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LIEUTENANT-GOVERNOR

Her Honour the Honourable Janet Austin, OBC

FOURTH SESSION, 41ST PARLIAMENT

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Honourable Darryl Plecas

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TUESDAY, NOVEMBER 19, 2019

The House met at 10:04 a.m.

[Mr. Speaker in the chair.]

Routine Business

Prayers.

[10:05 a.m.]

Introductions by Members

Hon. A. Dix: I'm honoured today to introduce representatives of the B.C. Seniors Living Association who will be meeting with members of both sides of the House over the lunch-hour: in particular, the CEO, Lee Coonfer; Tanya Snow, the board president; board members Mark Dobson, Graham Freeman, Adena Waffle, Marie Lashley, Karim Kassam, Kelly Lazaro, Tony Baena; and staff member Khadija Hirji.

I also want to introduce representatives of the Denominational Health Association, who members in the House will know — Bob Breen, the executive director, Simon Neal, the board president — and, as well, representatives of the B.C. Care Providers Association: Daniel Fontaine, who's the CEO, and Mike Klassen, who's the vice-president of public affairs.

All of these individuals are representatives of people working in seniors care. The B.C. Seniors Living Association is having a day meeting with members of the Legislature in particular. I wish all members to bid them welcome.

L. Reid: I would echo the Health Minister's comments. I'm delighted to see so many people interested in seniors care in our province come to share their information and their insights with us. Certainly, on behalf of the B.C. Seniors Living Association, this is their first visit, in terms of making an entree into how to do government business. I'm delighted they're here.

S. Bond: On behalf of my northern colleagues, we are delighted to welcome two very special guests to the gallery today. In the House are Tim Bennett and Ashley Boutin. They are from Prince George. Tim is the executive director of Big Brothers Big Sisters, and Ashley is the board chair.

We're very pleased to have them here with us. They do exceptional work in northern British Columbia. I'm sure that any of the members that were at the breakfast this morning couldn't have helped but be moved by Nathan's story — just one of the examples of the fantastic work done by Big Brothers Big Sisters.

Tim is also the chair of the board of trustees of school district 57 and a dad to three little boys. I think Finn is two months old now. So a very busy person in our community but making a significant difference.

I know the House will want to join us in making them most welcome here in the gallery today.

Hon. J. Darcy: I would also like to welcome the folks who are here from Big Brothers Big Sisters today. Many of us on both sides of the House took part in a very moving session this morning that they held at the Grand Pacific. I think what was especially powerful was hearing the stories of the young men whose lives had been impacted in such a positive way.

They are celebrating. They have been active in Canada for 107 years, and we can just imagine the thousands and thousands, the hundreds of thousands, of young people on whose lives those mentors have had a positive impact.

One of the things that really struck me was that their work is very much about prevention. It's about supporting young people in their early days so that they can get the best possible start in life. Certainly, all of us welcome that work. As the Minister of Mental Health and Addictions, the Minister of Children and Families and the Minister for Child Care, who were there, together with other people, we certainly recognize how important that work is — supporting our young people so they can not just survive but thrive.

Hon. C. Trevena: I hope the House will make welcome representatives of the B.C. Coast Pilots today. We have in the Legislature Capt. Robin Stewart, Capt. Roy Haakonson, Paul Devries, Grace Kareku and Julienne Martine.

[10:10 a.m.]

The B.C. Coast Pilots are lifetime professional mariners and experts in safe marine shipping, dedicated to keeping our coasts safe and protecting the marine environment. They are mandated to board and guide any foreign ship coming in or out of B.C.'s ports, for environmental protection, safety and efficiency. I hope the House will please make them feel very welcome.

P. Milobar: Today, in the gallery and in the precinct, we have several members, men and women, of various unions, numbering in the hundreds, here to have meetings and conversations and take great pride in the projects and the great work they have done building major projects all across British Columbia.

We have members from CLAC, CWU, Canada Works, PCA, ICBA, BCCA and VRCA. I'd like the House to please make them all feel very welcome.

L. Reid: I rise today to welcome to the world Iris Zavoloka-Izard, first-born child of Sasha and Iana, born November 7, 2019, weighing in at 6 pounds 12 ounces. She's the first grandchild of our Law Clerk of many decades Ian Izard and his wife, Daphne. I'd like the House to please make this little, tiny person very, very welcome.

S. Furstenau: I'm delighted to introduce Emily Hiser, who's here in the gallery today. She'll be shadowing me for the rest of the day. Emily is a third-year UVic political sci-

ence and environmental studies student. She grew up here in Victoria, and she recently joined the Victoria Youth Council. She's very interested in participating in democracy. It is something that gives me a lot of hope, when I see young people engaged like this.

I'm also delighted to mention that Emily's aunt is Misty Whittaker, who used to be the best barista in Shawnigan at Shawnigan House.

Would the House please make Emily most welcome today.

Introduction and First Reading of Bills

BILL 45 — TAXATION STATUTES AMENDMENT ACT, 2019

Hon. C. James presented a message from Her Honour the Lieutenant-Governor: a bill intituled Taxation Statutes Amendment Act, 2019.

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

I'm pleased to introduce the Taxation Statutes Amendment Act, 2019. This bill amends the Provincial Sales Tax Act and the Tobacco Tax Act, recognizing both the growing problems of vaping and continued concerns with tobacco consumption. This legislation will increase the rate of PST on vaping products from 7 percent to 20 percent and increases both the cigarette and per-gram tobacco tax rates by two cents.

Bill 45 complements the Minister of Health's efforts, as part of the recently announced vaping action plan, to reduce the incidence of vaping among our province's youth. It also responds to products that impose significant health costs borne by all taxpayers in British Columbia.

In introducing this bill, I'm proud to say that British Columbia is the first province with legislation coming forward to specifically target vaping using its tax system.

Mr. Speaker: The question is first reading of the bill.

Motion approved.

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

Bill 45, Taxation Statutes Amendment Act, 2019, introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

Statements (Standing Order 25B)

VEERA BONNER

D. Barnett: On August 25, 1918, Hattie and Frank Witte welcomed the birth of their third daughter, Veera. Raised in the ranching tradition of the Chilcotin, Veera eventually married Jim Bonner in 1941. In turn, the couple had two children of their own, Trena and their son, Lynn.

As a mother and a wife, Veera continued her work to support her ranching crew by cooking their meals and helping to mend fences. Many enjoyed their meal cooked over a campfire. Later the Bonners moved to Fletcher Lake in the Chilcotin, where they acquired ten acres of land. Cabins were built, and Veera opened up a hunting resort called Bin-Goh-Sha, which always played host to a voting booth.

[10:15 a.m.]

Veera also loved to write and eventually became the rural correspondent for the *Williams Lake Tribune*. In 1958, Veera played a major role in the publication of a small booklet called *History and Legends of the Chilcotin*. With encouragement from the whole community, Veera was convinced to write a more extensive book, and in 1995, *Preserving Pioneer Memories* was published. Veera had a love of history and even wrote a diverse collection of poems.

At the invitation of Premier Bill Bennett, Veera attended Expo 86 and was inducted into the Cowboy Hall of Fame. In recognition of her dedication to the preservation of local history, Veera received the Queen's Diamond Jubilee Medal.

In August 2018, Veera's family organized her 100th birthday party, full of friends and family. Still a firebrand at 100 years old, Veera had to be escorted home from the party to meet the 11 o'clock curfew at Williams Lake Seniors Village.

Veera was a true pioneer of Big Creek in the Chilcotin, a place which, incidentally, former cabinet minister Alex Fraser said determined every election race in the Cariboo. Veera left us on October 21, 2019.

REIHANEH MIRJANI AND WORK OF IMMIGRANT LINK CENTRE SOCIETY

B. Ma: Every day new immigrants across Canada are finding ways to give back to their communities. Reihaneh Mirjani came to Canada from Iran in 2015 with her husband, Ali Haeri. Here she met Igor Bjelac, an immigrant from Serbia, in an English class for newcomers. Together they formed the Immigrant Link Centre Society, a registered B.C. charity, to help those in need by collecting and distributing food that would otherwise be wasted.

In just one year, they can distribute up to \$1 million worth of goods. Their charity's motto is "Food is life; don't waste life!" Every week Reihaneh, along with other volunteers, visits grocery stores to pick up boxes of produce, meat, dairy and treats that are about to reach their best-before dates. These volunteers then sort and deliver the food to local shel-

ters and schools, where it is used for breakfast and hot lunch programs. The remainder of the food is sent home to over 200 families in need across the Lower Mainland.

The 35-plus volunteers that Reihaneh manages are mainly immigrants and refugees who have come here from countries all over the world. It is particularly inspiring to see that in just four short years, this organization is delivering groceries to many refugees and new immigrants so that they can lower their bills while they establish their new lives.

This is not the first time that Reihaneh has stepped up to serve her community. Before forming the Immigrant Link Centre Society, she volunteered with the Hawthorne Seniors Care Community in Port Coquitlam. She believes that delivering food is the best way to contribute to our community and give back to the country she now calls home.

On Sunday, Reihaneh won the 2019 new immigrant influencer award by Women's Collaborative Hub, as someone who has embraced her new community and exhibited great potential through her leadership, volunteerism and work ethic. She is a great example of a recent immigrant from Iran who, like many, has made a difference in her new country in a very short period of time. I wish her and her team at Immigrant Link Centre Society the very best.

TECHNOLOGY SECTOR

S. Sullivan: PayByPhone was a young Vancouver start-up company. It had 100 cities as customers, including London, England, all run by computers in Yaletown — but not, unfortunately, as a customer the city of Vancouver. Customers and investors had to come to Vancouver and pay for parking with coins. To me, this is a lesson about the phenomenal growth of the tech sector and its need for our support.

