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(Entered Confederation July 20, 1871)

LIEUTENANT-GOVERNOR

Her Honour the Honourable Janet Austin, OBC

THIRD SESSION, 41ST PARLIAMENT

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Honourable Darryl Plecas

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THURSDAY, NOVEMBER 22, 2018

The House met at 10:06 a.m.

[Mr. Speaker in the chair.]

Routine Business

Prayers.

Introductions by Members

Hon. S. Robinson: Today we have in the gallery two friends of mine, Dave Lundy and Sheila Gorman, who hail from New Westminster. They're really good friends, helping me out, always eager to volunteer. I want to ask the members to give them a warm welcome.

J. Thornthwaite: I have three very special guests here in the Legislature. I have known Leanne Watson for quite a long time. She has kindly brought her husband, Ken, and her daughter, Taylor, here to visit and see the proceedings today. I ask the House to please make them very welcome.

Hon. B. Ralston: Joining us in the members' gallery this morning is Henk Snoeken, the newly appointed consul general of the Kingdom of the Netherlands in Vancouver. Most recently the consul general was at the Dutch Ministry of Infrastructure and Environment, where he worked on urban planning, water management, logistics and sustainability. As many are aware, the Dutch community is prominently represented in British Columbia, with over 213,000 people identifying themselves as of Dutch descent.

I met with the consul general earlier this morning to discuss trade, technology and the investment relationship between our jurisdictions. We also acknowledged the powerful bond that formed between our two nations during the liberation of the Netherlands almost 75 years ago.

Would the House please extend a warm welcome to the consul general.

D. Barnett: It gives me great honour today to welcome two gentlemen to this House. My first introduction is Chief Willie Sellars of the Williams Lake Indian Band. He's a young chief, a new chief and works very hard with all our communities throughout the region and has had nothing but great success within the Williams Lake Indian Band. He's also the goalie of the Williams Lake Stampeders, who are another success in our community. With the Chief today we have Kirk Dressler, who is the economic development officer and CEO of the Williams Lake Indian Band. Would the House please help me welcome these gentlemen.

Tributes

JANE SMITH

R. Leonard: A week ago today at 12:57 a.m., I had the privilege of holding the hand of a best friend of 42 years as she passed from this world. She suffered from metastasized breast cancer. She was not only one of my staunchest political supporters; she was also a very keen friend to so very many people. She was born Jane Norlie Porter Harris, but she couldn't resist the joke of marrying her husband and taking his name so that she became Jane Smith.

[10:10 a.m.]

I'd like to just read the comments of one of her closest friends, who she knew for about 45 years.

"Every day Jane put her head, her hands and her heart to good use. She didn't just help to rehabilitate drug addicts; she taught others how to help. Friends treasure her gifts of stained glass, cabinetry and finely turned wooden bowls. She was a loving helpmate and a business partner to her husband, Rankin. She was a happy cook, a reluctant gardener and a doting attendant to a succession of equally devoted Siamese cats. Jane always had a shoulder, an ear, sage advice and a carload of canned goods for everyone in need. To say she will be missed doesn't begin to describe the loss."

Statements (Standing Order 25B)

HOLODOMOR COMMEMORATION

L. Reid: As a woman of Ukrainian heritage, I dedicate my remarks today to the University of Victoria Ukrainian Students Society. This year is the 85th anniversary of the Holodomor, the Ukrainian famine, which resulted in the horrific death of millions of innocent Ukrainian children, women and men.

The term *holodomor* is derived from the words *moryty holodom*, meaning "extermination by hunger."

In 1932-1933, a cruel campaign of deliberate starvation was waged upon the Ukrainian people to quash their aspirations of a free and independent Ukraine. As many as ten million Ukrainians were killed through a deliberate state-induced famine. One-third of those were children. This widespread starvation was caused by the seizure of Ukrainian peoples' lands and crops. Grain quotas were set, not met, and the remaining seed confiscated.

In British Columbia, home to more than 203,000 Ukrainian Canadians, the fourth Saturday of November is recognized as an opportunity to remember the victims and pay tribute to the survivors and their descendants, many of whom have helped shape our great province and educated others about this tragic crime against humanity.

Let us also think of all of those around the world still in pursuit of human rights, freedom and justice. Ukraine issued independence in 1991, but to this day, we must continue to stand firm and safeguard Ukrainian sovereignty.

Canada is home to the world's third-largest Ukrainian population, behind Ukraine and Russia, with an estimated

1.5 million Ukrainian Canadians living across the country. Among them are members of my family, many who still reside near the family homestead in rural Saskatchewan. I can tell you that my mom was one of 19 children, so we are well planted in Canada.

PORT MOODY ARTS CENTRE

R. Glumac: In 1913, the city of Port Moody was incorporated, and the people of the community came together. They built a beautiful city hall, which served the city for 85 years. But in 1998, a group of passionate art lovers came together to transform that city hall into the Port Moody Art Centre. Today it's a thriving community institution celebrating its 20th anniversary as Port Moody's premiere centre of excellence for artistic practice, exhibition, education....

Mr. Speaker: Please continue, Member.

R. Glumac: Can I start again?

Mr. Speaker: Yes, you can. Technical glitch.

R. Glumac: Thank you, Mr. Speaker.

In 1913, the city of Port Moody was incorporated and the people of the community came together to build a beautiful city hall, which served the city for 85 years. Then in 1998, a group of passionate art lovers came together to transform that city hall to the Port Moody Arts Centre. Today it's a thriving community institution, celebrating its 20th anniversary as Port Moody's premiere centre of excellence for artistic practice, exhibition and education. It offers, in fact, 380 classes annually in visual, ceramic, theatre and media arts, summer camp and after-camp programs, and 170 private music and voice lessons.

And 40,000 people a year visit the arts centre to attend free exhibitions showcasing the work of local, national and international artists. These include Art for Life, featuring art for and by Port Moody's youth, and Winter Treasures, an exhibition-style Christmas market featuring locally made arts and crafts. The arts centre also hosts art walks, poetry slams, comedy evenings and much more.

Congratulations to the Port Moody Arts Centre on this milestone year. I invite everyone to drop in for a visit the next time you're in Port Moody, City of the Arts.

PEACE SENIORS CONNECT AND CARE

D. Davies: I'd like to speak today about a local group that we have in Fort St. John. The group is called the Peace Seniors Connect and Care. This group was started in 2016 with the goal of being able to connect with local seniors who had little to no visitors throughout the holiday season.

[10:15 a.m.]

The group is run by Vanessa Siemens-Ford, Tracy Thompson and Becky Grimsrud. Currently they have a

Facebook group with about 400 members on it. They work with the Peace Villa extended care facility, Abbeyfield House, the Better at Home program and the North Peace Seniors Housing Society.

During the fall, the Peace Seniors Connect and Care puts out a call to the community to bring in donations such as outerwear, pyjamas, toiletries, games, puzzles, personal care items and, of course, chocolates and candies. They have drop-off locations around the city as well as a drop-off location in the district of Taylor. The donation deadline for this year is Friday, December 14. Then, starting on December 15, the real work begins as the group comes together to sort and wrap all the donations that they've received.

When the work is all done, it's time to party. On December 15, the group will then head to Abbeyfield to bring the donations and have a party, so everyone can connect. The Peace Villa care centre will also be having a party with the group on December 18, and word has it that Santa and Mrs. Claus will also be in attendance. They also plan to have a tea-and-treats party at the seniors housing society on December 19.

These get-togethers are the true purpose of this group, to spend time with those who otherwise might have a lonely Christmas. The smiles and the sparkles in the eyes and the Christmas joy that this group brings so many that might otherwise have been lonely throughout the holidays show the real spirit of Christmas.

MULTIPLE MYELOMA AWARENESS

S. Furstenau: Dad was one of those people who was always healthy. He avoided colds and flus and, in a 25-year career, didn't have a single sick day. He was active and fit. In the deep winter on cold dark nights on our acreage in Alberta, Dad would run up and down the basement stairs in the evenings to ensure he got a workout every day. And then something changed.

For the first time ever, he came down with a terrible feverish flu. Then he fell and broke several ribs. In his whole life, the only thing he'd ever broken twice was his nose while playing soccer and having an unfortunate collision with another player. Suddenly Dad was not only getting sick and injured; he was also deeply tired, too tired to be the active person we'd always known him to be. What we didn't know, and what I so, so wish we had, was that these changes we saw in Dad were, in fact, symptoms of a disease that none of us had ever heard of.

Multiple myeloma is a cancer of the plasma cells that are found in our bone marrow. These are immune cells that produce the antibodies we need to fight infections. Each day eight Canadians are diagnosed with multiple myeloma, but the disease and its symptoms remain relatively unknown. Bone pain and fractures, fatigue and persistent infections are symptoms of this cancer, and while it is not curable, it is treatable, and early detection and diagnosis help to result in better outcomes.

I wish we had known this in 1999, when Dad's symptoms appeared. He was diagnosed two years later, in April 2001, and because access to therapies was difficult then, as it is today, Dad was not able to get the treatment that could have prolonged his life, possibly for many years. He died six months after his diagnosis on October 16, 2001. He was 61.

Myeloma Canada is working to raise awareness of this disease and working to improve access to effective therapies. I'm grateful that they are helping to create better outcomes for individuals diagnosed with myeloma.

WILD SALMON

A. Olsen: Many times throughout this year I stood in this House and spoke about the plight of our relatives, the *SCÁÁNEW*, the salmon. I told the story of their creation through the words of my uncle, *STOLCEE*. They were a good people, a hard-working people that didn't have an enemy anywhere. They had no enemies, he said. They worked well with everyone, and *XÁLS* appeared to them and said: "The way you are living is good. You have no enemies, and you work hard, so I'm going to keep you that way."

