need for nicotine in the products and the need to modify its flavour to make its delivery acceptable to the smoker."

They know exactly what they're doing. This is part of a very slick and very effective marketing strategy. They talk about how these products are designed and packaged to encourage experimentation and to encourage a high curiosity-to-try factor with new products that they come out with. "Flavourings make tobacco products seem less threatening and less harmful and more fun and interesting. As a result, young people who may never even try smoking cigarettes can be enticed by: 'taste-me' new flavours and 'trial-friendly' packaging."

Again, as they point out and as I have, one-third of Canadian youth have tried these products, and there has been an eight-fold increase — an eight-fold increase — in flavoured tobacco products in only six years. That's going back several years now. The numbers, no doubt, have gone up many times since then.

The third point that Physicians for a Smoke-Free Canada refer to is how flavoured tobacco products, including menthol-flavoured tobacco products, are designed to make smoking easier.

[1550]

Menthol cigarettes are easier to smoke because the menthol is a topical anaesthetic — a topical anaesthetic. It makes it less painful. It makes it less difficult to smoke:

"Smokers of these products can experience less throat and upper airway irritation which would otherwise lead them to stop smoking. Cigarettes made with these ingredients make it easier for new smokers to continue smoking and to absorb the nicotine that leads to addiction.

"Menthol's characteristic minty taste and smell lures many smokers to think that these products are different or less harmful than other cigarettes. However, studies have not shown menthol smokers to experience fewer withdrawal symptoms or better quitting rates."

In other words, menthol cigarettes are every bit as dangerous as other flavoured tobacco products, and perhaps more so because they actually make the smoke go down a little easier.

Another issue that they raise is how these products are increasingly "designed to make smoking trendy and dynamic." Not having, for a couple of decades at least, gone shopping to buy a pack of cigarettes, this is something that came as a complete surprise to me, I must admit.

Packaging for some of the products apparently has "Squeeze, Click, Change" — a product called Camel Crush. This is a product in which... Though we know that menthol has been added to cigarettes for decades, the way that menthol cigarettes today are designed and marketed has changed dramatically over the years. This is something not imaginable at all when I first took a look at cigarettes a number of decades ago.

“Recent trends in marketing menthol include new brands, new cigarette designs, new packaging. Two of the multinational companies operating in Canada...have recently launched menthol cigarettes with a novelty design feature likely to encourage experimentation.”

I’m reading from the Physicians for a Smoke-Free Canada: “The filter contains a menthol capsule that, when crushed, releases a sudden surge of flavouring. Smoking is made more dynamic by the invitation to ‘Squeeze, Click, Change.’”

We’re talking about tobacco products, menthol tobacco products, and they’re being used at a rate five to six times higher by youth than they are by adults: “This new generation of menthol products is successful at recruiting smokers. Trade analysts report that while sales of traditional cigarettes are falling, the market for menthol cigarettes is not declining as rapidly.”

While only one menthol cigarette brand ranked amongst the top premium brands in 2005, three menthol cigarette brands now have made the list of top-selling cigarettes.

If we needed any proof, if we needed any evidence, if we needed any more argument beforehand — in addition to what the Canadian Cancer Society has said repeatedly, in addition to what the Canadian Lung Association has said repeatedly — certainly, when we look at the ways in which these products, and especially menthol products, are being marketed to our young people, and the rate at which young people are smoking them, we certainly should be very, very alarmed.

We should be saying not that this bill goes far enough, not that this bill meets the precautionary principle, not that this bill meets the mandate letter given to the Minister of Health by the Premier last year. What we should be saying is that we should be leading the country in the area of smoking, period, and that includes banning the use of menthol flavouring in cigarettes.

If we had waited for the federal government on other aspects of restrictions on tobacco, British Columbia would not have been a leader in this country beginning in the 1990s. We have been a leader consistently since the 1990s. That’s a good thing. We should continue to be a leader in banning and restricting the use of tobacco products.

We waited a very long time for the federal government to act in any way, shape or form on flavoured tobacco products. It was back in 2008 when now-Prime Minister Stephen Harper first campaigned, saying they were going to ban all flavoured tobacco products, including menthol. Well, we see where that got us.

[1555]

What was introduced federally in 2010 had restrictions, certainly, but there were loopholes in that — loopholes in what was introduced a few years ago by the federal government — that have allowed tobacco companies to just develop new and different marketing strategies, including the size of the product that they’re selling, in order to escape from those federal regulations.

They didn’t step up to the plate fully in 2010. Now, in 2014, the regulations that have been introduced.... I think we should have been saying to the federal government: “No, we’re not going to wait until you do it and every province in this country does it.” We should be saying: “British Columbia has led in the past. We are going to continue to lead today.”

It is certainly important leadership for us to join two other provinces in this country in restricting and regulating the use of e-cigarettes — where they can be sold, who they can be sold to and advertising — but we should be showing the same kind of leadership in prohibiting the sale of menthol cigarettes.

Ontario has recently done so. Congratulations are certainly due to them. The Canadian Cancer Society called on provinces to step up to the plate and to show leadership. They had already introduced something prior to the last election.

Since that time, the provincial government in Ontario has moved ahead. They’ve heeded the call of the Physicians for a Smoke-Free Canada. They’ve heeded the call of the Canadian Lung Association. They’ve heeded the call of the Canadian Cancer Society.

In the absence of federal leadership, with loopholes so big that you can drive thousands of youth in British Columbia through them — by still allowing the use of menthol cigarettes, menthol-flavoured tobacco — surely we should say we’re going to be leaders as well.

The government of Ontario has now introduced legislation that prohibits the sale of flavoured tobacco of all sorts. As Les Hagen, who is with the Action on Smoking and Health, has said repeatedly in criticizing the federal exemption on menthol, the issue is waiting for the provinces to take action.

If we wait for all of the provinces to agree in advance, to reach consensus that we’re going to do this, we would wait for a very, very long time. If we wait for the federal government to act, we may wait many more years. The precautionary principle and the need for leadership by British Columbia....

To ensure that our citizens remain the healthiest in the country, to ensure that less of our young people smoke — to ensure that every possible gateway to lifelong smoking and life-threatening smoking is closed off to them — surely we should be taking action on menthol, which is the most harmful and the most popular of the flavoured tobacco products.

In addition, in the time period between when I introduced my first private member’s bill banning all flavoured tobacco, including menthol, and the time that I introduced the second one just a few weeks ago, we have seen that the European Union has also taken very, very significant action on this issue.

The European Union is planning to ban menthol cigarettes in all 28 member states, hon. smoker — hon. Speaker. Excuse me. I think I said hon. smoker, and I

would not try and pry into your personal smoking habits. I meant hon. Speaker. My apologies.

The European Union, as we know, is often seen as a bastion of smoker-friendly cafes. People like to have their coffees, have their espressos and smoke their tobacco at the same time, something that Canadian travellers and travellers from British Columbia have often found very difficult.

Well, the European Union is now taking very, very tough action. They will be banning menthol cigarettes in all 28 member countries. If Ontario can do it and the European Union can do it in all 28 member countries, and if the United States of America, which is home of the most powerful tobacco companies in the world, can be studying it very carefully and considering banning menthol cigarettes, surely British Columbia can be as well.

[R. Chouhan in the chair.]

[1600]

In conclusion, I would say that, while this is a very important initiative that the Official Opposition certainly strongly supports, we also believe very, very strongly that the government has missed an important opportunity to show national leadership on this issue.

The precautionary principle demands that we show leadership. The precautionary principle demands that we keep these products out of the hands of our young people to the best extent possible. The precautionary principle also demands that we ensure that adult smokers are also not living under the illusion that menthol-flavoured cigarettes are any less harmful than regular cigarettes just because they go down more easily.

We will be pursuing a number of the questions that I have raised earlier in my remarks at the committee stage. I see that the minister has taken some notes along the way. I'm certainly hoping both that he will have some answers to some of those questions when we discuss it at committee stage and that he will also be more than willing to consider amendments in order that we can genuinely show national leadership in prohibiting the use of smoking amongst our young people and national leadership as far as the precautionary principle, which is so absolutely essential when it comes to matters of health and safety.

Let me just reiterate that there is a private member's bill — in fact, there are two of them — on the order paper. This doesn't require having to go back to the drafting board. They're ready and waiting. The minister can have his staff working on seeing what can be taken from the private member's bill that prohibits the sale of flavoured tobacco in all its forms and integrating that into provincial legislation.

That would allow our province to stand tall and stand proud and be leaders both in restricting the use of e-cigarettes as well as showing clear leadership on prohibiting the sale of all flavoured tobacco, including menthol tobacco.

Let me just very finally say that if we wait for the federal government to close these loopholes, we could wait

a very, very, very long time. It was seven years between when Prime Minister Harper first promised to take action and two years before he did, and another four years before the Health Minister introduced some regulations in order to close some of those loopholes. We could wait another seven years. We could wait another ten years.

Let's not let the tobacco lobby in this country have their way. Let's act now. Let's act in this bill to ensure that our young people and all British Columbians are protected to the greatest extent that we can possibly protect them.

Hon. T. Stone: It certainly is a great pleasure to rise today in support of the Tobacco Control Amendment Act. I'm very proud of this piece of legislation.

British Columbia has enjoyed a tremendous amount of success to date with respect to encouraging British Columbians to kick the habit and not to smoke. In fact, British Columbia has the lowest smoking rate in Canada, at just over 16 percent.

Now, this is in part due to the fact that, I think, historically here in British Columbia we have opted to embrace healthier lifestyle choices and to stay healthy and active. But it also has come about as a result of this government and a number of initiatives that have been pursued over the years to reduce smoking levels in British Columbia.

The B.C. smoking cessation program, which represents a government action taken not that long ago, has helped B.C. residents stop smoking and stop using a variety of tobacco products. This cessation program assists with the costs of smoking cessation aids such as nicotine replacement therapy, chewing gum, patches and prescription smoking cessation drugs like Champix. Since this program was launched in September of 2011, over 323,000 orders for nicotine replacement therapies have been placed.

[1605]

The main purpose for this piece of legislation, and why I support it, is that this new product that has become known as e-cigarettes is largely unknown, not just here in British Columbia but across the world. It's a product that has become extremely popular with British Columbians, but particularly with young people. There is very little evidence on the benefits and the harms of this new product. This act expands its scope to cover off these new e-cigarette types of products.

This bill will prohibit retailers from selling e-cigarettes to youth under the age of 19. It will regulate the promotion and display of e-signs, including advertising. It will ban the use of these electronic cigarettes on school grounds, which is very important. It will ban the use of these products in indoor spaces, in workplaces, and it will ensure that these products are prohibited from being sold in public buildings.

As well, these products will be banned in vehicles where there happen to be passengers under the age of 16, and it will limit their use as much as possible on the

properties of health authorities, though there will still be designated smoking areas.

Since 2008, B.C. youth have been protected from ads, countertop displays and background walls of tobacco packaging. Tobacco use was long ago banned on school grounds in the K-to-12 system. Tobacco use was banned in cars when kids under 16 were present. Licensed daycares and vehicles used to transport children are smoke-free in British Columbia. This legislation builds on that foundation.

I understand that concerns have been raised by members opposite about flavoured tobacco, and concerns with respect to flavoured tobacco have been raised by the Minister of Health and others in government as well. In fact, when I started smoking, it was because of the wine-tipped cigarillos.

The Minister of Health and this government are working very closely with the federal government to enhance the regulations related to flavoured tobacco. We certainly support the federal government's efforts in that regard. We do believe that the federal government is in the best position to regulate the content of tobacco products and restrictions on youth-oriented flavoured tobacco and that these restrictions should be the same across Canada so that, regardless of where you live, these products cannot be sold to youth.

This government was pleased.... On March 6 the federal government announced proposed regulatory amendments to the Tobacco Act to further restrict flavours used to market cigarettes that appeal to youth. I think we've all had the Canadian Cancer Society come and sit down with us and show us what these products look like and how companies are opting to market them to youth. I think this is why it's very important that the federal government continue on the course that they are in banning — or, at least, ensuring strict regulations on — the use of these flavoured products.

Now, again, we believe that this legislation is important. It's important to do now because the health impacts of these new products are so new. The impacts are unknown. Yet we see a rampant proliferation of these products in every corner of the province, whether it be in corner stores or for sale on the Internet. There are, at present, no manufacturing standards for these products. As well, there are no product standards. The regulation of manufacturing and product standards, we believe, should be a federal government responsibility.

There is broad support for this legislation. Since the Minister of Health introduced the bill here in the House, I've had many constituents come into my office in Kamloops–South Thompson and send e-mails and a few phone calls, as well, who are applauding the government for taking this action, were applauding this government for continuing to look for ways that we can curb tobacco use in the province of British Columbia.

This bill has received strong support, broad support from a wide array of different organizations — the B.C. Healthy Living Alliance, medical health officers across the province, the Union of British Columbia Municipalities. Other jurisdictions in the country — namely, Nova Scotia and Ontario — have also introduced legislation to regulate e-cigarettes, and many other jurisdictions in Canada and the United States are looking at this challenge as well. Certainly, the Canadian Cancer Society and the Canadian Paediatric Society and others have expressed their strong support for this legislation.

I'll end my comments on a bit more of a personal note. Like many in this chamber, I have lost a number of loved ones in my family to smoking — in particular, my grandfather, who was someone I admired greatly. He died of heart disease that was brought on in a lot of ways by a heavy, heavy dose of smoking through his life. He started smoking when he was 12 years old. I lost an uncle who died way too young, and he started smoking when he was 14 years old. I've lost a couple of aunts as well who started smoking at a very young age.

It's very, very important that we do what we can and do as much as we can to encourage our youth to not engage in these types of habits. I started smoking.... Well, I smoked for 20 years myself, and I kicked the habit about four years ago. For me, it was looking into the eyes of my daughters and realizing that I had a heck of a lot to really look forward to in life. But I needed to look after myself to make sure that I was around to be there for my daughters and to perhaps see them get married one day, watch them grow up.

I haven't felt better since I kicked the habit, and I was able to because of a product called Champix, after trying many, many different methods. The gum didn't work for me, and other smoking cessation products didn't work for me. Champix happened to work for me.

I'm very proud of this government's record of reaching out to British Columbians and providing options for the cessation of smoking. I'm very, very proud. It's saving lives. And I'm very, very proud that we have one of the best Health ministers in the country, who is focused on doing everything that he can personally in his role to ensure that the legacy we have in this province of some of the best health outcomes in the country — that we continue to see that be the case.

I applaud the leadership of the Ministry of Health. I applaud the leadership of this government. And it's with a great deal of pleasure that I support the bill too.

B. Ralston: It's interesting to hear the Minister of Transportation and Infrastructure explain some of his personal motivation in speaking to the bill. I think members will appreciate what is often a personal experience that drives some of our motivation here.

I was a little bit disappointed to hear that he described the Health Minister as only one of the best Health min-

isters in the country. I'm sure that's something that the Kamloops MLAs will sort out between themselves later on.

I do want to speak on the bill. The e-cigarette phenomenon has really taken off very dramatically in the last several years. Usage has dramatically increased. And while it is true that a lot of the health research agencies don't have the background in the sense of having studied the effect on users.... Many of those studies are underway, but I did hear one researcher speaking recently who said that it will take five to ten years to develop the longitudinal study — I think that's what they call them — that will be able to chronicle more accurately the impact of e-cigarettes on the health of individuals.

[1615]

So when the minister says he's undertaking this legislation on the basis of the precautionary principle — that is, because the effects are not known, it's wise to take measures to reduce or stop usage, particularly by new smokers — those are typically minors and younger people — that's a responsible use of the power, the legislative authority of government. Certainly, it is a legitimate role for government, too, in the area of health promotion.

Indeed, I think the minister just speaking, the Minister of Transportation and Infrastructure, mentioned the record of his government, but the world did not begin anew in 2001. Indeed, previous Health ministers.... I believe Joy MacPhail was Health Minister where there was a very aggressive campaign to display in photographs the impact of cancer upon the faces of long-term tobacco smokers — very graphic evidence, sometimes hard to look at, but an effort to make very clear what the potential health impacts could be.

It's also pre-2001 that litigation was initiated to sue tobacco companies for the health impacts and the costs to the provincial budget. That legislation, given the legal resources of the tobacco companies, has become very protracted, but nonetheless, it sent a very clear message to tobacco companies. That legislation is legislation which mirrors or mimics legislation in various American states where the impact in terms of the health costs on the public purse has been very, very dramatic.

Advertising and health promotion by the provincial government to dissuade particularly new smokers from beginning is a very legitimate and important exercise of legislative authority and government action. Although I know sometimes members opposite ideologically are indisposed to look favourably upon government action, I think this area is one where there is quite a legitimate role for government and, in fact, a role of efficacy in reducing the incidence of tobacco use.

Incidence here — the use of tobacco, the number of smokers — is the lowest of all the Canadian provinces. It actually goes up steadily as you head eastward. I believe the highest usage is in Quebec and the Maritimes with something approaching 50 percent, whereas the contrasting number here is something below 20 percent.

I thought it was 18 percent. The minister mentioned 16 percent. So it continues to decline.

Part of the success there is discouraging people from beginning to consume tobacco. Now, not all of the e-cigarettes do contain nicotine, but they contain some chemical elements that are not clear. That's why this legislation is being introduced, and that is a good thing.

I do note in the legislation there's an exemption provided for prescribed products or devices intended to be used for medicinal purposes or medical purposes, including to reduce nicotine dependence. Now, one hopes that that exemption is drafted carefully enough and with enough authority that that will not be used as a way of seeking a way around the ban that's proposed here, although it seems unlikely that in discouraging new smokers, one would want to use an exemption that's designed to help people quit smoking. I think that's probably going to work, but certainly, that's something that probably we will benefit from further scrutiny of later in the legislative process.

[1620]

The other comment. I want to follow the very spirited remarks of the member for New Westminster, who continues her campaign — and rightly so — to ban flavoured tobacco. Indeed, the Minister of Health himself said very eloquently and very clearly: "In November 2013 and again in February 2014, I wrote to the federal government to encourage an enhanced ban on flavoured tobacco products. We cannot let these sweet favours soften the harshness of tobacco. Flavoured tobacco can be a gateway for a young person to become dependent on or addicted to nicotine."

The minister set out his position very clearly. The federal government did react and introduced new federal regulations in September 2013. But the view of those perhaps most authoritatively able to comment on this, the Canadian Cancer Society.... I'm quoting Rob Cunningham, who's a senior policy analyst:

"The new federal regulations on flavoured tobacco fail to give the kids the protection they deserve. We're glad to see the government close a five-year loophole on flavoured cigarillos, but the government should have done more. Flavoured tobacco is tobacco with training wheels. Tobacco products are addictive and poisonous and should not be sold in fruit, candy and other appealing flavours. Flavoured tobacco makes it too easy for youth to experiment with and become addicted to tobacco, which is of tremendous concern."

We heard the Minister of Transportation and Infrastructure in his remarks — justifying the current position of the government following the change in federal regulation, which the Canadian Cancer Society has reacted to and said they haven't gone far enough and they haven't fixed the problem — say, "It's really to the federal government to legislate nationally. They are better positioned to do so," thereby saying that he supported the unwillingness of the government to exercise its provincial jurisdiction to ban flavoured tobacco entirely.

One of the benefits of a federal system is that sometimes, certainly on some matters, some provinces have to take the lead, and the federal government eventually

will follow. This is one area where, given the minister's statements earlier in 2013 and 2014, I would encourage him to rethink his position. Obviously, the minister will meet enthusiastic support from this side of the House on that. Certainly, led by the member for New Westminster, we're ready to embrace that kind of a ban.

This is important, because the very arguments that are made by the Minister of Health about e-cigarettes and vapour as a potential gateway to addiction to tobacco and its resulting difficulties and devastation for individuals and the huge societal cost in terms of health care — and that's why it falls in the jurisdiction of the Minister of Health — are exactly the arguments why one would impose a similar ban on flavoured tobacco.

What the Canadian Cancer Society, in its release, points out is: "Results from the Canada-wide youth smoking survey for the 2012-2013 school year show that 50 percent of high school students in Canada who used tobacco products in the previous 30 days used flavoured tobacco products."

Indeed, like many members, a representative of the Canadian Cancer Society visited me in my constituency office and showed me the full array of these flavoured tobacco products. I, frankly, wasn't aware of them. I'm not a smoker, thank goodness — never have been — but I don't want to be sanctimonious about that. I just didn't know about those kinds of tobacco products. So they are out there. It was a very graphic illustration of what the challenge is and why youth of high school age might be attracted to using these products.

[1625]

There's very good reason to support the representations and the hard work of the member for New Westminster and bring this into effect.

The other thing that I want to say, finally, in conclusion is that there are municipalities where, in the absence of action until now by the provincial government, some municipalities and school boards have already acted to regulate e-cigarettes. I understand from the legislative analysis that has been provided to me — but I'll want to confirm this, or someone will want to confirm this, with the minister — that that will not require amendments of municipal bylaws in order to continue to be valid.

Certainly, just as the provincial government can show leadership such that the federal government will take up an issue, some municipalities and school boards have shown that leadership — perhaps, I hope, in some small way encouraging the provincial government here to take the action that they are.