In 2017-2018, the tech sector grew the fastest in North America, 30 percent, over 13,000 new high-paying jobs. Just down the block from my constituency office, a company called Operto is making our buildings smarter, linking them to the Internet of things. In the last few months — that's a few months — they've grown by over 300 percent.

[10:20 a.m.]

Allocadia, a marketing performance software management company, serves more than 10,000 customers worldwide under the leadership of sisters Kristine and Katherine Steuart. AbCellera Biologics, under the leadership of Carl Hansen, is using our own immunity systems to develop the next generation of therapeutic antibodies, perhaps eliminating the word "flu" from our vocabularies.

Holly Peck has 2,300 members of her initiative Women Who Code. She works with Sanctuary AI developing humanoid robotics and D-Wave, the first Vancouver company to develop a commercial quantum computer, which has sold to NASA. It was Vancouver animators at Image Engine that made the dragons on the *Game of Thrones*.

So what does the technology sector need? When I ask them, I'm very intrigued. They say they don't need money. They have lots. What they need desperately is trained, pre-

pared talent. They need people ready to take their well-paid jobs. They need a city that provides a high-quality urban environment and clean, safe, good, high-quality education, daycare and arts and culture, because the technology sector is mobile.

What they've constantly asked from me.... They look forward to the time when people, investors, come to this city and they don't have to explain why their ride-hailing app doesn't work.

PHOTOGRAPHY OF PRINCE RUPERT COMMUNITY BY PHUONG NGUYEN

J. Rice: Seafest, Chinese New Year, Vietnamese New Year, Tim Horton's Camp Day, Kaieen Island Craft Fair, Remembrance Day, the Terry Fox Run, the North Pacific Cannery road race, Salmon Fest, National Indigenous Peoples Day, the North Coast Whale Festival, Canada Day and the All-Native Basketball Tournament. These are just some of the annual community events where you can count on seeing Phuong Nguyen with not one but multiple cameras in tow.

Phuong is Prince Rupert's unofficial photographer. To say he is an avid photographer and videographer is an understatement. He can oftentimes be seen at multiple community events in one day, capturing Prince Rupert's sport, cultural and community events and publicly sharing his images for all to see.

While Phuong could easily charge for his photography services, he doesn't. He spends many hours taking and editing hundreds of images and then uploading them all to social media for anyone to see and to take for their own personal use. Phuong has been taking pictures for over 15 years, and he does this as a way of giving back to his community. He says he shares his images simply because he likes to make people happy.

He grew up in South Vietnam, with five brothers and seven sisters, on a farm, harvesting coconuts, rice and bananas. In the late '70s, his sister immigrated to Prince Rupert, opened a restaurant and worked hard to sponsor nine of her family members to find a new life in Canada. In 1991, Phuong moved to Canada. After working in restaurants, he became a crab fisherman. Unfortunately, his wife passed away in 2012, and he has been raising two teenagers on his own.

Photography has been a part of his healing process, including nature photography. Every day he has a story to tell, whether it's a major or minor community event or simply telling the story of Rupert's rain and numerous eagles. Phuong doesn't speak a lot of English, but he does say a lot with the stories he tells and then shares for all to appreciate.

Thanks, Phuong, for always showing up and for the legacy of storytelling you'll leave future Rupertites to appreciate.

RICHMOND SOCIETY FOR
COMMUNITY LIVING

J. Yap: I rise today to speak about a Richmond organization that is making lasting, positive change in the community. For more than 35 years, Richmond Society for Community Living, RSCL, has provided exceptional programs and services for infants, children and adults with developmental disabilities.

RSCL is Richmond's largest not-for-profit social service provider and helps over 1,000 people with developmental disabilities each year to participate and contribute fully as valued community members. Their programs offer a continuum of care that allows the individuals and their family members to dream, plan, learn and grow.

Last week the member for Richmond South Centre and I had the pleasure of attending RSCL'S signature annual fundraising event, Benefit of Possibilities: A Community Affair.

[10:25 a.m.]

The event highlighted the broad community and corporate support for RSCL. The annual Community Living Awards at the event was also an opportunity to recognize individuals and businesses that make a significant contribution to RSCL.

Congratulations to the following three award recipients: corporate partner, SOS Emergency Technologies; outstanding contributor, Jordan Macken; and outstanding individual, Yan Ming Foo. Funds raised at the event will go towards their new early childhood development hub, which will create 89 new child care spots dedicated for children with disabilities and will house RSCL's early intervention services and family strengthening services offered by community partners.

Congratulations to executive director Janice Barr, board president Melanie Arnis, director of fund development Lisa Cowell and the entire RSCL team for a job well done.

KARTARPUR CORRIDOR
BETWEEN INDIA AND PAKISTAN

J. Sims: It's my pleasure today to rise and talk about a significant event for Sikhs around the world.

As we know, 2019 was the year of Guru Nanak Dev ji's Gurburab, the 550th. There have been celebrations going on all along — celebrations of prayer, of seminars, of learning about his teachings; funds being raised for hospitals and schools; shelters being built; of course, food being served; and lots of prayers. Also, it has been the time.... Many of us in this room attended those ceremonies. The Premier, along with the Parliamentary Secretary for Multiculturalism and many of us, was at celebrations on the actual day, which was the 12th of November.

There is a significant day that I want to mark today in this Legislature, and that is November 9, 2019. Coincidentally, as I was thinking about this day, I remembered that November 9 is also the day that the Berlin Wall was dismantled. It's a history-making day.

For 30-plus-million Sikhs around the world, this day has taken on a whole new significance. It was on that day that both the governments of India and Pakistan officially inaugurated the opening of the Kartarpur corridor from the Indian border to the Gurdwara Darbar Sahib Kartarpur, in Pakistan, a mere 4.7 kilometres, but very important kilometres for the hundreds and thousands and millions of Sikhs around the world who wanted to visit that particular holy place.

I want to congratulate both governments and every single person and group who worked so hard to make this a reality. I found myself glued to the live coverage, sharing the emotions of so many around the world.

I remembered the story of a woman I met in the late '60s. Bibi Ji I called her. I wrote letters for her, and I would read letters she received from India. She told me stories of the two Punjabs, being divided into two parts by the British in 1917, stories of leaving behind neighbours, friends and your home, stories of bloodshed as millions of people were uprooted and the hundreds and thousands who were killed during the massive relocation, and beautiful stories of people supporting each other across religious lines. But deep inside her was a sadness and yearning.

As I watched the live coverage on November 9, I saw Bibi. I saw Bibi in the faces of the thousands of people who were gathered at the Gurdwara, and what I saw were faces filled with love, peace and joy. It took 72 years, but kudos to all those who made it happen.

Let us all, as parliamentarians, commit to urge legislatures around the world to open, to make decisions that help to move corridors filled with love, peace and joy so that we can have peace in the world for the sake of children in every corner of this world.

[10:30 a.m.]

Oral Questions

COMMUNITY BENEFITS AGREEMENT
AND WORKERS

A. Wilkinson: Collin Scott is a heavy equipment operator. He has worked on the Sea to Sky project that we're all familiar with, on the Port Mann Bridge, on Site C, on the new water main project in Victoria, on the water main project in Vancouver and is currently working on the expansion of Vancouver Airport. He's very good at what he does. He's proud of what he does.

On March 19 of 2016, the Premier spoke at the convention of one of his favourite unions, one of the few — Local 115 of the Operating Engineers. He told them that his plans for government infrastructure did not include people like Collin. He boasted: "We're going to do it with union labour. You don't do it by going with the turkeys at CLAC. That's not how I roll. That's not how we roll."

Collin Scott is a member of CLAC, and Collin Scott is here with nearly 100 people who take the same view. They're good

at what they do. They're proud of what they do. They are citizens of British Columbia in the fullest sense of the word, and this Premier decided to degrade and demean them in his comments.

Does the Premier stand by his insulting comments directed at Collin Scott and his colleagues, and is he prepared to withdraw those demeaning and insulting words?

Hon. J. Horgan: I thank the member for his question. He will know that we are in one of the hottest construction markets the province has ever seen. We have the lowest unemployment rate in the country. I'm delighted to hear that Mr. Scott is working on not one but two projects at the present time. That speaks to the challenge we have in British Columbia at this point.

That's why we're trying to build more capacity in British Columbia. Of the hundreds of projects being built in British Columbia right now, publicly funded projects, there are three community benefits agreements. Those agreements have just got underway. We're optimistic and confident that it will lead to more apprenticeship completions than in the past.

We're going to maintain that project going forward, but I say to Mr. Scott and I say to the others who are here in the gallery today....

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: I say to those in the gallery here today that we value their work, their work that has built British Columbia — as all construction workers across the province.

The CBA projects, which are not new to New Democrats, as I said yesterday.... The member might have missed it. W.A.C. Bennett had project labour agreements. The former government had project labour agreements.

So to say today to build a partisan approach to construction in British Columbia is offensive, in my mind. We're going to build British Columbia...

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: ...the best we can to create jobs for local residents.

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

A. Wilkinson: It's intrinsic to what we do in this room that we represent 87 different ridings in this province, representing five million British Columbians. That's our job. Once you're in government, your job is to work for the benefit of everyone in this province, because we all need to feel

like we belong here. This is our home. We are citizens here, yet this Premier has decided to exclude 85 percent of the qualified construction workforce from government projects.

We hear his backbenchers mocking this. It's not funny if you're sitting in the gallery, feeling like a second-class citizen. The Premier seemed to think it's just fine to discriminate against highly qualified construction workers and to go to the extent of calling them "the turkeys at CLAC."

Interjections.

Mr. Speaker: Members.