[10:20 a.m.]

He changed them into the *SCÁÁNEW*, the fishes and the salmon. He sent them out to sea, and they all worked together. He sent them out to sea as families. They go out to sea as a family, and they return back home as a family, he said.

Last month I visited the Howard English Hatchery at Goldstream. Goldstream was an important place for the *WSÁNEĆ* because it was a place that supplied a good run of fall chum. My father recently began volunteering with the group up there. On the day that we visited, they were excited because there were fish in the river. "We were more successful in getting broodstock today than we were the entire season last year," one of the gentlemen told me.

All of my uncle's stories tell of a responsibility that we have for each other and for everything. "You look after them, and they will look after you," he says.

This is likely the last time in 2018 that I will get to stand in this House and talk about *SCÁÁNEW*. As you all know very well, I have raised the plight faced by our salmon relatives dozens of times this year. Some steps have been taken to improve their well-being, and I am so grateful for that. But there is so much, much more that we can do.

As we head into 2019, I'm expecting this House to start demonstrating real leadership in this area. My expectations are high because we have so much to lose. There is no more time for excuses, deflections or distractions, no more time for politics or games playing. There is only time for action. They are our relatives, and we have a duty to them.

MISSION YOUTH HOUSE

B. D'Eith: Recently I had the pleasure of touring MY House in Mission with the Minister of Social Development

and Poverty Reduction. It's MY House, which is the Mission Youth House, which is a welcoming place for youth at risk.

The house provides meals, showers, laundry, counselling, medical care, advocacy, connections to essential services and programs, employment support, reintegration into school systems and other important youth services. Since opening in September 2015, the house has been accessed 6,591 times by 308 different youth. The house visits are averaging about 40 a month and ten per day. The average age is about 21, but the house sees youths from 14 to 24 years of age. It's important to note that approximately 15 percent of these youth are Indigenous.

This safe space operates on an unconditional love approach so that the youth see MY House as their home and refuge to find loving connections to caring adults and supports. The collaborative model means that all supports are available to be accessed through this house.

This house exists because of the collaboration of many local organizations that came together, in true Mission fashion, to make MY House a reality. Special thanks to the advisory group that provide the 18 staff of MY House, Mission Community Services, Greater Vancouver Youth Unlimited, Ministry of Children and Family Development, Fraser Valley Aboriginal Children and Family Services Society, Fraser House Society, the district of Mission, IMPACT Youth and Family Substance Use Services, youth participants and also many volunteers. In addition to that, there are 13 other consulting partners that contribute to MY House.

MY House is an amazing example of what can be achieved when organizations, government and volunteers work together in our community. I want to thank them, the partners and the people and the volunteers for their time in making this important safe place for our youth possible.

Oral Questions

ACTIVITIES OF COMMUNICATIONS CONTRACTOR

S. Bond: Well, two weeks ago the Minister of Citizens' Services was asked to explain the many emails between Marie Della Mattia, the Premier's office, the NDP party officials and even the Public Service Agency using private Gmail and B.C. NDP email accounts. The minister promised to look into these issues and report back.

Well, the minister always thanks the opposition for our questions and then completely avoids an answer, so here's her chance. Can the minister now, two weeks later, tell us why Della Mattia and others are communicating with B.C. NDP email accounts about government business?

[10:25 a.m.]

Hon. J. Sims: As I have said previously, Marie Della Mattia is no longer in the employ of government. She does do some contract work, and when she does contract work, she uses her email to communicate with people. It is not out

of the ordinary that those who are on contract do not have access to government emails or are assigned them. She is doing the work.

You know, my colleagues across the way keep quoting things out of context out of the hundreds and hundreds of emails that we have handed over to them out of FOI. I want to reassure them once again that we are getting this right.

Mr. Speaker: Prince George–Valemount on a supplemental.

S. Bond: Well, no one believes the minister. Let's be clear. Della Mattia sure does do some contract work. In fact, she billed taxpayers for eight hours of work at \$150 an hour for a Premier's office planning session last April. That sounds an awful lot like government business to me.

On April 5, she emailed political staff in the Premier's office and government communications staff, including Geoff Meggs and Matt Hannah. The attachments for the planning session include a document described as "Branding Work for the Premier from the NDP Election Campaign."

Why is Della Mattia circulating NDP campaign documents as part of her taxpayer-funded non-partisan government communications employ?

Hon. J. Sims: Let me state again that once again my colleagues across the way are quoting things out of context. Let me assure them that the individual mentioned does do contract work, does give advice to government on communications.

As we know, GCPE provides communication support for government, as it did under the old government. That hasn't changed. Communications staff support the work of ministers consistent with the direction and mandate of the government, and this particular individual gives advice on contracts. And you know what, Mr. Speaker? That is not out of the ordinary. Nothing has changed here.

Mr. Speaker: Prince George–Valemount on a second supplemental.

S. Bond: Well, the minister is just dead wrong. When you have Marie Della Mattia sending information to the Premier's office, the NDP party officials and the public service using private Gmail and B.C. NDP email accounts.... Obviously, this minister does not know her file. That is not appropriate, and she knows it.

Yesterday the minister promised to report back. Once again, questions asked, zero answers about Della Mattia's failure to produce monthly written reports. The minister just said Della Mattia was doing her job. Where are the reports?

We know that she did partisan political work, emailing B.C. NDP accounts and circulating NDP election campaign documents. The minister must surely understand how inappropriate that is, but the monthly written reports listed in the contract details are missing.

It's time for the minister to answer a question. Will the minister fire Della Mattia for her breach of contract?

Hon. J. Sims: You know, I'm always amazed by the direction of some of the questions we are receiving on this file. The fact that my colleagues across the way have the invoices, have the emails is the very reason they're able to be up here asking questions.

This particular individual is a contractor. As my colleagues across the way know, contractors are not required to have government emails. You know, there's one thing about this B.C. NDP email: it was an autofill, it has been pointed out to my colleagues, that drops down.

Let me tell you, this contractor has filed invoices which included details on the nature of the work she was billing for. All of these reports went out with the FOI package, which is why the members opposite are now asking about it.

[10:30 a.m.]

Once again, the opposition is making things seem something they are not.

J. Johal: To comply with the law and her legal duty under FOI, Della Mattia billed taxpayers nearly \$2,500 to look through emails in her private Gmail account. It would have taken a matter of minutes to submit the requested sent emails had Della Mattia used her government email account, not 15½ hours charged at \$150 per hour.

The minister promised yesterday that she would report back. Why is Della Mattia billing taxpayers thousands of dollars to go through her Gmail?

Hon. J. Sims: As I have said, Ms. Della Mattia's OIC was rescinded on January 15. After that, she was hired to do some contract work. We know that contractors — this hasn't changed, folks — typically don't use government-issued email addresses. This is the norm across the government, as it was under the previous folks.

Records prepared by contractors in carrying out government work are under the control of government and are responsive to FOI requests. So Ms. Marie Della Mattia did exactly as she was supposed to. She went through her Gmail, and she submitted those records. Those records were requested by the colleagues on the other side. They've got them, and now they are complaining that that costs? Yes, it costs.

Mr. Speaker: Richmond–Queensborough on a supplemental.

J. Johal: I want to remind the minister that a government email account was created for Della Mattia, and non-partisan government staff advised her to use it. Had she done so, taxpayers would have been spared thousands of dollars — \$150 per hour to go through her private Gmail account. She insisted on using Gmail. She overruled staff.

Will the minister ensure today that Della Mattia will now

use government email to conduct government business and not her Gmail account moving forward?

Hon. J. Sims: Let me say once again that this individual is a contractor, does some contract work with the government. Contractors are not required to have government email. But the FOI process works, because when the opposition asked for her emails, they were sent to them. That is why they are asking the question. The system is working, Mr. Speaker.

RIDE-SHARING SERVICES

A. Olsen: Ride-hailing services are popular around the world because they are a flexible, accessible...

Interjections.

Mr. Speaker: Members, we shall hear the question.

A. Olsen: ...and affordable transportation option. As members in this chamber know, British Columbians have been waiting for years for these services to be allowed to operate in our province.

New technology has always challenged government and society to adapt. It's not government's job to pick winners and losers as technology empowers new business models and fundamentally challenges old ones. Instead, government's focus should be on protecting public safety and the broader public interest by setting a fair regulatory environment.

I think the most charitable description for most people's reaction to the government's ride-hailing legislation is uncertainty — uncertainty about whether this legislation is capable of really seeing ride-sharing operate in B.C. Interestingly, despite vocal opposition from the taxi industry previously, we've heard almost nothing from them on this legislation.

My question is for the Minister of Transportation. How does the minister respond to stakeholders and the public, who are uncertain about the approach this government has taken and who are concerned that government has already picked its winner?

Hon. C. Trevena: I'd like to thank the member for his question. What is important is that we are meeting people's transportation needs. We're meeting them with safety — as the member said, safety is the foundation — as well as looking at good public policy.

[10:35 a.m.]

We are bringing in ride-hailing. We're trying to make it right for B.C., and we're working collaboratively to make sure that happens. So I would also like to thank the Third Party for their work on this and their collaborative nature. They have been willing to talk about this.

We are using a customer demand-driven approach, based on data. We're going to be reducing jurisdictional

overlap. We've also been able to learn from other jurisdictions on what works and what doesn't work well. Shauna Brail, a ride-hailing expert from the University of Toronto said: "B.C. skipped right over ride-hailing 1.0, and they're at ride-hailing 2.0."

Mr. Speaker: Saanich North and the Islands on a supplemental.