This is legislation that we support, but there is an opportunity here, having initiated this debate, for the minister to expand the work and range of the scope of this bill, either in this bill or in a companion bill, to regulate flavoured tobacco in the way that has been suggested and that the Canadian Cancer Society has advocated.

With those comments, I'm concluding my remarks.

L. Thross: It's a pleasure to stand and speak in support of the Tobacco Control Amendment Act, Bill 14. I want to point out several things today. I want to point out, first of all, that the prevalence of smoking is one of the greatest health issues of our modern era.

Just to give you some context, for purposes of comparison, about 7,000 people in Canada die each year from diabetes. That's a terrible thing. Think of 7,000 people in one place. It would be a huge number of people. Industrial accidents kill about 1,100 people a year. Vehicle accidents kill 2,100 every year. Accidents of all kinds kill a total of 10,000 people in Canada each year, which, again, is a huge number of people.

They pale in comparison to the number of smoking-related deaths, which amount to about 37,000 people each and every year — 19,000 from lung cancer alone. It's like a good-sized army of people who pass away every year from smoking-related deaths, so we have to see this as a major public health issue and address it accordingly.

About 20 percent of Canadians smoke. Only about 16 percent of British Columbians smoke. That's better than the national average, but it is bad enough. Why do so many people smoke? Mostly it's because they can't stop. Tobacco is a highly addictive activity. In fact, some experts have said that smoking is a more addictive behaviour, a harder habit to break, than heroin addiction, which is a very serious addiction.

The good news is that about 60 percent of smokers have quit in the past, and about 60 percent more want to quit right now. That's good news. The bad news is that it's higher among youth. Older smokers are quitting and wanting to quit, while younger people are more prone to start.

I think it's good public policy to discourage young people, in particular, from falling into the trap of addiction not only because of the intrinsic value of these young lives but also because of the cost to the public purse. We think that if we could eliminate smoking today, we could save about \$17 billion per year in health care in Canada. I want to acknowledge smoking's harm, and we have to see this as a major public health issue.

The next point I want to bring out is about the law in particular. I want to point out that the law is directed toward those who are under 19 years of age. We want to protect children. The law does not purport to ban e-cigarettes altogether, just like smoking in general is not against the law except in certain places, even though it is, admittedly, an unhealthy behaviour in all its forms.

[1630]

A mature adult can decide to undertake a certain amount of risky behaviour in their lives. That's what being an adult is all about. It's about examining the risk and deciding what kind of risk you want to take on in your life. You can be a skydiver, if you want. You don't have to be a skydiver. It's a more risky behaviour than some others, but that's an adult decision.

The law also leaves it up to the discretion of adults to use or not to use e-cigarettes, even though they are not approved for sale in Canada. I don't support the use of e-cigarettes for pleasure. It could be that the use of e-cigarettes could be an instrument of harm reduction.

I would point out that the law allows for this possibility. In section 9 it says: "A person is exempt from the prohibitions set out...with respect to vapour products that are prescribed products or devices intended to be used for medical purposes, including to reduce nicotine dependence."

I want to point out that a lady came into my office recently. She was a senior citizen. My constituency assistant came into my office and said: "There's somebody smoking in the office." Of course, I went out, because that's not allowed in my office, and she was smoking an e-cigarette. It was interesting to talk to her about her problem and then also to ask her about her e-cigarette and find that she had been smoking for almost all of her life. It was only the e-cigarette that enabled her to stop smoking tobacco. So she was able to tell me how it worked in her case.

I would repeat that the law leaves e-cigarettes to the discretion of adults and that harm reduction as an instrument of transition to freedom from addiction could be a possibility for an e-cigarette. I think that and the nicotine replacement therapy, popularly known as the patch, would be a very proper use of harm reduction.

The message we have always used for tobacco is a simple word, and that word is "quit." You need to quit. That's a good public health message. That's a message we need to repeat often, and that message would not change with respect to nicotine replacement therapy or e-cigarettes, if they can be safely used as that kind of a transition — not as a thing of pleasure but as an instrument of transition to freedom from addiction. So that's the second thing I want to point out.

The third thing I want to talk about is children. The contents of the cartridges for e-cigarettes are unknown. They're unapproved, and particularly for children, they could be harmful. For example, it would not be okay in any circumstance to allow kids to be ingesting almost pure nicotine in any form or by any means. You add to that the absurdity of allowing them to ingest pure nicotine in the dose that they decide for themselves — and simply becoming addicted in that way. That would be a second way that it would be harmful.

We might add to that that when an addiction develops to nicotine, if an e-cigarette is not available for a child or is too expensive, a tobacco cigarette is not far away. It's easily obtained. So it's not in the public interest for us to enable this kind of a transition from an e-cigarette to tobacco.

Finally, the act of smoking itself can familiarize a child with the routine, with the culture, with the feelings, with the social side of smoking. It could be a gateway practice to smoking tobacco, and that would be yet a further harm. There are a number of very solid public interest

reasons to ban the use of e-cigarettes for children. I think the law wisely strikes a balance between the protection of children and the freedom of adults to choose a means of quitting that works for them.

The final thing I want to say about this law is that it bans smoking on the grounds of public health authorities, and I support this as well.

I received an angry e-mail from someone with cancer in my riding who was receiving treatment at the Abbotsford Regional Hospital, which is a beautiful facility. I've toured it. It's got all the latest innovations for the treatment of cancer, many of whom are smokers.

This person with cancer, on their way to chemotherapy at Abbotsford Regional, had to run a gauntlet of smokers — staff, patients and people who were waiting for patients outside that building. They thought it was ironic and absurd, and I would agree that you shouldn't have to fight your way through a bunch of smokers to get treatment for smoking. I fully support the banning of smoking on public health authority grounds. However, there is a balance here, as well, that the law wisely strikes. There are people who are severely addicted, and perhaps it is acceptable to allow them a place to smoke. The law allows for this, even for those with e-cigarettes.

[1635]

I just want to speak in support of this law. I think it strikes a good balance between children and adults. It allows for the possibility of e-cigarettes for harm reduction in the future, and I think it will serve the public interest.

Deputy Speaker: The member for Powell River-Sunshine Coast. [Applause.]

N. Simons: Thank you to the member for North Island for her fan club.

I appreciate the opportunity to speak on Bill 14. In order to prevent any miscommunication, I would like to say quite clearly that we support this bill. We support the actions taken by the government. Some of us might think the government should have gone a bit further and taken a bit more of a leadership role.

Obviously, this piece of legislation is going to address a problem that's been identified by many groups in our society. At the same time, I do want to recognize that this government isn't completely averse to increasing red tape. I think red tape, in this case, is important red tape. Let's just make that clarification. We don't want young people finding ways into the smoking culture.

The Minister of Transportation talked about his previous smoking. I can add to that. Many of us have, at a time... I know it's shocking to some that I actually smoked. I don't look like I was old enough to buy any yet.

In this particular case we're dealing with a product that's fairly new, relatively new on the market. Many studies have yet to have been completed on the impacts. When you think about this piece of legislation, you hope

that it doesn't have a negative impact on those who are attempting to quit and those searching for ways of quitting.

Friends of mine and I have all probably, when we smoked, tried various ways of quitting, including the patch, the pill, the this, the that, the gum. Here's yet another opportunity that I think some smokers, who have been smokers for a long time, find to be the best way for them. It has proven for them to be the best way to quit. My constituents, some of them, are fans of the e-cigarette who vape, as they say, regularly but do so instead of smoking cigarettes.

Kyle tells me that, basically, he's smoked two packs a day for nearly ten years and tried everything to be rid of the "foul things," as he called them. It was harming him in many ways. "Over the past three years I was introduced to electronic cigarettes. Not only did they allow me to give up tobacco altogether; I feel great healthwise. My respiratory system is working properly. I can do my job now, which requires physical activity. From what studies I've read, I'm not harming my surrounding peers with awful, toxic, secondhand smoke. These devices have changed my life for the better." Kyle doesn't believe they should be lumped in with other tobacco.

Maybe in the course of time, with studies that are probably being conducted now, we'll have a better idea of the health impacts of electronic cigarettes. We'll have a better idea as to their impact on people in close proximity, and we'll have a better idea on what impacts they have on a person who is ingesting the vapour themselves. Obviously, we want to make sure that at all times we know what substances are being legally ingested.

Another constituent said: "E-cigarettes helped me on my journey to quit smoking." They say, essentially, that they would not have quit had it not been for the availability of the e-cigarettes.

I think that that's probably the only area that I would want to make sure the government pursued. There are many ways to quit smoking. It's a very difficult thing to quit. I'm hoping that this legislation doesn't reduce.... I don't see how it could — but perhaps we'll find out ways during committee stage — reduce the availability for people who are seeking to quit smoking. I can't see that, necessarily, as an argument.

[1640]

Obviously, there are people whose business depends a lot on the sale of tobacco, just as we have, in our society, the sale of other products that are harmful to our health, like alcohol and sugar. I think we need to make sure that there's a balance between what we regulate, how we regulate it and the purpose for which we regulate it.

Clearly we're following the trend that seems to be coming across North America that we need to have rules to guide what we're permitted and not permitted to do and where we're permitted to do it. That being said, I think the Minister of Health made the right decision to pursue this, even if it wasn't his decision.

I think that the people of the province are clearly in the mood for further restrictions on harmful products that could ultimately impact our health care system but at the same time are hoping that those who are seeking ways of quitting tobacco have access to this as much as they have access to the gums or to the pills or to the patches that currently occupy the marketplace.

I congratulate the government on increasing regulations and red tape around tobacco, tobacco products and vapour products. I think that, clearly, this is an indication of government's willingness to create regulations where none existed, its willingness to look at evolving public policy and to draw up new regulations and create tape that is red that impacts on people's rights.

I have no problem when it comes to red tape of this nature. I think it's the kind of regulation and policy change — in fact, legislation — that this side of the House will support, because it will ultimately, we hope, if the studies bear out, reduce the number of people who start smoking.

The studies are not clear right now. Nobody has found any direct evidence that there's any gateway with respect to e-cigarettes. But I think common sense would suggest that its availability to young people at eye level, if you're standing four feet tall.... I think that's obviously something that we can do something about as legislators.

With that, I think the minister should be given credit for following the orders that he has and for fulfilling the mandate letter that was given to him. I think he does so willingly.

Interjection.

N. Simons: Oh, partly. He almost fulfilled his mandate letter. He has more work to do, I'm told. I think that the minister is pleased that I'm acknowledging his ability to follow the letter of the letter.

I know that with the support of the opposition, the encouragement of the opposition, as well as the other voices outside this place, the minister has seen fit to take this opportunity to increase the regulations around this product.

C. Trevena: I rise in the debate about Bill 14, the Tobacco Control Amendment Act, following off the speaker from Powell River–Sunshine Coast, my neighbouring MLA. He encapsulated a number of things that I wanted to say about this, so my remarks won't be too long.

Suffice to say that I think it's very clear this will get unanimous.... Well, as far as we know. I don't know what the independents will do, but definitely there is the support from the opposition on this bill. It is something that there seems to be a need for.

I have a couple of caveats about it, one of which my colleague from New Westminster has expressed. I'll speak a little bit about that towards the end of my remarks, about what is missing from this, and that's her very hard work on dealing with flavoured tobacco.

While we are supporting this bill, I have a few concerns. One is that there seems to be a misunderstanding. I think the government is going to have to do some work. It has a massive advertising budget, and we see it used for many partisan purposes. I think that in this period, two years before the election, it would do a lot of good if it explained this legislation.

[1645]

I think that we may all be getting e-mails and calls from people who are very concerned that what this bill does is ban vaping. I know that I have had some concerns from constituents saying that vaping has helped them give up smoking. They are very worried that this will mean a blanket ban.

I think that there does need to be a concerted effort, and I'm sure all of us as MLAs will go back to constituents and talk to them about this. I think there does need to be an effort to explain that it isn't a wholesale prohibition of this technology but that it is within certain circumstances and that it is essentially bringing the restrictions on purchase of vaping products and the vaping technology to those who are deemed youth, under 19.

I've had a couple of people in my community who have got in touch with me, one of whom has been a smoker for 25 years. He says:

"I was a smoker of tobacco for 25-plus years and have recently taken up vaping and given up tobacco entirely. I now feel way better than I ever have and proud of the fact that I could find an alternative that made quitting smoking possible. Vaping and smoking are two entirely different things altogether, in my opinion. For them to be grouped together like this is like saying quitting alcohol is the same as drinking water."

I think that for people like this, who have successfully been able to give up smoking, it's important to make it very clear that they will be able to carry on using vaping technology.

Another constituent has come to me saying that while they support some of the regulation on e-cigarettes, what this is, is extreme measures. What they want to see are limits on what can go into the e-liquid. This constituent says: "I do not want to see flavouring banned. I don't want to see a harmless technology banned." I think what this implies is that in many ways we don't know enough about the effects of vaping, what it does in the atmosphere and to individuals.

A couple of little snapshots, if I might, Mr. Speaker, and if you'll indulge me. One is.... The first time I saw somebody vaping was at Calgary Airport. I was transferring flights there, and there was somebody with what I thought was a cigarette. It was like: "How does anybody get away with smoking a cigarette in an airport these days?" I mean, this was about five years ago. But how does anybody do it? I talked to him about it. I approached him and said: "What are you doing?" He explained to me about vaping.

As somebody who, I think.... I dare say a number of us in this chamber of a certain age who have struggled for a number of years to give up smoking, to find a technology that works to be able to give up smoking is really....

For many people, I think, it's a godsend. Once you've made that decision that you are going to give up smoking, it's that one thing that will get you through. I know that when I gave up, I used two techniques. Eventually, it was the patch that did it, but there was also the nicotine chewing gum I used for a while.

One of my concerns with this legislation is that putting vaping in the same category as all smoking basically could mean that some people who would want to be trying to give up smoking find themselves going back to smoking. Because if they are as restricted about where they can use their vaping as they are where they're smoking, there might be that sense of: "Well, I may as well just smoke."

Be honest. You've got the nicotine patch to help you give up smoking. You're getting that, and you're getting the nicotine. You've got that all the time. So you can be sitting anywhere, and you're getting the nicotine that your body at that time requires — likewise, if you're using the nicotine gum.

I remember there was that sense.... When I was first giving up smoking, there were times when I could just slip a piece of nicotine gum in my mouth at a time when I knew I wouldn't have been able to light a cigarette. But there was that, you know: "I can have my nicotine even now. Isn't it good that I'm giving up smoking?" You're going to have that restriction that you'll only be able to smoke, basically, in the same place that.... You can only vape in the same place that smokers are smoking.

[1650]

I'm a little concerned about that and will be very interested to see if there's any monitoring — just, really, any research done on the continued success of vaping in encouraging people to smoke, given the boundaries in which people will be using this technology.

The other issue that really concerns me is section 9. A couple of people have referred to section 9 of this bill, which gives an exception for prescribed medical products. It says that a person is exempt from the prohibitions set out in the previous sections, which are prohibitions on where they can use this vaping, "with respect to vapour products that are prescribed products or devices intended to be used for medical purposes, including to reduce nicotine dependence."

Now, I think this really begs a very large question of: if I go to my doctor because I want to give up smoking and my doctor is saying, "We will put you on a smoking cessation program," saying to use a vaping technology, under this section, is that going to be medical purposes to reduce nicotine dependence? If it is, it sort of begs the question of why we're going to be having this whole broad slew of restrictions on where you can and can't vape. As I understand it, most people — most people, not everybody — who are using vaping are likely to be using it as a way to quit smoking. They may have had the help from their doctor.

If this is the loophole, I think more and more people will just go to their doctors to get on a smoking cessation program, through medical advice, their doctor or their nurse practitioner, whomever it is in their own community that they get their health care from, and basically use the loophole so they have the “get out of jail free” card and they can vape wherever they want — even, dare I say it, in a car with a minor — when this legislation is passed. As we all know, we have this legislation in B.C. — I’m not quite sure how well enforced it is; that’s a question for the Attorney General — on not being allowed to smoke in a car with a minor, nor to vape in a car with a minor.

I think that there will be, by necessity, a lot of questions when we get to committee stage about how big this loophole is, what is meant by it, and how it can be tightened if the plan for this legislation is really to put vaping on the same par as tobacco smoking.

The opportunity that I think my colleague from New Westminster has referred to a few times and will be raising again that was missed in this legislation is: if we are going to be amending the Tobacco Control Act so thoroughly by introducing a new technology into the act, it would have been a prime opportunity to bring in the flavoured tobaccos and ensure that there was much better control on flavoured tobaccos to, again, protect young people and ensure that young people’s health was protected and they didn’t have the access to flavoured tobaccos. Unfortunately, that wasn’t included here.

I’m sure that the member would be very happy if the Minister of Health had just simply adopted her own private member’s bill and used that as a government bill. There’d be full support from this side of the House.

If we’re going to the trouble of amending the Tobacco Control Act to bring in this technology, I really do think that we could have been looking at flavoured tobacco, which is, I would say, like vaping. This is what we’re trying to protect when we’re bringing in restrictions for people under 19 from smoking.

I think it’s that entry level. The flavoured tobacco is entry level for many young people — as is vaping, seen to be harmless. You’re young. You’re not carrying nicotine. You’re not smoking in all the toxins that lighting burning leaves does. So it could be seen as an entry into smoking.

[1655]

I think that we have to be very mindful of that — that things have changed in how people get into smoking and how people get into tobacco and other addictions. This would have been a great time to have done that.

I think there’s also something that we have to sort of bear in mind. Without being too flippant about it, we’re taking a lot of work on this, and rightly so. We’ve got low smoking rates here. We don’t want to see smoking increase. You know, you see young people who have said that they would never, ever smoke, and then they try a cigarette. Then they try another, and before you know it, you get hooked. I mean, how many people have done that?

You always know when you’re young that you’ll never really get hooked. You can always kick the habit, and it’ll be quite easy to kick the habit. But by the time that you really want to kick the habit, you are well and truly hooked, and so we don’t want to be seeing that.

But when we’re creating these regulations to ensure that public health is protected and the health of our young people is protected, I think it’s incumbent on us to look at other aspects as well.

I would very much hope that the Minister of Health is looking at some sort of legislation that is dealing with, perhaps, the taxation on sugary drinks so that we can ensure that people drink far fewer sugary drinks. That’s a public health issue. It’s something that could be done to ensure that we have.... It helps deal with obesity. It helps deal with other problems. We haven’t seen anything like that. We have seen this focus on tobacco and now the vaping technology.

I would hope that if the minister is looking at ways of ensuring public health, he’s going to be equitable and not just look at, in many ways, the easy one, the one that is really out there — the big, bad public health issue of smoking — and look at a greater range of health issues, which include the sweets, the sugary drinks and so on.

I think, as I say, the opposition will be supporting this bill. I think that it has some very good aspects to it. I do hope that, as I say, the minister will deal with the misunderstandings — that there will be a very clear rollout of how this is going to happen so that people who have been vaping for many years, who have used it as a transition out of smoking, know that they’ll be able to continue.

I hope that there will be some clarity on how this is going to work with the whole concept of the medical need, and I hope that there is going to be some scale of monitoring so we can see how it is working with vaping, compared to other smoking cessation techniques.

With that, I will take my place in the debate and look forward very much to getting some of these questions answered as well in the committee stage.

D. Donaldson: I rise to take my place in second reading debate of Bill 14, the Tobacco Control Amendment Act. I think I would like to typify my comments, first of all, in a general sense and then, more specifically, to a demographic segment of B.C., and specifically, even more so, to the people I represent in Stikine.

First of all, I concur with the Canadian Cancer Society that this bill is a good first step, and it’s an important first step. So I congratulate the government on that part.

Essentially, what the bill does is regulate e-cigarettes and vapour products by adding them to the existing tobacco control legislation — so the same kind of legislation that we see for cigarettes. What it would create are rules equivalent to the ones that we see on cigarettes and cigars. This bill bans e-cigarette sales to minors, for instance, sales in public buildings and use on school

grounds and indoor public spaces and workplaces.

I think we're all very familiar with the tobacco products, cigars and cigarettes, and this legislation will create equivalent rules and laws around e-cigarettes and vapour products. I think the government should be commended on that.

[1700]

However, there's a part that I think is missing. This bill does not address flavoured tobacco. The Canadian Cancer Society, again, in September 2014 said: "The new federal regulations on flavoured tobacco fail to give kids the protection they deserve." So there's a gap there. The federal legislation on flavoured tobacco, in the opinion of the Canadian Cancer Society, fails to address kids and the protection kids deserve and especially when it comes to menthol products.

Why is this important? I would refer to a study that was done. It was actually published in the U.S. Centers for Disease Control and Prevention, but the researchers were based in Waterloo, Ontario and in Winnipeg. What they found is that more than half of Canadian teen smokers use flavoured tobacco products, despite a national ban on some flavours. The national ban, as I pointed out, doesn't include menthol, so there's an opportunity here for this legislation to go past the important first step and to address the flavoured tobacco issue.

The co-author of that study I just referenced, David Hammond — he's a professor in the school of public health at the University of Waterloo — said: "Tobacco industry documents released through court cases show that fruit flavours are effective in attracting youth." So fruit flavours — and the menthol flavour, of course, gives an icy flavour and anesthetizes the throat to make it easier to inhale smoke. That's what David Hammond from the University of Waterloo pointed out.

