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*of* BRITISH COLUMBIA

Second Session, 42nd Parliament

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THE HONOURABLE RAJ CHOUHAN, SPEAKER

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## PROVINCE OF BRITISH COLUMBIA

(Entered Confederation July 20, 1871)

### LIEUTENANT-GOVERNOR

Her Honour the Honourable Janet Austin, OBC

### SECOND SESSION, 42ND PARLIAMENT

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Honourable Raj Chouhan

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TUESDAY, NOVEMBER 16, 2021

The House met at 10:05 a.m.

[Mr. Speaker in the chair.]

### Routine Business

Prayers and reflections: Hon. S. Malcolmson.

### Introductions by Members

**D. Clovechok:** It gives me a great deal of pleasure this morning to introduce an amazing person who is in the gallery today, and that is Deb Fisher. Deb's life has been dedicated to kids in her Métis community. Her passion for both does not come from choice, but it is ingrained in her DNA. She has worked for the school district, helping Indigenous and non-Indigenous kids navigate the many paths and challenges, and she's been the director of education for the Shuswap Indian Band.

She has been a huge supporter of our Summit Youth Centre, and she is always very honest and never bashful in sharing her ideas with me. She has been the president of the Columbia Valley Métis Association and is now the elected region 4 director for the Métis Nation of British Columbia. Above all, Deb is my friend. If love had a twin sister, it would be Deb Fisher.

I'd ask all members in this House to please give Deb a very warm welcome to this very special place.

**Hon. M. Dean:** I rise today in this House to introduce Paige Sutton, who as a member of the Lindenwood University women's lacrosse team won the 2021 NCAA Division II national championship.

She's joining us virtually from her college dorm in St. Charles, Missouri. Paige was also a recipient of the 2021 NCAA Elite 90 Award. Founded by the NCAA, the Elite 90 Award is given to a student athlete who achieves the highest academic standard among their peers while competing and winning a national championship.

Paige is also a GLVC Brother James Gaffney Distinguished Scholar, academic All-GLVC honouree and was selected to the All-GLVC team and finished in the top three in scoring.

Congratulations to you, Paige. We are honoured to have you from our community, and we are delighted to see where your academic and sporting excellence will take you.

Will all members of this House please join me in celebrating her today.

**Hon. M. Rankin:** Following on from my colleague the member for Columbia River–Revelstoke, I stand today to ask the House to honour and welcome members of the Métis Nation B.C., as well as a Métis Elder, who are joining

us here in the gallery today. They joined me earlier in the Hall of Honour in a ceremony and proclamation presentation in recognition of Louis Riel Day.

[10:10 a.m.]

Métis Nation B.C. delegation. I'd like to introduce them: Louis De Jaeger who is the acting VP for MNBC; Daniel Fontaine, who is the CEO; Chris Gall, the chief public affairs officer; Patrick Harriott, MNBC director of region 1; Kate Elliott, the women's chair; Debra Fisher, minister of education and children and families; Mark Carlson, who is the chair of the Métis Assembly of Natural Resources; Jeremy Twigg, associate director of intergovernmental affairs; and Barbara Hulme, the Elder and ex officio member of the Métis Nation of Greater Victoria.

Would the House please welcome these members.

**K. Paddon:** I would like to follow the minister in welcoming my constituent and a friend, Louis De Jaeger. He's up in the gallery.

I am so grateful and honoured to be able to introduce them. They're the acting vice-president of Métis Nation B.C., as was mentioned, and the minister of economic development and natural resources. In Chilliwack-Kent, they're so much more than that as well. We're so grateful to have them as part of our community and in this leadership role.

Welcome. Would the House please help me.

**R. Russell:** It's my distinct privilege today to welcome to the gallery Miles Semenoff and — no offence, Miles — more importantly, your mother, who is here with you today. Enormous gratitude. Jennifer Wetmore is one of the people that came forward in the Boundary floods in 2018 to really champion small economic business development and help us navigate that process in an incredibly challenging time for her community, our community. Again, a distinct privilege to welcome the two of them here today.

**Hon. L. Beare:** I have two very special guests in the gallery today, who are coming to watch question period for the first time. They happen to be the parents of a friend to this House, as well as a dear friend of myself and the member for Maple Ridge–Mission and the chair of school district 42, Korleen Carreras.

Would the House please join me in welcoming Alan and Lena Barkley to the House today.