A. Olsen: People are rightly concerned that the timelines, again, are shifting. Last year government committed that by 2019, ride-hailing companies would be able to apply for operation in B.C. Doubt was cast earlier this week when we started hearing about ride-hailing coming to B.C. in 2020.

British Columbians have put up with government's games-playing on this issue for far too long. The last government notoriously ragged the puck on this issue. The B.C. Green caucus has submitted legislation three times that could have been debated. That was never done. It was ignored. Instead, we got a too little, too late desperate election ploy from the former minister. The fact that B.C. does not have ride-sharing services showcases a lack of political will and a failure in our political system.

My question is to the Minister of Transportation. Will the minister recommit that this will be the last holiday season that British Columbians will not have access to ride-hailing services?

Hon. C. Trevena: For years — years — people have been asking for new, convenient and safe options to get around. We do know that ride-hailing companies approached the government back in 2012.

I think everybody can agree that it's unacceptable if you're waiting for hours to get a ride home, whether you've been to a bar or to hospital or are waiting at the airport. We know that for many people, new services can't come soon enough, which is why we have moved.... As I say, the previous government had five years; we've done more in a year than the former government did in five.

We have been very clear that this legislation will bring ride-hailing companies to the market in 2019, offering new services to people. So we reconfirm: 2019. We are on track to have companies apply to the Passenger Transportation Board so we have a single regulatory approach.

Given the interest among all three parties.... I know that the Third Party and the opposition are very eager to see ride-hailing in B.C. I'm anticipating unanimous support for the bill that is on the floor, and I look forward to seeing ride-hailing in B.C. in 2019.

GOVERNMENT RECORDKEEPING POLICIES

P. Milobar: I think we're starting to see where the Minister of Citizens' Services is having trouble with our question. She seems to be thinking that an itemized invoice is the same as a monthly written report detailing activities.

Let's go back all of two weeks. Let's go back to two weeks ago, when the Minister of Citizens' Services promised to this House to report back on the mass deletion of emails of 18 individuals. In fact, the Minister of Education deleted all but one, single email in May, a month where there was decision-making happening to approve quotes on at least a dozen different news releases.

Again, when will the minister provide a full report, which has been promised to this House, of these improperly deleted records?

Hon. J. Sims: Let me say that we are following the processes and rules that exist for keeping government records. You delete transitory records, and you keep those that are non-transitory. That is exactly what is happening. We're not doing anything that isn't advised to us by officials, that isn't part of the training.

[10:40 a.m.]

We know that if you just leave everything in your email.... I don't know about you, Mr. Speaker, but I can get hundreds and hundreds of emails, and most of them don't really have a lot to do with government business. Some of them are private, some of them are leading up to decisions, and some of them are about scheduling meetings, and those kinds of things. Those get put into my calendar.

This is what I want to say. It is very, very important that everybody follows the processes we have to keep and dispose of records according to the Information Management Act. We are committed to holding ourselves to a higher standard. That's why we have ongoing training. That's why we are cleaning up our emails and getting rid of transitory emails, because it's the right thing to do.

Mr. Speaker: Kamloops–North Thompson on a supplemental.

P. Milobar: Well, the minister refers to the act and policy. The reality is the policy was actually stricter than the act. The minister yesterday couldn't explain the decision to change that existing policy that required ministers and staff to retain all of their sent emails.

In fact, we know that the Deputy Minister, Don Wright, wanted to maintain the policy that said — and was in place when this government took office — that the ministers and their staff must retain all sent emails. That was the policy Don Wright was recommending stay in place. But a decision was made to scrap that policy.

To the minister, who is responsible for overruling the most senior public servant in the province around this policy?

Hon. J. Sims: We have the same question from yesterday, so let me try to give the answer again. The old government, the people who are sitting on that side of the House, brought in their directive, a superficial damage control, after they broke the rules, tried to cover it up, got caught and a staffer

was charged. In fact, the former Premier's directive goes against — and I want to stress this — best practice and the advice of officials. We follow the advice of officials, who are the experts, and we are advised....

Interjections.

Mr. Speaker: Members, please. We shall hear the response.

Hon. J. Sims: Thank you, Mr. Speaker. I would really like to be able to give a response that we follow the advice of officials. We are advised that disposing of transitory emails is critical to managing storage costs and ensuring the functioning of the FOI system. This was also the advice of the Deputy Minister to the Premier.

G. Kylo: This government has a serious problem. The Premier acknowledged it, claimed that he was profoundly disappointed and appointed Don Wright to fix it. But there's been no report, no accountability, and we now know that Don Wright wanted to maintain the policy for maintaining all sent emails.

To the minister, who ordered senior staff to delete sent emails against the direct recommendation of Don Wright?

Hon. J. Sims: I notice that once again, yet again the opposition is selectively reading sections from one of the thousands and thousands of pages of emails that have gone out from our government in FOI requests.

Interjections.

Hon. J. Sims: Just be patient. Just give me an opportunity to answer. I want to. Let me....

Interjections.

Mr. Speaker: Minister, please proceed.

Hon. J. Sims: I'd like to read out one of the parts they seem to be missing from what they selectively read out yesterday. This is from the same package, Don Wright's actual advice on sent emails.

[10:45 a.m.]

It goes on to say: "Keeping in mind the recommendation of former Information and Privacy Commissioner David Loukidelis that government should retain only that which has value in law and policy; for greater clarity, former Information and Privacy Commissioner Elizabeth Denham, that the routine destruction of transitory records is necessary to reduce the volume of government records and the cost of managing records." This is the bit they forgot to read out: "Sent emails should be a priority for careful management to ensure that the records of value are retained."

The opposition can continue and continue to selectively

read emails to try to make something that's not there. We will continue to follow the rules and focus on making life better for British Columbians.

Mr. Speaker: The member for Shuswap on a supplemental.

G. Kylo: Well, Don Wright is the head of the public service. We know that he wanted to maintain the policy of maintaining all sent emails. As the minister has just shared with us, apparently he had a change of heart. I think the question to the minister is, if the minister can share with us who....

Interjections.

Mr. Speaker: Members, Members.
Member for Shuswap.

G. Kylo: If the minister would be so kind as to share with this House....

Interjections.

Mr. Speaker: Proceed when you feel that it's quiet enough for you to be heard.
Proceed.

G. Kylo: Thank you, Mr. Speaker. I think what this House and British Columbians would like to know, and I hope that the minister can share this with us, is: who actually directed Don Wright, the most senior public servant, to change his direction that was initially given to all staff to maintain all sent email records?

Hon. J. Sims: I'm absolutely flabbergasted that the same question gets asked after I gave a very specific and detailed answer. My colleagues across the way keep quoting little snippets out of context. We know what happens when you take things out of context because you think you're having a gotcha moment.

Well, let me tell you.... This is a direct quote from the deputy minister — from that same kind of email that they seem to be quoting just a little paraphrase from — where he goes on to say, in that same email, where it is stated: "Keeping in mind the recommendation of former Information and Privacy Commissioner David Loukidelis that government should retain only that which has value in law and policy. For greater clarity, former Information and Privacy Commissioner Elizabeth Denham, that the routine destruction of transitory records is necessary to reduce the volume of government records and the cost of managing records. Sent emails," the official goes on to say, "should be a priority for careful management to ensure that records of value are retained."

The opposition can keep taking things out of context and

trying to mislead the House. But let me tell you that the opposition is being selective and not giving the whole context. It's very clear the direction that we've done since we have come into government. We follow the policies that exist for good record management. We listen to the advice of our officials. You know something, we are getting this right.

CHILD CARE SPACES

L. Throness: In its February budget, the government made big promises about child care spaces but the numbers are coming in, and they show that their child care program is failing.

Let me give an example from Nanaimo. Between February and the end of October this year, government documents tell us that eight new child care centres opened in Nanaimo, for a total of 76 new spaces. But the Ministry of Health also says that double that number closed, for a net loss of 80 child care spaces.

[10:50 a.m.]

How can the minister be spending \$182 million this year on child care and lose 80 child care spaces in Nanaimo?

Hon. K. Chen: I'm more than happy to talk about the investments our government is making into child care in B.C. For many years, families have been struggling to look for high-quality child care spaces and also to afford child care and early learning opportunities.

The member's question is about space creation, and we have committed to create up to 22,000 spaces in three years with our \$1 billion budget — to create a universal child care system. To put it in context, that is more than five times the spaces that the members opposite, when they were in government, had ever created in five to six years.

Mr. Speaker: The member for Chilliwack-Kent on a supplemental.

L. Throness: Actually, the B.C. Liberals left 106,000 child care spaces for this government to inherit. They are spending big money now, but they're not creating the spaces. Three groups in Nanaimo applied to be one of the lucky prototype child care centres in B.C.

Interjections.

Mr. Speaker: Members.

L. Throness: They were all turned down — this is in spite of the fact that this government has made 80 child care spaces in Nanaimo disappear since February.

Why is this big-spending child care program failing Nanaimo? Why did this minister refuse to listen to the child care needs of Nanaimo?

Hon. K. Chen: Really, this is the first time in history that

we are creating a child care–early learning system in B.C. that will benefit all families in B.C.

I'm not so sure how reliable the information is that the member opposite is mentioning here, but we are accelerating the creation of child care spaces. In fact, since we launched and made sure that our new spaces funding is way better — we launched the program in June — we have already received applications representing more than the number of spaces that we're targeting for this year. We're working through those applications.

I'm happy to share that one of the first applications that we have approved is actually, for the member opposite, from his colleague's own riding in Kelowna–Lake Country. We're really happy to work with all members from this House to accelerate the creation of child care spaces.