A. Wilkinson: Collin Scott has this to say: "The Premier has banned me from working on public projects under the NDP and written me and my colleagues off as turkeys. Why am I being treated like a second-class citizen?"

In a nation, a province — and, particularly, with a party that prides itself on egalitarian behaviour — how on earth can the Premier stand in this gallery today and face these people and say: "You're second-class"?

Hon. J. Horgan: Again, I would have thought the learned colleague on the opposite side wouldn't need a history lesson — and the House Leader, as well, who is quick to quip. Project labour agreements have been....

Interjections.

Mr. Speaker: Members. Members, the Premier has the floor.

Premier.

[10:35 a.m.]

Hon. J. Horgan: Thank you, hon. Speaker.

Project labour agreements have been in place in British Columbia for decades under successive governments. Social Credit, New Democrats and, yes, even B.C. Liberals built projects with community benefits agreements.

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: Now, I appreciate that they want to grandstand for those in the galleries today.

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: The facts of the matter are this, hon. Speaker. We have the hottest construction market we have ever seen in B.C. history. Of the hundreds of projects.... The member on the opposite side articulated some of the publicly funded projects that CLAC members are working on

and continue to work on. There are three projects in British Columbia that are using community benefits agreements. We want to kick-start apprenticeship training in British Columbia, and we're sticking with that.

J. Thornthwaite: Mr. Premier, you are totally wrong. It is simply wrong to claim that legacy agreements on projects that are awarded through an open tender, such as the John Hart, are in any way comparable to this discrimination that you are providing here to the construction industry in British Columbia.

Carmen Elebracht is an electrical apprentice from North Vancouver. She's in the gallery today. Carmen says: "I want to know why the Premier is discriminating against me just because I'm not part of an NDP-approved union."

Can the Premier explain to Carmen — who is listening in the gallery, along with hundreds of other construction workers — why he is discriminating against her and treating her as a second-class citizen?

Hon. C. Trevena: I just want to explain to the member opposite that all our procurement is done through open tender. It's all done through open tender, just to clarify that for the member, who clearly doesn't quite understand the procurement process.

Interjections.

Mr. Speaker: Members.

Hon. C. Trevena: I'd also like to underline....

Interjections.

Mr. Speaker: Members. Members, we're not being fair to the people in the gallery, particularly people who are here to get answers on this particular topic. The visitors in the gallery will want to hear what the Minister of Transportation and Infrastructure has to say.

Hon. C. Trevena: Thank you very much, Mr. Speaker.

As the Premier has mentioned, it's a hot construction market. We are using community benefits agreements — as we have said in the past, as I said yesterday — to build not just British Columbia but, as generations have done before, to build the people of British Columbia, to allow for people who don't usually get the opportunity to work on construction projects to do so.

I'm really pleased that Carmen has been working on construction projects around the province. This is great. At the moment, only about 4 percent of the workforce are women. So it's terrific that Carmen has got out there and done that.

To the member, just to let her know that since we are prioritizing local hire, Indigenous hire and women training.... On our first CBA jobsite, she'll be very pleased to know that the workforce is 22 percent women.

Mr. Speaker: The member for North Vancouver–Seymour on a supplemental.

J. Thornthwaite: Once again, the minister is wrong. On the B.C. Infrastructure Benefits website, it actually says: "You are required to apply for membership with one of the affiliated unions within 30 days."

Interjections.

Mr. Speaker: Members.

J. Thornthwaite: It is simply not comparable. Eighty-five percent of B.C. construction workers are not part of the 19 unions that the NDP is forcing workers to join.

Taylor Paananen is a second-year electrical apprentice from Maple Ridge. He says: "This policy is a fake that has nothing to do with helping workers. Why should I be forced to pay higher union dues and join a union I don't want to join?"

[10:40 a.m.]

My question again is to the Premier. Why are Taylor and the other hard-working British Columbians, who are all here today, being forced to join a union they don't want to?

Hon. C. Trevena: Community benefits agreements, as the Premier had said, are at present being used in three publicly funded projects: our Trans-Canada projects, Pattullo Bridge and Broadway. We're very, very proud to be using them there because we are building up the province of B.C. We have many other projects around the province where we are not using them. As we've said before, it's really on a case-by-case basis at the moment. We're dealing with these three.

Like in many areas, if it's a unionized jobsite, people are expected to join the union, as they were when they were working at the Waneta dam, when they were working at John Hart, when they were working at many other projects, both under the B.C. Liberals and under the Socreds — throughout that.

Also, we are committed to training. We know there's a skills shortage. The opposition seemed to ignore that fact when they were in government. We want to deal with that. We know that the building trades have the best completion record for any apprentices.

CARIBOU PROTECTION

A. Olsen: Almost 30 of British Columbia's 52 surviving caribou herds risk extirpation. A dozen of the herds have fewer than 25 animals. Two herds in the Kootenay region were declared locally extinct earlier this year.

We know why. Caribou are highly sensitive to disruptions to their natural environment, disruptions such as clearcutting forests, seismic exploration, road-building, oil and gas development and land clearing. These are the conditions that

allow wolves to thrive. Hunting in families, *STKAYE* is a proficient predator, with highly developed relationships and an exceptional capacity to work together.

The vegetation that once offered protection for the caribou and their food.... With rapid changes to the land base, the caribou have been exposed. Exploration corridors, trails and roads serve as predator highways, and caribou have had little time to evolve new food sources, skills or tactics to protect themselves.

The provincial response has been, in part, to shoot wolves from helicopters as a predator management strategy. My question is to the Minister of Forests, Lands and Natural Resources and Rural Development. Is the government planning to increase the wolf cull?

Hon. D. Donaldson: Thank you to the member for the question. We as a government take caribou recovery in B.C. very seriously. That's why we rely on a range of approaches in supporting these populations.

When it comes to making decisions about wolf management in B.C., for instance, we rely on expert research and the science. The research shows that wolves are the principle predator of caribou in B.C. In fact, in May of 2018, the federal government, under the Species at Risk Act, said the caribou populations in B.C. were under imminent threat, not due to habitat loss but due to predators.

Predator control is one of the tools we use, especially when herds are reduced in numbers to critical levels. We also use other methods, such as habitat protection, habitat restoration, maternity penning and supplemental feeding. This is because caribou are an iconic species to B.C. and Canada, and we're taking measures to stabilize their populations and grow their numbers.

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

A. Olsen: I thank the minister for the response.

The real issue here is, actually, habitat destruction, and it's on track to get worse. This government continues the massive taxpayer-funded subsidies of foreign corporations to expand LNG and thus increase fracking in caribou habitat.

[10:45 a.m.]

We know culling wolves to reduce the pressures on caribou is just a band-aid solution to a human-made problem. If this government doesn't fundamentally change the way they manage the landscape, then, frankly, we'll have to continue killing *STKAYE*, until they are no more. This government is reluctant to specifically protect species at risk because they are showing no restraint. Apparently, this government is okay with the short-term, status quo approach to managing the decline to zero on a long enough trajectory that no one will notice.

My question, again, is to the minister. Is he comfortable

knowingly committing a species to extinction by shying away from the responsible ecosystem habitat that we need, while spending millions of dollars to shoot hundreds of wolves so this government can continue unsustainable logging practices and increase fracking?

Hon. D. Donaldson: Well, I agree with the member in that we've had to take drastic emergency measures to protect the populations of caribou that are left in this province. That's because the inadequate patchwork of actions taken by the previous government led to the threat of an imminent stop-work order under the Species at Risk Act around habitat protection.

We're determined to take this on. We know land use decisions impact caribou habitat and populations. We've provided \$47 million for our caribou recovery strategy. That involves a whole suite of actions that I outlined earlier. We also took the unprecedented step of putting in place an interim moratorium on new industrial activities on 734,410 hectares of land in the northeast of the province until we can finalize a partnership agreement with the federal government and with First Nations in the area to address caribou populations and stability.

This is all part of an effort that includes making sure that we protect this iconic species. It's part of the biodiversity in this province that we enjoy and part of the constitutionally protected rights of Indigenous people to hunt these animals. We're determined that with the measures we are taking, the caribou populations will stabilize and grow.

COMMUNITY BENEFITS AGREEMENT AND WORKERS

S. Bond: Let's call it what it is. Forcing workers to join a union they don't want to is nothing more than blatant discrimination. It doesn't matter whether it's one project or ten projects. Qualified workers in British Columbia should get to work on every project in British Columbia.

Dawn Rebelo is a proud British Columbian and someone who regularly speaks and works in high schools, encouraging women in the trades. She's accomplished, and she's highly qualified.

Dawn has a message for the Premier today. "For 26 years, I've helped build this province, from working on major mining projects to the Site C dam. I'm proud of my skills, and I feel insulted and disrespected by the Premier's comments that somehow I'm unqualified to do my job because he thinks the CLAC members, like me, are turkeys. Why is the Premier discriminating against me?"

Those are the words of this Premier. It is time for him to stand up in this Legislature today to look Dawn Rebelo and her colleagues in the eye and explain exactly why she should not be able to work on every project in British Columbia. She's accomplished, qualified. It's time for the Premier to answer that tough question.

Hon. C. Trevena: Really, I'm very pleased that the opposition, in their invitation list, have had at least two women who are working in the trades. It's terrific.

I've got to admit that this is something that we are absolutely committed to. One of the ways we're working through the community benefits agreements is to invest in women, who will be getting to trades and getting a full apprenticeship. So \$1.8 million was put towards supporting women in the trades, on International Women's Day, by the Premier. This is something we are absolutely committed to. I'm really pleased to see that it is actually taking effect.

[10:50 a.m.]

People can....

Interjections.