Again, what we see here is a gap. I congratulate the minister for addressing e-cigarettes and vapour products, but the gap is still there — and the gap in the federal legislation on flavoured tobacco and especially the menthol products.

I said I'd talk a little bit more specifically about how I think this is important to B.C. and Stikine in general. Part of the area I represent, the Upper Skeena, is over 80 percent Gitksan First Nations. People in the Upper Skeena, from past statistics, have some pretty horrific socioeconomic indicators. One is that residents are four times as likely to die from medically treatable diseases as in a standard population.

We can see the link here between smoking and the transition of young people who are attracted to the flavoured products as a step, as the University of Waterloo professor pointed out, into full tobacco products and then all of the medically treatable diseases that smoking creates in people. As well, in the Upper Skeena part of Stikine we have a very high youth population. Seventy percent are under the age of 30, which is twice the provincial average.

When it comes to smoking amongst aboriginal Canadians.... This is, again, to point out the young demographic but also the demographic of First Nations. This is from Physicians for a Smoke-Free Canada, published in February 2013: "Smoking rates among Canada's aboriginal populations are, on average, twice as high as those of non-aboriginal Canadians" — twice as high. So 39 percent versus 20.5 percent — just about twice as high, aboriginal smoking rates in the population.

This translates, actually, the distribution of aboriginal smokers. Amongst all the provinces in Canada, we account for, in B.C., about 14 percent. That adds up to about 45,000 smokers.

This legislation would be an opportunity to address that from the aspect of.... We know that the demographic amongst First Nations, not just across Canada but in B.C. as well, is very high in the younger population, and we know that the younger population are very susceptible to flavoured tobacco products as a step, as a gateway into tobacco products that we know about like cigarettes and cigars.

[1705]

Then another article from the *Journal of Aboriginal Health* from March 2012, entitled "Gender Identity, Ethnic Identity, and Smoking Among First Nations Adolescents." I'll just quote from the abstract. "Smoking rates among aboriginal adolescents are the highest of any population group in British Columbia" — highest.

We have almost twice the number when it comes to the overall population of aboriginal people smoking — about 40 percent versus 20 percent in the Canadian population. Then we have smoking rates amongst aboriginal adolescents as the highest of any population group in B.C. So when we look at the attractiveness of a flavoured tobacco product, as was pointed out in other studies, then we see this can be a very, very major concern amongst First Nations with a high youth population.

Again, from that *Journal of Aboriginal Health* article: "Among aboriginal youth, 15 percent of females and 9 percent of males smoke, compared to 6 percent of all B.C. non-aboriginal teens." These are teens. So you've got 15 percent of aboriginal female teens versus 6 percent of the rest of B.C.'s population and 9 percent of aboriginal male teens versus 6 percent of the non-aboriginal teens in B.C. Again, in one instance, over twice the number — this is teens — with males about 1½ times.

This is why, I would suggest, based on the data, that we should really be considering not just e-cigarettes and vapour products, but flavoured tobacco, and especially menthol products, when it comes to this legislation. That's because....

I'll just try to lay it out step-by-step again. We have this product being of incredible attractiveness to young people, as admitted by the tobacco industry in court cases. We have almost twice the number of aboriginal people smoking in Canada as non-aboriginals. In B.C. we

have teens who are extremely high among the smoking population — almost three times in young female teens and 1½ times in male teens. We have a large, young First Nations population.

Finally, the studies that I want to quote today, the *International Journal of Circumpolar Health*, and a piece of research, “Smoking-Attributable Mortality among British Columbia’s First Nations Populations.” In this study it showed that mortality related to smoking is significant for both First Nations and B.C. populations, and the elimination of smoking would potentially reduce First Nation population deaths by 21 percent.

We see the flavoured tobacco products, especially the menthol product, as a gateway into smoking tobacco products like cigarettes and cigars, especially amongst young people. What do we see as the outcome of that down the road? It’s the fact that the attributable deaths, as based on smoking, could be reduced by 20 percent amongst First Nations, if people weren’t smoking.

I think that those are some pretty clear facts. That’s four different academic journals I’ve quoted here. They’re all within the last.... Well, the oldest is a decade old, and the others are very recent, in the last two to three years. I think the evidence is there from the scientific and academic literature. It’s there anecdotally. We see this in the communities I represent especially.

The minister.... I would really like to hear his response on this because I think he could agree with me that it would be an oversight not to include flavoured tobacco products, especially menthol, in this legislation. It’s commendable what this legislation is trying to do on the e-cigarettes and vapour products because we know those are something that need regulatory oversight the same as cigarettes and cigars. But I would say....

[1710]

As I said, with the Canadian Cancer Society, there’s still a gap in the federal regulations to do with flavoured tobacco products, especially menthol. It gives that icy flavour that can be very attractive, and we have the opportunity here in this legislation to address that gap.

I’ll finish off by saying that I look forward to hearing the minister’s response to the contributions of the members on this side in this second reading debate. I would especially be interested in whether the First Nations Health Authority or the First Nations Health Council was consulted in the drafting of this bill.

If they haven’t been, I’m sure they would be able to contribute to the minister even further on the perspectives I’ve outlined here around the really disproportional impacts that smoking has on First Nations — from the aspect that a lot more, proportionally speaking, First Nations smoke and, also, from the fact that there’s a larger young population, proportionally speaking, in First Nations and that we know that flavoured tobacco products, especially menthol, are especially attractive and have, admittedly.... Tobacco companies said that they

see it as a product that youth are very, very attracted to.

Yes, I’d be interested in knowing in his comments whether the First Nations Health Authority or the First Nations Health Council or perhaps both here in B.C. have been consulted in regards to the drafting of this legislation, and perhaps he would agree that they could be consulted furthermore on including flavoured tobacco products in the legislation.

With that, I would thank the hon. Speaker for allowing me to say a few comments at this second reading debate.

S. Robison: I, too, am pleased to take my place in this second reading debate on the Tobacco Control Amendment Act. I’m pleased to step forward for a variety of reasons. I think, generally speaking, it’s a great idea to regulate e-cigarettes and vapour products by adding them to existing tobacco control legislation, but more so than that, also limiting it to adults, because I think that we don’t necessarily believe that our children are able to make wise decisions when it comes to these sorts of things.

I take my place in this debate as a cancer survivor, somebody who lives every day with cancer. My cancer wasn’t caused by a carcinogen like it would be from smoking. Mine was just a fluke of genetics and of gene mutation. For those who have cancers that are caused by carcinogens, that means that you have a choice around exposure.

Hearing that government is interested in limiting choice for our young people is a good thing, because we don’t know what’s in the vapour. We don’t know what’s in those e-cigarettes. I listened to the minister speak earlier about the precautionary principle. Using that to protect young people is, I think, a very wise thing for a government to do. We need to use the precautionary principle.

I do wish that we used it more often in things like cosmetic pesticides. I was quite disappointed, historically — I think it was a couple of years ago — that there was an opportunity to ban the sale of cosmetic pesticides. It didn’t play out that way, even though the Premier, in her leadership campaign, promised the ban.

Again, the precautionary principle is a valid place to start looking at how we make choices when people are potentially at risk — serious health risk. I’m pleased to hear that in this case, the minister is prepared to use a precautionary principle and act in ways that protect our children from activities that are meant for adults.

When I think about why we ought to be protecting our children from these sorts of products, it takes me to the fact that my mother died last year from a smoking-related cancer. It was a four-year, very long process of dying. She was diagnosed at 69 years of age with a lung cancer. Even though she had quit 30 years previously, she was told, “This cancer is, in all likelihood, due to the fact that you smoked for just a few years” — about ten years back in the early ’60s through to early ’70s.

[1715]

As soon as it came to light, when the tobacco industry finally brought to light that their products cause cancer, even though they suppressed that information from the public — they suppressed it for years — my mother was one of those people who succumbed to the idea of cool and succumbed to the idea of menthol cool. She was 20 years old, just married. Her friends were doing the adult life at 20. Even married at 20 sounds a little bit young these days, but certainly back in 1960 that was appropriate.

Smoking was what you did. It is just what you did. She took it up and smoked regularly, regularly enough for us as small children to crack that little triangular window in the car. If you remember those triangular windows, you would just sort of crack them so that you could get a little bit of air coming through in the smoke-filled car. At the time it was just what you did. As children — and I suspect the minister and others around would have been children in that era — we sat in those smoke-filled cars.

Now you can't do that. We have decided that we need to protect our children from secondhand smoke. We recognize the damage that smoking does to the smoker and to those around them.

Here we have a piece of legislation that is saying: "We know better." In fact, even on the stuff that we don't know, that we're not sure of — the evidence isn't out yet — we are going to take a precautionary principle, and we are going to make decisions and make legislation so that we can protect young people.

I wish that kind of legislation had been around for my mom back in the 1960s. Perhaps she wouldn't have picked up her first cigarette. Perhaps she wouldn't have thought it was cool because everyone else around her was smoking. Perhaps she wouldn't have taken four years of agonizing treatments and had agonizing, painful conversations about regrets, around saying goodbye. Because that's what we wound up doing last year — all because my mother smoked for eight, ten years. Her use of cigarettes, starting with menthol cigarettes, killed her and took her away from her children and her grandchildren.

Here we have an opportunity now, moving forward. We have some legislation here before us. There are some things that are really quite appropriate in terms of protecting our children.

Keeping e-cigarettes out of the hands of children is a good start, and it's timely, because my 17-year-old nephew, I discovered just this weekend, has taken up smoking e-cigarettes. He watched his grandmother, his beloved grandmother, die and was at her funeral. He knew it was smoking related. He walked into a barber shop, I think it was, that was selling these products and just bought the equipment. He just bought all that he needs and has been smoking e-cigarettes with this belief that it's not the same as smoking. There is this illusion, this misrepresentation, that vaping, or smoking e-ciga-

rettes, is not the same thing — that it's somehow different.

I'm pleased that the minister and this government have recognized that we have a responsibility to do something about that, to protect my nephew from himself. It's really hard as parents and as adults in young people's lives to see all and know all, and having a government say that you have to be an adult in order to participate in these activities means that we protect him, for a few more years, from himself. But he knows that when I see him next, I'm going to be rapping his knuckles. As his aunt, I get to do that.

What I find a little bit interesting about this.... I just want to shout out some kudos to the UBCM because they called for regulation of e-cigarettes in their 2014 convention. I think it's always very telling when local governments are starting to hear things from their community. That's where people go. I always thought that now that I'm the MLA, people will come and talk to me about the things that they want their provincial government to legislate or act on.

[1720]

What I'm hearing, and I'm hearing from my local government colleagues, is that a lot of stuff actually funnels to them. And I want to compliment the UBCM, that membership, for supporting this moving forward, because they were recognizing in their communities that it was a problem.

People have been coming to local governments and asking them to do something about.... You know, the little corner store now has e-cigarettes and big signs that say: "Get your e-cigarettes here." I think my nephew went to a barbershop, because right next to the barbershop he put out an e-cigarette sign, and was able to just easily get it.

Local governments have known for quite a while that this has been a problem. I suspect they'll be really grateful to see this legislation go forward, because it will provide them with the tools that they need to protect citizens that they represent.

I want to talk a little bit about where I think there are some gaps that I think we ought to be addressing. The gap is really about menthol cigarettes and menthol products. I think we need to recognize that if we're really serious about protecting our children, then we need to protect them not just from these things here, these e-cigarettes and vaping.

We know that menthol is the introduction. It is the easiest, they say, of cigarettes to smoke. I was never a smoker — grateful for that. But it's described as sort of it doesn't hurt as much when you smoke menthol cigarettes. Well, I want it to hurt. I want it to hurt every single young person that picks up a cigarette. In fact, I'll even say every single old person. I want it to feel crappy. I want it hurt their lungs so that they don't do it anymore.

We know it's bad for people. We know it takes their lives away. We know it hurts the people around them. We

know it costs this government money. Yet we're still okay, it would seem, to have menthol cigarettes on the market, cigarettes that are tailored to new smokers.

I understand that 30,000 young British Columbians in B.C. start smoking every year, and 32 percent of them are smoking menthol cigarettes. I wonder: if we didn't have those menthol cigarettes available to young people, would that be 32 percent less smokers? That's a lot fewer smokers. That means a lot to those families. That means a lot to health care budgets. That means a lot to the future of these young people. I mean, it's interesting that we will recognize that we need to....

I started off talking about protecting young people from themselves, because they are making decisions and they make decisions that aren't always in their own best interest. That's why we call them children and we don't give them the same kinds of choices that adults have. But we also know that we haven't been completely effective in making sure that children don't start smoking.

We have been getting better at it, but not because, I think, government's better at it. I think it's because we're able to get the information out and we've been able to change the culture of smoking. But we still have 30,000 young British Columbians who pick up cigarettes and think it's cool.

My own nephew, who watched his grandmother die, picked up an e-cigarette thinking that he would be safe, that it would be okay. I think there are ways that we can strengthen this legislation and would hope that the minister would see that as valuable.

In trying to understand menthol cigarettes, I think it's important that we understand how.... I mean, we know that 32 percent of British Columbians are using menthol, but it's not just our data. In the States they recognize that one out of every four cigarettes sold in the U.S. has the descriptor "menthol" on it and that they are disproportionately smoked by certain groups, such as adolescents. From 2004 to 2008 almost half of adolescent smokers aged 12 to 17 reported smoking menthol cigarettes.

[1725]

Adolescent smokers are more likely to smoke menthol cigarettes than older smokers — almost 45 percent among adolescents, 36½ percent among young adults aged 18 to 25 and 30 percent among older adults. What was interesting in reading these statistics is that the prevalence of smoking among adolescents declined from 1997 to 2007 in the U.S., but the percentage of adolescent smokers smoking menthol cigarettes increased from 2004 to 2008.

I think that is very telling that we're making progress. We're making some headway, but this little nasty thing called menthol is really becoming a barrier to getting the best results possible from all of our collective efforts to reduce smoking among young people.

What's also concerning.... Perhaps not concerning. I'm trying to think of the right word. Let me just say this. I'd

like to sort of acknowledge that Ontario has done a pretty decent job of recognizing the power that menthol cigarettes have in influencing young people and their smoking behaviour. Ontario brought in a bill looking at their prohibition to include menthol cigarettes.

There's a quote here from Dr. Scott Wooder of Stoney Creek, a former president of the Ontario Medical Association. He says: "We know that flavoured tobacco and menthol cigarettes are aimed squarely at children and are meant to addict children and teenagers." He goes on to say: "It's easier for them to get started on menthol cigarettes. It soothes the bitter, burnt-tobacco taste of cigarettes."

This is the kind of thing where I would imagine if we're going to invoke the precautionary principle and the idea of protecting young people and this idea that cancer is so prevalent and we ought to do whatever we can at our disposal to limit the number of future cancer diagnoses to manage the costs associated with a cancer diagnosis, then, at a minimum, I would urge the minister to consider banning menthol products in British Columbia. They're targeted specifically at new smokers and at our children.

When I think about what I've read about the tobacco lobby and about their capacity for advertising, I would have imagined that by now it would be almost impossible for them to keep a new market going. You need a new market. You have to have new smokers in order to sell your product. People die from smoking, so you always, I guess, would need to make sure that there are new smokers on the horizon.

I don't want us to be facilitating that. We know that smoking kills. We know that. By not acting on something that we know, by not acting and banning menthol from the hands of our children, then I think that we're failing them. I think we owe it to our children. We owe it to our grandchildren. I would just like to finish off by saying that I think we owe it to my mother to make sure that the next generation doesn't go through what she went through.

S. Simpson: I'm pleased to get the opportunity to join the debate on Bill 14, the Tobacco Control Amendment Act, 2015. What this piece of legislation does is deal with e-cigarettes. It deals with them in two significant ways. One is that it does ban the sale to young people, which is a good thing. The second thing that it does, of course, is it regulates how and where these products can be sold and used — also a good thing.

I think it is important to note — because as one of my colleagues said, I've received calls or contacts in regard to this from people who were under the perception that this was a ban on e-cigarettes — it's not a ban on e-cigarettes. What it does do is put pretty strict regulation in about how and where they can be used. It does institute a ban, certainly, in terms of how young people can access this product.

[1730]

It's an important thing to do. I think we have a lot to learn about e-cigarettes still — particularly about the liquids that are used in the vapour process. We know there are a variety of options there. I don't think we know as much about them as we need to, moving forward.

I'm hopeful that there will be lots more research and analysis from those with expertise as to what e-cigarettes do and don't do and if they have benefits around smoking cessation or if they, in fact, create other hazards as well. We don't have those answers right now.

As my colleague said earlier, I think the government's decision to invoke the precautionary principle here and put in place these regulations and these steps makes a lot of sense. It makes a lot of sense at this point in time. It particularly makes a lot of sense for young people.

It is a bit of an interesting question, though, as others have noted. I received a letter yesterday, I guess it was, from one of my constituents who had been a two-pack-a-day smoker and had smoked for many, many years. He had tried the patch, had tried the gum. None of those things worked for him, but he moved to e-cigarettes. It has been reasonably successful in keeping him from smoking tobacco.

He feels that there has been a benefit for him, a benefit that he says his physician has recognized as well. That's important. If it works for people — and it works for some people — I think that's a good thing. I'm pleased that the legislation does afford the opportunity to acknowledge and recognize that.

[D. Horne in the chair.]

If there's a prescribed approach, then it makes some sense, and we can move forward on that. That's a positive, I believe, in terms of that. At the same time, I think that the jury is very clearly still out as to whether, in fact, e-cigarettes are an effective tool in any broad way for smoking cessation.

I'm sure there is going to be a lot more work done on that over time to try to determine whether it is an effective tool or not. As we look at that, we'll deal with that tool.

For my constituent who has this concern because, as he tells me, this has worked for him to end his use of tobacco, to move to e-cigarettes, I accept that. For him, it's been a positive. But that's not what we see most e-cigarettes being used for now.

What we're seeing is this as a tool... Far too often — you see it in the advertising for it, the marketing for it — it really is, I believe, something that's targeted at young people, the use of e-cigarettes. It's something that has a little bit wrapped itself in the cloak of: "We're an alternative to tobacco." But at the same time, it has very much been marketed to young people as something that's cool, as a recreation, as something they can use believing that it has no harm.

We can go back to when cigarettes appeared on the marketplace, and back for many decades after that, when

I know — I was a smoker decades and decades ago — there was no sense that smoking really was harmful. It was just something you did. There was no harm in it. It was something you did. We learned over time that the harm is very, very real and in some cases very fatal.

Today young people look at e-cigarettes and say: "There's no harm in this. It's kind of cool, and I kind of like to do it, and that's kind of neat." We know that that's not good enough. We know that we need to be more careful than that.

As my colleague, the previous speaker, said, at some point we need to be prepared to intercede here, step in when it comes to young people and put in place regulations and rules that ensure that they are protected, particularly when marketing....

[1735]

There are so many out there in the world who are telling them: "This is now a cool thing to do. It's cool, and it's safe, so why wouldn't you do it?" We don't know if it's safe. I think that the minister has been correct to take this step, to put this in place and to put that particular ban in place.

At the same time, for those people who don't want to be exposed to secondhand smoke.... There are those who'll say: "Well, there is no secondhand smoke around e-cigarettes." That may be true, but that doesn't mean they want to be exposed to this process either. What this legislation does, and I think does it quite correctly, is put in place the same framework of regulation around the use of e-cigarettes as would be used around tobacco.

I think, though, it's important here.... I'm sure this is going to occur, because I'm sure that those people who do the research and who are looking at health issues and looking at the whole array of things that we do to ourselves these days — and e-cigarettes will be on the list — will be looking quite closely at how people are affected by this product. I'm sure that there'll be a whole lot of looking at how we're affected by the liquids that are used in these products and how that works.

My suspicion is.... As happens often with something like this, the product arrives on the market. It becomes clear that it's become popular, and it explodes on the market. You have a whole variety of these products out there, and I'm sure that they are of varying and different qualities and that they do different things. We may find at some point that we need to actually regulate the product as to what it is and it isn't. That may be a piece of legislation for another day, to look at that, but I think it is something that we need to look at.

The other thing that I do want to talk a little bit about.... I think this is the piece where you see that on this side of the House there's a lot of support for what the bill accomplishes. There's a lot of support for the effort the minister has made, in framing this piece of legislation, to address the question of e-cigarettes.

What you're hearing on this side, and I'm going to add my voice to it, is the call, the ask, for the minister to

think about the broadening of this legislation to address other factors related to the use of tobacco — and particularly, but not exclusively, tobacco and young people, to address that.

In particular, we've talked about flavoured tobaccos. We know that the federal government introduced legislation that dealt with some flavoured tobaccos — cigarillos, primarily. That's a good thing. But I think the point that's been made on this side of the House, and that I will make again, is that probably the most insidious of those flavoured tobaccos is the one that has been with us for the longest. It's menthols.

I can think back and remember when I was a kid and I smoked. Sometimes you smoked menthols, because it tasted better than tobacco did. You did that. The same way that people would tell you that that filter on your cigarette helped to make sure that you weren't getting carcinogens, they would tell you a menthol cigarette wasn't as bad for you as a regular cigarette — neither of which is true, of course. It is flavoured tobacco, in the same way, as we have seen.