We have good news to come. Keep in mind that after years of neglect from the other side of the House, this is the first time in history that we are making child care more affordable. There are thousands of families in Nanaimo that are benefiting from our child care program through our affordability measures.

COMPENSATION TO GUIDE-OUTFITTERS FOR MOOSE HUNTING REDUCTION

D. Barnett: On November 1, I wrote the Minister of Forests, Lands and Natural Resources on behalf of 13 guide-outfitters who have had their moose allocations cancelled by this government. The guide-outfitters were told they would be financially compensated, but neither they nor my office have heard any word back from this minister.

My question is to the Minister of Forests, Lands and Natural Resources. When will the minister follow through on his promise to compensate these guide-outfitters?

Hon. D. Donaldson: The guide-outfitting business and sector is an important sector in B.C. It contributes to local economies, it contributes to the provincial economy, and it employs people at a local level. I know it well.

We are very concerned about the moose populations in the member's constituency and across B.C. That's why we have had consistent reductions in the LEH, limited-entry hunt, in her constituency — and under the previous government as well. We are working with the guide-outfitters. We're looking at the compensation issue for the fact that some of these hunts were decreased after the hunts were sold at trade shows around the province.

[10:55 a.m.]

I also want to mention that we have come to an amazing agreement, a round-table agreement, with the Tsilhqot'in National Government around moose management — unprecedented, unheard-of and a demonstration of this government's commitment to the UN declaration on the rights of Indigenous peoples.

[End of question period.]

A. Olsen: I rise to seek leave to make an introduction.

Leave granted.

Introductions by Members

A. Olsen: It's an honour to be able to stand today and introduce this House to TSUNUP. Those of you who know me know that I also carry the WSÁNEĆ name, the Lummi name, TSUNUP. So I am technically introducing you to my brother, who sits up in the gallery today, along with Shirley Williams. They are from the Lummi community in Bellingham.

I'm honoured to carry this name along with him and to those sacred places that we represent.

Would this House please make my brother and Shirley feel welcome.

A. Weaver: It gives me great pleasure.... Oh, excuse me. I seek leave to make an introduction.

Leave granted.

A. Weaver: Thank you. It was rather presumptuous of me. It gives me great pleasure to introduce a group of school children who are here today from my riding, Maria Montessori Academy. There were 24 children accompanied by two adults and their teacher Rachel Hartsook. They were in the gallery there during the member statements, and they left after the first question. They enjoyed their experience. Would the House retroactively please make them feel very welcome.

Orders of the Day

Hon. M. Farnworth: I call in this chamber committee stage on Bill 51, Environmental Assessment Act, and in Section A, I call committee on Bill 45, Budget Measures Implementation Act.

Committee of the Whole House

BILL 51 — ENVIRONMENTAL ASSESSMENT ACT

(continued)

The House in Committee of the Whole (Section B) on Bill 51; R. Chouhan in the chair.

The committee met at 10:59 a.m.

The Chair: The House will be in recess for ten minutes.

The committee recessed from 10:59 a.m. to 11:05 a.m.

[R. Chouhan in the chair.]

Section 26 as amended approved.

S. Furstenau: I'm going to ask leave of the House if we can go back to section 25 for some clarifying questions.

Leave granted.

On section 25.

S. Furstenau: In section 25, it says, "The following matters must be considered in every assessment" as part of No. 2, but in section 1, it says: "The effects of a project on Indigenous nations and rights...must be assessed in every assessment." Could the minister clarify the difference between assessed and considered?

Hon. G. Heyman: For greater clarity in section 25, I think because No. (1) refers to rights recognized and affirmed by the Constitution Act, they must be assessed in every assessment.

Item (2) lists a broad range of matters, including "other prescribed matters," which must be considered in every assessment. But considering may determine that, depending on a particular assessment, one of them may not apply — in which case, it wouldn't be assessed.

S. Furstenau: Our caucus is very glad to see that "greenhouse gas emissions," in section 25(2)(h), and "effects on current and future generations" in 25(2)(f), are on this list, but we would have liked to have seen climate change separated from this list and included as its own section, to be assessed, like the First Nations rights.

Can the minister explain why this distinction was not made, and hypothetically, what the impact would be if it were?

Hon. G. Heyman: I think because No. 1 refers to constitutional rights that it needs to and must, out of respect for the constitutional rights of Indigenous people, stand on its own.

With respect to greenhouse gas emissions, I'll say that of all the matters to be considered in every assessment, greenhouse gas emissions are tied very specifically to another piece of legislation where targets are set. It says: "meet its targets under the Greenhouse Gas Reduction Targets Act." It is, I would say, impossible to know if that's the case unless you had a project that simply everyone agreed had zero emissions.

S. Furstenau: Could the minister possibly walk us through a case of what would happen if a project with associated greenhouse gas emissions that would exceed our provincial emissions reductions targets applied for an environmental assessment?

Hon. G. Heyman: It's a bit speculative, but with respect to a project that has emissions — where those emissions are

assessed and would push the province beyond its capacity to meet the greenhouse gas reduction targets that are set by legislation — it (a) must be assessed, and (b) the recommendations to the minister must deal with the matter. The minister must consider all of the aspects of the recommendation and, presumably, give reasons for why a project would be approved.

[11:10 a.m.]

If it did not, if it was assessed as not fitting within the legislated greenhouse gas emission targets, it would be.... Difficult would be an understatement, because it would be explaining why the minister was prepared to violate the province's own legislation under the Greenhouse Gas Reduction Targets Act.

S. Furstenau: I think, given yet another report out of the United Nations on the rapidly closing window on our capacity to act on climate change, these are very important considerations.

Does the minister think that the government indeed has tools strong enough to be making these challenging decisions that we must begin to make in terms of recognizing our essential responsibility to meet those targets and to reduce our greenhouse gas emissions?

Hon. G. Heyman: The answer is yes. We are engaged, as the member knows, in finalizing our climate action strategy. Incorporated in that strategy is the quantification of both the possibility of emission reductions in a number of areas through a number of actions, as well as areas where emissions will go up. That is the job of the climate action secretariat. We have expertise in-house, there's expertise out of house, and the environment assessment office would be able to access both of those.

S. Furstenau: One more on climate here. Could the minister clarify how section 25 interacts and relates to section 29, in particular, with reference to the climate test?

Hon. G. Heyman: There is a very direct relationship. It's a purposefully direct relationship that we had extensive discussion about including — and the best way to include section 29.

First of all, the environmental assessment office must consider all the matters in section 25. The ministers must consider — and it's clearly laid out in section 29 — all of the elements of the report and recommendations that go to the ministers. And section 25 is specifically addressed: must consider the sustainability purpose and reconciliation purposes set out in section 2 and the matters assessed under section 25(2), which includes the particular sub (h) that the member has been speaking to.

S. Furstenau: This is my last question on this section. Did the ministry consider adding the gender-based analysis plus

framework to this list of things to be considered, or is that represented in section 25(2)(d)?

Hon. G. Heyman: Yes, we did, and that is specifically referenced in 25(2)(d), although not by the term the member uses but by “disproportionate effects on distinct human populations, including populations identified by gender,” and that’s specifically why it’s included.

P. Milobar: On 25(2)(h), around greenhouse gas emissions, I’m just wondering if I can get a sense — and for proponents to get a better understanding as well — in terms of how they’ll be evaluated in terms of meeting the greenhouse gas reduction targets. If they’re seen as a positive, would that actually play in their favour towards their application, regardless of some of the other measures?

The reason I raise that is.... Obviously, large-scale mining projects will be subject to an environmental assessment, regardless of what cabinet comes up with other ideas or not. I think it’s safe to say everyone can agree that the mines would.

We’ve heard from the Leader of the Third Party about the need, actually, for increase — in this House, not too long ago — about how much increased mining would have to happen as we transition to more of a green future.

[11:15 a.m.]

You look at the announcement around EV vehicles just the other day and the amount of extra copper that goes into an EV vehicle, compared to an existing vehicle, to try to transition. Obviously, there’s a direct correlation to that type of a policy, to try to reduce our greenhouse gas targets, with an increase in demand for copper. And obviously, we’re a large copper jurisdiction in the world.

There are also all other sorts of materials that we need, either for wind turbines or other materials, for that transition. So will mining projects actually be rated as a benefit to help us meet our greenhouse gas targets within this bill? Or will they still strictly be looked at, their own footprint, within their operations, not taking that bigger picture view of the fact that they would actually be creating the copper to build the electric vehicle that would help reduce the transportation greenhouse gas emissions?

Hon. G. Heyman: When we release the climate strategy, I think the member will see that a lot of work has been done to quantify emissions that are expected over time in British Columbia as well as emission reductions that we will be promoting and supporting in a variety of ways to meet our 2030 target. So we’re not assuming that there is no industry in British Columbia or no new industry in British Columbia.

The answer specifically to the member’s question is we would assess the greenhouse gas output as well as all the measures that can be taken. The mining sector is a good example of applying technology to reduce greenhouse gases that otherwise would have been released had that technology

not been used. Their contribution to reducing emissions in other ways would also be a consideration.

The Chair: Hon. Members, although we previously passed section 25, further questions were asked again. The Chair will ask again: shall section 25 pass?

Section 25 approved.

On section 27.

P. Milobar: Just a couple of questions here because 27 came up repeatedly as we were all the way back in section 22 yesterday. As well, section 23 actually interlays in with 27.

At the time yesterday, when I was asking about the skill set needed for the technical advisory committee in 21 — 21, 22 and 23 all start to tie in with 27 — the minister said that it would tie in with 27 because the technical advisory committee has a significant role within 27.