Hon. C. Trevena: The community benefits agreement projects are open to anyone, to any skilled trade. We want to ensure that we build up the workforce so that Dawn and Carmen are not on their own. We want to ensure that we are training people for the future so we don't face the skill shortage we are facing now — that we deal with the aging demographic that we have, that we get people trained.

I know that we've had a couple of women cited, but there are a lot of women who are extremely pleased about our community benefits agreements, including Ashley Duncan, who's an insulator from Coquitlam, who says: "When you're a construction apprentice, it can be difficult to find a job, and it's even worse for women apprentices." That's one of the reasons we have trouble retaining women in the trades.

A community benefits agreement is a game-changer. We've changed the game. We're going to make sure that everybody gets an opportunity.

Interjections.

Mr. Speaker: Members.

The member for Prince George–Valemount on a supplemental.

S. Bond: Well, finally an accurate answer from this minister. Because guess what. It's a game-changer, all right, for the men and women in this gallery today who are not permitted to work on a project in British Columbia unless.... The members think that these workers think that that answer is laughable. They can only work on those projects if they abandon the union of their choice and join a select number of unions picked by this Premier. That is blatant discrimination.

Now, let's be clear. Rob Main is a heavy-equipment operator who helped to build the Surrey Hospital redevelopment and expansion. Rob is also here today, and he says: "Why has the Premier decided that I'm no longer good enough to work on public projects? I'm proud of the work I've done as a member of the CLAC union for 16 years. What right does he have to call me a turkey and ban me from public projects

so he can pay off his friends?" Rob wants an answer, and he wants it from the Premier.

It's time for the Premier to get up and answer to the men and women who live and work in this province and explain to them why they are not qualified enough to work on projects and, in his book, they're nothing more than turkeys.

Hon. C. Trevena: I really continue to be surprised by the opposition's lack of understanding of the community benefits agreement, when even under their watch, even under the 16 years...

Interjections.

Mr. Speaker: Members.

Hon. C. Trevena: ...that they were government, they used project labour agreements. They had the same list of unions, whether it was on the John Hart dam or the Waneta dam. They had the same list of unions.

We are rebuilding our province. We are investing in people. We are investing in Indigenous people, in women, in people who live close to the projects. That's the basis of the community benefits agreement. Anyone in British Columbia who wants to get well trained, to get a red seal apprentice, to commit to British Columbia and to their future can work on a community benefits agreement.

M. Stilwell: What this government, what this minister and what this Premier are doing is discriminating against these workers, these workers that are here who want to work on projects, public projects.

Here in the gallery today is 28-year-old heavy-equipment operator Brian Stoker. He says: "I am a proud British Columbian with the skills necessary to help build this province. How is it fair to ban me from working on public projects unless I join an NDP-endorsed union?"

[10:55 a.m.]

These workers here today deserve answers, answers from this Premier. Why are skilled-trades workers like Brian having opportunities taken away from them? Why are they being shut out of the work on public projects in British Columbia?

Hon. C. Trevena: I'd like to know why the opposition is misleading them.

Interjections.

Mr. Speaker: Members, I'm concerned we're taking away from questions that might be asked. So perhaps we could hear what the minister has to say.

Hon. C. Trevena: The opposition has spent this question period throwing around misconceptions about community

benefits agreements, which the opposition, when they were in government, used themselves. They had 14 unions.

As we have said from the very beginning, when we introduced community benefits agreements, community benefits agreements are based on rebuilding the province, on investing in people in the province. Anyone — anyone — can work on a community benefits agreement project.

If people in the gallery.... I hope that they are appreciating this discussion. It is a healthy debate. I hope that they can listen through the misconceptions that the opposition have been throwing around today.

M. de Jong: Well, quite frankly, I'm surprised. I actually thought that confronted by 100-plus British Columbians who genuinely and understandably feel insulted, the Premier, at a minimum — at a minimum — would have stood up and apologized to them for what he said.

People like Ed Lehn are here — 25 years operating heavy equipment, pays his taxes. He'd like to have the opportunity to work on projects and belong to the union of his choice. For that lifetime of hard work, he is insulted and disparaged by the Premier of the province of British Columbia. He's called a turkey.

Now, he's got thick skin. He's probably been called worse things by better people. But he has never been insulted by the Premier of the province of British Columbia, and at a minimum....

The Premier knows our views on these agreements. He knows that we are opposed to the discrimination that they represent for workers across British Columbia. At a minimum, on a day when these British Columbians are in the gallery, will he stand up and apologize for insulting them so blatantly?

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: I appeal to those on the other side to allow me to answer the question, since you've asked it to me.

I want to first say to those who are in the gallery today: thank you for your service to the people of British Columbia. Thank you for your work in building a better B.C. All British Columbians, whether they're members of the operating engineers, the IBEW or CLAC, deserve the respect of their government.

What we're not hearing today is the reference to....

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: Do you want me to answer the question for the people in the gallery?

Interjections.

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

[11:00 a.m.]

Hon. J. Horgan: The reference to "turkeys" was to Mr. Phil Hochstein, who was appointed — I guess he wasn't busy enough — by that government to head the Turkey Marketing Board. Political rhetoric — as you've seen today, those in the gallery — is part and parcel of question period. That was where the concept came from.

The concept of community benefits agreements is not an NDP idea. It was an idea that was hatched by a guy named W.A.C. Bennett, and it has built British Columbia. Members on that side of the House used project labour agreements throughout their time in government.

To bring people here today...

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: ...so they can participate in the democratic process is a good thing. We can disagree about policies, particularly in this place. We campaigned....

Interjection.

Hon. J. Horgan: Thank you, Member for Penticton.

We campaigned on community benefits agreements. We have in place three, out of the hundreds and hundreds of projects that we will build with public dollars. We welcome the members in the gallery to continue to do their fine work to build a better British Columbia.

We can disagree. We can disagree about policy. That's what democracy is about. We on this side of the House believe we need to build the next generation of workers.

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: The way to do that is through community benefits agreements.

The members in the gallery will know that those on that side of the House really did not care about what my answer would be. They really did not care. They only want to promote themselves, not the workers of British Columbia.

Interjections.

Mr. Speaker: Members.

Hon. J. Horgan: We're proud of what we're doing, and we'll continue to do it.

[End of question period.]

Tabling Documents

Hon. L. Beare: I rise today to table the *2018-2019 Report on Multiculturalism*. I'll forgo my comments today.

Orders of the Day

Hon. M. Farnworth: I call, in this chamber, second reading of Bill 38, Climate Change Accountability Act. In Committee A, the Douglas Fir Room, I call committee stage on Bill 41, Declaration on the Rights of Indigenous Peoples Act.

[J. Isaacs in the chair.]

Second Reading of Bills

BILL 38 — CLIMATE CHANGE
ACCOUNTABILITY
AMENDMENT ACT, 2019
(continued)

P. Milobar: It's my pleasure to continue my comments from yesterday on Bill 38, the Climate Change Accountability Amendment Act. As I was saying yesterday, the biggest problem with this bill — and from the comments I've heard from the other side of the House, both from the Greens and the NDP members — is the overpromotion of how significant this bill will be to effecting actual change within British Columbia.

[11:05 a.m.]

I think everyone agrees that we need to be moving forward, that we need to see real and tangible change. As I said yesterday, though, the fact that we need a piece of legislation enacted for the government to act on something as simple as yearly reports, instead of reports coming out every second year, when this government could have already been generating those reports on a yearly basis, even in the absence of the legislation, does make one question how sincere the effort is to make sure this moves forward, especially given that the first report will not be generated under this legislation until right next to the next general election.

It does not really take effect until the end of the calendar year of 2020. Then it would actually be generated in 2021 by June. If you look at every two-year cycle that we're on with reports being generated, I believe it's 2017 to 2019, which means there would be a 2021 report being put out anyway, which means the first real, new report that would be generated under this bill would actually be in 2022. That would be the first, newest scheduled report that would be out of the cycle of what the existing legislation actually calls for.

Again, it does make one question just how significant this piece of legislation is and just how serious this government and their partners are in making sure that things are being addressed adequately.

We've had a few housekeeping-type environmental bills come through the House in the 2½ years so far, and it always

strikes me as interesting. When I think of the eclectic mix of careers and life experiences all of the members in this House bring when they come to this Legislature....

I knew a fair amount about the Minister of Environment's background in terms of previous careers that he had. I was unaware, however, that, apparently, he must have been a writer for *Seinfeld*, because this is another bill about nothing. It's very similar to a very popular TV series that was built around nothing. That's really at the core of what we're talking about doing here right now.

We want to address climate change. We want to make sure that steps are being taken. But when you see actions like non-revenue-neutral carbon tax being implemented and when you see actions like the Minister of Finance actually needing to budget for emissions to rise over the first three years of CleanBC to make the books balance in British Columbia, that's a problem.

In the third year of implementation of CleanBC, emissions are budgeted to rise. These are the government's own budget documents in their three-year fiscal plan. The emissions are slated to rise from 41.7 megatonnes of emissions at \$35 a tonne, 41.6 megatonnes at \$30 a tonne of carbon tax....

The Minister of Finance has budgeted for emissions to be at 44 megatonnes at \$50 a tonne of carbon tax, a non-revenue-neutral carbon tax. The provincial budget, staying as close to the line as it is right now after the last budget update — it will be interesting to see what the next quarterly update is — can only stay in balance and can only stay out of deficit if CleanBC fails in its first three years.

Now, those are very critical years when you look at the timeline of what all the experts are saying the timelines are when it comes to climate change. I know the Environment Minister has the best of intentions of wanting to get CleanBC rolling and wanting to get CleanBC showing results.

The Finance Minister, who was leader of the NDP when they mounted an Axe the Tax campaign, has shifted gears completely from wanting to get rid of this tax to increasing it by 65 percent to making it no longer revenue-neutral and, in fact, making sure that they are budgeting in their financial plan to see emissions rise to make sure their books balance. They've come a long way — the Finance Minister, in particular — from mounting a campaign to axe the tax to where we see it today.