### Introduction and First Reading of Bills

BILL M206 — BUILDING  
AMENDMENT ACT, 2021

S. Cadieux presented a bill intituled Building Amendment Act, 2021.

**S. Cadieux:** I move that the bill intituled the Building Amendment Act, of which notice has been given in my name on the order paper, be introduced and read a first time now.

Nearly 25 percent of B.C.'s population identifies as having a disability, and the population of people with disabilities is growing at nearly twice the rate of the non-disabled population. The problem is we aren't planning for it. The legislation that I'm introducing today for a fourth time would require that all new multi-unit housing built would consider accessibility and that a percentage of all new housing would be required to meet the criteria of either adaptable, visitable or accessible.

The American housing survey in 2011 found that less than 1 percent of housing is accessible for wheelchair users. While I haven't seen similar research in Canada, I would argue we would find similar results. Of the thousands being built in my constituency alone, nothing is accessible, except for the odd condo development, where nothing is even remotely adaptable. Right now we are not building housing that works for everyone. We need homes that are truly accessible or adaptable, where it is considered at every step of the process from the very foundation.

We've just recently unanimously passed accessibility legislation in this House. The issue has yet to be contemplated, though. Government has launched a consultation on accessibility issues and the building code just last week. While standards are readily available, we have made the use of them or building to them optional, and we must course-correct. We need to ensure an accessibility lens is applied when considering building for the future in all housing types — social, rental, single family, condos and townhomes.

It's time to make a change to mandate the development of housing that works for everyone.

**Mr. Speaker:** Members, the question is first reading of the bill.

Motion approved.

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

Bill M206, Building Amendment Act, 2021, 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)

WILLIE CROSINA

**L. Doerkson:** When you look up the word “cowboy,” you will see Willie Crosina's picture beside the word. Every time I run across this fellow, he is surrounded by friends and family and, very often, admirers.

[10:15 a.m.]

You might see him at an auction or a rodeo with rodeo royalty surrounding him. A rancher, a cowboy, a rodeo clown and, of course, a long-time rodeo announcer, he is also the owner of what once was the beloved shop known as Willie's Western Wear. He has been attending the Williams Lake Stampede for longer than I have been alive. For 44 years, he has organized a bus trip to the national Canadian Finals Rodeo in Edmonton, which is always sold out.

There is no question that Willie has been immersed in our western culture for his entire life and recently with the mark he made on the sport that was forever written into the history books when Willie was inducted into the Cowboy Hall of Fame in 2019. To add to all of this, he is, for certain, one of the most beloved 97-year-old characters and community members that we have in the Cariboo-Chilcotin.

He is still active and just returned from his 44th annual NFR trip. It was my absolute honour to present a certificate to Willie at his 97th birthday a few months back and thank him for the work he does, both for rodeo and for our community. He is, without a doubt, a Cariboo-Chilcotin icon and a man I am proud to count as a friend.

For everyone in the Cariboo-Chilcotin and, of course, all of us here at the B.C. Legislature, thank you, Willie Crosina, for all you have done for our community, for western culture and, of course, for the sport of rodeo.

## COMMUNITY RESPONSE TO SEVERE WEATHER EVENTS

**R. Russell:** I believe I may speak on behalf of the House when I say that our thoughts are with all of those in B.C. that are suffering because of floods and landslides around the province.

To all of you who have lost your homes, to all of you who are dealing with evacuation trauma and those separated from loved ones, including those re-evacuated for a second time now this year, please know that our hearts are with you. I know that this chamber, in a fundamental and deeply non-partisan way, is full of compassion flowing out to you and an eagerness to support you.

I rise today to shine some light on the role of local champions in our communities, those souls that go so far beyond their call of duty to help keep their communities safe and to be sure that their communities are restored and thrive in the wake of crises like this.



In the context of today, individuals such as Mayor Spencer Coyne stand out. He spent Sunday donning his high-visibility vest and light baton to direct traffic for his community. He then worked through the night with the Princeton team to help navigate the breached dike and catastrophic flooding Princeton has seen over the last 48 hours. He happens to be the mayor, but his dedication is rooted in something more foundational, a much deeper passion for place that inspires advocates like himself to lean in for our communities.

Even if the passion of rural B.C. oftentimes blurs the lines of what our roles are supposed to be, this passion for place and people is part of the glue that holds our communities together.

This is just one story. There are many more, like paramedic and rural director Tim Roberts, Mayor Manfred Bauer in Keremeos or local journalist Andrea DeMeer, interviewing while waiting for evacuation, or Michael Young, a volunteer helping to evacuate the community of Eastgate.