But when you read 27, it’s about the proponent is getting in writing — about the reviewable project.... Within six months, the CEO has to.... In (b), it says “provide notice to the proponent (i) of the results of the invitation made under paragraph (a),” which is about getting comment over a 30-day period, and “respecting matters addressed in advice, if any, provided by the technical advisory committee or the community advisory committee.”

It seems to me that the ministry yesterday was referencing that the technical advisory committee would be doing extra work in the section 27 part of the application process. But it looks like, essentially, that work would have already been completed, and it’s simply been provided back to the proponents so they know what the advisory committee has said, not that they’re actually doing any additional work at that stage. Am I reading this correctly?

[11:20 a.m.]

Hon. G. Heyman: If I understand the member’s question correctly, he is correct on both fronts. At the end of the 180 days, if the assessment is going to go forward, the work of the technical advisory as well as the community advisory committee will increase, in all likelihood, and continue. But they may be established prior to that point and also do some work to help inform the decisions and review that take place before that point in time. So they’re active in both phases, potentially.

Sections 27 and 28 approved.

On section 29.

S. Furstenau: Section 29(4)(b) states that the ministers “may consider any other matters that they consider relevant to the public interest in making their decision on the application.” The concern is: could this not undermine all of the important considerations that have been previ-

ously listed under section 25? I appreciate that the minister requires flexibility to be able to address unexpected issues as they arise, but could this be used contrary to the very purpose of the bill? Did the minister consider adding something to the effect of “consistent with the purpose of this act” to this section, and what would be the implication of adding a line like that?

Hon. G. Heyman: Thank you to the member for the question. The short answer is no. It cannot be used to undermine the purposes of the act or the other matters that must be assessed, but there may well be situations where there is a legitimate consideration. For instance, there might be a project to repair a failing bridge that would require an assessment that will not be without some significant, adverse environmental impact, but for which the overwhelming interest of protecting public health and safety is a balance.

I use that as an example. I'm not predetermining the outcome of the assessment. But the requirement of the ministers, in making a decision, is to.... It says “must.” It must consider the sustainability purpose, must consider the rights and title issues and must consider the matters outlined in section 25. All of those were phrased in that manner to ensure that the purpose could not be thwarted. If a minister attempted to use one tiny clause to thwart the overall intent of the act, this gives guidance to the courts in judicial review.

S. Furstenau: Thank you to the minister for that clarifying answer.

Section 29(5) says, “If a recommendation under subsection (2) (b) (i) is contrary to consent or lack of consent...” the ministers must offer to meet with the participating Indigenous nation. Could the minister clarify the extent of this section, and does he think that offering to meet is good enough? Why not try to reach agreement or consensus?

[11:25 a.m.]

Hon. G. Heyman: The member's point is expressly addressed in (6)(b): “attend the meeting in an attempt to achieve consensus with the participating Indigenous nation on the decision to be made by the ministers....”

Section 29 approved.

On section 30.

S. Furstenau: On section 30, “Mitigation effectiveness reports,” my understanding is that this is a new effectiveness provision that allows for effectiveness monitoring to evaluate and work towards the intent of government goals. Could the minister please explain this a little bit further and give an example?

Hon. G. Heyman: That's an excellent question by the member because this is a new clause, so let me use an example. An assessment certificate is issued with some spe-

cific conditions to ensure the protection of grizzly bears. Through the mitigation monitoring and reports, it's determined that they're not being effective and that other measures could be. Section 32 gives, for the first time, the ability of the conditions to be amended or new conditions to be added to achieve the intended result.

Section 30 approved.

On section 31.

S. Furstenau: Could the minister please explain: how does this section compare to the existing Environmental Assessment Act, and why the changes?

Hon. G. Heyman: Thank you to the member for the question. The member is correct that this provision extends the certificate to not more than ten years after the issue date of the certificate, as opposed to the current five. But the current five allowed for an extension. The experience of the office has been that there often were applications for extension to ten years. They usually had merit, and they were therefore granted. So we're simply reflecting the experience and practice of the office.

S. Furstenau: Ten years, particularly in the rapidly changing world and landscape that we're in, does seem like a long time. A lot of key environmental and social factors could change in a decade. We'll have more climate data. Species previously threatened could now be endangered. So would there be some review required, and should that review be automatically triggered after five years?

Hon. G. Heyman: That's exactly, for the member's information, where sections 30 and 32 come into play. And 32 specifically says, in (5)(c), “in the case of an environmental assessment certificate that has a deadline specified under section 31 (1) of 5 years or more, the fifth anniversary of the issuance of the certificate has occurred,” and that's with respect to reviewing and amending the certificate.

Sections 31 and 32 approved.

On section 33.

S. Furstenau: Just one question here for the minister. Could he give an example of what conditions could be used in section 33(1) that may transfer the certificate or order to another person or any conditions the chief executive assessment officer considers appropriate?

[11:30 a.m.]

Hon. G. Heyman: There is a transfer provision currently in the act, but under the current process, holders of a certificate or an exemption order are required to seek permission prior to a transfer. But there is no specifically legislated

process. The environmental assessment office currently addresses these requests through conditions, which can lead to uncertainty.

This just clearly states that the chief executive assessment officer may transfer the certificate with conditions and that the application must be made in accordance with the requirements that are set for such an application. So it codifies in the legislation the process.

Section 33 approved.

On section 34.

S. Furstenau: Just one.... Could the minister define and explain the difference between a “partial class assessment” and “full class assessment”?

Hon. G. Heyman: Thank you to the member for an excellent question of clarification.

I’ll give an example that I hope answers the question. Let’s take, for example, wind farms as a particular class that could be established. Many of the impacts of wind farms are common everywhere, no matter where they’re sited. They’re well known. Others are specific to the location. The process may be set up in such a way that for those aspects of wind farms where the impacts are predictable and known and the same, it’s easier and speedier to assess those. Whereas other aspects would need to be done more fully.

A full class assessment would simply be everything.

Section 34 approved.

On section 35.

S. Furstenau: This is a section on regional assessment. Could the minister please explain what would trigger a regional assessment, and why weren’t the triggers included in the legislation?

Hon. G. Heyman: Thank you to the member for the question.

Regional assessments are included here because they’re important, and the section enables us to create regulations that can provide the specificity that the member seeks — but which we currently don’t have, frankly. We will consult broadly as we develop the regulation.

[11:35 a.m.]

These regional assessments are going to be tied to land use planning, which is a process that’s under review by my colleague the Minister of Forests, Lands, Natural Resource Operations and Rural Development. Let me try to give an example, though. One of the places where a regional assessment might be considered would be a region where there has already been very heavy development, which means that the impacts of new development will be heightened, and the effects of the regional assessment

would have to be taken into account. It might be an area where a species at risk has been identified, a region, so the regional assessment would cover some matters that could be included and considered here.

S. Furstenau: Thank you to the minister for that. Would it be possible, for example, for the community advisory committee to ask for a regional assessment or to have it triggered in that way? I expect maybe the minister will say that would have to be determined in regulations, but I’m just curious.

Hon. G. Heyman: Although a community advisory committee would be appointed with respect to a particular project, there would be nothing to preclude them from recommending or requesting that a regional assessment take place because of the reasons, for instance, that I outlined previously.

S. Furstenau: The minister spoke about consulting broadly on the development of regulations. Could he be a little bit more specific on who he anticipates consulting on developing the regulations pertaining to regional assessments?

Hon. G. Heyman: This is an area where we would want to coordinate, in the interests of efficiency, the regulation development and consultation in collaboration with my colleague who has responsibility for land use planning. Generally speaking, our intent would be to have a broad consultation, including Indigenous nations, the public, local elected officials, environmental groups, other interested parties — industry, if I didn’t mention them; I think I did — similar to what we did in the construction of the act.

Section 35 approved.

On section 36.

S. Furstenau: Just one question here. Could the minister give an example of how and when section 36(3) could be used?

Hon. G. Heyman: This isn’t an area where it’s easy to get very specific, but the chief executive assessment officer and the environmental assessment office are closest to the range of issues, particularly because they’re monitoring the consultation and engagement that arise in the course of an assessment.

They are not policy-makers; they’re policy takers. So if the chief executive assessment officer identifies areas where there is a lack of government policy or a lack of clarity about government policy, it’s at that point that they would refer the matter to ministers for clarification.

Sections 36 to 39 inclusive approved.

On section 40.

[11:40 a.m.]

Hon. G. Heyman: As the members will know, this section is subject to an amendment that is now included on the orders of the day.

[SECTION 40, by deleting the text shown as struck out and adding the underlined text as shown:

Project information centre

40 (1) For the purpose of facilitating public access to information, data and records relating to assessments conducted under this Act, the project information centre is continued and ~~must~~ is to be administered and maintained by the chief executive assessment officer.

(2) The chief executive assessment officer may determine

- (a) which information, data and records or classes of information, data and records relating to any matter under this Act are to be available to the public through the project information centre,
- (b) in which form or format the records or classes of records are to be available, and
- (c) the time during which the records are to be available.]

On the amendment.

Hon. G. Heyman: I just wanted to speak briefly to the amendment. Again, I thank the House Leader for the Third Party for her contribution in discussions around exactly what we meant by this section in response to some concerns that had been expressed that it was not complete with respect to ensuring public information and transparency.

So what we have done in this section is add “data” to “information and records.” Even though we believe that “information and records” is pretty complete, we want people reading the act to also know fully what’s encompassed.

The purpose of this section is clearly laid out. It says: “For the purpose of facilitating public access to information...” That is the guiding principle of this section. It also says that the project information centre is continued — that’s an existing centre — and must be administered and maintained by the chief executive assessment officer.

Amendment approved.

On section 40 as amended.