I know that the products are wide and varied. Our spokesperson on Health brought a bunch of products into the caucus room and showed us some of these products. You would never realize what you were looking at, at the time, but it was, basically, cigarettes. They are clearly targeted at young people, and menthol is clearly targeted at young people.

[1740]

When you look and see that 30 percent of high school smokers smoked menthol cigarettes, that thousands and thousands of new young smokers are introduced through menthol cigarettes, the menthol cigarettes are nothing more than another flavoured tobacco product. They are nothing more and nothing less.

We know that the federal government took some steps, but they didn't go all the way. We know that Ontario now has taken further steps and taken action around menthol.

I think what we're saying on this side of the House in this discussion and what we're saying to the minister is: "You've taken some important steps here in Bill 14. You've addressed some important questions about these products, around e-cigarettes, and about how they affect our young people. But there is another compelling issue that relates to the use of tobacco and the potential harm for all British Columbians, a harm that we know is marketed to young people. That is menthol products primarily — all flavoured products, but menthol products primarily."

I know that our spokesperson will engage this further when we get to committee stage and that there will be more discussion around this in committee stage. But what we would hope is that the minister, who I know takes this issue very seriously, will look at this question about whether that is a step that needs to be taken and addressed.

While we know there is some debate around

e-cigarettes.... Are they harmful? Aren't they harmful? Which liquids for the vaping process might be benign, and which ones might be harmful? There can be a whole debate around that, and I'm sure that debate will be ongoing. There is no debate about tobacco. There is no debate that delineates menthol tobaccos from other tobaccos. We know that this is a product, tobacco, that hurts people and harms their health and can be fatal. We all know that, and I'm sure everybody in this House would like to see that problem addressed.

I know that the minister would be prepared to be one of the strong voices in saying that this is an issue that we need to deal with both in terms of health and just in terms of.... I know the minister looks at the cost pressures on health care every day and the impacts that smoking, potentially, has on the cost pressures of health care. I'm sure he looks at that every day, too, and gets told about that time and time again by the experts in the field.

I would hope that the minister will take this debate from this side of the House in the spirit that it's meant, which is to encourage him to look seriously at amending Bill 14 to incorporate the issue around flavoured tobaccos — particularly with a focus on menthol, because it is so much the dominant issue when it comes to flavoured tobaccos — and look at whether there are changes that could be adapted here that would allow that to be incorporated in the legislation.

If the minister did that, I think we would be looking here at groundbreaking legislation that could be looked at across the country as compelling for accomplishing the objectives that are in front of us around this Tobacco Control Amendment Act.

I do hope that we might get there. I look forward to the discussion in committee stage and getting an opportunity to engage with the minister a little bit. My colleague the spokesperson and, I'm sure, others may be interested to understand the thinking about why that piece isn't there now and whether the minister might be open and receptive to incorporation of it into the bill before the bill is adopted in this session.

I look forward to voting for the legislation, but I would be even more enthusiastic about voting for it if it was expanded to incorporate that area. On that, I will take my place and allow my colleague to join the debate.

[1745]

G. Heyman: It's my pleasure to enter this debate. I think all of us in this House recognize that anything that we can do to control tobacco — to assist people to deal with addiction to tobacco and continue to lower the number of active tobacco users, smokers, in British Columbia — is a benefit to absolutely everybody and, certainly, to those people who, like many in this House, at one point in their lives, or currently, found themselves dealing with an addiction that has been often described as more powerful than an addiction to heroin.

It's a serious problem. So we will, as all of my colleagues have said, be supporting this bill. It is important to continue to take every action we can to address tobacco use, to address tobacco addiction, to address the costs of tobacco use to the economy and, certainly, to address the tremendous drain on British Columbia taxpayers by the need of the health care system to spend hundreds of millions of dollars addressing the health effects of smoking — whether it's cancers, heart disease or any of the other symptoms and diseases associated with tobacco use. Those dollars could and should be spent on a whole variety of other services that we often talk about in this Legislature that would be of benefit to British Columbians but for which governments are not able to find funding.

Let me commend the minister for bringing this bill forward, for looking at the role that e-cigarettes often play — as others have said, a gateway drug — and the fact that e-cigarettes themselves may well be harmful. They may, in fact, have high levels of nicotine — not all of them do, but some do — and other chemicals like propylene glycol.

We don't know what all of the impacts of the various substances included in e-cigarettes might be, but I think it is safe to assume, unless proven otherwise — the minister referred to the precautionary principle — they need to be regulated. They need to be regulated and not just allowed to be a loophole in the whole tobacco industry through which unscrupulous vendors and producers can put forward a product that often serves as a means by which to lure young people into a more significant addiction.

Others have talked about the potential role of e-cigarettes in helping people to shed themselves of the addiction to tobacco. While that may well be a legitimate role, it's not a role that needs to be played without the appropriate regulation that the minister is proposing in this bill. That potential use may well still be allowed. Regulating e-cigarettes is an important step. It's an important step because of what's in them, it's an important step because of the gateway nature of them, and it's an important step to send a message to all who profit off the tobacco industry.

Those aren't the only issues that the public needs to deal with, with respect to tobacco use and ways in which young people and others are lured into using a substance that causes them great harm, that causes harm to others who are innocent bystanders through secondhand tobacco smoke, that proves to be a tremendous drain on the economy and the health care system and taxpayer dollars.

Let me speak to the fact that the minister has talked about the precautionary principle. We on this side of the House have called for a ban on flavoured tobacco products. The minister said for a long time that he thought it was appropriate to wait for the federal government to take action on that. That, in fact, is now happening. But we also see that within the actions of the federal government, we are not seeing all flavoured tobacco being ad-

ressed. What we are seeing is flavoured tobacco but not menthol, which in many ways is the oldest flavoured tobacco product around.

[1750]

I think all of us know that as long as we can remember, menthol cigarettes have been available. Menthol cigarettes, as my colleague the MLA for New Westminster has stated, are used by the industry for a variety of reasons. Basically, they're used by the industry to mask the discomfort of smoking for first-time smokers, beginning smokers, and provide for those smokers an easy entry into what for some is a lifetime of addiction to a harmful substance.

It's a substance we know to be harmful, a substance that everyone in this House wishes was not in use in British Columbia. It's a substance that successive governments have tried to discourage from use because of the health impacts and the cost to the taxpayer, the cost to the economy and of course the tragic cost, the tragic health costs, to those who find no way out of addiction to tobacco before there are significant health impacts — and, of course, the impact on those people's families.

We know that Ontario is moving quickly to regulate the sale of not just electronic cigarettes but all flavoured tobacco products, including menthol cigarettes. We know that the European Parliament is banning flavoured tobacco, including menthol cigarettes. That's important. We would not be leaders in this regard. We would be people who would be following the lead of others who are exercising a far broader precautionary principle than is contained in this bill but which, I hope, the minister will consider.

I hope the minister will consider it. Having taken this significant step with this bill, why not take all the steps? Why not act in a comprehensive manner to deal in all the ways that are available to us, short of outright banning the use of tobacco, to control the use of tobacco in all its forms and, most importantly, to prevent a generation of young people being lured into tobacco use by finding an easy way in, by finding the easy way in through the supposedly cool — both in the hip sense and the sense of what the smoke feels like — entree into using cigarettes?

Hon. Speaker, I know I can't use props. I wish I could show you some of the pictures. But I can read you some of the quite revealing information that's available in internal tobacco industry documents about why they came up with flavoured tobacco and why the first flavoured tobacco was menthol. "They're designed to make the first smoking experience more pleasurable by improving the taste and sensations for smokers.... They're designed to encourage experimentation. They're designed to make smoking easier by masking the irritation."

My colleague from New Westminster talked about her own experience with smoking. I certainly was addicted for many years to tobacco, and it was a difficult addiction to break.

I remember when I was young what attracted me to tobacco, but most importantly, I remember my belief that somehow it wouldn't be harmful to me — that I wouldn't become addicted, that I could experiment and use it. One of the things I did experiment with was mentholated cigarettes. I was, of course, wrong on all counts, like virtually everybody who tries tobacco is.

I became a heavy smoker for a long period of time, even though I have been a non-smoker for a much greater period of time. Thankfully, and hopefully, most of the potential damage that might have been done long-term has not occurred, but of course, we do never know.

We have an industry that tries to “make smoking trendy and dynamic” — this is from internal industry documents — that works to disguise the smell of smoke, to reduce the experience of smoking, to make it kind of trendy and hip, to make it taste good, to make it feel cool as the smoke goes down the throat to the lungs — all of the things that allow people, who might otherwise be completely repulsed by their first experience of burning their throat and their lungs, to actually have a different experience, an experience that allows them to harden their senses, harden their lungs, harden their throat to the impact of cigarettes.

[1755]

We hear talk often about gateway drugs. Mentholated tobacco and flavoured tobaccos are gateway drugs to a lifetime of tobacco use. It's dangerous. It's harmful to individuals. It's harmful to society. These are known carcinogens. These are chemicals and substances that kill people. They're chemicals and substances that drain the economy of British Columbia. They're chemicals and substances with demonstrated health impacts that cost all taxpayers in British Columbia billions of dollars that can and should be spent on far more productive things.

Again, I hope that the Health Minister will recognize this, will recognize that within the ambit of this bill there is an opportunity to take the final step that the federal government did not take in its legislation on flavoured tobacco products by addressing menthol, by addressing mentholated cigarettes, by addressing the role that mentholated cigarettes play in making it easy for young people — many young people who aren't even old enough to drive a car, young people who aren't old enough to enter a liquor store, young people who, in fact, aren't legally old enough to buy cigarettes but who can get their hands on it and who, by getting their hands on mentholated cigarettes, are able to tolerate the experience and, ultimately, to become addicted.

We have a duty to young people, as we have a duty to all taxpayers and all citizens of British Columbia. Ninety percent of cigarettes marketed in the United States contain some level of menthol, even if they're not advertised as menthol cigarettes.

This is information from the U.S. national Department of Health on their smokefree.gov website and the specif-

ic section on menthol cigarettes. They go on to ask the question: “Are menthol cigarettes more addictive than non-menthol cigarettes?” Their research shows that some menthol cigarettes may in fact be even more addictive than non-menthol cigarettes. “More research is needed,” they say, “to understand how the addiction differs between menthol and non-menthol cigarette use.”

Certainly, what they point to is the potential that menthol cigarettes aren't simply flavoured tobacco products. They're actually worse than flavoured tobacco products, and they can lead people into addiction more quickly.

Again, to the minister, I would urge him, in the spirit of cooperation in this House, to consider encompassing, under the precautionary principle that he himself raised, the inclusion of menthol cigarettes in this bill, because they have been left out by the federal government.

The paper from the United States Health Department goes on to say that “from 2004 to 2008 almost half of adolescent smokers aged 12 to 17 years reported smoking menthol cigarettes.” In the United States that's approximately one million adolescents. So this isn't a small issue. This isn't a side issue. This isn't a boutique issue.

[Madame Speaker in the chair.]

This is clearly an issue of the tobacco industry using menthol cigarettes, as they have for generations — followed on menthol cigarettes' heels by discovering a whole new and exciting range of flavoured tobacco, with titles like “honey time” or “peanut butter and jelly” or “happy hour” — to do anything they can to attract young people into a lifetime of addiction to tobacco, a lifetime of addiction that serves no one, that damages their health, that costs the taxpayer money and hurts the economy of our province and the world.

Again, I would say that the minister, I hope, will approach this bill in committee stage with the same sense of cooperation that we are approaching it to support what he has brought forward and seriously consider making amendments to improve this bill, to entrench the precautionary principle to which he referred.

[1800]

Young people don't have a lot of information. Young people are subject to a lot of peer pressure. Many people, particularly young people, choose menthol cigarettes because they somehow believe that menthol cigarettes are safer than non-menthol cigarettes. They taste good. They feel light and airy. They don't burn on the way down the throat. It's almost like you're inhaling peppermint from a vaporizer. But we know that that is clearly not the case.

Whether or not menthol cigarettes are more addictive than non-menthol cigarettes, the fact that they may be, based on statements from the U.S. national Department of Health, should lead us when we have a bill like this before us, to improve it, to make it better, to protect young people, to ensure that fewer and fewer people

every year, fewer and fewer young people, make the mistake that so many of us in this House made when we were young, which was to think that smoking was cool, that we wouldn't be addicted and that it wouldn't harm us.

We know better. The medical profession has helped us to know better. Many British Columbians clearly know better, because in B.C. we have the lowest rate of smoking in all of Canada. But we still have a rate of smoking, and it's still too high. We shouldn't be adding to it.

We certainly shouldn't be adding to it by allowing products that are designed to encourage people to smoke, to tempt young people into smoking — and to ensure that the addiction that's been endured by generations in Europe and North America and around the world at some point will come to an end, at some point will be a thing of the past.

At some point it will be something that we all look back on and say: "How could any of us and our parents and grandparents and generations before them have been so out of touch with what's healthy around us and good for us to actually adopt a practice that, in the end result, gives us nothing but hacking coughs and ultimately disease and illness?"

Let's do the right thing. Let's incorporate menthol cigarettes into this bill. Let's use the precautionary principle in all of its aspects. Let's ensure that we can save young people the trauma and pain of having to shed themselves of an addiction once they've become addicted. We all know — those of us in this chamber and outside who have smoked, who have been addicted to tobacco — that it's not an easy habit to break.

It's a painful habit to break. As I mentioned earlier, many people have said — and these are people who have been addicted to hard drugs like heroin — that it is the hardest addiction they've ever had to break. Let's save people the pain. Let's save society the cost. Let's save the economy, the wasted billions of dollars every year — \$2.3 billion a year.

Let's take action in accordance with the precautionary principle. Let's make this bill be the best it can be. Let's make this a bill that will fully protect young people. Let's make this a bill that is good for society, and let us do that together.

With that, I'll take my seat.

M. Farnworth: It's my pleasure to take my place on Bill 14, the Tobacco Control Amendment Act, to offer some thoughts on the particular piece of legislation — how we got here, ways in which I think this particular piece of legislation could be improved — and, hopefully, offer some constructive suggestions that the minister will take to heart that we can adopt at committee stage, at third reading, when we debate the clause by clause of this particular piece of legislation.

First, I'd like to start out my remarks by commenting on the fact that we are supportive of this bill. We do think this is a bill that carries on in the long tradition in this province of tackling the addiction of tobacco, of ensuring we are doing everything we can to be a leader in this country in discouraging the use of tobacco and tobacco-like products.

Under this piece of legislation the primary focus of the bill is to bring what has really been a technological phenomenon in the last few years, that of e-cigarettes, under the same regulatory framework and under the same regulations as tobacco the plant or the products of the tobacco plant are.

That's important for a whole host of reasons. As we know, and as previous speakers on both sides of this House have said, tobacco is probably one of the most addictive substances that people are exposed to. One of the challenges that we face is that literally for centuries it was viewed as a very socially acceptable habit.

In fact, those of us of a certain age who grew up in the '50s and the '60s would have been familiar with advertising where tobacco companies employed the use of physicians to say that, you know, tobacco was good for you, that smoking was good for you. Today we look back on that with sort of disbelief.

Popular culture looks back on it in disbelief. One only has to watch an episode of *The Simpsons* to see where they mock the smooth taste of Laramie cigarettes on a regular basis in their show.

Interjection.

M. Farnworth: The member says I'm showing my age. But it is a truism. That kind of advertising, which used to be prevalent... You would open up any magazine or newspaper, and that's what you saw. That's no longer allowed. As people became aware of the health consequences of smoking and the cost to society, not just in individual health but the cost to the economy overall, became apparent...

The methods employed by the tobacco companies in order to market their product, and numerous court cases and evidence at court during those cases, really exposed the lengths to which tobacco companies went — not only to fight the medical research that proved beyond a shadow of a doubt that tobacco is in fact a harmful substance but also how to skirt it, how to lobby to make sure that rules and laws weren't changed, and to develop new products and new ways of marketing to try and keep one step ahead of governments that were interested in fighting and combatting the use of tobacco.

In British Columbia this province has traditionally been a leader in that fight, regardless of political stripe of government. I think that's something that we can be proud of. That's one of the reasons why British Columbia has the lowest smoking rate in the country. I think there

has been a concerted effort to fight — it is a war — against tobacco use, but it's a challenging fight.

Less than one in four people — in fact, it might even be one in five people — now smoke on a regular basis in the province of British Columbia. But of course, as we know, the real challenge is the fact that people die from smoking-related illnesses. About 6,000 people a year in British Columbia die from smoking-related illnesses. One of the key ones, obviously, is lung cancer.

My father was one of them. In 2011 he died of lung cancer. He started smoking when he was 11 years old. He quit when he was 39. He hadn't smoked for — what? — 35 years. Yet the damage that was done from that early age ultimately killed him at the age of 74. It is a nasty, horrible way to go. The sad thing is that it is so preventable. It is so very easy to prevent lung cancer.

[1810]

When you look at the social cost, when you look at the personal cost, you have to ask: why is it that people smoke? You try and explain to people. That's why we have so many different-faceted approaches to deal with the problem.

One of the issues that has come up, and we've seen different methods of treatment, different ways of treating tobacco addiction — the patch, for example.... Nicotine replacement therapies can be, as I just mentioned, a patch, or they could be a spray. There has been hypnosis, acupuncture. You name it. There are all kinds of therapies to try and quit and break the addiction and the habit of tobacco.

The challenge, though, is that tobacco companies are also interested in therapies, therapies that can be marketed as a way to break your addiction but at the same time have the ability to attract people to smoking. That's one of the issues around e-cigarettes. They are a technological approach to a regular cigarette, and they're marketed as such. But it is becoming increasingly clear, and the evidence is starting to accumulate, that e-cigarettes are also a potential and an important pathway to smoking real cigarettes.

I know that I could go on at length on this issue for hours, having been a former Health Minister, but I also know that we will be wrapping up by the end of business today on this important issue so that we can move it on to committee stage. But I digress a little bit there.

Back to e-cigarettes....

Interjections.

M. Farnworth: My colleagues say: "Tell us about the '90s." Well, I actually can do that very quickly, with the indulgence of the House. As I said, both sides of the House, governments in this province, regardless of political stripe, have waged aggressive battles against tobacco.

One of the areas in the '90s, when I was Minister of Health, that we pursued — it is still being pursued — is a court case against the tobacco companies to recover

the health care costs associated with the use of tobacco, which are some \$2.3 billion a year to the province of British Columbia — hundreds and hundreds of millions of dollars annually to our health care system. Imagine what we could do with those dollars in our health care system. It would be amazing. That was one action. We've had aggressive anti-smoking campaigns that were targeted at young people. We have done all of those things.

But it's e-cigarettes. It is technology now that is one of the issues that this bill is trying to deal with, and that is the regulation of e-cigarettes. Technology is seen as attractive to young people. It is seen as a cool or a hip thing to do. That is one of the ways in which e-cigarettes are being marketed.

There is a place for them. The bill does not ban them. It subjects them to the same rules and regulations as tobacco. Physicians, for example, will have the ability, as part of a non-smoking cessation program to.... They can have a medical use, with e-cigarettes. That's something that is appropriate. We want to make sure that we are treating them the same way as tobacco.

The simple fact is that 30,000 young people a year take up smoking in British Columbia — 30,000. That's 30,000 young people who are on a path, if they don't break it, to a lifetime addiction which can shorten their lives and which can cost them in their health but also cost them economically.

Many of them are attracted now through e-cigarettes. There is a mystique around e-cigarettes that somehow they are seen as harmless. There is a mystique around e-cigarettes as though there is no consequence to them, and because they're technology-based, there must be something good about that.

We have to change that. That's what this bill does, and we support that part of this bill.

[1815]

But it's not a bill that goes far enough, in our opinion. I know that the minister has expressed concern on this issue in the past. The minister has stated that the federal government has a role to play in this, and the minister would like to see what the response from the federal government is.

The federal government has made its response. Some people have said that's fine. Others, some other provinces, have said no, it doesn't go far enough — Ontario being one of them.

One of the key issues that's emerging, along with e-cigarettes, has been the issue around flavoured tobacco. Flavoured tobacco is something that is not captured in the particular piece of legislation. You have two new products that have the ability to attract young people to take up either smoking directly, through flavoured tobacco....

I get a sense you are wanting to jump in on this debate.

Interjections.

M. Farnworth: Thank you for that vote of confidence — from the member for Surrey-Whalley.

As I was saying, there are two key developments in the last number of years. One has been technology with e-cigarettes that can be a pathway to young people into smoking. The other has been the issue of flavoured tobaccos. As I said, e-cigarettes are something this bill deals with. Flavoured tobacco is something the bill does not deal with.

When you look at how flavoured tobacco is marketed.... If you look at the names of the different types of flavoured tobacco, as the member for Vancouver-Hastings indicated, like peanut butter-flavoured or jellybean-flavoured or chocolate-flavoured — those are clearly products that are not being marketed to someone who is 65 and has smoked all their life.

Those are not being marketed to the Patty and Selma smokers, to use another *Simpsons* reference.

Interjections.