I would, of course, be remiss to not give credit to the team of Boundary leaders in my community that stepped forward three years ago, a diverse team built on trust, including my guest in the gallery today. Those stories will have to wait.

At the end of the day, as the dust settles after these crises, it's the passion for our people and place that helps make B.C. resilient and robust. Paid or unpaid, elected, hired or volunteered, these are the people that provide the glue that makes B.C. such a wonderful place to be.

#### ECOLOGICAL RESERVES

**J. Sturdy:** On April 2, it was B.C. Ecological Reserves Day. "What is that?" I hear you say. Well, in fairness, that's a pretty good question to all here but a few. In May of this year, it's been 50 years that B.C. has been working to preserve the province's representative and special natural ecosystem, plant and animal species, features and phenomenon. This is quite a task in a province as diverse as British Columbia.

A shout-out has to go to Dr. Vladimir Krajina, born in Austro-Hungary in 1905, a professor of botany, a Czech resistance fighter who after being sentenced to death, not just by the Nazis but also by the Communists, escaped to Canada and made his way to the faculty of forestry at UBC.

It was during the seemingly boundless 1950s that he saw the tremendous value of our natural ecological gene pool, and he advocated that we maintain a small percentage of the land base as "a nature museum site," distinct from parks and, as much as possible, with human activities limited to research.

[10:20 a.m.]

It was this forward-thinking in the 1950s that convinced the government of W.A.C. Bennett to ask this Legislature

to approve the Ecological Reserve Act, which it did, *nemine contradicente*, on May 4, 1971. It was a first for Canada, with the establishment of 29 reserves. Today there are 148.

While the province went as far as issuing a brief press release on the anniversary, the B.C. Parks Elders Council and Friends of Ecological Reserves believe much more needs to be done. Firstly, it's important that we work to complete the system that maintains our precious ecological gene pool resource. Second is the need for a system plan that provides better organizational structure to monitor and maintain and use these reserves appropriately. Finally, the volunteer warden positions are critical. As of April, more than half of these positions were vacant across the province.

I'm sure you'll all join me in appreciating the value of the Ecological Reserve Act and the opportunities it maintains for this province. Let's commit to acting on and reporting out on each of these recommendations.

#### ADOPTION AWARENESS

**J. Routledge:** November is national Adoption Awareness Month.

Today I'd like to honour my parents. I wasn't even old enough to go to school when they sat me down to tell me my story. I remember them describing how they went to the local orphanage to adopt a baby. It was during the post-war baby boom. So they had lots to choose from. They described how they decided it would be me, the girl baby, they would bring home with them.

Imagine my surprise, later in life, when I discovered that my parents were fairly unique in the belief that girls were just as good as boys. It was their unwavering conviction that I could grow up to be anything I wanted to be that set me on a path that led me here today, speaking to you from my seat in the B.C. Legislature. I wish they were still alive to witness the success of their parenting skills.

Adoption is sometimes called a soft stigma. It comes from the notion that adopted children are unwanted children. I was always secure in the knowledge that I was wanted and cherished. Both my parents came from large extended families. Never in my life have I felt less than fully accepted and loved by them. In fact, I know most of my cousins have long forgotten that I'm the adopted one. It certainly isn't documented on the family tree. My son — my stepson, that is — is also recorded there, and his wife is identified by her Chinese name.

Whether you were raised by birth parents, adoptive parents, step-parents, same-sex parents, foster parents or any other kind of parent, here's to the families that armour us with the protection of their love and wisdom and send us out to make our way in the world.

This statement has been authorized by my grandchildren.

## RESPIRATORY THERAPISTS

**B. Banman:** As a health care professional, my admiration, as always, goes to those who pour their hearts and souls into their careers in health care. Their job is one of personal sacrifice and dedication every day but is increasingly so during the challenging times during a world pandemic.

My attention lately, however, has been drawn to those who work in the field of respiratory therapy. Respiratory therapists are an essential role in emergency and critical care medicine, and their profession is under an extreme staffing strain for several reasons.

RTs in B.C. play a vital role in the diagnosis and treatment of cardiopulmonary illnesses. They work with physicians when advanced airway management is required, and they often stay in the room with patients for hours managing patients on life support. During the COVID-19 pandemic, RTs have held iPads and cell phones for patients while family members, unable to attend due to restrictions, say goodbye to the loved ones as they turn off the life support.

[10:25 a.m.]