S. Furstenau: Thank you to the minister for the amendment and for some of the clarification. Just a little bit more on this. There remains flexibility built in, in terms of the chief executive assessment officer may determine which records in which format and the time. Is it too constraining to be more specific on that? Or how can the public be growing their trust in this if there is that built-in flexibility?

Hon. G. Heyman: There are two things that direct this and should give the public complete confidence. The purpose of the language that the member referenced is to simply say that in some cases, the chief executive assessment officer

may determine that some information must be displayed. There’s a certain time frame in which it’s most relevant.

What guides the duties of the chief executive assessment officer here are two things. One is in section 2(b)(i)(B), which is the purpose of the office. It guides the legislation. The purpose of the office is to facilitate “meaningful public participation throughout assessments.” Obviously, meaningful public participation cannot be facilitated without information.

Again, in sub 40(1), it says: “For the purpose of facilitating public access to information, data and records...” So those are the two purposes that guide the actions of the chief executive assessment officer and, again, are testable.

Section 40 as amended approved.

Sections 41 to 46 inclusive approved.

On section 47.

S. Furstenau: This is the section “Assessment costs may be recovered.” Does the minister have a sense of an expected cost range? Would proponents know what to expect in terms of costs? How does this compare to the existing Environmental Assessment Act?

[11:45 a.m.]

Hon. G. Heyman: Currently the average cost for an environmental assessment is about \$150,000. Cost recovery currently is typically around 10 percent of that. We can’t say at this point what we will end up with. We need some experience with the act to determine what costs will be. We also need to consult to determine a fair formula for proponents to help guide what we will ultimately apply. But the intent is certainly to recover costs.

Section 47 approved.

On section 48.

P. Milobar: On 48, given that there are some new timelines set out and there’s the front-end work being done in terms of the project description — and some of those works, my understanding is, especially in relation to Indigenous nations, trying to get a bit more of the cultural heritage and feel for an area at the front end — would those types of works and timelines be part of participation costs? Or is it only after the proponents got into the actual system?

Hon. G. Heyman: It’s only when the process is in the system, because this section only pertains to an assessment.

P. Milobar: So was there not thought given to the front-end side? Again, when I think back to my own community’s situation, it was several years in, at great expense, where a lot of that work with the area First Nations was

flushed out. The proponent, in that case, was helping front some of those costs.

For a lot of First Nations, that type of work, if they're expected to come up to their own determination on the front end, could be very cost-prohibitive from them actually truly participating in a meaningful way. It then creates the situation of frustration, potentially, for that Indigenous nation, where they have to, after the assessment's started, then raise these same concerns that they could've raised on the front end, which was supposed to be trying to save time and aggravation, but they weren't able to afford to do those types of works. Why was that not considered as part of this?

Hon. G. Heyman: We recognize that there will be additional costs and burdens on Indigenous nations to participate in this work. We are ultimately looking at funding assistance throughout the entire process. We're still working on the mechanisms to do that, but we don't expect that assistance will not be given.

In terms of the funding for that, I addressed that earlier. Currently some of it comes from government. The large majority of it comes from government. We are trying to look at a fair system that doesn't place unfair burdens, certainly, on Indigenous participation or on proponents but that can ultimately fund these processes going forward.

[11:50 a.m.]

P. Milobar: Participation costs — I can understand that, in terms of capacity within First Nations, Indigenous nations, to be able to fully participate in a meaningful way. Again, I think of my Kamloops experience with a mine application. That's a natural resource mining project on the outskirts of a large setting — although under PR, we're not sure if it's urban or rural yet, but that's another story.

However, there wouldn't be many communities, I think it's fair to say, that would be surrounding natural resource projects of a larger scale, that would actually have the resources that a city the size of Kamloops would actually have. They'd all be smaller centres — smaller towns and villages and the like.

Why was there no mention of participation costs being covered off for those same communities, like an Indigenous nation? They're going to be rural. They're going to be remote. They're going to have a hard time paying to participate in a meaningful way. Yet they're mentioned, as being referenced in here, as being allowed to participate under this new process if they so feel they're impacted. But they seem to be expected to pick up the full cost of those exact same participation costs that an Indigenous nation would not be.

Hon. G. Heyman: Our intentions paper sets out that a program for public participant funding is planned, with details subject to further engagement. In addition, there is expressed provision in the act for the costs of participation on community advisory committees, which would include,

as I've mentioned, both local citizens, potentially, and local government officials to have costs covered.

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

Motion approved.

The committee rose at 11:52 a.m.

The House resumed; Mr. Speaker in the chair.

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

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

Hon. M. Farnworth moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until 1:30 this afternoon.

The House adjourned at 11:53 a.m.

Proceedings in the Douglas Fir Room

Committee of the Whole House

BILL 45 — BUDGET MEASURES IMPLEMENTATION (SPECULATION AND VACANCY TAX) ACT, 2018 *(continued)*

The House in Committee of the Whole (Section A) on Bill 45; S. Chandra Herbert in the chair.

The committee met at 11:03 a.m.

Sections 43 to 53 inclusive approved.

On section 54.

T. Redies: This relates to tax credits for residents of British Columbia. Can unused portions of this tax credit for British Columbians be carried forward, and why?

Hon. C. James: Thank you for the question. No, they cannot be carried forward.

T. Redies: Can the tax credit for other Canadians be carried forward?

Hon. C. James: Yes, it can.

[11:05 a.m.]

T. Redies: Can the minister explain why there is a discrepancy? Given that discrepancy in carrying forward credits, doesn't this leave British Columbians more exposed to the tax from appreciation in property value than out-of-province taxpayers who have B.C. income?

Hon. C. James: I think the best way to describe the difference, really, is that it's two completely different models. One is based on the credit, which is the \$2,000 credit on the first \$400,000 of value. For foreign owners and satellite families, it's based on income. The credit they get is based on income. So two very different approaches.

For the foreign owners and satellite families — and I know the member will have seen it in the sections — it's capped so that foreign owners and satellite families can't ever be better off than British Columbians. That's taken care of in the model of the credit that comes based on income.

T. Redies: How many British Columbians are expected to claim this tax credit?

To add a question to try and make this more efficient, this provision also effectively exempts second homes under \$400,000. However, aren't these the types of homes, affordable homes, that the minister would want to be made available through this tax?

[11:10 a.m.]

Hon. C. James: The straightforward answer is that every B.C. resident who is subject to the tax would get the credit. It will be there for them. Again, it goes on the first \$400,000. Every resident would be eligible for the credit.

A. Weaver: Just a quick question. I would like to, in the preamble to the question, say that on the previous sections I did not ask any questions to speed this process up. I'm assuming that the minister, in her response, will be open to me providing specific examples to get some sense as to whether or not these general areas are included in the intention of the network, similar to what I was doing in earlier questioning.

The question I have on this section. Let us suppose — and I checked on realtor.ca, and in fact these are real cases that can exist — that there is a person who owns a \$300,000 one-bedroom condo in Burnaby. There is precisely one for sale under \$300,000. They also own a vacant one-bedroom home in Victoria for \$200,000. Yes, indeed, you can get a \$200,000 one-bedroom in Victoria. So the total cost is \$500,000 for these two condos owned by an individual who may live in Quadra Island, say, and they have two because they work in different areas.

May I assume that the tax credit, the \$400,000, would apply to the collective of the two properties, rather than only having to be applied to one's individual property?

Hon. C. James: That is correct.

T. Redies: I don't think the minister answered my second question, so I'm going to pose it again. The provision effectively exempts second homes under \$400,000. However, we presume, with the policy direction of this government, that these are the types of affordable homes that the minister would want to be made available through this tax. So is there not a contradiction in practice and policy here?

Hon. C. James: I think the principle of fairness throughout this has been applied, as the member knows, whether it comes to the exemptions or vacation homes or looking at ensuring that 99 percent of British Columbians are not impacted by the speculation tax. That's part of why we looked at the \$400 thousand — again, an issue of fairness.

T. Redies: In terms of the function of this tax credit, does it write off all or part of the balance owed by an affected B.C. resident, or does it come as a rebate after they've paid their initial speculation tax amount?

Hon. C. James: Again, I think it's important to recognize that this isn't income tax. When someone does their self-declaration, that amount would be automatically credited off the amount owing, and they would get a tax bill based on that.

T. Redies: The minister initially said that there were 20,000 B.C. residents who would be affected by this tax. Can she confirm that tax revenues would therefore be down \$40 million as a result of the credit?

Hon. C. James: It's already net. The revenue is already net of the credit.

Section 54 approved.

On section 55.

[11:15 a.m.]

Hon. C. James: I move the amendment to section 55 standing in my name on the order paper.

[SECTION 55, by adding the following subsection:

(2.1) If an eligible taxpayer is, for a calendar year, an owner of a residential property who is subject to a rate of tax under section 16 [lowest tax rate – specified Canadian citizens and specified permanent residents of Canada],

(a) subsection (2) (b) of this section does not apply for the purposes of determining the eligible taxpayer's maximum tax credit in respect of the residential property, and

(b) the eligible taxpayer's maximum tax credit in respect of the residential property is nil if subsection (2) (a) does not apply to the eligible taxpayer.]

On the amendment.

A. Weaver: This amendment is necessary as a consequential amendment to the lowering of the rate for Canadians to 0.5 percent. That amendment was done earlier and has, indeed, passed. It's used to create a maximum tax credit for Canadians who are not residents of B.C. But this formula only makes sense if they are paying a higher rate. The amendment clarifies that the formula does not apply to Canadians. This amendment is required now that they are fully paying the same rate as British Columbians.

Indeed, I will be supporting this amendment.

Amendment approved on division.

Section 55 as amended approved.

Sections 56 to 66 inclusive approved.

The Chair: Shall sections 67 to 127 pass?