[11:10 a.m.]

If a carbon tax is to be truly effective, it needs to be revenue-neutral. It needs to actually have the impact that it's intended to have. It's not meant to be dumped into general revenue to balance the books for a Finance Minister that campaigned against that very tax in the first place.

It is significant. If you keep the emissions at or around the level they were at \$30 a tonne, it's about a \$400 million to \$600 million hit, over a three-year period, to the provincial budget. If CleanBC was actually successful in reducing emissions, it would be an even bigger hit to the provincial budget.

The two sides are really not talking to each other. We heard the Leader of the Third Party yesterday mention about

the left and the right hands of government not knowing what's going on.

That was certainly very clear in estimates. When I pointed out to the Environment Minister that emissions, indeed, are budgeted to rise, the Environment Minister's answer was that I needed to check with the Finance Minister because the Finance Minister worries about the carbon tax as it relates to the budget. One would think, if you were actually being serious about tackling climate change and your CleanBC plan was supposed to be this brand-new holy grail of the document, that the two would have talked together and realized that they're on different paths.

I don't know how anyone can take seriously when the government says they are doing everything in their power to tackle climate change and reduce emissions when they've, in fact, budgeted, in their own financial plan, to see emissions rise. The two simply do not connect. When you're talking about a three-year window of time, when you're talking about a 2021 document, when you're talking about a 2030 target, that's a significant period of time. So although it's laudable that we're going to see yearly reporting....

It's interesting. When you read the current two-year reporting and the justification of why the reports are every two years, a lot of it has to do with trying to get the data collected, trying to get it collated, trying to get it produced in a timely fashion and still have some accuracy to it and be able to spread out a little bit of the blips that happen, potentially, on a year-to-year basis. That's why every two years was seen to be a more logical way to report.

This is not changing the fact that reporting has already been going on. This bill is not changing the type of reporting that's going to happen. What this bill is saying is that every year, instead of every two years, we're going to report those same types of figures and facts. It will always be on a previous year. So we're always going to be behind because of the lag in reporting.

In this bill, it doesn't change the fact that it's based on the end of a calendar year. Then, ministry staff, or whoever will be generating the report, have another six months to generate that report. So we are now 18 months behind, potentially, when things were first going off the rails or not.

Because of the dates in this bill, there's been lots of talk about how this will get it out of the election cycle and how we'll get people more accountable, in this House, for their actions and things moving forward. Well, that's not really the case when you actually look at the dates in this bill. Anything tangibly actionable and actually measurable, something that you can look at, coming out of this bill won't effectively be new until June of 2022.

The June 2021 report is scheduled to happen in.... We were scheduled to have a report in 2021 regardless of this bill. This bill doesn't provide for a report ahead of that. So the only first new reporting-out segment will be in 2022. Why is that significant? Because just like we saw in CleanBC.... The vast majority of initiatives that were not talked about in CleanBC have been talked about for in the future, have been

talked about on timelines and horizons that get very close to, if not after, the next general election — specifically, the missing 25 percent of CleanBC.

Again, only in British Columbia could we have a government, propped up by a green environmental party, which is praising a document that only has 75 percent of emissions accounted for as a game-changing emissions reduction document. The 25 percent missing has been missing for over a year now.

[11:15 a.m.]

I was at an environmental conference during the break — not last week, the week before. I was there as the minister was speaking. The minister acknowledged to the crowd that they still have a lot of work to do on the 25 percent, that there might be portions, hopefully, of the 25 percent and a plan to address them sometime in the near future. But there was no commitment around when the full 25 percent would be accounted for, when we'd understand how that was going to be achieved.

I think everyone agrees, or should agree, that, on anything, when you're looking for that last 25 percent on something that's already been so hard to reduce — those emissions — finding that last 25 percent is going to be actually the hardest 25 percent, and trying to figure out what the game plan for that 25 percent is, is going to be the hardest game plan of all.

To keep pushing it off and pushing it off until just near or after the next general election does not seriously address and match the language we're hearing from the government about how serious and critical and time-sensitive all of this is, just like this bill. Yesterday I pointed out that through sections 8 to 11, the wording is almost identical to the existing bill. The biggest change they have for most of them is that they've added the words "the provincial government" while talking about public service organizations. That's hardly revolutionary, game-changing language to increase the commitment that people have towards the environment.

There was one clause added, requiring those same public service organizations to provide a description of the actions they've already taken even though they're already required to do all the reporting and everything else. So they basically have to add an extra descriptive page — hardly game-changing stuff.

Now, I recognize that most jurisdictions, if any, have the yearly reporting requirements that this bill would require. That doesn't mean that it's going to affect the massive change we need. I'm a fan. I've always been a fan. It's one thing to have a piece of paper and a document that you can feel good about yourself when you're in government, and I would say this to city council all the time in my municipal life as well. It's another thing to have a document and actions that actually do what it is that needs to be done.

This, yes, is a step to get tighter reporting out there, but if there's not better clarity around these missing large, fundamental discrepancies between the financial realities of this

government's budget and how it's built around carbon tax and the non-revenue-neutral part around carbon tax....

Again, I have no problem that we're going to the \$50 carbon tax. I recognize that, as a country, we were going there anyways. Yes, we're going to be one year ahead of schedule, but it's been an incremental climb, just as it was when it went from \$10 to \$30. So nothing changed there. Although yesterday, to hear the government talk about going from \$30 to \$50, it was revolutionary that they were doing it in \$5 increments and moving it up. That's no different than when it was \$10 and went to \$30.

What also is no different is that almost one-third of the money in that budget for CleanBC is actually for low-income subsidies for people. I fully agree with that. In fact, when it went up to \$30, every time it went up by \$5, those same subsidies went up by that same amount. So nothing has changed there. It's gone up by the same amount each time, and those people in need, need that help. I'm not suggesting for a minute that we should not be providing that help. But you also can't think for a minute that those people that need that help have the disposable income and the carbon footprint that many others in our society do in the first place.

It's great we are using the carbon tax to make sure those people still can heat their homes and take transit and get to work and drive their cars, if they have a car. But typically speaking, if you're on the lower end of the income scale, and that's who qualifies for that grant.... Basically, if you qualify for a GST refund from the federal government, you qualify for a carbon tax refund.

[11:20 a.m.]

If you qualify, the qualifications are the same as they always have been. But the simple reality is that if you qualify at those income thresholds, you simply can't afford to live in higher, larger housing stock. You're living in smaller housing stock. You can't afford to do home renovations. You're worried about making sure there's food on the table for your family and yourself. So you need that subsidy, and that subsidy is very important.

That one component of CleanBC is not going to significantly reduce our GHG footprint, because it's going to a population that already has a much less significant carbon footprint than many others in our communities have. So although it's laudable we're doing that, that's almost one-third of the money in CleanBC that the new carbon tax is generating.

Another large portion of it is actually to go to offsets for corporations. I know we heard a lot yesterday about the LNG and other industry and the rebates that they'll be eligible for. Again, we want to make sure that those trade-exposed intensive industries are looked after and people are still gainfully employed in them.

But let's be clear. There is very little in CleanBC, out of the \$900 million, that is specifically targeted for the daily lives of the average person in their own household. There are some home renovation projects. There are some electric vehicle subsidies, which are running out rapidly. We're down to \$9

million left in the electric vehicle rebate program. All three years' money under CleanBC was committed this year. There is no money left in that three-year financial plan, as of this current budget, for the electric vehicle program.

The Minister of Energy and the Finance Minister.... The Minister of Energy assured that there would be supplemental funds, contingency funds. The Minister of Finance has made it clear there won't be. So it will be interesting to see, as we move into this next budget cycle, if new money will actually be found for an electric vehicle program that back in the spring, it was pointed out to the government, was not funded well enough for a year, let alone three years.

The interesting thing is that the electric vehicle program, as predicted when we had the EV law come in.... It would be very easy for the government to turn their backs now on that subsidy, which will plummet sales, because they can turn around to the automotive manufacturers and say: "Well, it's your legislative duty to figure out how to sell these cars; it's not ours. There is no more subsidy money." The cynic in me would suggest that's why we saw such a lump sum in a three-year plan come out in year 1 with no extra money in year 2 and year 3.

As I say, we're down to about \$9 million in the fund. It's barely been six months. It started out at a little over \$42 million. There was a bit of leftover last year's money, so about \$45 million. It's gone through about \$36 million in six months. We have \$9 million left to last us for another 30 months.

The numbers again just simply do not add up, and that is perhaps the biggest frustration I'm hearing when I'm out meeting with groups and people in the community. The CleanBC plan is a great marketing document, but none of the numbers and actions of the government are matching up to what their plan is actually purported to be doing. When you look at things within Bill 38, it really is about just making things look like things have changed significantly.

The advisory committee. I have no issues with the advisory committee. I think 20 is probably a realistic size, given that it's a large province and you're going to want to make sure there's a broad cross-section of people represented and Indigenous groups represented and industry represented. I think that's important.

A lot of the reporting requirements in this bill, let's face it, are based on assumptions and reporting the what-ifs. With the climate risk assessment, again, I think it's important that as a province and as cities and as just citizens, you get a sense of what needs to be done or what improvements need to be looked at. I think that planning should be happening.

[11:25 a.m.]

The fact the government is feeling compelled to write it into legislation isn't a bad thing, but I would note that we had the first climate risk assessment released not too long ago without legislation. That ties into my point: where were the yearly climate reports, to this point, without legislation? Why are we now awaiting the 2019 report, which will come out sometime next year? When the 2017 report came out

sometime in 2018, why was there no report this year in June? Why was there no yearly report then, signalling that this was the way we were going to go as a province? We didn't need legislation to do that.