They have taken a front-line role in coaching and teaching other staff appropriate PPE measures. They support their nursing colleagues when they're overwhelmed with patient care and, most importantly, have shown up daily when the risks were unknown, protective equipment was scarce, all while fearing that they could go home and infect their loved ones.

Currently staffing this profession looks very grim. Projections show that B.C. will need over 700 RTs by 2025; however, B.C. only has one university that offers the training required, and that program only produces 90 grads a year. Beyond that, salaries are higher for RTs in Ontario, Manitoba, Saskatchewan and Alberta, even though here in B.C. we have a significantly higher cost of living. RTs are leaving their profession, during a time when they are of utmost importance, for roles with higher pay or for provinces with more incentives or a lower cost of living.

Today I would like to not only profess my respect and high regard for respiratory therapists across our province but would like to call on our government to look into more funding and more training options for this vital profession. They need us, and we need them. British Columbians deserve better.

SKYTRAIN TO LANGLEY  
AND OFFICIAL COMMUNITY PLAN

**A. Mercier:** SkyTrain is coming to Langley, and it is going to be a significant benefit for British Columbians, taking 17,000 cars off the road and reducing greenhouse gas emissions. But it is also going to be a significant benefit for the city of Langley. That is because of the hard work

and heavy lifting that Langley city council has done in preparing its new official community plan.

This plan is going to be transformative. It's going to ensure that with the advent of SkyTrain and the arrival of the SkyTrain stations around 196 and 203 Street, we're shaping growth — not just chasing and reacting to it — and that we preserve the community and the community spirit of Langley while at the same time providing multiple different forms of affordable and diverse housing types so that Langley doesn't just become a city of luxury condos but a city of affordable, multifamily housing, where you can raise generations of family, living side by side.

It also takes into account climate change mitigation and ensuring that flood construction levels around the Nicomekl stay at an appropriate level, which I think, as we've seen in the past few days, is incredibly important.

I just to take a sec and give a shout-out to Langley city council for all their hard work: Mayor Val van den Broek, Councillors Gayle Martin, Teri James, Paul Albrecht, Rudy Storteboom, Rosemary Wallace and, last but not least, my friend Councillor Nathan Pachal.

I also want to take a sec and thank the hard-working staff at Langley city, all the staff, but in particular Chief Administrative Officer Francis Cheung and Director of Developer Services Carl Johannsen, who have done a tremendous amount of work on the new official community plan.

In this plan, it's going to allow Langley to capitalize on SkyTrain and really bring Langley into the 21st century. Will the House please give a big hand for Langley city council.

**Ministerial Statements**

LOUIS RIEL DAY

**Hon. M. Rankin:** I'd like to draw the House's attention to an important event in our calendar. Today, November 16, is Louis Riel Day, a day to honour an influential leader of the Métis people as well as an important figure in our shared Canadian history.

Louis Riel stood up for Métis rights. He stood up for Métis culture. He was a political leader who fought for human rights. He was a staunch supporter of a multicultural society that honours and values different religions, different points of view and bilingualism. I am pleased that the province of British Columbia, today, has proclaimed Louis Riel Day.

Early this morning I was honoured to meet with representatives of various Métis organizations in British Columbia. We gathered to witness the Métis flag being displayed in the Hall of Honour. The reason for the early start today is historic. At sunrise on November 16, 1885, Louis Riel was hanged at the RCMP barracks in Regina for high treason after the Northwest Rebellion, which he led to protect Métis rights, Métis land and Métis culture. The Métis

people and many others saw him then and still see him as a person who suffered a grave injustice. That is why, each year, we honour his memory.

[10:30 a.m.]

Today, as well as honouring Louis Riel, we are honouring Métis people, who are integral to the rich cultural fabric of our province. So let's take this opportunity to recognize the 90,000 Métis people who call this province home and to thank them for their contributions to our province.

**P. Milobar:** Thank you, hon. Speaker, for the opportunity to rise today and respond to the ministerial statement from the minister recognizing Louis Riel Day. It certainly is an important day for the Métis Nation across Canada and, as we've heard, the nearly 90,000 Métis people right here in British Columbia. It's an effort that involves recognizing the contributions of leaders like Louis Riel, the founder of Manitoba, who played such a critical role in shaping our country and whose advocacy for the Métis Nation must be acknowledged.