M. Farnworth: Actually, the member says: “Not quoting Shakespeare.” That does show you.... Shakespeare’s time was back in the time of James I, who was an avid anti-smoker and described smoking as a most noxious habit. That’s just a digression.

The point is they’re clearly marketed at young people. They’re clearly a gateway product to extended, long-term tobacco use. That is something the government needs to take seriously and needs to address.

If we are to maintain our role in this province as one of the leaders in the country in anti-smoking, if we want to retain our role in this country as having the lowest smoking rates, we need to do everything we can to make sure that we discourage tobacco use at an early age.

This bill does that with the inclusion of e-cigarettes, but its major failing is around flavoured tobacco. It would not be hard for this government to change that. It would require the addition of a simple clause in the bill to be able to do that. There’s no valid reason why this government could not do that.

We’ve just celebrated International Women’s Day. One of the most disturbing trends in tobacco use is the fact that the one area where we do see a rise in tobacco use is amongst young women. That is something that should concern all of us, because it’s also a fact that women die of lung cancer due to smoking at an earlier age than men do. Women are more susceptible to lung cancer at an earlier age than men are.

When you think about that fact, it really says.... You know, we want to protect the health care or we want to ensure that our young people are as healthy as they can be.

[1820]

One of the most important considerations in an individual’s long-term health and long-term health outcomes is whether or not they smoke. One of the key demographics is young people and, in particular, young women, so

then surely, as a Legislature, we want to do what we can.

When we know other provinces are dealing with this issue of flavoured tobacco, really, there is no good reason why that could not be placed in this piece of legislation. There’s no sound, logical reason why this bill cannot contain a clause, or however many clauses are required, to say that flavoured tobacco will not be sold in the province of British Columbia.

The government will get no argument from this side of the House. I don’t want to put words in the mouths of the independent members in this House, but I am quite sure that they would agree. I see the member from Delta South nodding that under no circumstances does she think that flavoured tobacco should be sold.

When health care providers would like to see it banned; when health care professionals, physicians, researchers into health care all say it’s the right thing to do; when the government brings forward a bill with this much public support outside the House and with this much public support inside the House that doesn’t tackle one of the second great concerns around the ability to become addicted to tobacco — namely, flavoured tobacco — it’s really puzzling. Because it’s a win.

It’s a win for the health care system, it’s a win for the public, it’s a win for the health of individuals, and it’s a win for the government. It’s a win for the Health Minister. It would be a win for the Health Minister to stand up and say: “You know what? We are building on a proud, strong record in this province of fighting tobacco addiction, and we are taking action on one of the most new and decidedly, in a very negative way, innovative ways of tobacco being marketed to young people in the province of British Columbia.”

Interjection.

M. Farnworth: “Insidious” is the word she uses, and she is absolutely correct.

Hon. Speaker, I am noting the hour. I will take my place. I think I have made my point. Hopefully, the Minister of Health will understand that we are supportive of this bill, but we think there is a major flaw in the sense that it does not cover flavoured tobacco. It would be great, because he would get full support if that was dealt with in committee stage.

With that, I take my seat in this debate.

Hon. T. Lake: First of all, I would like to thank all of the members of the House. I’ve listened intently all afternoon to their comments, and I want to thank them. A lot of those comments were very thoughtful and very personal in many ways, particularly the member for Coquitlam-Maillardville, who described a very similar situation that I have in my personal life in which her mom was a victim of tobacco-related disease. We know the impact it has on families and, of course, on personal health.

I think all of us agree about tobacco use and the terrible negative effect it has on society, on families, on individuals. There's no debate around that, although I do want to, perhaps, correct the member for Port Coquitlam.

According to the *American Journal of Epidemiology*, findings do not support a higher female susceptibility to tobacco-related lung cancer. That's the power of Google, just to set the record straight.

[1825]

The point the member was making is that tobacco use is marketed towards young people. This bill is to protect young people. This bill is about who can use e-cigarettes, where they can be sold and protecting young people from the potential harm in vaped products — and, certainly, to protect them for potential gateway into what we know is a very dangerous activity, and that's smoking tobacco.

I think the member for North Island said that people should be clear about what this is. I think clarity is important, because some people do, in fact, advocate e-cigarettes as a harm-reduction means of breaking the tobacco habit. In fact, we had vigorous debates with my ministry officials when we first contemplated this bill about a year and a half ago about the positive impact e-cigarettes could have in getting people off of tobacco products and onto something perhaps safer, or off smoking or vaping altogether.

The difficulty is that we don't know what is in those products. We don't know what is in vapour products, because they're not regulated. Dr. Richard Stanwick, the past president of the Canadian Pediatric Society, chief medical health officer for Island Health, says that e-cigarettes have a tremendous potential to create a whole new generation of individuals dependent on nicotine, and they have substantial amounts of fine particulate matter, toxins and heavy metals at levels that can exceed those observed for conventional cigarettes.

This technology could be used as a harm-reduction tool if, in fact, companies dedicated the research and the time and the resources to go through Health Canada and get approval. At that time they perhaps would be useful for people to give up the tobacco habit.

We also had a lot of, I think, consensus about the e-cigarette portion of this bill, which is, of course, what this bill is mostly about, although we have added the ability for health authorities to ban smoking of tobacco products on their property as well. The members opposite have made the argument that we should be taking further action than the federal government has taken on flavoured tobacco.

I want to quote the member for New Westminster when she was talking about menthol, that we know that older smokers have used menthol cigarettes for decades, and also the member for Vancouver-Fraserview, who said that it's the oldest flavoured tobacco around.

There's the rub. How does government protect young people? How do we protect the health of our citizens yet allow choice for adults who make informed consent?

Interestingly, members of the New Democratic Party

have said that when it comes to inhaling another product that is burned, it's a matter of personal choice, or if it comes to regulating that, the former Leader of the Opposition said that it was a federal responsibility, so they didn't want to have a policy position on that. The member for Nanaimo said that historically the party stance has been to decriminalize marijuana use for personal use but that it still remains a federal issue.

Understanding what is in the provincial jurisdiction, what is in the federal jurisdiction seems clear on some subjects, not so clear on other subjects. I would put it to the members opposite that in the provincial sphere, we are taking great steps to protect young people.

With that, I move second reading of the bill.

Motion approved.

Hon. T. Lake: I move that this bill be referred to a Committee of the Whole House for consideration at the next sitting after today.

Bill 14, Tobacco Control Amendment Act, 2015, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

Committee of Supply (Section A), having reported resolutions, 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 10 a.m. tomorrow morning.

The House adjourned at 6:30 p.m.

PROCEEDINGS IN THE DOUGLAS FIR ROOM

Committee of Supply

ESTIMATES: MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS

(continued)

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

The committee met at 2:31 p.m.

On Vote 27: ministry operations, \$380,457,000 (continued).

H. Bains: I just want to say at the outset that we have a number of very, very important areas of the ministry still to be covered. It requires a tremendous amount of detailed questioning and getting some information. My understanding is that all we have is today to finish it off. So we will try to touch a bit on all those areas, but there will be a number of questions that will be left out. If it's okay with the minister, we will put those questions in writing in all those different areas — the ones that we have covered, some of the questions that were left out and some of the areas that we still need to cover today — and hopefully we will get some answers in writing later on.

In the meantime, we will start with professional reliance today. I'll give the list to the minister and to the deputy, and we will just try to venture into it as quickly as possible, because a number of different MLAs from different areas are coming in later on as well to put their questions. We'll start with the member for Cowichan Valley with the professional reliance.

B. Routley: Regarding professional reliance, the minister is on record as stating that he believes the professional reliance model is working. However, in the past couple of years, if not longer, there have been a lot of groups that are concerned about the issue of professional reliance.

The B.C. Ombudsperson has written a report. The Forest Practices Board, the Association of B.C. Forest Professionals and the University of Victoria environmental law group have all written reports. They have common criticisms of the ministry that revolve around the fact that the government hasn't bothered to set a set of objectives or to set measurable targets for many environmental values. There is no desired result in the results-based management, and the government doesn't recommend best practices on how to achieve results for the ministry's goals or vision.

[1435]

According to the Association of B.C. Forest Professionals, this vacuum leaves industry employers to pre-empt the professional advice by telling them what it is that they want to hear.

As a result of these concerns and those expressed by numerous other organizations, the member for Prince George–Mackenzie has been tasked with conducting an internal review.

My question is: what are the precise terms of reference given to that review?

Hon. S. Thomson: The work that MLA Morris is doing, the MLA for Prince George–Mackenzie.... As you are also aware, he has been appointed as a parliamentary secretary to the ministry. What I've asked him to do is to consult with stakeholders, with groups and with organizations, including the professional organizations and groups, to bring me advice on how things are working,

issues around wildlife — particularly related to wildlife impacts, which was the focus of the work — and to give me strategic advice on how we may improve the operations.

The scope of the work includes the review of the policy framework provisions in place that affect habitat and wildlife. I've asked him to undertake this review and this discussion over the next six months, with him to bring me advice back within the next six months.

B. Routley: The openness of this consultation is important to us, so we're wondering precisely who the member for Prince George–Mackenzie will be consulting with for his review. You named a few of them. Would he, at some point, be accessible to the public in various regions of the province? Are there limits to the extent of who he will be consulting with, and if so, could you describe those limits?

[1440]

Hon. S. Thomson: As part of the work that I've asked MLA Morris to do — as you know, the MLA is a very open, accessible MLA — I haven't placed limitations on who he would consult with in the process. What I've asked him to do is to consult broadly with stakeholder organizations, with industry representatives, with professional associations. I mentioned the Forest Professionals and other associations, stakeholder organizations like the B.C. Wildlife Federation, the Guide Outfitters, the B.C. Cattlemen's Association, the B.C. Trappers Association and others — all of those who operate on the land base and who initiated some of the concerns and issues. I haven't set limitations.

I also haven't set a specific process. I've asked him to go out and consult as widely as he needs to in terms of doing his work, recognizing that I've asked him to bring some strategic advice back in a relatively short period of time. He's out working. I know he's actively engaged with all of those groups, and I look forward to receiving his advice.

The Chair: I would ask the minister, will you please refrain from referring to the member by name?

B. Routley: I think I'm most curious about exactly what cases the member for Prince George North will be looking at in his review, as there have been a large number and a wide variety of examples of failures of professional reliance recently. For example, I think of the vast overcutting that occurred in the Morice TSA between 2008 and 2012 that the ministry estimates to be 928,000 cubic metres, almost a million cubic metres of overcut — a stunning example of the mismanagement that can occur when an industry is supposed to be self-regulating. Basically, the fox is in charge of the chicken coop, so to speak.

Secondly, according to the Forest Practices Board website:

"In March 2013, Heritage and Natural Resource Committee of the Council of the Haida Nation complained that timber harvesting on Haida Gwaii by..." Teal-Jones "...did not meet the visual quality objectives at a number of locations. The complainant was also concerned about the lack of accountability for the results of these practices under B.C.'s Forest and Range Practices Act, which include professional reliance as a key foundational element."

The Forest Practices Board concluded in its report that:

"...a failure to meet government objectives for visual quality arose due to the licensee's reliance on unsound professional assessments and a refusal to engage in dialogue with government officials and forest professionals who expressed concerns on several occasions."

[1445]

This is not the way that professional reliance is supposed to work, at least to my understanding. Furthermore, in 2014 the Forest Practices Board published a special investigation on bridge planning, design and construction. The report states that this investigation examined 216 bridges and found incomplete plans for 40 percent of the bridges; one-third of bridges did not have a professional seal of approval in the form of a crossing assurance statement; designers did not consider the ability of a bridge to pass the expected peak flow of water for 36 percent of bridges; and 15 percent of bridges were not safe and sound, meaning there were obviously safety issues that were left undealt with.

The report goes on to state: "Both professional engineers and professional foresters may be involved in planning and construction of bridges on resource roads." However, this scathing investigation concluded that the issue is not always complete.

After a decade in review of observations on regulation of the forest and range practices in British Columbia, the report states that professional reliance is not intended to be an important part of ensuring compliance and legislation. The board postulates that these non-compliances could result from inadequate supervision, inadequate training or failure of professionals to act within their area of competence.

Another possibility is the unauthorized practice of professional forestry by non-professional foresters. For example, the board has identified instances where professionally prepared site plans and road designs were changed without the involvement of qualified professionals, leading to non-compliance.

Finally, there was an official complaint lodged in 2014 by the Canadian Cave Conservancy. Over in Gold River, in a Western Forest Products area, they had a fragile karst caving area that had photographic evidence. Apparently, it wasn't followed up on by the ministry. but there were concerns about the fact that the government guidelines in this area had not been followed or adhered to.

In summation, the overcutting of the Morice TSA, unmet visual quality objectives, bridge safety, road safety, un-updated forest-cover maps, the logging of fragile limestone karst landscapes near Gold River. Will the member for Prince George North be examining each of these fla-

grant examples of the failure of professional reliance in his review? And if not, which ones will not be reviewed?
[1450]

Hon. S. Thomson: I just want to clarify the work that the parliamentary secretary is doing — the MLA for Prince George–Mackenzie. He is looking at.... The genesis of his work was specifically related to the impacts on wildlife, wildlife issues. While not directly looking at professional reliance, it certainly has linkages, because that's part of it. I want to make clear that that was the focus of the work, based on concerns that were brought forward by the B.C. Wildlife Federation, guide-outfitters, and trappers association, and we asked him to look at that.

Firstly, with the reports that have been identified. I certainly acknowledge that the professional reliance is not perfect. Compliance rates within the industry, though, are well over 90 percent. The work of the Forest Practices Board and others has identified challenges. That's important work. That's why we have the Forest Practices Board. This is exactly what should be happening when they do the audits, the work. They identify and provide recommendations to us, when there are problems.

The member opposite used the example of the work around the bridge issues and professional work with the bridges. It's certainly an important issue to raise, and one that was addressed immediately when it was raised. I'm really pleased with the response of the professional foresters and the engineers.

The member opposite should be aware that in October 2014 both of those professional associations provided a response to the Forest Practices Board which summarized all of the actions they'd taken and planned. Then on November 13, 2014, the chair responded to the two associations that he was satisfied that the associations have addressed the board's recommendations and considered the file to be closed.

Again, when problems are identified by the Forest Practices Board, we certainly take those seriously and respond appropriately. We continue to work with the professional associations and others in the ministry to continually improve the approach to professional reliance.

B. Routley: I'd just like to finish up by commenting that professional reliance.... In my former career, I relied on lawyers quite often. Just a caution. Not that I'm denigrating lawyers in any way — I want to be clear about that — but I have noticed that when they say that "you have a very interesting case indeed," you should probably run the other way. It has been my experience that it doesn't always mean you've got a winner when it's "very interesting indeed."

The old saying about how he who pays the piper gets to call the tune.... The concern is that without good compliance and enforcement on a professional reliance model, there's a real issue.

[1455]

We all know — I went through earlier on — the fact that the government is on track to significantly reduce the compliance and enforcement work that goes on in the province of British Columbia. From what was promised back in 2002 to where we're at today, we're clearly not living up to those promises or commitments to match the compliance or the professional reliance model with more enforcement. In fact, it's going the wrong way.

I don't know whether the MLA that's looking into that will look at the historical record, but I would urge him to take a look at the issues surrounding compliance and enforcement as they relate to the professional reliance model and the fact that the record shows that it's not going the right way.

I would like to turn my questions now to the raw log exports issue. As we noted earlier, we have less jobs in British Columbia. More and more logs are being exported from the province of British Columbia. This opening question is: what percentage of the total provincial harvest is exported, and what percentage is exported from each area — the Interior and the coast?

Hon. S. Thomson: The total exports for the province: at the provincial level, 10 percent; the total in the Interior, 1 percent; and the coast, 31 percent of harvest.

B. Routley: You gave us the percentages, which is what I asked for. Could you now give us the volume numbers for each of those same areas?

[1500]

Hon. S. Thomson: I've provided the percentages, volumes, for the same breakdown, same categories. Total provincial volume is 6,648,000 cubic metres; on the Interior, 637,000 cubic metres; and on the coast, 6,011,000 cubic metres.

H. Bains: I'd just like to say this. If you look historically, we had what we called a social contract that existed between the industry and all the public that owned the timber in the province, which meant that the industry would have access to timber to process it in their own mills. It used to be in a particular mill, but then it got changed to be processed in their own mills. Now that contract has been ripped up by this government, in 2002-2003, under the so-called Forestry Revitalization Act.

So what has happened since that time? While the log exports continue to rise... I've got a chart here that shows as low as less than a million cubic metres of logs were exported in 1998, to 6.7 million cubic metres in 2013 and 6.3 million in 2014. In the meantime, we have hundreds of mills shut down, thousands of workers laid off, all across the province.

Something's wrong with that picture. This government continues to allow timber exports when our local manu-

facturers are looking for that timber. It's not that that is excess timber to our own needs.

If you really take a look, as the minister has said here... If you look at the mill capacity on the coast alone — because there are two different regions, two different forestry — I believe the total AAC is between 18, 19, 20 million cubic metres, and the mill capacity is a little over 12 million. So there's about six to eight million cubic metres of timber that is excess to our local capacity and that is allowed to be exported.

There's no policy, no vision, no direction from this government to make that timber utilized locally to create jobs in British Columbia, and no incentive, no policy so that we could invite the investment into B.C. to have those mills started, to give them incentive to process those logs here.

Then you take a look... We talk about waste that is left behind. We'll talk about that later. The minister admitted last year in estimates that about three million cubic metres is left behind. That's like six sawmills, good-sized sawmills, running for a year.

In the meantime, in B.C.'s interior we have... When we were going around as a special timber advisory committee, we heard that eight to ten sawmills are scheduled to go down because of a lack of timber supply, a lack of fibre. What's wrong with that picture?

Where is this government? Who are they governing for? Timber is allowed to be left behind as a waste to burn. Mills are scheduled to go down because they can't find fibre. Timber is allowed to be exported from the coast. Mills cannot find the raw material to run their mills at full capacity. There are operators on record saying publicly that they need timber.

[1505]

My question to the minister is this. What would it take for the minister and the government to wake up to the call by forestry workers, our industry, who are saying that we need more fibre to run our mills, to run at full capacity, to employ more people — good, family-supporting jobs? We need them direly here.

My question to the minister is: when will they start to bring some proactive policies to invite investment, to encourage investment, to have some new mills, new re-manufacturing mills, to start to create some more jobs here by keeping most of that wood here in B.C.?

Hon. S. Thomson: This is a subject that there has been a very significant amount of debate on in the past, in the House and in previous estimates. Log export restrictions, as the member opposite knows, in British Columbia are among the tightest in Canada. We have to gain access-to-export permission. Exporters have to prove that logs are surplus to the needs of the domestic industry, the domestic manufacturers. That's why we have the surplus test for it.

All logs exported that are eligible to be exported....

There are certain grades and quality of timber that aren't allowed to be exported. But again, it's put through the surplus test. What we do know is that the ability to have a portion, an amount available to the export market when it's not taken up under the surplus test for the domestic industry, is what keeps harvest levels up on the coast. The ability to get some premium on the logs in the export market provides for that greater opportunity for harvest and is actually what provides jobs and economic activity in the harvesting on the land base.

[1510]

Again, we have the tightest restrictions, a surplus test, fee in lieu of manufacturing for the exported logs. Obviously, our preference would be for all logs to remain in British Columbia to be manufactured in other products. But we recognize having a portion for export opportunity. It is particularly on the coast in a high-cost logging environment, why we have the ability. We've had it since 1912 in British Columbia. Again, it's managed through a surplus test, a fee in lieu of manufacturing. We know that that provides a greater opportunity of harvest, which is actually providing more fibre to domestic mills.

H. Bains: I hope that the minister and this government can start to walk the talk. There's all kind of talk. They prefer to have those logs stay here. The timber and then the logs may not be the same profile that's needed here.

The fact of the matter is that if you go back into the history — 1990s, 1980s — we had sawmills here using the same timber, year after year. Now those mills are shut down. Once those mills are shut down, they're not coming back. So we have surplus logs here now.

Why would China come and invest in B.C. when they could get our raw logs shipped into China to create jobs for their own people, process them and ship them back to us? It's the shortsightedness of this government. That's where the problem is. When you allow log exports, the mills are shutting down here. We have, like I said, 12 million cubic metres' capacity on the coast, when we have about 18 or 19 million, up to 20 million, AAC on the coast. So there are six to eight million cubic metres of extra logs available here.

The minister talks about how there is a surplus test. What a joke that is. The minister knows full well that... The timber export advisory committee is appointed by the minister, as I understand. These are supposed to be the experts on the industry. They are monitoring if any export application meets the surplus test.

Perhaps the minister could tell us how many times the minister has overruled that committee when they said that those orders did not meet the surplus test in the last year and this year.

[1515]

Hon. S. Thomson: The member opposite does reference the work of TEAC, the timber export advisory

committee, which is an important part of the process in managing the surplus test. There are two components to the surplus. One is whether it's surplus or not, and whether there is also fair market value being applied for in the export application.

Just to confirm for the member, in 2015 there have been zero times where the recommendations or the decisions of TEAC have been dealt with. In 2014 there were two. That was as a result of fair-market-value considerations.