What this legislation does is it kicks everything down the road, out of regular reporting cycles. It accomplishes very little in the here and the now, in the critical time frames that we're all hearing about. Instead, it pushes it out to after the next general election. I find it interesting, too, that in an effort for transparency and to try to shine lights on things, as we've heard, this legislation is necessary.

Given that when we had other bills in this House.... I remember, distinctly, questioning the minister at length at committee stage on a bill that was similar to this, where it had no real changes in it, except that it had one change. It had one change in that the minister was granted the authority under regulation to set targets for LNG, specifically, and to not have to come back to this Legislature to set those targets. It took five or six questions, time and again and around and around, for the minister to acknowledge, which was a very obvious writing in the bill, that in fact the minister was granting himself, or any future minister, the ability to do that.

Now, on something as simple and easy to answer as that, one would hope that a government that wants transparency would have just answered the question on the first question, or maybe the second if you didn't quite understand the first. Sometimes I can be convoluted in my question-asking. I get that. Surely after five or six, you would think we would have stopped, getting away from answers like, "Well, I haven't had the right legal advice yet," as we're debating a bill that has actually been through proper legal channels, one would assume, before the government brings it forward, to answer such a basic question.

Why is that important? It's because very quietly a couple of weeks ago the government — by order-in-council, an OIC — established the carbon tax refund formula for LNG. Now, it wasn't significantly different than what was canvassed in questions between the Finance Minister, the Energy Minister and the Environment Minister on what it would contain — as they were signatories to the LNG agreement — but it certainly wasn't done with any fanfare.

There certainly was no singing of the praises of the LNG project by the government that they have come up with the formula for LNG to move forward on how they will be able to claim their carbon tax credits back. No transparency there. It was out, so I guess, technically, it was transparent. But typically speaking, I think we can all agree, when the government really wants you to know something, they sure have a big communications team that they know how to kick into gear. Yet it was crickets when it came to this.

In fact, I don't even know if everyone on the government side knows this has actually happened. I'm sure that the cabinet would know. I'm not sure if the members of the Green Party know, by way of the secretariat office or not, that this has happened. There was certainly no mention of it or release

by anyone in that group. I haven't heard anything from anyone else within the party.

Those are the types of actions that don't require legislation if you actually want to be transparent and you're the sitting government. It just requires you to actually act the way you're saying and telling the people you intend to act. It's a little bit frightening, I guess, that we need a piece of legislation by the government on something as simple as creating a report every year instead of every two years. We need an actual piece of legislation to make that happen.

[11:30 a.m.]

I know I've been talking for a fair amount of time on this already, and certainly many others on the other side of the House talked at great length about this. But interestingly enough, in my time, I think I've already talked more about Bill 38 and some of the clauses in Bill 38 than the rest of everyone put together. The rest of this debate about Bill 38 hasn't been about Bill 38; it's about trying to overinflate what has actually been happening in CleanBC.

We know, by looking at the government's own numbers that are actually available at this point... There was no interim, every-year report to this point, so it's kind of hard to get some numbers out of the government that wants to be transparent about environmental numbers. We know that CleanBC, financially, needs to fail for the Finance Minister. It will be very interesting moving forward in the budget this year to see if the projected revenues from CleanBC in years 2 and 3 have miraculously changed since this has been pointed out and which revenue line will magically get bumped up to make up the shortfall of carbon taxation not coming in.

The problem with that... I guess maybe it's a good thing they only committed \$900 million of the \$2.35 billion extra in carbon taxation they're going to take in, because when you pull that \$600 million out of carbon taxation, that means you're also impacting all of the green technology things you could have done with it. Maybe that's why it's going into general revenue. Maybe that's why the government doesn't want to truly commit dollars to new and improved technologies out there.

We can talk about, oh, enhancing transit until the cows come home. I was on the board of B.C. Transit for a while. Transit systems are always looking for newer and more efficient ways and cleaner-burning fuels as they switch out their fleets. They went to CNG buses in Nanaimo. They went to CNG buses in Kamloops. They tried hydrogen buses in Whistler, decided that wasn't working.

The fact that a decision has been made to, over time, as you replace a bus fleet, go to electric buses as that technology gets approved and more manageable, especially for hills and temperature variations.... That makes perfect sense, but that was going to happen regardless. That didn't happen because of some grand pronouncement about CleanBC from this government. That's what transit systems do. They find ways to be as clean as possible. They find ways to save operational dollars so they can have more hours on the road with their buses and their trains, instead of buying diesel.

They try to figure that out. If you look at the line item of fuel and how they have to play the markets and pre-buy, on the commodity markets, fuels for their fleets, that's a large portion of a transit budget. So it makes perfect sense that any transit commission, any transit board, anyone running a transit operation of any size anywhere in North America is constantly looking at ways to reduce that input cost.

You know who else is looking to do that? The bus companies themselves. Imagine that. The bus companies are actually developing new technologies and are constantly going to these same transit officials and trying to sell them on new technologies.

It wasn't that long ago there weren't cameras on buses. Lo and behold, we have cameras. We had to retrofit a lot of buses. Guess what new buses have coming off the line: cameras. It didn't happen because the government decreed it shall be so. It happened because it's a technological advancement that happens in transit all the time.

When I hear the other side try to take credit for the fact that they're funding transit when we've always funded transit, it makes one somewhat question the seriousness, the commitment and the actual tangible actions that are any different than what was implemented in 2007.

[11:35 a.m.]

We've heard a lot of varying things. Yesterday the Leader of the Third Party suggested — I don't know if it was meant to be a moment of admonishment to everyone in British Columbia or what — that our per-capita emissions were hundreds of times more than the citizens of Chad. So if we are now debating whether or not we have the emissions profile....

Again, I would suggest, when you look at where they are on the economic scale of the globe, it would actually tie into what I said earlier about low-income people receiving the carbon tax back and their carbon footprint. It actually is validated by the reference back to Chad in terms of them having a low carbon footprint, as well, because they don't have the disposable income and the means to have a larger carbon footprint.

If the debate here is that we're going down the road of starting to compare Canada, with the ninth best economy in the world, or GDP, versus Chad, at 159, I would suggest that perhaps we might want to look at carbon footprint profiles of some more relevant countries.

We have work to do on that. There's absolutely no doubt about that. But let's be clear. Two weeks ago, when I was in that room and listening to the Environment Minister, in a refreshing moment of acknowledgment, the Environment Minister said.... This was a room full of mayors and councillors that are very environmentally minded, across the province. The Environment Minister pointed out that everyone needs to keep in mind that we have to do our part. I agree with that.

He also pointed out that British Columbia is 0.2 of 1 percent of global emissions — the Environment Minister's words, not my words. That's what the Environment Minister

said at the event that he was speaking at. I would agree with that. I haven't run the official numbers, but I've heard similar numbers in the past. It was refreshing to hear the Environment Minister acknowledge that we are 0.2 of 1 percent of global emissions in British Columbia. I think we have to keep that in perspective.

Do we have to keep striving to drive down our emissions? Absolutely, we do. Is it going to fundamentally change on its own? No. Could we be seen as leaders? We could.

In fact, when we implemented the carbon tax back in 2007-2008, the now Finance Minister was the then Leader of the Opposition. They mounted an Axe the Tax campaign, and they weren't really that eager to be world leaders. But over the time that the plan has been implemented, B.C. actually got acknowledged several times, internationally, for its work on the climate file.

There were some misses. There always are as you set targets and goals. But I think, as a collective, as a province, we embrace the concept that we can be world leaders. We can lead by example. We can be seen by other jurisdictions. It will take more than just us to convince some of the larger countries on their own to change some of the things they are doing.

As we heard yesterday, now the Leader of the Third Party is not convinced that getting off coal is the greatest thing because more particulate in the air is better. I would suggest that I would rather see those coal plants shut down.

That's where we have gotten to with this debate. We're standing here in 2019 debating Bill 38, which makes minor changes, essentially, in the grand scheme of things, to reporting structures. It does not fundamentally change our end targets. This does nothing to address any of that. The targets set within CleanBC are actually the same as what we laid out when we first brought in the plan in 2007-2008. The end dates are the same. The end emission reductions are the same.

The thing that is a little bit different is that CleanBC has laid out a plan that only gets you 75 percent of the way there. It gets you 75 percent of the way there without fully accounting for LNG — LNG that just had a nice, quiet order-in-council calculation on how they're going to get their \$20-a-tonne carbon tax back. LNG only needs to pay \$30 a tonne carbon tax and can claim back from \$50 to \$30.

[11:40 a.m.]

Now we have seen the formula. Very quietly, though. Not, I would suggest, very transparent, but at least it's out there. I have not seen any news stories about it, and I haven't seen any consternation from environmental groups, so I'm thinking it's not really that much out there. Hopefully, after today's discussion, people will seek it out and look and see what has actually been enshrined with that order-in-council, that order-in-council from a piece of legislation that was changed.

There was a name change to the bill, and the only other fundamental change in that bill was enabling the minister, by regulation, to do exactly what was done — quietly, without

fanfare, without informing the Legislature, without informing the public. That's the type of open, transparent environmental policy we've been seeing now over the last 2½ years. I guess under that view, a bill that will require this government to report every single year is, in itself, not a bad thing, except that this government doesn't have to generate one new report until after the next general election.

Obviously, I'm a little biased. I'm kind of hoping that we'll be the ones having to generate that report every year. Nonetheless, there will be no new reporting — not one extra environmental report, in terms of showing what has happened in the previous year — generated in British Columbia from 2007 until 2022. So 2022 will be the first year that there would be one new report generated for accountability and transparency.