There was a time when many historians dismissed Louis Riel as a rebel and a traitor, but over time, that viewpoint has shifted as Louis Riel was seen to be a charismatic leader who was intent on protecting his people. As we've heard, he had quite a history. It's interesting to note that Louis Riel was only 41 when he was hung, so he accomplished a lot in a very short time frame with his political involvement and championship of the Métis lifestyle. His life and the actions he took have certainly been the focus of much study and reflection over the years.

The Métis Nation B.C. notes that after Riel's execution, Métis people across Canada were mass-labelled as traitors themselves. That has led to many feeling the need to hide their Métis culture and identity, which was deeply painful. So I think it's critical that institutions like ours do recognize this significant day to help increase the recognition of Métis people and their many contributions to our province and to Canada and to celebrate the Métis culture, which for too long was hidden away and suppressed.

In closing, I also want to acknowledge the new letter of intent between the Métis Nation B.C. and the province of B.C., which pursues a new reconciliation agreement and envisions a more collaborative approach to various initiatives. I think we can all agree that these are worthy goals, and I look forward to seeing them progress for the benefit of all Métis people in British Columbia.

**A. Olsen:** I would like to first start by acknowledging the Métis leaders and Elders that are with us in the gallery today viewing the proceedings here. As well, I raise my hands in acknowledging that today is proclaimed Louis Riel Day. And to all the Métis Nation and the 90,000 Métis people living in British Columbia today, I stand in recognition of Louis Riel Day.

On November 16, 1885, Louis Riel was hung for treason

and for his role in leading the North-West Resistance in the Red River Rebellion. Louis Riel is a complex and important figure in Canadian history. He was both a political and cultural leader of the Métis people and a founder of Manitoba. He resisted the Hudson's Bay Company's corporate sale of lands to the Dominion of Canada and stood in defiance of a Crown government that was imposing and encroaching on Indigenous people and their territories.

For decades, Riel was treated by Canada and historians as a traitor. As a result, this unfortunately reflected on all Métis people, as my colleagues have previously stated, stigmatizing them as traitors and rebels. We now see Riel for what he is — someone who stood up against a government acting unlawfully. Standing in recognition of days such as this keeps the sacrifices of leaders such as Riel in the front and centre of our minds and forces the governments of Canada and British Columbia to come to terms with the history of European settlement of these lands and territories.

It is important that Canadians and British Columbians know and understand our history. Today is an important learning opportunity for us all. In fact, today this preparation for this statement allowed me to reflect on our history and to come to a deeper understanding of those pivotal moments in our history that led us here today.

[10:35 a.m.]

It's important that we do not view this as an annual exercise, a performance of government officials going through the motions of acknowledging the past, with little or no intention to do much about it. Rhetorical speeches don't replace meaningful action. Even as we stand here today and say these words of remembrance, commemoration and recognition, the struggles of Indigenous peoples continue every day in British Columbia, in the north, the south, the east and the west.

The conflict over land that was at the heart of Louis Riel's defiance is ongoing in this country and in this province. Even though politicians in this place easily throw around words to appease and confuse the public, words like "titleholders," "rights holders" and "sovereignty," those words have real meaning, and they should not be used if those who utter them have no real intention of breathing life into them.

Louis Riel Day marks a tragic day in the history of our country, when a person's life was extinguished for standing in defiance of a government acting unlawfully. Let's never forget the courage, sacrifice and leadership of Louis Riel, and let us, in this place, ensure that we do everything we can to reconcile the conflict over land and stand in defiance when the acts of this institution ignore the commitments that we have made to all Indigenous people in British Columbia.

*HÍSWĶE SIÁM.* Thank you.

### Oral Questions

#### STATUS OF COASTAL GASLINK PIPELINE PROJECT ON WET'SUWET'EN LANDS

**S. Bond:** It's been almost two years since the doors of this Legislature were swarmed by protesters. Now tensions at the Coastal GasLink construction site in northern B.C. are heating up again.

More than 500 workers, including Wet'suwet'en members, have been cut off from supplies and the outside world as the result of an illegal blockade. We wrote to the minister about this deteriorating situation nearly three weeks ago, and yesterday the minister seemed to throw in the towel on ending the blockade by saying: "Unfortunately, despite our government's best efforts, these initiatives have not been successful."

That's simply not acceptable. We're now on day 53 of the blockade. Day 53. What is the minister specifically going to do to ensure the safety and well-being of workers, more than 500 of them, who are currently trapped behind an illegal blockade?

**Hon. M. Farnworth:** Obviously, an illegal blockade is not acceptable. We are working very closely in terms of dealing with CGL and the situation for those workers behind those blockade lines and, at the same time, being in regular contact with the RCMP in terms of ensuring that, as much as possible, we can get this situation resolved and de-escalated in a way that reduces the potential for conflict, which I don't think anybody wants to see.