The member opposite is correct. In 2012 and 2013 there were a number of others. Those weren't arbitrary decisions. Those were related to dealing with fair-market-value considerations. As a result of that issue and that situation in terms of both components of the test, a number of changes were made, working with TEAC and in cooperation with TEAC, around how fair market value is assessed on the offers.

Since that time — as we've pointed out, very limited times. The industry is working with the definition and the process now, and it is working. So none in 2015 and only two in 2014.

H. Bains: Perhaps the minister would agree that in 2012-13 it was almost 100 times. Perhaps the minister, when he stands up, can confirm that.

Now, in 2003 when the forest revitalization act was brought in by this government that eliminated cut control — basically, eliminated the social contract, the apurtenancy and everything — at that time it came in with a promise from the industry that the coastal industry needed reinvestment. They promised about a \$2 billion investment to modernize their mills to be competitive around the world.

Guess what has happened under the watch of this government. Since that time West Fraser has opened up 15 sawmills in the United States, across the line. Interfor will have another 13 sawmills across the border — and Canfor with ten sawmills. A total of 38, just between these three big licence holders. Back then I believe it was about three to five sawmills owned by these companies combined.

You can see, under their watch, how their policy has helped our industry to walk away from us, to go and set up their shops across the border. Others are setting up sawmills in China and other places because we have made it so much easier for our raw logs to leave our coast.

That's the problem. The minister and this government... I know the minister... I sincerely believe that if this minister wanted to make some decisions, I think he would make some right decisions, but I know how governments work. The orders are coming from somewhere else. Somebody else is deciding somewhere else in some nice, cushy office — because they need to help the people that got them elected. That's what's happening.

[1520]

I also want to say to the minister... Maybe the minister could tell us, then, if this is the case, why the ministry

issued an order-in-council early in January to extend the midcoast timber exemption order for one more year, to January 16, 2016.

Hon. S. Thomson: I'll talk a little bit about the midcoast OIC that the member opposite referenced. But first, I just want to comment on the assertion that investment by mills or companies — B.C. and Canadian companies here — in the U.S. is somehow directly linked to log exports. There's no connection. We export less than 10 percent to the U.S.

What we do have are globally competitive companies who are looking to make investments to broaden their base. We should actually be proud that we have world-leading companies here, globally committed companies, that are making investments and making those investments in mills and infrastructure, both here and in the U.S. and other areas. We are in a globally competitive industry, and that's recognized — the importance of this benefit — in terms of providing stabilities across all of their operations in those companies.

With respect to the midcoast, we did extend the midcoast OIC for a year and just for a year. This is an area that requires significant ecosystem-based planning prior to harvest. It has very high costs of harvesting operation. So we did provide an exemption for the area. The reality is that if we had not provided it, the harvest would not be occurring in those areas.

[1525]

We wanted to make sure that we provided the opportunity for economic activity and jobs in that area. It is something that we are.... Why it was only extended for a year is something to watch and to assess.

We needed an additional year to be able to assess harvest response and also to be able to allow the plans that had been started and put in progress under the exemption to continue because it's an area that takes some time to lay out and put roads in and all of those kinds of things. We extended it for a year, but it is one that we continue to assess to ensure that the policy is doing what it was intended to do, which was to increase harvest and increase the economic activity in the region.

H. Bains: I would agree with the minister that we would be proud that these companies are globally competitive if they were expanding. They're shutting down mills here in B.C. and setting up shops in the United States. That's not something to be proud of. That is something to be concerned of.

The industry is leaving us. They are setting up their mills in the United States. I think that's where you can tell the attitudes of this government. They are not concerned that the mills are shutting down here. That's the biggest problem.

I just have one last question on this, and then my colleague here will have a couple of more questions on this. The ministry, in January 2013, made some changes to the log export policy that actually made it easier to export

raw logs. Part of the changes was to lower the export fee in the midcoast region to a two-year trial period in order to see if it stimulated more logging.

[S. Sullivan in the chair.]

It has actually helped increase log exports during this period. It's gone to 6.7 million cubic metres from 5.7 million and then 6.3 million. My question to the minister is: what has been the effect of this trial period?

[1530]

Hon. S. Thomson: With respect to this OIC, I'm advised that what it has resulted in at this point is less than 100,000 cubic metres in additional export from the area. What it has resulted in is increased harvest activity, which is providing lumber to the domestic industry. Again, that's the dilemma we face. I recognize the concerns of the member opposite.

We have a very high-cost operating area that has high ecosystem-based costs, high transport costs, high logging costs and things. The ability to have export from that area is what is generating that additional harvest activity, which is providing additional jobs and economic activity and additional fibre to the domestic industry. If we remove that OIC in that area, harvest activity would diminish significantly in the area.

Again, what we want to ensure, as a result of doing that, is that we do see the appropriate harvest response, that we do see that activity. That's why we've extended it for just one year. The request actually was that we extend it further or for a greater period of time. I made the decision that we would only provide it for an additional one year while we continue to assess it so that we made sure that it was meeting the objective in that region.

Again, going back to the fact that it's partway through, operations were being set up and have cost investment going into it based on the policy. We wanted to make sure that that played out and that we could fully assess whether or not providing that exemption in that region met the ultimate objective, which was to increase harvesting activity and make additional fibre available to the domestic industry and create additional jobs.

We will continue to assess it and look again within that year period as to whether there is a further extension or whether there is some other approach in that region.

D. Routley: The minister, the ministry and this government have absolutely failed to protect B.C. jobs. In my constituency we have become used to — although it still hurts, and it is a visceral pain for people — seeing truckload after truckload of raw logs leaving our constituencies, going to the shores to be shipped away, while the surplus test has become an absolute joke with so many lost sawmills. That surplus has become.... The bar has continually been lowered.

We in our communities — I'm speaking for people; I'm speaking for local government — feel absolutely betrayed by the tour of the major licence holders as they lectured local government on the need to disintegrate the industry. Once they were given the deregulation that they required, the solemn promises for reinvestment that would have been made in the mills on Vancouver Island were broken. The result has been thousands of lost jobs, and we have seen a continual threat on those jobs that still remain.

In my constituency we have mills such as Harmac, which depends on the residual waste from the sawmilling industry, importing chips by barge from as far north as Alaska and as far south as Oregon. This is challenging their viability.

The minister says that we should be proud of having globally competitive companies. Indeed we are, and we are proud of the globally competitive productivity that we see in these mills. Coastland mills in Nanaimo, which peels logs, is the second-fastest log-peeling operation in North America, an amazingly competitive and efficient operation, and yet they are challenged every week by a lack of fibre. We see freighter-load after freighter-load of logs loaded from the sites of closed-down sawmills.

Giving the major licence holders just what they want in forest policy has failed. We value the role of the major licensees. We want to see them competitive.

[1535]

But we also need a government that will defend the jobs of British Columbians and make a fair playing field for British Columbia mills. That is not happening.

I'd like the minister to explain to the families of my constituency who have lost thousands of family-supporting jobs because of this failure of policy. I understand the minister's need to defend his government's record, but we need to take this seriously. We need to acknowledge that the job loss in the value-added sector is a crisis. We've lost 50 percent of our value-added facilities and 60 percent of the jobs that existed when the minister's government came to power. We need an explanation on Vancouver Island.

[1540]

Hon. S. Thomson: Just want to make some comments here.

I appreciate the comments from the member opposite and certainly understand the impact that job losses have in communities and on individuals and on families at any time it happens, whether it's here or in other sectors or in other situations around the province. So I don't want to at all diminish the impacts.

But what's important to recognize is that the industry came through probably the most difficult downturn in its history in 2009 through 2010. It had a significant impact on the industry, both on the primary industry, on secondary manufacturers and on the value-added sector that the member opposite raised.

Again, we recognize that we need to continue to work with the industry to rebuild those sectors. We are working directly with the Independent Wood Processors Association, B.C. Wood. The value-added sector — I'm looking at options to assist that sector working with the beetle action coalitions.

The member for Surrey-Newton talked about the work with the beetle action coalitions. They brought some recommendations forward around the value-added sector, particularly the southern Interior beetle action coalition, which is getting folded into that work and that look at that sector.

On the residuals, we recognize that we do need to find the tools and the tenure policy that ensures that waste is utilized within the industry. It's one of the key mandates that the Premier has provided in my mandate letter. We're continuing to look at how we refine those tenure options that we have, and that we have put in place receiving licences and supplemental forest licences in order to be able to utilize that — creating those business-to-business relationships to make sure we utilize that. We do recognize that companies like Harmac and others need that.

I did have the opportunity just a couple weeks ago to tour Coastland Mill with Hans de Visser and talked about the investment that he's made. Certainly a very, very innovative operation and mill developing new markets and things. We talked about some of the challenges. At this point he had a good supply of fibre available for the operations. But again, it's continual work in order to be able to do that, and he does a great job of that.

Again, the policy is about ensuring that we have that balance. That's why we do provide, with the surplus test for the domestic market, a policy around fair market values for that — providing that opportunity for log export, which has been in place for over 100 years in British Columbia; having the basis of making sure that we manage that surplus test and make it available to the domestic market first, but recognizing that while we would prefer to have it all manufactured here, the reality is that having a portion available for log export does create additional harvest activity. That is creating additional jobs and economic activity, making more fibre available to the domestic mills.

I hear regularly from companies, from First Nations who have tenure.... In fact, we have many First Nations who have provided tenure to us who would like us to have a more open export policy in order to be able to harvest the opportunities that we provided them. Generally, that is in high-cost operating areas. They are looking for, in many cases, some of the same kind of export OIC opportunities that we've currently provided in other areas.

[1545]

We're resisting that in terms of the general policy. But again, it's about having that opportunity that actually provides those opportunities to harvest in those high-cost operating areas.

D. Routley: Thank you to the minister for the answer, but the promises were made in the 2001-2003 period. The promises were made that investments would happen. The deregulation and disintegration of the industry were allowed by policy of this government. The bulk of the jobs were lost a long time before the 2008-2009 crisis in the economies of North America and in global economies generally. Most of those jobs, tens of thousands of them, were lost in that period between 2003 and 2008. In fact, during the largest U.S. housing boom in post-war history we had lost 30,000 manufacturing jobs.

It is the political dance in this province, and between our two parties, that the government will, no matter what the outcome, defend its record. Unfortunately for the opposition, sometimes when B.C.'s circumstances are going to hell in a handbasket, that might be good for the opposition, because it's embarrassing for the government.

I think we have to go past that. We have to recognize that the role of government when it comes to the management of natural resource industries is to extract the maximum value. That is not simply a corporate profit value for globally competitive companies. It's also extracting the best results for communities. That means jobs. So far, by that measure, we have seen an abject failure.

Coming out of the 2008-2009 crisis, if we want to just leave behind the carnage of the previous.... I mean, that's convenient cover, in a sense, for government to say: "Well, we had this crisis, so we've lost all these jobs." In fact, the jobs were lost beforehand. The failure of policy is now obscured by that period of time we call the '08-09 crisis, and the policies are still in place.

If we are truly at a point of high demand, that should give us leverage as a supplying jurisdiction. So how are we going to use that leverage? What are we going to do, coming out of this crisis and headed into a period of high demand, to ensure that the amazing innovators in this industry — the value-added side, the competitive side of the industry, the side that innovates, creates jobs, creates new markets, new products for our resources...?

What is the minister's government going to do to support those industries, to support those innovators and to bring policy that will ensure that our fibre, British Columbia's fibre, stays in B.C. as much as possible to create jobs, to support innovation here in B.C.?

[1550]

Hon. S. Thomson: As I mentioned, we are working actively with the sector associations, particularly in the value-added sector — the independent wood producers, B.C. Wood and others — and looking at options and opportunities, refining the tenure tools and options that we have.

One of the keys around the value-added sector, besides access to fibre and timber, is the focus on innovation. So we work very closely with FII and FPIInnovations in looking at value-added opportunities. FPIInnovations, as you know, is a consortium of government and aca-

demia and industry that work together to look at those science-based opportunities, continuing to help develop and market access for them as well.

Additionally, we continue to focus on tenure options that help provide those fibre opportunities for the industry and for the value-added sector — things like the community forest, like increasing the numbers of First Nation woodland licences as we continue to build First Nations participation in the industry, maintaining the B.C. Timber Sales category 2 programs of volume and allocation. All of this has to be done, as the members opposite know, within recognition of trade obligations under the softwood lumber agreement.

All of this is work that is ongoing. We recognize the importance of the value-added sector and what they can provide in terms of jobs and benefits in communities. We are working very closely with them. I've met with them recently on a number of occasions, working directly with them and across ministries and looking at the options and the approaches we may have to assist that sector.

H. Bains: We're going to finish this one off. I just wanted to make a last comment on this log export and manufacturing and our social contract.

[1555]

Historically, what it used to be.... As we know, the industry has been cyclical. The mills would shut down for a period of time, and when the market picked up, they'd rev it up and run at full capacity and bring lots of people back to work and supply that market. But the way this government has allowed their ill-conceived ideas of allowing raw log export and not supporting the local industry means that the permanent structural fundamentals are in place now. Even if the market picks up, we have only limited capacity to manufacture our own logs here in B.C. to supply the market, so we will not be able to benefit from these peaks in the market. That's the legacy this government will be leaving behind for British Columbians.

We have talked about this, I think, at great length. There's a lot we can talk about, but we have another very important issue. Just staying in the same theme of government failure to utilize B.C.'s natural resources first and foremost for British Columbians' benefit is the wildlife allocation that the government has announced previously.

I will allow the member for Skeena and then also the member for Kootenay West to ask some of the real in-detail questions because many of the resident hunters are affected, and people are worried about this, again, very, very ill-thought-out policy of this government.

R. Austin: As the member for Surrey-Newton mentioned, I'd like to ask some questions with regards to the hunting allocation issue, which of course, as the minister well knows, is very controversial, especially since his announcement, I guess about ten days before Christmas. It certainly took many people by surprise, although the

minister has gone on the record and said that both the guide-outfitters and the B.C. resident hunters were apparently well aware of what was coming down the line. I guess they didn't get the memo.

I'd like to just open up by explaining to the minister.... We've seen some comments made in the Legislature during question period, and I don't think those answers necessarily allayed the fears of B.C. resident hunters. In fact, I think in some respects it sort of fanned the flames, especially when the minister alluded to the fact that "Oh well, you know, it's only about 60 animals or 40 animals."

I think the issue here, of course, is not about the specific number of animals in these decisions. The issue here is about percentages, and it's about a move from what is a public resource that is accessed by the British Columbia public as opposed to having more access to foreign hunters who, of course, come here and are dealt with through the commercial sector. Essentially, what people are really upset about is what they perceive as a continued privatization of a public resource.

I think we'd all agree here that we are elected as B.C. MLAs to look after the interests of British Columbians first and foremost. Certainly, nobody in British Columbia, whether they are a hunter or not, wants to see a continued slide towards taking away the ability for British Columbia's citizens to access the woods and to participate in hunting — to see that lessened and given away to people who come from outside the country.

We certainly don't object — no one objects — to the fact that there is a viable commercial sector. It brings economic value. But at the end of the day, this is a public resource, and we don't want to see it privatized.

I think something that we can all agree on — the minister has spoken about this — is that when you're looking at this issue, conservation comes first and foremost. Everybody agrees on that, and so do we.

People also agree on the fact that after conservation comes First Nations' rights. We all agree on that. It's in the constitution, it's been upheld by the Supreme Court, and everyone agrees on that. The challenge, then, comes when we are dealing with the balance between giving access to B.C. residents versus the commercial sector. Would the minister agree with the assertion that this is an issue about privatization and about access for B.C. residents first and foremost? Would he agree to that?

[1600]

Hon. S. Thomson: Thank you to the member opposite for the question, following up on the question period approach.

First of all, I just want to go back to the point that the member opposite appeared to assert — that decisions made before Christmas or at that time were a surprise or caught people off guard. The member opposite should know that that is clearly not the case.

This has been a long process of discussion over many,

many years — even most recently over a very intensive process of consultation with the key stakeholders around the allocation formula. Stakeholder groups were directly involved with our ministry staff in a process to reach agreement — key stakeholders at the table through that process.

As I pointed out previously, agreement was not forthcoming from that process. There were respective positions coming out of that. Both parties, though, did say that as a result of not being able to reach agreement and not having that common position coming out of that, they would prefer, and suggested and recommended, that this process should be set by an allocation split — set in legislation or regulation — in order to provide two things. That is to be able to settle it and to move on and be able to look at the broader wildlife management issues and to work, going forward, and also to provide certainty for all parties in it.

Nobody would have or should have been surprised that that decision was forthcoming and was going to be made, because both parties were asking for that to be made.

[1605]

Now, they had different perspectives on what the decision should or should not have been in that process, but nobody should be surprised that we were to the point where we needed to make that decision. There were recent meetings leading up to that decision where I consulted with the groups in final process on that before announcing the decision. The decision was communicated to them, it created reactions, and some adjustments were made. That's addressing that point.

In terms of what this is, or do I perceive this to be a privatization of the resource, clearly not. We have had a guide-outfitting commercial industry here in British Columbia for hundreds of years. We've had a hunting sector here for hundreds of years, as well, in British Columbia — both providing important economic contributions, both being able to access an allocation or a portion of the resource.

Guide-outfitters do not own the resource. They have a right to guide and to provide opportunity for a certain portion of that resource. That doesn't mean they're guaranteed, and it doesn't mean that they own those animals, so it's not private in that respect.

This is something that's not unique to British Columbia. British Columbia hunters travel around the world to participate in hunting opportunities in other jurisdictions and things, with resources that are in other countries. It's a common process. The resident hunters themselves in British Columbia bring in non-residents to hunt with them as well, to the resource.

This is about having a resource that is there, that is plentiful in British Columbia. The opportunities here in British Columbia are very, very world-renowned and respected in terms of the variety, the cross section of the species, the opportunities tied in with the spectacular province that we have.

This is about a formula or an allocation that shares that resource and provides those opportunities for the benefit of British Columbia after those other very important considerations are placed off the top that the member opposite represented. Conservation and First Nations, for sure, are key principles, and a principle that maintains resident hunter priority in terms of the greater share of that resource.

The argument is: what is the appropriate level of priority in maintaining that policy? The resident hunter priority doesn't mean that it's exclusive to that component of the industry. It means you're finding a share or a balance in access to that resource.

R. Austin: Well, I think that answer just demonstrates why B.C. resident hunters are getting so upset. Clearly, there is a big difference between a B.C. resident hunter going out into the wilderness, having a successful hunt, bringing meat home, cutting it, putting it into their freezer to feed their family versus somebody from the commercial sector — note I used the word “commercial,” a private company — charging tens of thousands of dollars to a foreigner coming here and therefore making a huge profit off that animal.

If the minister can't even recognize that that is a private company profiting from a public resource versus a B.C. resident hunter who's going and grabbing some meat for his family.... If he can't see the difference between that, then clearly, this issue is going to be a hot topic for a very long time.

Let me just get to some of the specifics here. The minister earlier said: “Well, it's only about 40 animals.” Well, it's not about the numbers of animals. It's much more complicated than the minister's answer was in the Legislature during question period. It's about specific species. It's about specific regions and the allocation split not in terms of the numbers of animals but in terms of percentages.

[1610]

Let me just give an example. In Oregon most species are limited to 5 percent for non-residents. In Montana it's 10 percent for all species, and that's legislated. In Arizona it's 10 percent for foreigners, legislated. In Saskatchewan it's 4 percent for foreigners who want to hunt for moose and 14 percent for white-tailed deer. In Alberta, right next door to us, it is 2 to 7 percent, to a maximum of 10 percent that's allocated for foreigners to come. In Washington state, just south of us, it's 5 percent.

We see here a model in North America where most jurisdictions are restricting access to foreigners and giving recognition to the fact that wherever the jurisdiction is, the wildlife is a public resource. They are maintaining a majority access in a huge way to their local residents.

We have seen the number of hunters in B.C. increase by over 20 percent in the last ten years. There are now 102,000 resident B.C. hunters. Whereas what we've seen in terms of non-resident hunters, that's down 30 percent to 4,500.

My question, again, to the minister is this. Will he accept that this argument...? I understand he has every right to make this decision. He's the minister. He is in the government.

Does he appreciate that this is about privatization and understand the difference between people charging \$10,000 for a hunt as opposed to a family going out and getting a moose and putting it into their freezer? And does he recognize that the percentages matter much more than the individual numbers? Because that's what people are arguing about here.

[1615]

Hon. S. Thomson: I recognize, in all of this issue, a difficult decision and an emotional issue for many, as well. But it's important to understand and to compare. When you look at other jurisdictions, you have to compare numbers, and you have to compare it to the resource we have here.

For example, in British Columbia, with whitetail mule deer — which are not part of the allocation formula; I acknowledge that — 99 percent of that is available to the resident hunter. Rocky mountain elk: 94 to 95 percent. Moose: 88 percent.

When the member opposite talks about percentages on those species, which are of the most value to resident hunters for the meat for freezers and families, our percentages are significant opportunities for resident hunters. Comparing to Alberta, for example, it's 10 percent for non-residents for antlered animals. That includes deer. You have to look and compare. You have to look at the total resource in the area as opposed to picking certain specific numbers.