The other interesting thing is that in spite of all the hoopla around the fact that this bill has overhauled the reporting, there is no consequence in this bill. I would have thought, with all of the fanfare about this bill and about how critical it is that governments be held to account, that there would be some sort of accountability.

I'll give you an example. I'm not sure of the exact calculation. I've never sat in government, and I've never, obviously, been in cabinet. I'm not exactly sure how the holdback calculation works, but I do know that — unless the government has repealed this quietly, with a quiet order-in-council, but I don't think they would have done that — if they have repeal, there is a holdback for ministers. There is a holdback of their ministerial bump in pay to make sure that they don't go into deficit within their own ministry and that the overall budget stays balanced and does not go into deficit.

The interesting part about that is that everyone in that cabinet actually needs the Finance Minister's numbers of increased emissions to happen if they want to see their holdback get released to them and paid out. In order for the balanced budget to happen right now, unless there is a miraculous change to revenue streams and other line items, CleanBC needs to increase its emissions. It needs to get to \$2.2 billion in year 3 of CleanBC, and it needs to get there by generating 44 megatonnes of taxable carbon tax emissions.

We're not sure how that's all going to play out, but it is an interesting little sidebar in terms of motivation. I say that because, again, in this bill — I'll canvass this in committee stage; perhaps I've missed it — there does not appear to be any consequence for not hitting any target when you report out on where your yearly targets are. There's no consequence for any of those actions.

[11:45 a.m.]

We heard from the member from West Vancouver yesterday. In his comments that he brought forward when he was the critic, when he was in my role.... “What about if you don't hit your targets? Would there be a holdback in your pay, similar to the budgetary holdbacks?” The answer then was no.

I thought I would ask the same question. I was reading through old estimates questions to see what previous critics

from the now government were asking our government of the time about why they weren't taking this action or that action. I thought: “Well, the current minister was the critic at the time before that and must have felt strongly about things like that. Are they going to follow through on things they felt strongly about in opposition now that they're in government?” So I asked that question. The answer was no. There will be no accountability-type holdback when it comes to emission targets by the government.

I don't, fundamentally, have a huge problem with that, and I'm not even sure what the consequence should be. I know people will say: “Well, the consequence will be the election. The consequence will be in four years when you go to the polls. That's the consequence for not meeting your target.” Well, I would suggest that that's a bit of a long shot — that the sole consequence in any election would be 100 percent on whether or not they hit the target on any particular area of any government services.

My experience has been that most voters, in their own way, have a collection and a basket of issues that are near and dear to their heart. Some are a bit more important than others, and they make trade-offs, just like you do in our own household and your own thought process. On balance, you figure things out, and you say: “You know what? I don't agree with any of these people 100 percent of the time, but I like this party or I like that party based on a collection of things.”

To suggest that that's going to be the consequence, I think, is a little bit disingenuous, to say the least. If Bill 38 was actually meant to be credible, one would think there'd be a consequence tied to the bill.

I look forward to committee stage moving forward, and I'll have many questions for the minister at that time.

B. Ma: I recognize that we're nearing the hour of lunch, but I do believe that I'll be able to get through my comments quite quickly. I intend to do so, anyway.

I'm pleased to stand today to speak to Bill 38, intitled Climate Change Accountability Amendment Act, 2019.

Now, the Climate Change Amendment Accountability Act, of course, is a bill that exists in relation to our CleanBC strategy. Our CleanBC strategy is B.C.'s climate action strategy. It includes aggressive emission reduction targets that are, in my opinion, quite aligned, actually, with the IPCC report.

As a reminder, the IPCC report recommends that countries and jurisdictions go carbon-neutral by 2050, in terms of carbon dioxide neutrality, as well as achieve an emissions reduction of 35 percent on methane and black carbon. Now, methane and black carbon are substantially more powerful forms of greenhouse gases than carbon dioxide. CleanBC actually provides a blended rate in terms of the carbon reduction. That's 40 percent by 2030, 60 percent by 2040 and 80 percent by 2050. Again, those are blended rates — carbon dioxide as well as methane, black carbon and all the other GHGs.

Having said that, there are some people who have said

that the IPCC report's emission reduction targets are quite conservative and that we actually need to be much more aggressive than that. Now, whatever the targets are or should be, none of it matters if we can't actually reach them. That's why accountability is so incredibly important. Accountability is desperately needed, and I'm really pleased to see that we are introducing more accountability to our climate action strategy through this bill.

[11:50 a.m.]

Ian Bruce, the director of science and policy from the David Suzuki Foundation, said: "We welcome B.C.'s climate accountability law as one of the strongest in North America. These new measures to strengthen transparency and responsibility from every sector of our society, from the largest industrial polluters to government to citizens, will help make everyone part of the solution to the climate crisis." I think that is so incredibly important.

What I really find important about CleanBC is that it's not just about emissions reductions. It's not just about electrifying our transportation or improving the emissions efficiency of our buildings but also transitioning our economy. The transition of our economy is absolutely the most important part of this plan.

[Mr. Speaker in the chair.]

Now, given that I see the committee Chair in the room and I see that the Speaker has entered, I will reserve my place, my right to speak at the next available opportunity.

B. Ma moved adjournment of debate.

Motion approved.

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 11:51 a.m.

Proceedings in the Douglas Fir Room

Committee of the Whole House

BILL 41 — DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT

The House in Committee of the Whole (Section A) on Bill 41; S. Chandra Herbert in the chair.

The committee met at 11:07 a.m.

The Chair: I would like to call this committee into session here in section A, the Douglas Fir Committee Room. We're here with the Committee of the Whole. Bill 41 is, I believe, what we will be talking about today.

I'd like to acknowledge the minister and, of course, that we are on the territories of the Lək̓ʷəŋjínəŋ-speaking peoples, the Esquimalt and Songhees.

On section 1.

Hon. S. Fraser: I, too, want to recognize the Lək̓ʷəŋjínəŋ-speaking people and thank the Songhees and Esquimalt Nations for allowing us to do our business here today.

As we begin the committee stage of Bill 41, I would also like to introduce who I've got with me. My deputy minister, Doug Caul, is with me. Assistant Deputy Minister Jessica Wood is with me also. We've got Debbie Chan, from the AG — that's the Attorney General's office — joining us, and Richard Grieve is also with me today and a host of other people here too.

I'm looking forward to the discussion and bringing clarification at committee stage, which is appropriate. Bill 41 is history-making legislation, the first time in Canada that we will be, as a government, bringing in legislation that recognizes the human rights of Indigenous people in law in this province. I look forward to the discussions with my colleagues opposite.

M. de Jong: Thanks, Mr. Chair, and to the minister, and greetings to the able staff that are here from various departments of government. We're a couple weeks now removed from the ceremony and celebration, and to this body falls the less glamorous task of exploring in more detail the implications of the legislation, the details of the legislation, before us.

[11:10 a.m.]

I thought it might be appropriate, to kick things off, to give the minister an opportunity to explain to the committee, in perhaps broader terms, specifically what the government is seeking to accomplish with Bill 41.

Hon. S. Fraser: I thank the member for his question. I guess, in its simplest form, we.... I mentioned this already. What we're accomplishing here is recognizing the human rights of Indigenous peoples into law in this province. The legislation will give us a path forward as government.

I think it will be creating clarity and predictability for all British Columbians. Again, by working together, we will get better outcomes. Recognizing the rights of Indigenous peoples that have been, of course, recognized in the constitution, section 35, and reaffirmed by multiple court decisions, it is wise for government to move forward with this. There's been an urging from the courts for governments to get on

with the business of reconciliation, and that is exactly what we're doing with Bill 41.

M. de Jong: The minister began by restating the objective around the recognition of human rights. I note that in his remarks at the time, on that special day when Bill 41 was presented to the House, he said the same thing: "...we are" — I'm quoting from those introductory remarks — "recognizing the human rights of Indigenous peoples in law." Later in his second reading remarks, he said: "With this legislation, we are affirming the human rights of Indigenous peoples in law."

Is there a difference between recognizing and affirming?

Hon. S. Fraser: The purpose of the act — it states in the purpose section — is to affirm the human rights of Indigenous peoples. So I'm using the terms in the same meaning.

M. de Jong: I wonder if the minister might, for the purpose of the committee, expand upon the nature of the human rights that we are discussing here that are either being affirmed or recognized.

[11:15 a.m.]

Hon. S. Fraser: The act is affirming the collective rights of Indigenous peoples as laid out in the 46 articles of the UN declaration on the rights of Indigenous peoples. They are laid out quite clearly there.

I don't know if the member is asking for something more specific than that. The rights to live without discrimination, that sort of thing.... It's intrinsic within the articles of the UN declaration.

M. de Jong: One of the themes I'm hoping we can explore during the initial stages of the discussion in the committee is the degree to which the impact of the legislation is to import new legal concepts, new recognitions into British Columbia law.

I noted, a few moments ago, that the minister repeated or, I believe, made reference to something he again said in second reading, where he said: "These are the kinds of rights we all expect to have in the course of our daily lives, accepted and valued human rights that Canadians have helped define and fight for, human rights that are the foundation of our Charter of Rights and Freedoms, human rights that are reflected in the Aboriginal rights that are recognized and affirmed in section 35 of our constitution, rights that the courts have consistently and repeatedly upheld."

I think what I'm asking the minister.... On the one hand, he has made, I think, a very compelling case for the human rights that have found expression and protection in existing instruments of Canadian law. But he's also, through the legislation and his comments around the legislation, referred to affirming or recognizing something that impliedly, therefore, doesn't exist.

I'm trying to reconcile the two statements. Maybe the minister can help.

[11:20 a.m.]

Hon. S. Fraser: The bill before us, Bill 41, is not bestowing any new laws. It's articulating the UN declaration within the framework of the constitution and of British Columbia law.