**Mr. Speaker:** Leader of the Official Opposition, supplemental.

**S. Bond:** Well, of course, no one wants to see a conflict, but what we want to make sure of is that more than 500 people who are trapped behind an illegal blockade are actually cared for. Let's be clear. This is a political standoff, and there are more than 500 workers caught in the crosshairs. There is no way to get supplies in and no way for workers to leave. Supplies will run out in the next several days. And if there is a medical emergency, the illegal blockade puts health and safety of more than 500 workers at risk.

These are public roads that are being blocked. There is significant concern about the safety and well-being of more than 500 workers trapped behind an illegal blockade. The company, as the minister well knows, has approvals from the province and support from all 20 elected councils along the route. He also knows that there is an enforceable B.C. Supreme Court injunction in place which allows work to continue.

Today, as we sit here, there are more than 500 workers trapped. There is a risk of not being able to get supplies in, and if there is a medical emergency, help will not be there.

[10:40 a.m.]

To the minister, exactly what is his plan to deal with the necessity of providing goods and medical provisions for the workers that are trapped behind the blockade?

**Hon. M. Farnworth:** I thank the member for the question. Obviously, we are very concerned about the situation at the camp. We have been in contact with CGL. We have been in contact with the RCMP.

We are aware of the situation, in terms of supplies and in terms of how we are able to get, or supplies can be gotten, into the camp as required. I can tell the member in terms of medical requirements, there is significant medical capacity in that camp at the present time.

Interjection.

**Mr. Speaker:** Members.

**Hon. M. Farnworth:** I was asked a serious question, and I'm giving a serious response. If you want to chuckle and laugh, I don't think that's appropriate. What I'm telling the member who asked the question is we are aware of the situation at the camp.

We have been in contact with CGL. We know that there are medical capabilities in that camp, and we will ensure that if medical assistance is required, that it gets in. We know that the road is blocked, but there are other — for example, by air — that can be used.

What we want to see in place is a de-escalation. We have been doing efforts over that over the last number of months to be able to do just that. It is a challenging situation. But I also know that that is the best way, at this point, to resolve it. That's what we're working to do.

**J. Rustad:** Fifty-three days of this blockade, but this has been building over a lot longer. Here's the challenge: the NDP government seems to have different messages for protesters in different regions of the province.

In southern B.C., the government has supported the elected chiefs who seek employment through forestry. The Premier has consistently urged protesters at Fairy Creek to go home.

In the north, the Premier has not supported the elected chiefs and councils. In fact, two cabinet ministers and a former minister have worked hard to ensure that protesters are welcomed and supported.

Can the Minister of Indigenous Relations explain why the wishes of the elected chiefs in northern B.C. are dismissed by the province?

**Hon. M. Rankin:** I thank the member for his question. I think it is unfair to characterize our position in that way. I have met, on several occasions, with elected leaders of the Wet'suwet'en Nation.

Of course, we're also dealing with those people, the

Hereditary Chiefs, who brought the Delgamuukw-Gisday'wa case to the Supreme Court of Canada almost a generation ago. That work, that ongoing dialogue, has never happened as the court commanded the governments of the day to do.

We are now doing that. We are working with the proper rights and title holders according to the Wet'suwet'en people. We will continue to do that.

As regards to the specific controversy that the member alludes to, we aren't treating protesters differently in one part of the province as against another. The fact is, I have been to a meeting with the clan leader of the Gidimt'en clan. I had a call today with the CGL leaders. I have met with the Elders in the territory as recently as a couple of months ago, at the same time meeting with elected leaders as well.

We will continue, as the minister said, to find a way to de-escalate this conflict, to try to find a way to do what we should have done a generation ago and to finally find a resolution to the land question in the northwest.

**Mr. Speaker:** Member has a supplemental.

**J. Rustad:** Well, this long process that has started some time ago is cold comfort to over 500 people who are under siege, who are trapped, who are worried. I mean, let's be clear here.

It has been well documented that equipment is being stolen. Equipment is being vandalized. Roads, of course, are now blocked, and over 500 workers are not only under siege, but they're being threatened. People are yelling in their faces, and they're running out of supplies.

What has the government's response been to this situation over the years? This government's response has been to provide the leadership of the protesters with \$7 million and to have the current and past ministers standing with these protesters.