A. Weaver: If I might ask for just a second that I might look through those. There are a lot of sections. Rather than say yea or nay, if you'd bear with me for a second.

The Chair: We'll just take a moment here. Members, I'll just slowly work through each section until I get indicated by the member.

Sections 67 to 127 inclusive approved.

On section 128.

A. Weaver: I believe that in this section, government should be introducing an amendment.

The Chair: Minister on section 128 with an amendment.

Hon. C. James: It's an amendment for a new section after 128.

Section 128 approved.

Hon. C. James: Thank you, Chair, for indulging us. I'd like to move an amendment, again on the order paper, to add a new section, 128.1, standing in my name on the order paper. This section would read:

[SECTION 128.1, by adding section 128.1 to Part 8:
Administrator to keep information for each regional district
128.1 For the purposes of section 9.7 (4.1) [*Housing Priority Initiatives special account*] of the *Special Accounts Appropriation and Control Act*, the administrator must keep the information the administrator considers necessary to advise the minister of the total of the amounts received by the government under this Act, in each fiscal year of the government, in respect of each regional district that includes a specified area.]

This relates to — I know we've had this discussion — the

housing dollars being spent in the regions that the tax is coming from.

On the amendment.

A. Weaver: Again, just to rise and speak in favour of this, this amendment is actually consequential to an amendment that will be tabled later and that has been standing in the minister's name on the order paper. It will require that revenues collected through the tax be spent locally in the area that they were collected from, and it requires the administrator to maintain information related to the actual amounts collected in the area. This is connected to and enables the paying of these amounts that are proportional to the amounts collected in the area to the area that they were collected from.

T. Redies: I'd like to ask a clarifying question on the section if I can. The money that is going to be spent in the municipalities — is that incremental to any other money that is going to be spent on affordable housing in those municipalities it was already planned for?

[11:20 a.m.]

Hon. C. James: I think the important point here is it doesn't go into consolidated revenue. It goes into the special housing account and will be accounted for in those regions. The dollars will be accounted for in those regions.

T. Redies: Just a clarifying question again. When I asked about it being incremental, is it incremental to existing payments that the government is making, for example, under the SAFER program — any amounts of money that are actually being directed towards supporting those on low income today? Also, will it be incremental to any already announced rental projects that are designated as affordable housing at this point in time?

Hon. C. James: Programs such as SAFER, etc., come out of consolidated revenue. They don't come out of the special housing fund. The housing fund is for housing. So that money will go into the housing fund and be used for housing. We wouldn't be counting it towards those other programs that the member mentioned.

Amendment approved.

Section 128.1 approved.

Sections 129 to 137 inclusive approved.

On section 138.

Hon. C. James: I move the amendment to section 138 standing in my name on the order paper:

[SECTION 138 (1) (c), *by deleting the text shown as struck out and adding the underlined text as shown:*

(c) for the purposes of paragraph (m) of the definition of “specified area” in section 1, prescribing an area as ~~being~~-excluded from being a specified area referred to in paragraphs (a) to (j) of that definition;]

On the amendment.

A. Weaver: I’ll just be very quick. This amendment is connected to the amendment in section 1. It clarifies that the minister may prescribe, through regulation, an entire area, not only part of an area, that is now in the tax to be exempt from the tax. As currently worded, it’s unclear whether an area can be exempted or only part of an area. This amendment removes any ambiguity on this point.

As I said before, clarity of this piece is important. It’s part of the purpose of the annual consultation with mayors. It’s for them to be able to make a case to have their area excluded if they feel it’s in their community’s best interest. This amendment makes it clear that in response to a mayor’s concern or another circumstance, the minister is able to remove an entire area from the tax. So it’s an important clarification.

S. Bond: I can assure you what would have provided more clarity was if we’d actually had the opportunity for communities to opt out. This does not provide clarity. What it provides is a wishful thinking opportunity. They’re going to have a meeting. They’re going to go and talk to the Minister of Finance. I’m sure that somehow the Leader of the Third Party will be there claiming credit for the meeting. The fact of the matter is this doesn’t provide clarity. This provides an opportunity that maybe, somewhere down the road, they might actually get the chance to opt out.

We’re going to vote against this amendment because, as we’ve said from the beginning, four days ago.... Municipalities want an opt-out clause. They don’t want to know whether they’re in a region or out of a region and have a meeting. They want the ability to opt out. So we’re going to vote strenuously against this amendment.

[11:25 a.m.]

Hon. C. James: I’ll be speaking in support of the amendment. I think it’s important to note that, as we’ve gone along, we put the principles out in February and then said we’d take the opportunity to look at the refinement and listen to people.

I recognize that the members on the other side don’t support a speculation tax and are against it. But we have in fact, I think, shown, through this process, the listening opportunities that were there, the changes that have been made, the introduction of the exemptions and the changes that have been made with the Third Party as well.

I think we have, in fact, shown the discussions that have occurred with the development community and that those discussions have brought forward reasonable approaches to

bringing forward this tax. That will continue, and I look forward to the opportunity to meet with the mayors in a formal sense but also any time during the year when they feel that there are issues they wish to bring forward.

Amendment approved on division.

Section 138 as amended approved on division.

Section 139 approved.

Hon. C. James: I table an amendment. I make the amendment to section 139.1 — so we’re adding an additional section — standing in my name on the order paper. As we talked about with the amendment earlier, this speaks to a meeting with the mayors.

[SECTION 139.1, *by adding section 139.1 to Part 11:*
Annual consultation with mayors

139.1 (1) On or before December 31, 2019, and once every year after that, the minister must conduct a consultation with the mayors referred to in subsection (2) about the following:

- (a) the tax;
- (b) the definition of “specified area” in section 1;
- (c) the factors referred to in section 139 (2) (a).

(2) The minister must invite, to participate in a consultation referred to in subsection (1), all of the mayors of municipalities that are, in whole or in part, specified areas.

(3) The minister must report to the Executive Council in respect of each consultation conducted under subsection (1).

(4) A review under section 139, including recommended amendments under that section, must take into account the results of a consultation conducted under subsection (1) of this section.]

As I said earlier, I look forward to this formal meeting where the mayors have the opportunity, as they’ve done, to come meet with me other than that. But this will be a very formal process with the reporting out.

On the amendment.

A. Weaver: I rise to speak in support.

Very briefly, this amendment requires the mayors from affected municipalities to be consulted annually by the Minister of Finance on how the tax is affecting their communities. This annual review of the tax with mayors will give communities a clear channel to making a case based on evidence for how the tax should apply to their communities and whether they should be excluded. The minister will also be required to report the results of the annual review to cabinet to make a decision on whether the tax should continue to be applied in each area.

While I would have preferred for local governments to have the ability to opt out automatically, this is a compromise position I felt I could support, and it gives the mayors a clear pathway for making a case for how this tax should apply to their areas going forward.

S. Bond: No one in this room or beyond here is going

to be surprised when we are not going to support this amendment.

The Leader of the Third Party talks about it being a compromise. It certainly is. It's a compromise for communities in British Columbia that thought there was going to be a proposal supported around an opt-out or, even more strenuously, that this bill wouldn't see the light of day, because not only were the official opposition opposed to it; so was the Leader of the Third Party, in a very vociferous manner.

From our perspective, this would be considered a tweak. It is not a substantive change in what should occur. Having a meeting is hardly comparable to having the opportunity to opt out once a resolution has been passed. As we've pointed out, this is a blatantly unfair, ill-thought-out tax that targets certain communities, seniors and others in certain parts of British Columbia.

We've already seen the negative impacts of the speculation tax with projects being put on hold. And in fact, the Leader of the Third Party has spent most of his time reading into the record dozens of concerns and complaints from British Columbians who have no idea what is going to happen to them under this tax. From our perspective, that's simply not fair.

The way that that could have been clarified.... Every one of those cases could have been sorted and could have been dealt with, and we wouldn't have had to have them one at a time. I can hardly wait for the Finance Ministry to figure out how they're going to deal with every single request that has come to our desks over the last number of months.

[11:30 a.m.]

This is a compromise. From our perspective, it's a compromise that the Leader of the Third Party made. It is not a compromise that is acceptable to the mayors of the communities that are captured. It is not acceptable to the official opposition, and we are going to vote in opposition to it.

Amendment approved on division.

Section 139.1 approved.

The Chair: The member for Prince George–Valemount on section 140.

S. Bond: No, 139.1. I'm going to move an amendment to the amended section.

I know that one of the things the Leader of the Third Party has talked about is that this is a compromise position. This is a chance for mayors to come in and have a conversation.

We'd like to make that mayors' meeting.... While we oppose it, because we would rather have an opt-out clause, I would like to move two amendments to section 139.1, which has already been amended. I have copies of this to be shared.

[SECTION 139.1, by deleting the text shown as struck out and adding the underlined text as shown:

139.1 (1) On or before ~~December~~May 31, 2019, and once every year

after that, the minister must conduct a consultation with the mayors referred to in subsection (2) about the following:

- (a) the tax;
- (b) the definition of "specified area" in section 1;
- (c) the factors referred to in section 139 (2) (a).

(2) The minister must invite, to participate in a consultation referred to in subsection (1), all of the mayors of municipalities that are, in whole or in part, specified areas.

(3) The minister must report to the ~~Executive Council~~ Legislative Assembly in respect of each consultation conducted under subsection (1), ~~and make public that report.~~

(4) A review under section 139, including recommended amendments under that section, must take into account the results of a consultation conducted under subsection (1) of this section.]