M. de Jong: I think that's helpful, but I may ask the minister to clarify that response a little bit. When he said we're not bestowing any new laws, was he perhaps meaning to say not bestowing any new rights? We are clearly bestowing a new law. That is the essence of the exercise. I'll let the minister clarify that for the record.

That was the essence of my question, probably expressed clumsily. Are we recognizing...? I am relying, as the minister can tell, very carefully on the words that he and the Premier and others have used in describing this. Are we recognizing something that is already recognized in Canadian law, or are we recognizing rights that go beyond what is presently recognized? I think the minister has just indicated the former — that what is being recognized here are rights that already exist and are already recognized in Canadian law.

Hon. S. Fraser: The member is right. It's recognizing rights within Canadian law and within the constitution.

M. de Jong: Right. Again, that is helpful. I think the part of the response that I want to be clear upon, because I think much does turn on it — that will become apparent as we move through some of the subsequent discussion — is that the minister's original response was that the intention is not to bestow any new laws. I took that to mean that the intention is not to bestow any new rights.

Perhaps the minister, rather than me put words in his mouth, could make that clear — that the intention is not to bestow any new rights.

Hon. S. Fraser: The member is correct. If I misspoke, let me correct it for the record here. The legislation does not create any new rights.

M. de Jong: Maybe moving now to some of the descriptors that have been used. "Historic" has been a word that has been applied, and I think for a variety of reasons that it may be an appropriate adjective. It leads me to ask this question: has this ever been done before?

[11:25 a.m.]

When I ask that.... Here's, in fairness to the minister and his team, what I mean by that question. Canada has done this internally. Not this specifically. Give me a moment, and I'll try to explain. The best example is, of course, the Charter, which is a legal instrument that applies across the breadth of Canadian laws. All statutes must be read to be consistent. It applies to all laws. There are judicial interpretations that take place to assess whether individual statutes at the federal

or provincial level comply with that overarching document. There are rulings. At times, legislation is struck down.

In this province or in this country, have we ever taken an external document — declaration, in this case — and created a statutory requirement to interpret every other statute in accordance with that declaration, which will then take precedence?

Hon. S. Fraser: As the member knows.... The obvious example that I thought of when he was asking the question is the Canadian Parliament did.... Actually, it was Bill C-262, Romeo Saganash's private member's bill, that made it through the parliamentary system in Ottawa. That would be one example. Of course, it hit the Senate, and then the writ dropped, and we all know what happens then. Bills fall off the order paper. But it did make it through the Canadian Parliament. A specific example that has actually made it all the way through would be the Kyoto Protocol Implementation Act.

M. de Jong: The reference by the minister to Bill C-262 is, I think, very helpful and very appropriate. I will take it as a sign that the minister will welcome an opportunity to discuss some of the parallels between the two pieces of legislation.

I'll take issue with just the one comment he made with respect to that. The federal parliament, of course, is a bicameral system. As much as Canadians may not assign the same level of import to the Senate as they do to the House of Commons, if that is so, the bill technically did not make it through parliament, insofar as it didn't receive the passage required in the Senate and make its way back to the House of Commons.

[M. Dean in the chair.]

Having said that, I think the minister is quite correct in pointing to that attempt, which — I agree with him — represents an attempt to do what we're doing here, a very similar attempt, I think. We can come back to that in a few moments.

I'm interested in the minister's reference to the Kyoto Implementation Act and will confess that on the break, perhaps, I'll quickly endeavour to examine that. But maybe the minister, with his staff, can help. Now, my recollection is that the Kyoto Implementation Act sought to establish some targets within domestic law consistent with those to which Canada was a signatory in the Kyoto accord.

[11:30 a.m.]

If I'm mistaken, and the minister is able to say to the committee, "No, actually, that act did something similar to what we're doing here, took the Kyoto accord and determined that it would influence every statute, every law, in Canada," as this bill and Bill C-262 purported to do.... The minister understands the distinction I'm trying to make between a piece of legislation that references commitments the country has made versus a statute that says this international accord is

the lens through which every single law and piece of legislation must be read in the jurisdiction.

Hon. S. Fraser: Maybe a little out of protocol here, but before I seek to answer the question, can the member educate me on what "bicameral" means? He used the term before, and I've just never heard the term before.

M. de Jong: The federal parliament, of course, is a parliament of two Houses: a House of Commons and a Senate. It is bicameral, meaning the two Houses together comprise the federal parliament. Therefore, Bill C-262 did not successfully move through parliament, insofar as it required passage in both Houses and didn't receive it.

Hon. S. Fraser: I thank the member for that. I learned something. I mean, I understood the concept as he described it, but I just had never heard the term "bicameral" before. Thank you.

I'm going to read directly from the Kyoto Protocol Implementation Act. This legislation included a section that requires a plan that included "a description of the measures to be taken to ensure that Canada meets its obligations under...the Kyoto protocol..." That's the only clarification I've got here. We didn't come prepared to discuss in depth the Kyoto Protocol Implementation Act.

M. de Jong: I won't belabour the point. I think the distinction would be the presence of a section comparable to subsection 2(a) of the bill before us, which, of course, affirms the application of the declaration — in that case, the accord — to the laws of British Columbia. That's something the minister or the members of his team can verify over the course of the break.

Are there any other examples that the minister can refer to — he mentioned Bill C-262, which I'd like to discuss with him and the committee in a few moments — any other examples that he can think of where either the province or Canada has taken an international instrument, an international declaration, and said: "This, in its entirety, now applies to the laws of the land"?

[11:35 a.m.]

Hon. S. Fraser: We're having to do research on the fly here. I appreciate that the member is helping to get us learning more about....

I certainly was aware. But this is a partial example. Again, I wasn't really prepared to speak about other laws throughout the country, but section 80 of the Family Law Act provides the force of law in British Columbia to the convention on the civil aspects of international child abduction signed at the Hague on October 25, 1980, with definitions incorporated and express limitations on any government obligation to provide funding. So it's only a partial. It's not as sweeping as what we're talking about here.

Just for the member's.... If he will allow me, if I see where

he's going with this line of questioning, I believe that in many ways, we're leading the country and other parts of the world in this legislation such as we are doing it, so I think it would be difficult to find a specific comparable directly. At least, it might take some time for us to find something, but I'm not aware of anything. I think we're leading the country, certainly the country and other parts of the world, in bringing in Bill 41.

M. de Jong: Well, that's my sense as well. The minister has provided an example, and in fairness, he has pointed out it is a very specific reference in a single domestic statute incorporating or making reference to an international declaration or an international accord. Again, the minister has observed that he is not aware of anything as sweeping as the application of the declaration before us and attached to the bill. I am inclined to proceed on that basis, that this is breaking new ground, and insofar as it is historic, it may well be an appropriate term.

Has any other country done it in this way? The minister partly answered that in his last answer. I searched. I'm not here to try and trick anyone. I searched, and I could not find an example of a country that has said: "The United Nations declaration on the rights of Indigenous peoples applies to our laws." I have found examples of a couple of South American countries that have taken elements of the declaration and built them into specific domestic legal instruments and statutes, but I have not found an example of another country that has approached this in the way that Canada tried in C-262 and B.C. is attempting to do with Bill 41.

[11:40 a.m.]

Hon. S. Fraser: Bolivia was the first jurisdiction in the world to legislate the UNDRIP, the UN declaration on the rights of Indigenous peoples. Also, New Zealand aims to be the first country in the world with an action plan to implement the United Nations declaration of the rights of Indigenous peoples in relation to the Maori and is engaged with the UN experts to develop that plan. I should clarify that that's an action plan. That's not legislation, as far as I know.

We are leading the world, as far as legislation goes. Although, Bolivia, I would suggest.... The member asked about other countries. We're obviously a smaller jurisdiction. We're a provincial government. But, of course, Canada did attempt this, as the member correctly cited.

M. de Jong: Last question in this regard. The minister has rightly pointed to our status as.... I think the term that is frequently used is "subnational government" — not neces-

sarily the most flattering of terms but, I think, the accurate legal term.

Can the minister advise the committee: have any other subnational governments endeavoured to embed the declaration? When I say "the declaration," I, of course, am referring to the UN declaration on the rights of Indigenous peoples. Is he aware of any other subnational governments that have endeavoured to embed the declaration into their domestic laws in as fulsome a way as Bill 41 is purporting to do?

Hon. S. Fraser: There may be something we've missed, but I do believe the only other example that we can find right now is NDP private member's bill 76 in Ontario. It calls for laws in Ontario to be harmonized with the UN declaration, and it's currently with the Standing Committee on General Government in Ontario. But that obviously hasn't completed.... It's a private member's bill.

Romeo Saganash's private member's bill in Ottawa was quite unusual in the fact that it actually did make it through the parliamentary system. But there's no way to know, in Ontario, whether this will have that effect.

That being said, what we're doing with Bill 41.... It does not give the UN declaration on the rights of Indigenous peoples legal force and effect. It does not do that.

M. de Jong: All helpful information from the minister.

[11:45 a.m.]

He again mentioned Bill C-262, the private member's bill that very nearly made its way successfully through the federal parliamentary system. Does the minister have access to that bill? If he does not, I have brought an extra copy, because I am going to ask some questions about the parallelism in the drafting. I'm happy to provide a copy to the....

Maybe to begin this segment of the questioning, if I were to suggest to the committee and to the minister that the construct of Bill 41, recognizing that the jurisdictions are different, closely follows the construct of Bill C-262, would he be inclined to agree with me when I make that statement?

Hon. S. Fraser: Comparing C-262 to Bill 41, there are similarities, and there are differences.

I have been handed a note here from the Chair that I move that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 11:47 a.m.

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