There is a difference between how it's treated in the north and how it's treated in the south.

[10:45 a.m.]

In his own riding, the Premier was clear to the protesters to leave and listen to the requests of the local nations. "Move along," was the direction that was given to the protesters at Fairy Creek.

But when it comes to the 20 elected bands that have given support for Coastal GasLink, some of the members who are behind these picket lines — or these protest lines, I should say — the province has taken a very different tack. They've ignored those elected chiefs.

So once again, to this government — and perhaps the Minister of State for Lands and Natural Resource Operations wants to chime in, because some of these people are chiefs in his riding — can they explain why the opinions of the elected chiefs in northern B.C. are being ignored?

**Hon. M. Rankin:** It is absolutely true that we have pro-

vided revenue to the Wet'suwet'en leaders in order to achieve unity. The speech that I give to the elected leaders is the same speech that I give to the Hereditary Chiefs. I did that in late August and September, when I was in the territory. I said that we need to find unity amongst Wet'suwet'en if we're ever going to solve this issue.

After all, it was the Hereditary Chiefs who went to the Supreme Court of Canada in the Delgamuukw-Gisday'wa case. It is they who have the rights and title.

The elected chiefs are very much part of the solution. They have pipeline benefit agreements. They have other revenue-sharing in the territory. That is true, and we honour that participation. But the truth is we are trying to achieve unity in the way I've described.

There's no way that we're treating them differently in the north and the south. It's simply not factual. We are trying very much to solve this controversy.

There is no excuse for vandalism or theft. This is a project that has a permit. It's a project that has the right to proceed. There is no way that we condone that in any way, shape or form. But to suggest that we are somehow ignoring the elected leaders is simply not factually true.

#### GOVERNMENT RESPONSE TO SEVERE WEATHER EVENTS

**S. Furstenau:** Honestly, it's disorienting. In the wake of what will probably be one of the most costly storms, in terms of infrastructure, in B.C.'s history, driven by climate change, we are in here with two parties, the government and the official opposition, trying to outdo each other about how we're going to get more fossil fuel infrastructure built in this province — fossil fuel infrastructure heavily subsidized by this government.

Over the last 36 hours, B.C. has experienced record-setting weather events complete with mudslides, mass evacuations — which are underway today still — and collapsed infrastructure. Vancouver is cut off from the rest of the country by road right now. We are deeply grateful to staff and leadership of local governments and First Nations across the province who did everything they could to save lives and infrastructure in situations that became worse by the hour.

The Minister of Public Safety has said that the responsibility for preparedness and emergency response largely falls on local governments. In fact, he said it six times. But this weather affected the entire province, and this provincial government is responsible for provincial highways. The Coquihalla is impassable and might be for months. The Malahat and Highway 7 turned into rivers. There is currently no access in or out of the Lower Mainland.

In regional districts, which account for the vast majority of land in B.C., roads and highways are under provincial jurisdiction, and when we have climate events that are going to impact huge swaths of the province, the provin-

cial government needs to play a proactive role in emergency preparation and response.

To the Minister of Public Safety, were we hurt...? We were hurt. Were we hit by this storm worse than expected, or is our emergency preparation system flawed?

**Hon. M. Farnworth:** I thank the member for the question. I'd like to start by acknowledging that she recognized the amazing work done at the local government level and communities in different parts of the province.

But I notice she forgot the amazing work done by the members of emergency management B.C., and I think they need to be acknowledged, and the work done by the contractors and the highway personnel in this province who worked day and night during appalling conditions. The work done by search and rescue volunteers in communities across our province and out of Comox.

[10:50 a.m.]

I'll also tell the member this. We recognize that climate change is playing a fundamental role in the challenges that we are facing in the disasters and the emergencies that are facing us.

That's why we've undertaken significant work in terms of reforming and overhauling the Emergency Program Act, being the first province in this country to sign up to the Sendai framework. So it's not just about the .... It's about prevention, mitigation, response and recovery — the four key pillars. All of those are part and parcel of the work that's underway to recognize the role that climate change is underway, in terms of how we deal with emergencies in this province.

We are going to continue on that work, and I look forward to her support of that incredible legislation when it's tabled in this House.

**Mr. Speaker:** Leader of the Third Party, supplemental.

**S. Furstenau:** We've had a lot of opportunities this year to test how prepared we are for these emergencies. We've had a heat dome, a record-setting wildfire season, a bomb cyclone, a localized tornado and now severe flooding and infrastructure collapse across the province because of record-setting rainfall.