We would like to change the "on or before December." I'd like to recommend that it be "May 31, 2019." We're going to provide some specificity so that we can actually see when these meetings are going to take place. This is being done in an attempt to make this more clear and give the impacted parties an opportunity to actually have some confidence here. I would assume that the Leader of the Third Party who sought this compromise might want to see it just a little stronger, but I could be wrong.

The second amendment we'd like to recommend is in subsection (3). Our amendment would read that the minister must report, rather than to the executive council, because that information is then kept where cabinet sits.... We think British Columbians should actually see those reports, so we'd like to recommend: "The minister must report to the Legislative Assembly in respect of each consultation conducted under subsection (1) and make that report public."

This does not change the intent of the meeting. What it actually does is give it some credibility. It means there will be transparency. It means that if this is so important to the Leader of the Third Party as the work that he wants to claim credit for, there is a specific target date by which these communities will have some certainty.

Right now the impacts are mounting every single day. This gives us a chance to ensure that these communities will have, by March 31, 2019, their first meeting. Then, rather than actually allow just the executive council to be aware of what happens in those meetings, we think that making sure that there's transparency and public reporting is absolutely essential.

That is the amendment that I move.

The Chair: Thank you, Member. Just to be clear, we should have moved the amendment while we had 139.1 open as opposed to after the vote, but we'll jump back so that we can reopen 139.1 with leave, if that's okay, Members.

Leave granted.

On section 139.1.

On the amendment.

Hon. C. James: Thank you. Could I just get a clarification?

I think the member said March, but the amendment says May. I'm guessing it's May.

S. Bond: The written amendment, I apologize, does say May 31, 2019.

A. Weaver: I really much appreciate this amendment. The problem I'm having here is that I don't know what the ramifications are. I say this with respect. This is something that, at first glance, is something that, perhaps, I could have supported. The problem I have — just thinking right now — is that May 31 is actually before the spec tax has been received. So I'm not sure how this is going to work in that regard. I'm not sure we're going to have the data to do that.

Again, the amendments have been on the order paper for two weeks. If the member wanted the support.... I could have seen something like this as something that I would have supported, but I just can't now because it's not clear to me what the financial ramifications are. It's not clear to me how this would work out with the way the spec tax, which hasn't yet been collected, would be determined. How is this going to be informed?

[11:35 a.m.]

It's with regret that I say this. I would have liked to support something along the lines of this, but I can't in light of the way it was brought in. So I speak against it.

S. Bond: I just would like to remind the Leader of the Third Party that there is a legislative process underway that allows for motions to be tabled. In fact, if they make sense, and if they're rational and reasonable, which this is, there is nothing stopping the Leader of the Third Party from standing up and supporting something, for once, that would actually make sense, that would at least go partway to honouring the commitment that he made to British Columbians, that this tax was not fair and that it wasn't appropriate.

We're not going down the path again that we did the other night, because the Leader of the Third Party decided to hold a surprise press conference in the Rose Garden without one word of discussion with the opposition. We're certainly not going to stand here today and listen to the leader of the Green Party, who made clear promises to British Columbians, and did not have a conversation with us at all about that.

Now, when there is a proper legislative process which allows the opposition to table a straightforward amendment.... The Leader of the Third Party can try to make it look as complicated as possible. Here's what it says: it moves the date.

For the criticism about the date, let's remember this is a retroactive tax. British Columbians who face this are going to get a tax bill for a year in which they haven't even had a chance to claim an exemption. I hardly think adding the date of May is a complicated situation.

The other thing, which I'm assuming the Leader of the Third Party would be happy about.... It's not about having this discussion behind closed doors. There are people for

whom this means their retirement future, their contributions to this province.

I think it is hardly a stretch to ask that there be public reporting out of the meetings that the Leader of the Third Party thinks are such a significant addition to this bill.

A. Weaver: I thank the member for Prince George-Valemount for the lecture on how this place runs. My role as the Leader of the Third Party is to actually represent the interests of my constituents and my party. My role in this has been to spend the last eight months to ensure that we were to work with the government of the day — as I worked with the member when she was minister, when we actually, together, worked on a number of files. That is the role of an opposition.

As I say, I do not know the ramifications of May 31. I like to go into the details. The minister's staff will know from the briefings that I am not a person who takes these things lightly. I go into the very gory details of this and ask questions to make myself comfortable.

You know, I have some sympathy for this motion. I do not know the ramifications of May 31. I don't think that the money has come in from the spec tax. I don't know. I would like to discuss, I'd like to hear the minister's response to this. I do not see myself able to support it, despite the words from the member.

Hon. C. James: Speaking to the amendment, the challenge with the date of the amendment is the challenge of having the information to be able to have the kind of discussion that the mayors have requested. They've requested opportunities to be able to gather data, to be able to pull their information together to know how many people in their communities are paying the speculation tax, to know the impact of that. People will not pay the tax until July. We will not have that data to be able to take a look at. We will not have had the opportunity to go through the audits to have that information as well.

I certainly believe that these meetings will be productive, and I'm looking forward to them, but you need to make sure that the information is there and that you have access to the information. To not have that information doesn't seem to be a good use of the opportunity to get together.

Again, as I've said all along in the days of this debate, I am more than happy to meet with the mayors of the communities any time. But to have a formal meeting, I believe that it makes sense and it's respectful to bring all of the information and all of the facts to the table around how many people have had audits, around what the tax looks like, around how many people are paying. We won't have that information until after July.

S. Bond: I'd like to ask for procedural clarity, and we may need to bring this back later. There seems to be arguments around the date.

[11:40 a.m.]

If the Clerk could provide us with some advice. How would we go about splitting the amendment into two parts?

The Chair: Thank you for the question, Member.

After consultation, if there's unanimous consent, the amendment could be withdrawn, and then the member could reintroduce the amendment in two parts — in two amendments, splitting the amendment in two.

Does the member wish to seek to withdraw the amendment?

S. Bond: I'll withdraw the amendments.

Leave granted.

The Chair: So the amendment to the amendment has been withdrawn. Now if the member would like to move the amendments in two parts.

S. Bond: I would, first of all, like to move, then, that section 139.1(1) be amended to include a meeting on or before May 31, 2019.

The Chair: Members have heard the proposed amendment to the amendment. There's been a request, as it's not in written form in front of us, for the member to read it again, and then I'll take further questions, if that's okay.

S. Bond: All right. I move just the first half of what was written on the paper. The first amendment is in 139.1(1).

[SECTION 139.1, by deleting the text shown as struck out and adding the underlined text as shown:

139.1 (1) On or before ~~December~~May 31, 2019, and once every year after that, the minister must conduct a consultation with the mayors referred to in subsection (2) about the following:

- (a) the tax;
- (b) the definition of "specified area" in section 1;
- (c) the factors referred to in section 139 (2) (a).]

Subsection (1) would remain intact following the date change.

On the amendment.

T. Redies: I just want to speak in support of this amendment. I'm troubled by what the minister indicated — that they wouldn't have the full information by May 31. May 31 is after the tax notices have been mailed, obviously, but before the taxes are due. But the reality is that the declarations have to have been made by March 31, so the government should have the information it needs to have an informative meeting with the mayors and the municipalities as of May 31. As far as I'm concerned, the May 31 date and that being a problem is a red herring, and I support the amendment.

The Chair: Shall the proposed amendment to the amendment pass?

Amendment negated on division.

S. Bond: Thank you to the Chair and to the Clerk for helping us work our way through this. That's actually how legislative processes take place. We actually get to work on the floor of the chamber to sort out amendments that make sense.

Let's try the second amendment. This will be to section 139.1(3). The current language in the bill says that the minister must report to the executive council. For those people who may not know what that translates to, it is cabinet. We actually believe that considering the interest in this tax, in this piece of legislation, British Columbians actually need to be able to be aware of what happened. Mayors need to be able to go back to their communities and say: "Here's what we talked about. Here's what the minister said. Here's the report."

I move that the new language in subsection (3) be:

[SECTION 139.1, by deleting the text shown as struck out and adding the underlined text as shown:

139.1 (2) The minister must invite, to participate in a consultation referred to in subsection (1), all of the mayors of municipalities that are, in whole or in part, specified areas.

(3) The minister must report to the Executive Council Legislative Assembly in respect of each consultation conducted under subsection (1), and make public that report.

(4) A review under section 139, including recommended amendments under that section, must take into account the results of a consultation conducted under subsection (1) of this section.]

On the amendment.

[11:45 a.m.]

Hon. C. James: While I certainly feel quite comfortable that the report would go public, that that would be public, I haven't had leg. counsel make sure that this is drafted in a way that fits with the legislation. That's critical. Obviously, we can't move forward with an amendment unless we know that it fits within the leg. counsel direction for the bill and that it fits within the section.

I can certainly do a consultation. But again, from my perspective, I have no problem with the report going public, but I can't support the amendment without that feedback being given.

The Chair: Just so members are cognizant, we are at quarter to, and under the orders, I'm supposed to call this committee into recess.

A. Weaver: May I ask that we stand down if we're going to proceed on this section, to give the minister some time to actually consult with legislative drafters? I think the amendment is reasonable, but I would like to get some advice from the legislative drafters, as it's something that we need to really hear from.

The Chair: Are the members willing to give leave for it to be stood down at this stage for further consultation?

S. Bond: Considering the time, that's probably a worthwhile opportunity to take advantage of. But we want to be very clear: we want to see this in the legislation.

We will also go back and look at the drafted language. It's not enough.... I very much appreciate the minister's comments that very likely it will go public.

We want to go back and be able to have my colleagues tell their mayors and their constituencies that there will be a public reporting out and that it is required. So our preference is to see it included in the legislation.

Hon. C. James: Noting the hour, I rise to report progress and ask leave to sit again.

Motion approved.

The committee rose at 11:47 a.m.

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