There are many examples in other jurisdictions as well. For example, in the Yukon — moose and caribou — resident hunter allocation percentages can be 50-50. Where there are permits, the split is closer to 75-25.

Other jurisdictions. Wyoming's statutory splits for residents and non-residents: sheep, 75-25; mountain goat, 75-25; moose, 80-20.

There are many examples. You can select examples that you want in order to make the case. The more important point to recognize here is the opportunities that we have for resident hunters in British Columbia for the primary areas of interest. In the overall allocation formula, as we said, we're talking about less than half of 1 percent of the total harvest.

R. Austin: The minister still did not get back to the acceptance or my assertion that this is about a privatization issue. If a commercial outfitter is bringing in somebody here and charging \$10,000 for a hunt, say, and obviously making a great profit on that — and I would hope that they do, because they will spend some of that money here — that's hugely different from a B.C. resident. Obviously, the minister doesn't want to go there, but I think this is about privatization.

Let's just look at some of the examples. First of all, we know that the decision that the minister made on December 14.... Clearly, he felt that he made the wrong decision, because he made changes on January 15. So there was a recognition by the government that they had overstepped in terms of making that decision.

[1620]

Yet in spite of that, there are still some outstanding issues. I mean, if you look at region 4 for bighorn sheep, the minister's own experts — presumably, some of them are sitting behind him — suggested that.... The ministry recommendation was for 68 percent to be for residents and 32 percent for guides. We ended up with 40 percent for guides and 60 percent for residents.

What is the excuse for a situation where something that is as prized as a bighorn sheep has accessibility of 40 percent to non-residents and only 60 for a B.C. resident?

[1625]

Hon. S. Thomson: Firstly, the member opposite talked about the initial decision and then some adjustments to the decision and portrayed that as a mistake. I certainly disagree with that assertion.

This is about an informed decision based on a lot of information and then also on receiving some feedback around specific hunts. I listened and made some adjustments and don't view that as being a mistake. In fact, for some specific hunts, I made some modest changes — the elk hunt on the Island, the sheep in the Kootenays — again, based on input.

I think what's important to recognize in the Kootenays — and we're talking specifically about that and the split there — is that a number of things also were part of the decision. Firstly, we have removed success factors. We have removed the opportunity for any access to fractional or unallocated territories, something that the guide-outfitters wanted — in particular, that guide-outfitters in that region would have liked. But we said no. We're not providing those in terms of the decision. That means that those unallocated areas remain open, and 100 percent open, to resident hunters. In the West Kootenays the greatest portion of the region is in the unallocated territory.

The other decision we've made now is that the split applies strictly within the guide-outfitter territories, so that 60-40 split applies in those specific territories. We now apply it on the territory basis rather than the full regional basis. When you take the unallocated areas and other areas where the resident hunters have 100 percent access to the resource, when you work it all out in terms of the harvest opportunities and the harvest success, the split on the resource in that region on sheep is probably much closer to 75-25 than it is to 60-40.

K. Conroy: I'm going to ask a couple of questions just to speed things up here, because they're telling us we

don't have much time.

I just want to know if the decision on fractional territories is going to be legislated so that people don't ever have to worry that that decision is something that is going to come up again in any area of the province.

Also, just to give 31 examples of changes that were made to the percentage changes made to animals. The minister said that there was consultation done and consultation with staff. As was discussed, from the 31 recommendations that ministry staff made, three of those times the minister agreed with those decisions. Five of those times the minister agreed in favour of resident hunters. But 22 times the minister's final decision came out in favour of non-resident hunters.

I just want to put that on the record — that even though there was consultation and even though the minister changed his mind, in this situation he did not agree with the recommendations made by the staff that he works with and in fact gave the higher allocation to non-resident hunters 22 times out of 31. I want to make sure that gets on the record.

Also, if we just go into a certain area — Skeena, for instance.... We want to talk about the bull moose. Well, the annual allowable harvest is about 900 animals in the Skeena area. As the minister said, it's a really high-demand hunt for B.C. resident hunters as well as non-resident hunters. If you talk to a hunter, they'd much rather have a moose than a deer any day. I think that if the policy had continued, the 2007 policy that was agreed on, resident hunters would now have 90 percent of the annual allowable allocation to the moose hunt. That amounts to about 810 bull moose a year.

Now, the decision that was just made gives guides and non-resident hunters in the Skeena area a 20 percent allocation of B.C.'s moose in perpetuity, forever and ever. I don't see that changing with this decision. That leaves resident hunters with less moose to access.

[1630]

There's actually a loss of 135 bull moose every year to resident hunters in this province, and that's just in Skeena. That's one animal, one species, in one region of the province. That's 135 bull moose. We're not sure where the numbers are coming up. Where is the minister coming up with his number?

We keep hearing from the minister, as well as other representatives of the government: "We're only talking about 60 animals." We've heard it again and again and again. In this one area of the province, with just one species, we're talking about 135 animals.

I think resident hunters in this province need to understand. How is this formula being developed? Where is it coming from? Who's developing it? How can the minister say that it's only going to mean 60 animals when that's obviously inaccurate when we look at the actual figures? If the minister could respond to that, please.

[1635]

Hon. S. Thomson: Just a couple of parts to the question. The first one around fractional territories.... I've clearly communicated to all parties that fractional territories are not part of the decision, will not be part of options going forward. That was communicated in the decision communications that went to all parties in that. Despite the guide-outfitters' request for that to be part of the process, we made a clear decision that that's not the case, and those fractional territories will not be provided going forward.

Going to the specific region and hunt that the member opposite is talking about.... This gets very, very technical, very, very quickly, when you look at the formulas and what's been in place. The member is using some flawed assumptions in the comparison.

When you look at the split that was in place — and the parties all know this — it was at around 75-25. That's being maintained. In fact, going forward into next year, I'm advised that in that region, for the opportunities, we actually expect the opportunities for resident hunters to increase in 2015 compared to 2014.

Sorry. I should say, because it gets very technical, very quickly, I'm quite prepared to offer the opportunity for the member opposite to sit down directly with staff and go specifically through the numbers, the basis from before, so that we can be comfortable or we can be assured that we're operating from the same base of assumptions.

K. Conroy: I think a number of us would probably like to take the minister up on that offer, especially resident hunters in the province. Perhaps the minister should share with his colleague from Kootenay East that fractional territories are not going to be divested. That might be an interesting conversation.

[M. Hunt in the chair.]

We've also heard a rumour, and I'd like the minister to clarify this — that if there was a sudden moratorium on any species for game management reasons, this would apply only to resident hunters and wouldn't affect the non-resident hunters' quota. So any moratorium on a species.... If there was a sudden die-off or something happened so that there was less of that species available, the cut to this hunt would only apply to resident hunters in the province.

[1640]

The Chair: Mr. Minister.

Hon. S. Thomson: Thank you, Chair, and welcome to the chair.

Firstly, just to reaffirm and restate that all parties are aware of the communication, the decision, with respect to fractional territories. And secondly, to put to rest.... I'm not sure where that rumour may have generated, but as we've said, conservation comes first. If there are issues

with respect to population and species with respect to conservation and those kinds of decisions have to be made, they would apply to all.

If we have to close the hunt, there is no way that we would keep the hunt open for one part of the group or the other. It would apply to all. There would be no differential application of that. In fact, there are many examples in the past where that has happened. The Chasm sheep herd, when that had to be closed, was closed to all the guide-outfitters. It went down to zero, and the opportunities weren't provided for resident hunters either.

I don't even think that legislatively I could apply it separately. I'm not sure where that rumour might have generated. There have been lots of rumours generated on all sorts of things, and that's one I can put to rest for sure.

K. Conroy: Along the conservation line, there are a lot of resident hunters and people in this province that are really concerned about some of the populations of different species. I have to give resident hunters kudos for being the ultimate of conservationists in this province. Many of them have said to me they've actually taken up the charge on conservation because they recognize that there have been severe cuts in this ministry and that we don't get the type of detailed conservation we used to get from the ministry years ago.

One of the issues that they've raised is the issue of the mule deer. A number of people have commented that the provincial ungulate specialist, Gerald Kuzyk, admits that the B.C. mule deer population is in serious decline, but because there are mule deer issues in urban communities, where we have communities that actually want to go out and get rid of the deer in their community, it's creating this myth that there is actually an overabundance of mule deer in this province. There isn't. In fact, we know that it is a situation.

I'm wondering what the minister is going to do to ensure that we do conserve the mule deer. We don't have an overabundance of mule deer in this province, and we need to ensure that we have some stability in this species. I wonder what the minister is going to do about that.

[1645]

Hon. S. Thomson: I appreciate the question from the member. I was going to answer a little bit facetiously, but I won't. I know many people support principles around translocation and things like that dealing with some of the urban deer problems, so I thought maybe my answer could be that we're just going to round them all up and get them back out into the back country, where they should be. That might address some of the problem. I know that's a bit of a facetious answer, so I won't go there.

First of all, it's important to recognize that we take conservation very seriously, manage that hunt very carefully. We have dedicated staff in the regions. There are concerns in areas around mule deer populations. We've

reduced the number of opportunities, the number of doe seasons. We have focused opportunities on whitetail deer to sort of balance out some of the competition amongst the species. It is the most used species or one of the most sought-after species for resident hunters. Again, staff manage that very carefully.

I think that's a high-level answer. I think what I would like to do is have the opportunity to provide a much more fulsome response to the member opposite around all the steps that are being taken in the regions around that particular species, because I've been advised there are a number of examples and things happening in different regions. I don't have all of that information. I can provide that as a follow-up response.

R. Austin: Given the time constraints, I'd like to ask the minister whether we can forward a number of questions in writing to his office and have replies given to us from his staff at a later date.

But I would like to ask this question — two things. The figures that have been stated by the minister in terms of the relative contribution of resident hunters versus the guide-outfitting industry is that the guide-outfitting industry provides or contributes \$116 million back to British Columbia, whereas the resident hunters bring back \$230 million to the B.C. economy. Can the minister confirm that? And then, given that guide-outfitters can now be foreign-owned and be corporations that are controlled outside of the province of B.C., is there any analysis that's been done as to how much of that \$116 million actually goes out of the country as a result of it being foreign-owned?

Last question. Can the minister confirm the rumour that the member for Prince George–Mackenzie might be helping him on this file to try and come to some resolution in this complicated process?

[1650]

Hon. S. Thomson: Just quickly to confirm the numbers that the member opposite mentioned — \$230 million and \$116 million. That's correct. Those are the numbers that the analysis shows is the economic contribution of those two sectors.

With respect to the analysis around the ownership, the changes that were made to provide for the foreign ownership are really designed to provide that transparency so that we can see clearly the ownership and the financial arrangement. It's more transparent. It also allows us now to take a... If guide-outfitter territories aren't properly managed, it allows us to take action. It also provides the opportunity for First Nations to hold guide-outfitting territories in corporations, which was an important step.

With respect to the MLA for Prince George–Mackenzie, no. I have taken advice and input from all of my colleagues as we go through this and continue to take responsibility for the file.

K. Conroy: This is a question that I posed to the Ministry of Environment. They said I had to come and ask the Minister of FLNRO, because this was something that was under this minister's jurisdiction. It's got nothing to do with hunting.

Miller Springs is a company in the Boundary country that produces bottled water, sells bottled water. They've submitted an application to increase their water bottling consumption. They want their licence to go from 4,000 litres a day to an additional 50,000 litres a day.

This is a significant increase in agricultural land, which has a number of people concerned. The people in the area are wondering if the ministry would require an independent water table study to be completed to ensure that the water table can actually sustain such an increase.
[1655]

Hon. S. Thomson: I am advised, firstly, that as you know, groundwater regulations for the new Water Sustainability Act are currently being drafted, so any new licence for groundwater would need to comply with those regulations.

Like surface water licences, water licences will... A supply-and-demand analysis would be completed for any new groundwater licence, such as Miller Springs. In the case of a new groundwater licence, the supply study would involve an analysis of the capacity of the aquifer.

V. Huntington: Just to advise the minister that the bulk of my questions will be on land issues, if staff need to be shifted.

Hon. S. Thomson: While we're getting the staff available, I just wanted to respond to the member opposite, the member for Skeena's comment about being able to provide follow-up questions in writing to us. Just to confirm that we'll certainly do that and respond.

V. Huntington: The minister undoubtedly knows that one of the topics I'll want to discuss is the Brunswick Point lands, as usual, year after year after year. As the government was determining which lands to set aside for treaty settlement with the TFN, they chose the lands that would be set aside. Those lands that had been part of the expropriated backup lands were then sold at a very favourable price back to the families whose land had been expropriated in the first instance. I think the price was around \$25,000.

Subsequently, following the treaty the Brunswick Point lands, while not transferred to TFN, have remained right of first refusal when sold, with the right of first refusal in favour of TFN. But in so selling those parcels that are still owned by the province, the province has made absolutely no effort to make it possible for the land to be affordable to the legitimate farmer in Delta.

I want to ask the minister why there is no public policy to ensure that the best soil in the world — not just in this

country but in the world — is not made available to the farmer at a reasonable cost.

[1700]

Hon. S. Thomson: As the member opposite knows, this sale or this situation is before the courts. There is a court challenge that has been filed against it by the... It's called the Hwlitsum First Nation, the Hwlitsum family. Court decisions and hearings are expected in fiscal '15-16. Dependent on the court decision with regard to the Hwlitsum, the next steps would then be taken.

I am also advised that out of the steps following that, the lands remain in the ALR, even if first purchased by the Tsawwassen First Nation.

V. Huntington: I'm a little confused. Are you speaking about a court case that covers all of the Brunswick Point lands presently held by the province, or just a portion of? I'm not familiar with any case that covers all of the lands that are presently being sold by the province.

Hon. S. Thomson: I'm advised it's all Crown land held at Brunswick Point.

V. Huntington: I learned something today that I wasn't aware of. However, the minister has commented, I believe, that up to \$1.3 million has been made by the province on the sale of Brunswick Point lands. Is that not the case? And if it is the case, can the minister provide me with the number of parcels, the PIDs, who purchased the land and for how much?

[1705]

Hon. S. Thomson: Again, I can confirm the sale value: \$1.3 million. But as I pointed out, this is subject to court action. We can undertake, following this, to provide the specific details.

Again, because this is subject to ongoing legal and court action, I think I would like to leave it at that point and provide additional information to the member opposite in terms of the specifics — the PIN numbers and things she was looking for.

V. Huntington: I very much appreciate that. I was wondering if the minister and I were working at cross-purposes. In Delta, we think of all those lands as the Brunswick Point lands — not just the tip of Brunswick Point or along the river but all of that chunk of land from 41B out to the water. I just was wondering if we were talking about all of that land, in terms of the court case.

Hon. S. Thomson: The member opposite indicates she might be confused. I might be a little bit too as well, in terms of all of sorting through all of the sale and all of the legal issues with respect to it.

My understanding is the legal issues do involve all the

Crown land under consideration here. I think that, rather than result in further confusion, we could undertake to provide a specific briefing to the member opposite with respect to those and the court action.

I want to be very careful here not to provide any incorrect information, particularly when it relates to the fact there is court and legal action underway.

V. Huntington: Of course, that's just fine. I would very much appreciate whatever briefing you think you can offer.

[1710]

Quickly, I'd ask the minister: does that include that two-acre parcel that I would now like to ask questions about, or is that excluded from the court case?

Hon. S. Thomson: I'm advised that that parcel... I think you're referring to what's called the wedge.

Interjection.

The Chair: Through the Chair always, of course.

Hon. S. Thomson: Sorry.

Okay, so we're talking about different properties. I'll just check.

I appreciate the indulgence of the Chair here.

My understanding is that, yes, it is also tied up in that court action. But again, we will undertake to make the member opposite's reference to that specific piece of property... I know the piece of property that she is inquiring about. We'll undertake to make sure that that's part of the full technical briefing.

V. Huntington: Thank you to the minister very much.

Perhaps I'll just skip to a quick question on water lots. We've all appreciated the ministry's work on transferring the water lots from the port of Vancouver over to British Columbia. However, they were transferred with two-year leases as a result of inconclusive discussions with First Nations, and the two-year lease is nothing but a horrendous headache. It does no more for the water lot owners than the port authority did.

I'm wondering how long the ministry feels it will be before they can resolve the outstanding discussions with First Nations and therefore extend the water lots' leases to the 20-year period, as was initially promised.

Hon. S. Thomson: I certainly understand the basis of the question. This is an interim transition measure, but it is required, or is as a result of our legal obligation to consult with First Nations, so we gave ourselves a time period here that we feel is needed in order to do that. The intention is to have a plan that would replace those interim tenures with longer-term tenures, on their expiry on December 31, 2016 — which is when the two-year

time period works out — if not earlier, if we are able to do it earlier.

[1715]

I recognize the uncertainty and the position that it leaves those tenure holders in, but we were in a position where we needed to ensure that we dealt with our legal obligations.

G. Holman: I have a question for the minister regarding derelict vessels. I'm not sure if you need to have other staff with you. It's a general question about the state of play.

I wrote the minister last year. The minister was kind enough to respond and described how the ministry was working with the federal government, in terms of working groups. It's a complicated issue. It's a frustrating issue — certainly most frustrating to local communities which are trying to deal with this problem.

Can the minister just give me a summary of the state of play with the federal government? Are we making progress — the working groups that are supposedly being struck, the federal-provincial working groups? Are we making progress in terms of trying to fix the system and deal with the frustrations that local governments are facing right now?

Hon. S. Thomson: This is a challenging file, as the member opposite knows. It's multi-jurisdictional. Provincial and federal agencies and members of the Union of B.C. Municipalities have made some progress. We have worked together to develop a resource guide for parties in terms of dealing with it. We have, in some cases, worked together to resolve very specific incidents. But I think a fair comment is overall the combined resources are still challenged, in terms of making a significant reduction in the number of concerns raised by local governments.

It's something that we continue to pursue. Our ministry is the provincial lead for it. We do use the tools that we have under the Land Act and the Trespass Act — occasionally, the environmental protection act.

Experience has shown that exercising the provincial authority requires a cooperative effort of all parties. We do need to make more progress on this through the working groups. But it is one that still is a challenge.

M. Karagianis: I want to ask some questions to do with the heritage act and, most specifically, First Nations lands.

[1720]

The minister's just been through a process with Grace Islet. It seems to me that that kind of crisis management of an issue like that, which involved land, First Nations heritage sites, burial grounds.... It seems like a poor process to have to go through crisis management at the eleventh hour that is both costly and vexatious to the communities involved.

I know that the minister has mused in the media about the poor process involved in that. The minister will know that I have, six times, tabled a heritage amendment bill that I think would be a very effective tool to use in this situation.

The government has been in consultation with First Nations communities for over a decade on this very specific topic around protection, stewardship, care and oversight of their sacred sites and things. To the minister: would you care to comment on what steps the government is prepared to take to make the process better?

If the government would take a look at the bill that I have proposed.... I don't even mind if the government takes it, retools it and introduces it under the minister's name, perhaps in conjunction with the work that's already been done with First Nations communities — to even improve that.

It just seems to me that this crisis management is very concerning to all First Nations communities. It seems counterproductive. Often, it's not successful. In the case of Grace Islet, that was a particularly good outcome. But we've seen really poor outcomes elsewhere. It's an ongoing concern for communities.

I've wrapped a lot of things in there, but I want to give the minister a chance to address that in a more fulsome way.

Hon. S. Thomson: As the member opposite knows, the Heritage Conservation Act is designed to balance the province's obligation to protect our First Nations archeological sites while respecting the rights of private property owners. Sometimes, as we have experienced, it's a challenge in achieving that balance.

As you know, there are 44,000 registered archaeological sites currently. But given B.C.'s aboriginal history, that extent of sites is not surprising. We process about a minimum of 350 site alteration permits annually, the vast majority without incident. We do have situations where there are challenges in terms of implementing the Heritage Conservation Act.

[1725]

As a result of our experience with Grace Islet.... You indicated the good work done there. I'm pleased that we achieved a resolution. In hindsight, I would have preferred that we hadn't got into that situation, but we did, and we resolved it, which I think is important. I have asked staff to do a review and look at how we implement the provisions of the act, associated policy options with that.

You should also know that we have established a joint working group with First Nations under section 4 of the Heritage Conservation Act. This section of the act enables agreements with First Nations that allow First Nations an expanded role in the protection of significant cultural sites. There's a working group, with Judith Sayers representing First Nations in that working group, that was convened, and it's meeting regularly.

We're looking to engage with First Nations around that section of the existing legislation, and we'll look to see what recommendations options come out of that process as well as the review around how we implement the specific implementation aspects of the Heritage Conservation Act.

C. James: Thank you to my colleague for letting me continue on with the question around heritage properties. It's a question about a specific property in Victoria, the Emily Carr House, but I think it's also a more general question around heritage properties.

We've seen the government over the last number of years really move to looking at more self-sufficiency around heritage properties. We saw an announcement by the minister in February, where the minister said that he expects that provincial heritage sites will become financially self-sufficient over time.

As I'm sure the minister will be aware, sites like Emily Carr House, which is the childhood home of Emily Carr, work very hard right now to try and be as entrepreneurial as they can, to try and generate activities and to bring resources in. But it certainly has raised concerns, because they've seen cuts to their provincial funding already. A 30 percent reduction in the core operating dollars occurred over the last three fiscal years.

There's real concern that the requirements of Emily Carr House.... The kind of curator work that is required to be done by the provincial government, federal government is work that's very tough to do from a self-sufficient point of view.

I'd just like to ask the minister what he envisions as the future for Emily Carr House. What does he see as ongoing funding for Emily Carr House, and what does he see as the future of not only Emily Carr House but other heritage properties in British Columbia?

[M. Morris in the chair.]

Hon. S. Thomson: Thanks to the member opposite for the question. This is a very interesting part of the work of the ministry. It's actually one of the files that while challenging, I really enjoy. The heritage properties in British Columbia that the province has responsibility for are such a key part of our history.

[1730]

Coming from a heritage farm in Kelowna and a heritage farmhouse and living in a designated heritage home in Kelowna, as well, I have a real soft spot, I guess, or affinity for heritage properties in British Columbia.

We are, as the member opposite pointed out, in process with generally trying to move properties, where we can, to more self-sufficiency in terms of their operations. When we're challenged with resources, I think that's the appropriate thing to do.

We do have an agreement in place with Emily Carr

until 2020, so we'll be needing to continue to work with the group there to look beyond 2020.

We've had some recent success in a number of areas — Craigflower Manor. We've just announced a new agreement-in-place for the Grist Mill in Keremeos which, over a four-year period of continued government support, is going to move to a self-sufficient model for the Grist Mill, one that was very strongly supported by the community and the region.

We work with each.... Each property is unique, has unique challenges, but again, I recognize the importance and the value of all these properties. We are working in the general direction to move, as we can and as appropriate, towards increasing self-sufficiency.

I think there is some reality here that we'll move towards it, but given the nature of properties and the importance of them when you look at properties like Barkerville and things like that going to.... We will need to continue to provide a level of government support and contribution to these properties.

The Chair: Member for Alberni–Pacific Rim.

S. Fraser: Welcome, Chair, back to the proceedings here. Hello to the minister and his staff.

You may need to shift some people around. I'm going to be talking about a couple forestry issues. I don't have much time.

The first one is relating to a meeting that we had. Thank you very much for meeting with Rick Neuwirth from Local 1-85 Steelworkers in Port Alberni, and myself almost a year ago now. It was last May. It's the same issue. As a result of the Maa-nulth treaty, which we all support and are excited about.... It's opening up new opportunities in our region.

But there was an oversight by the ministries as far as potential compensation or mitigation for workers that may be finding their jobs at risk because of over 100,000 cubic metres pulled from the TFL 44 cut, the Western Forest Products cut. We were going to do a follow-up, my understanding was, and we had some discussions unofficially last fall in session here, with passing notes back and forth about that.

The Steelworkers are still waiting to see if there's been further consideration of that. Has there been compensation considered with the loss of that cut and the potential job loss that might ensue?

[1735]

Hon. S. Thomson: I appreciate the question from the member referencing the opportunity we did have to meet on this issue.

What I'm advised is, as I think the member knows, the undercut carry-forward volume within TFL 44 following the enactment of the treaty employed the contractors. More recently, within the last year, Western Forest

Products won the rights to harvest timber on the Maanulth treaty settlement lands. The existing contractors are employed to undertake the development and harvesting work on those treaty settlement lands.

I think for now that has addressed the issue. Discussions continue with Western Forest Products, but I think at this point there is not a compensable situation.

S. Fraser: Thanks for the answer. While I'm not necessarily disagreeing that at this point the problem may not have shown itself yet. We don't have any guaranties that Western Forest Products will continue with the workers that we're dealing with that might be affected.

Potentially, they could be contracted out. We don't know. The workers that I'm here on behalf of are still on tenterhooks, if that's the right term. In the short term we may agree, but in the medium and long term there's still maybe the risk of job loss for workers. I guess what I'm looking for is a mechanism to address that.

As the minister knows, we've dealt with this before, previously with the land removed from Sproat Lake division. I think that was Bill 28, going back to 2002 — I could be dating myself here — maybe 2003. At any rate, there was mitigating compensation anticipated for workers that might lose their job in that case. There was a formula set aside for that. I believe it was for every 2,000 cubic metres, it would affect one full-time job. That was the formula that your government arrived at.

With the concerns from the workers that are still there, can the minister at least assure that there will be ongoing discussions, that there would be communications with his ministry and Rick Neuwirth, the head of the Steelworkers 1-85? As this unfolds, it may well adversely affect the workers that we're talking about, so can the minister comment on that, please?

Hon. S. Thomson: Yes. As I pointed out, current situation, no compensable issue. As I did before, I'm certainly prepared to keep the lines of communication open.

[1740]

S. Fraser: Thank you for that. I'll pass that on to Rick and his members. Hopefully, if there are questions and dialogue, will the minister be willing to have somebody be able to address those questions?

I guess I'll be looking for a mechanism if we're seeing some job loss due to this. None of us want to see communities pitted against each in our common goal toward treaties. We don't want communities or workers to pay that price. If this falls out in a negative way for the workers, will there be a mechanism — besides me in the Legislature — for those workers and Rick to be able to represent that?

Hon. S. Thomson: Yes. As I indicated, and you can communicate back to the parties involved, I'm prepared to keep the lines of communication open. If the circum-

stances arise that the member opposite refers to, I'm certainly prepared to meet and look at what mechanisms or options may be available. Again, the commitment is to keep the lines of communication open.

S. Fraser: Thanks for that.

Last issue. I've got hundreds more, but the last one I'm going to ask you about is about forestry road access within the Alberni Valley. That's TFL 44. Lands were removed in 2004. About 80,000 hectares went to Western Forest Products, taken out of the tree farm licence. There were very few stipulations when the land was removed — not enough, in my opinion, but that's another issue. There was compensation that should have come back to the taxpayer, and that didn't happen.

But the issue is traditional access to forestry roads. Comox Main, Cameron Main — these are roads that have been used by community members for decades, if not over a century. One of the few stipulations, in writing, that your government had for Western Forest Products with that removal was that those were not to be restricted. The people that use these roads historically and traditionally should still have access to those for recreating — for RVing, for bird watching, for hunting, for fishing, that sort of thing.

I brought this up with your predecessor, who's now the minister in charge of LNG. This was a number of years ago. Island Timberlands had put gates up along the Cameron River Main, and the local complaints led me to come to this place and raise it. The gates were subsequently opened. They're all being closed again by Island Timberlands.

I'm not sure if Island Timberlands is aware of the obligation that should be continuing, that they need to make every effort to make these roads available for the community and not just shut them up as private lands.

Can the minister give me some advice on how to proceed and/or will he assist me in making sure that the companies live up to the spirit and intent of the stipulations that were laid out with that land removal?

[1745]

Hon. S. Thomson: Yes. Certainly the overarching approach, I think, is to keep public access and ensure public access. I'm certainly prepared to have the conversation and the discussion. I'll have to maybe get from the member opposite more specifics in terms of the actual locations and roads.

There are circumstances, as the member opposite knows, where the access needs to be closed for either fire or for legitimate public safety concerns. When the areas aren't being operated, the maintenance dollars don't flow.

We will certainly look at the specific situation. I'm quite prepared to have the conversation with the respective companies, if it is Island Timberlands or whoever.

C. Trevena: I have just one question for the minister. I'd like to thank him for meeting a couple of weeks ago with Unifor about the Port Alice mill. At that meeting the minister said he would be working to establish a group to ensure that there was some solution that was being found on access to fibre and different ways that we could be going forward.

I wondered if the minister could please let me know, on the record, just what has been happening since that meeting. Obviously, there is a definite time sensitivity to this.

Hon. S. Thomson: Again, I appreciated the opportunity to have the discussion with the member opposite and the member for Surrey-Newton on this situation — obviously, a very important facility in the community, a hugely significant part of the employment in that community. It's a challenging situation, given, as people know, the current market — a significant downturn in market.

Just to advise the member opposite, we have a staff team that is working through the situation — involving both our ministry and the Ministry of Jobs, Tourism and Skills Training — to look at options, working with the company to see what options we may have going forward.

There is the issue around specific investment needed in the mill in terms of their transition of what they want to do there. I understand a very, very significant investment is required. A market-based decision, but also with some issues around fibre supply and things as well. We've been working with them to connect them with partnership opportunities and things like that.

Again, there is a team working within our ministry and JTST to look at what options we may have here.

D. Donaldson: I have a question that relates to the budget estimates, a specific one, but it has broader applications.

[1750]

Gitxsan Forest Enterprises was established in 2006, and they purchased forest licence A16831 in April of 2007. It's about a 388,000-cubic-metre annual allowable cut. Gitxsan Forest Enterprises is based on the Gitxsan Hereditary Chief's governance system, so it's representing the Gitxsan Hereditary Chief's territory specifically.

Of course, as the minister knows, under the forest licence agreement, they're responsible for infrastructure on that licence — bridges and roadbuilding, for instance.

What they'd like to do in an area of very high unemployment and an area where perhaps more training is needed, too, in some circumstances, is to broaden out that expertise they've developed. If they don't have specific expertise on broadening it out to other areas, other than the forest licence, they're willing to partner with organizations and companies that do.

Specifically, I'm talking about B.C. Timber Sales

areas within the Gitxsan traditional territories. The B.C. Timber Sales actually sit on the Hereditary Chief's specific territories.

In the post-Tsilhqot'in environment that we are inhabiting these days, where aboriginal title was proven to exist on the ground, and in this government's professed desire to reach reconciliation, my question to the minister is: would his ministry have plans where they are assessing whether they can enter into agreements with organizations like the Gitxsan Forest Enterprises around providing infrastructure capacity on B.C. Timber Sales areas within the Gitxsan territory — their offering their services as a way to deal with the Tsilhqot'in decision and the hereditary chiefs? Or perhaps the hereditary chiefs would wish to partner with other expertise and enter into agreements directly with B.C. Timber Sales on infrastructure projects.

Are there plans for that? Is there a pilot? Gitxsan Forest Enterprises would be willing to discuss a pilot. Could the minister talk about discussions that he's envisioning having over the next year to accommodate the interests of aboriginal title with B.C. Timber Sales and infrastructure projects?

Hon. S. Thomson: I appreciate the question.

Certainly, from a broad perspective, we're very interested in First Nations partnerships, business opportunities, providing opportunities for a foothold in the economy. I'm advised that there has not yet been.... There isn't a specific proposal here that has been made.

[1755]

Certainly, I'm quite prepared to ask our B.C. Timber Sales program to reach out and engage and make that linkage to see what opportunities might be provided here in terms of business-to-business relationships or support on the infrastructure side of it that would benefit both. I will certainly, from the question, undertake to ask our Timber Sales operations to make that contact and see what opportunities might be available here.

S. Chandra Herbert: The minister will know that British Columbians have certainly been expressing their concern, some would say outrage, over the pricing of water — \$2.25 for 1 million litres of water — asking, "How does this make sense? How are we making sure we get an appropriate value for our water?" and wondering what on earth the government could have been thinking when they set these prices. They don't feel that's an adequate value.

I just wanted to ask the minister if he's able to share his thinking in terms of why this value was set, how they came up with a pricing structure for each of the different aspects — whether it be agriculture to water bottlers to mining to oil and gas to domestic use — and if he can share that in terms of a breakdown so I can see how the government developed their numbers.

It would be of real use to get that sense and, as well, to see how many people will be boots on the ground, so to speak, be put out there — or shoes on the ground, I suppose — across this province to better protect our water.

Hon. S. Thomson: As the member opposite knows, the responsibility of our ministry is the implementation of the new Water Sustainability Act, the regulation. So we've been provided....

The fees were set on a cost recovery basis to minimize increases to agriculture and aquaculture, to protect food security, to accommodate lower increases for conservation and storage purposes in recognition of their ecological and recreational values, to limit impacts on business competitiveness — but primarily designed to ensure that the fees provide the revenue in order to do the implementation in the regulation.

[1800]

Our ministry is being provided \$4 million, \$8 million and \$10 million annually over the fiscal plan in order to undertake our responsibilities in terms of implementation.

S. Chandra Herbert: Yes, I understand that this ministry is implementing the act. My question was really how this ministry determined what amount of money they needed to actually implement the act. I know the fees were set over in Ministry of Environment. I had this conversation with the minister at that time.

My real concern is that there aren't enough funds to actually properly implement the Water Sustainability Act. As this is the main ministry implementing the act — this can happen off line too; I'm willing to take it off line as well — it's really: can the minister provide the background documents, the analysis his ministry did to decide that \$2.25 for 1 million litres, if we're talking about water bottlers, is the best amount to get to cost recovery?

Why that amount and not something more? How does the ministry know that it has enough money to properly implement the act when it is a large act and we've been lacking in proper protections for our water, particularly groundwater, for such a long time?

Hon. S. Thomson: Implementation was based on a... The ministry has a long history in terms of management of the licensing system with respect to surface water. Lots of work was done in terms of building on that model, what would be required and the additional responsibilities around implementation of the Water Sustainability Act.

As I mentioned, with the joint approach to it and our responsibility for implementation, we're going to receive \$4.3 million in '15-16, \$8.2 million in 2016 and \$9.3 million in '17-18 for administering the program, including the licensing of the non-domestic groundwater users. We'll be bringing in approximately 40 staff in '15-16 to administer the new authorizations. That includes First

Nations consultation, water rights management, area-based management.

A lot of analysis has been done. We're confident that the resources that have been provided to us will allow us to meet our implementation responsibilities.

B. Routley: I do want to finish up with an issue that's critical to the people of the Cowichan Valley, and that's the issue of our heritage river, the Cowichan River. When you look at the summary of ministry responsibilities, there's a whole range of areas that the river touches on. For example, you've got everything from water use planning and authorizations, aboriginal consultation and coordination, natural resource operations, provincial hatchery and stocking program, watershed restoration, fish and wildlife management, drought management, resource management and compliance — just to name a few of the issues.

[1805]

Of course, there's the issue of community watersheds that the community is now talking about. In the local paper the headline this weekend was "Local water control critical" for the Cowichan Valley regional district. Why? Because we've had droughts now in 1998, 2003, 2006, 2012 and 2014.

They've actually been trucking fish upriver, with the help of First Nations. These are difficult times in many places in British Columbia, but certainly, in the Cowichan Valley people are already aware that there's no snowpack. Cowichan Valley residents are reporting that the lake and river are falling, up to an inch a day. Now, I don't know if that's accurate, but that's what they're reporting in the local paper. The residents are concerned right now about water supply.

My question to the minister is: what steps will the minister be taking to help support the Cowichan River, our heritage river, and to ensure the protection of water supply for fish, First Nations, the community, businesses, tourism and all of the community needs — to meet all their water supplies?

Hon. S. Thomson: Certainly, this has been a long-standing file and issue, on the Cowichan. I've had the opportunity to travel the river, visit the site and see the existing storage — with the local government and the local First Nations, the Cowichan Tribes, the regional district and others who have an interest in this river and in this situation.

Studies are continuing to determine the impacts of the current water management activities. We're working with Catalyst Paper, who is the water licence holder, the tribes, fish agencies, local government. There is a look at whether or how there could be increased storage.

I think one of the important steps is to engage early on this, early in the season, knowing what the potential situation is, to look at how we manage the releases and

the water and the storage, in cooperation with the local mill, which does hold licences on the river.

The challenge in increasing the storage levels is.... We know there are some challenges with respect to existing homeowners. My understanding, in talking to the local government, is that that's a challenge that can be and should be able to be managed. I think we need to engage in the conversation early this year so that we don't find ourselves getting into the crisis situations that we have found ourselves in on a few occasions over the last few years.

H. Bains: Hon. Chair, as you know, the clock is running fast. I think that in a few minutes we will be asked to close this exercise. There are a number of different areas that we haven't even been able to touch.

[1810]

I will name a few so that we will put those questions together along with what we said earlier on: wood waste, fibre utilization, stumpage, B.C. Timber Sales role and effectiveness review, softwood lumber agreement, forest sector competitiveness strategy and companies in review in regards to Canfor and West Fraser consolidation.

But I do like to leave with you at the end a question, the last question I will put. I would hope that the minister will give me an opportunity to close at the end before we close off this House.

I just want to say, talking about B.C. Timber Sales role and effectiveness review and the softwood lumber dispute.... There's an industry we have right now, the value-added industry. Independent wood processors. They're really worried looking at what has happened to them in the past number of years. When you look at what has happened to that industry in that last dozen years.... They have lost their members, almost in half.

The Independent Wood Processors Association. They had 107 member companies in 2002. Now they have 55. And \$2.5 billion annual sales; now they are down to \$1 billion. That's about 60 percent down. Four billion annual board metres; they produce now 41.7. And 4,000-plus employees in 2002; they are down to about 2,400 employees.

There are a couple of areas that really affect them. One is the B.C. timber sales and the access to fibre. As the minister would know, section 21, or category 2 — I think we used to call it a small business enterprise program.... Through that they were able to get some access. And since the B.C. timber sales came into effect, they feel that they have been completely shut out. If not really completely.... They are not able to get the timber that they need to keep working.

So that is one area. The other area is, as we know, the softwood lumber agreement which is expiring in October. The last time, when the agreement was signed, to their dismay.... Even the people on B.C.'s side who were negotiating — Mr. Emerson and others — made statements that this part of the industry should be exempted. The federal government and local government together

signed an agreement that included this industry. They had nothing to do with it, they would argue — about the reasons why the United States would feel that there's a subsidy somehow to our industry. They feel that if that argument is to be accepted, it applies to the primary industry, to the tenure holders, not to us. So why are we lumped into this?

I think they have a very good reason. I would argue that our industry should be exempted altogether. The United States has no reason to add duties or countervailing duties on our timber. If there's free trade, then there should be a free trade agreement between those two.

Whoever negotiated this free trade agreement should be really shaking their head. What have they signed? How could they not protect the B.C. timber industry, the B.C. forest industry? Having the free trade agreement with the United States, we are constantly harassed by the United States' side of the coalition, making all kinds of arguments. Every time we went to the court, we won. And we were this close from winning the entire thing when this government and the federal cousins of this government capitulated to the United States coalition and signed this bad agreement, in my view.

Not only did the entire industry suffer, but in particular, these value-added industry folks. They really paid the big price. And people of British Columbia who depended on these jobs, those families, suffered tremendously.

So my question to the minister is this: how would he ensure that the value-added industry is exempted from any negotiations with the United States when it comes to the softwood lumber dispute, and that we get a fair deal for our forest industry?

[1815]

The industry is already, I think, capitulating, saying they want to sign a rollover agreement. I understand that this government is also agreeing with that. I think we need to go to the table, with all of the wins that we had in the world courts. They don't have a case. Our industry should not be subject to their harassment on a constant basis.

I think the minister and the government need to stand up and make a statement here. Let us know what they will be doing to make sure our value-added industry is protected and that we get a fair deal for all of the workers and our communities and for our industry in this province when that negotiation started.

With that, I think our time is running out. The minister may want to comment on this. Then I would like to get an opportunity to close this.

Hon. S. Thomson: I'm watching the time closely here. I know the member opposite wanted to make a quick closing comment too, so I'm trying to be able to provide that opportunity as well. I'd like to make a very, very short closing comment as well. This may be an issue and an assertion that we need to prepare to have further conversa-

tion on and provide a more fulsome response to.

First of all, just with respect to the value-added sector, as I've indicated earlier, we recognize the importance of the sector. That's why we're working very closely with the respective agencies and associations on that. That includes, obviously, listening to their comments and concerns with respect to trade and the trade negotiations.

In terms of the specifics, we have ensured that we continue to maintain cat 2 timber sales licences for them. I've made that clear with B.C. Timber Sales, to provide that opportunity, even though those ones don't contribute to the market pricing system due to the restricted eligibility. But again, we want to make sure that we have those opportunities available.

In terms of the overall negotiations, you have to recognize that B.C. is part of a.... This is a negotiation that is an agreement between Canada and the U.S. We're part of it. We will be continuing to have those discussions with our colleagues in other provinces and with the federal government in the months ahead.

So a very quick response, and prepared to have further conversations with the member opposite on this. But we do certainly recognize the importance of the value-added sector.

The Chair: Member, just a 30-second comment.

H. Bains: At this time I just want to take this opportunity, on behalf of the members for Cowichan Valley and Nanaimo-North Cowichan, to thank the staff that have been sitting here for the last few days for your support, for

your professionalism and knowledge about this industry and for helping us, answering some of those questions.

[1820]

I say that there are a lot of good things out there. I think all of you should take pride in what you've done and what you do. Thank you very much. But there are a lot of screwups out there as well, and that's the minister and the government who have brought those policies and given you what you have to work with. With that, thank you so much, all of you.

I want to thank the minister as well because he's been very good. Actually, he's pretty straightforward and answered questions in a very straightforward manner. I want to thank the minister as well. We'll stay in touch.

Vote 27: ministry operations, \$380,457,000 — approved.

Vote 28: direct fire, \$63,165,000 — approved.

ESTIMATES:
OTHER APPROPRIATIONS

Vote 53: Forest Practices Board, \$3,818,000 — approved.

Hon. S. Thomson: I move that the committee rise and report completion of the resolution and ask leave to sit again.

Motion approved.

The committee rose at 6:21 p.m.

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