The Alberta government told people to stay home on the weekend in response to this incoming weather system. On Friday, Washington state issued flood warnings and distributed free sandbags in counties forecasted to be heavily impacted. They were proactive, and they minimized loss.

Yes, I acknowledge, absolutely, the incredible work of EMBC, of search and rescue, of road crews. Yes, this absolutely is climate change. But the proactive response from this government that we saw to climate change, in the last government, was to invest \$6 billion of taxpayer money into more fossil fuel infrastructure.

This past year has been a reckoning. We need serious,

natural and built infrastructure plans to adapt to the effects of climate change. The plan must be led by the province. It must be proactive.

To the Minister of Public Safety and Solicitor General, having signed on to the Sendai is something, but what we need is for this government to treat climate change like the emergency that it is and create an action plan that matches the scale...

**Mr. Speaker:** Question, Member.

**S. Furstenau:** ...of the emergency.

**Hon. M. Farnworth:** I thank the member for the question. An action plan is exactly what we're doing by overhauling the Emergency Program Act, which is the first time that it has been done since the early '90s, when it was put in place. It means that fundamental principle of the Sendai framework and how you approach disaster management — as I said, on the four key pillars. That's the fundamental foundation.

At the same time, it's recognizing that on-the-ground, local emergencies are dealt with by the local governments and the local communities because they know the situation and the problem spots in their communities. The coordination that we have seen between the province and local government — I am always amazed at how remarkable it is.

I watched this morning as, in Abbotsford, the mayor and council and first responders worked with EMBC to ensure that emergency centres were opened, that evacuation orders were put in place and that people were evacuated. I've watched as emergency centres were opened and putting supports in place.

It starts at the local level. It works with the province and then goes up to the federal government. This government has been working on a long-term plan that is being implemented. We're going to continue that work to ensure that we've got the most robust response possible that recognizes that climate change is clearly a driving factor.

#### CHILD CARE PLAN

**K. Kirkpatrick:** Documents obtained under freedom of information reveal that the NDP government has made an ideological decision to demolish private child care providers in British Columbia. Last fall the priorities and accountabilities cabinet committee directed the elimination of grants for private providers.

[10:55 a.m.]

On May 21, 2021, the Minister of State for Child Care approved a recommendation to “discontinue privately owned facility development in the new spaces fund. Do not create any additional incentive programs.”

Can the minister of state tell private child care providers

and their families why she is actively dismantling these centres that families rely on to get to work?

**Hon. K. Chen:** I thank the member opposite for the question. We know that parents in this province have been struggling to find affordable, high-quality child care for many, many years. That is why since 2017, we have started a comprehensive Childcare B.C. plan to support families, to support providers, and also to ensure that early childhood educators are properly compensated and supported throughout this province. I hope the member opposite has read our child care plan.

Interjections.

**Mr. Speaker:** Members. Members.

**Hon. K. Chen:** We've increased funding, significantly, to all types of child care providers, including non-profit, for-profit, government-owned, Indigenous communities. That is true.

Interjections.

**Mr. Speaker:** Order.

**Hon. K. Chen:** And if the member opposite has not read our child care plan....

Interjections.

**Mr. Speaker:** Order, Members.  
Members, come to order.

**Hon. K. Chen:** If the member opposite has not read our child care plan, I can provide a few examples of how we've been supporting for-profit child care providers, along with many other providers — through our increased funding to maintain their spaces, through our operating grants, through wage enhancements and through measures to lower parent fees for those child care providers, including start-up funding to create many, many more spaces. That is historic throughout this province.

**Mr. Speaker:** Member for West Vancouver, supplemental.

**K. Kirkpatrick:** Mr. Speaker, I must say I'm quite confused by that answer. Perhaps the minister....

Interjections.

**Mr. Speaker:** Members. Members, let's listen to the question, please.

**K. Kirkpatrick:** Perhaps the minister has not read her

own decision note. What the minister has just said is that there has been lots of investment and will continue to be lots of investment in.... [Applause.]

**Mr. Speaker:** Please continue.

**K. Kirkpatrick:** I believe the other side of the House is not listening to what I am saying, or they would not be applauding this.

We just heard the minister say that investment in private child care is something that this government is doing, yet this decision note says the opposite.

Interjections.

**Mr. Speaker:** Members.

**K. Kirkpatrick:** These documents make it clear that this NDP government has made an ideological choice to make it cost-prohibitive for private child care providers to continue operating. We are talking about half of the child care spaces in this province, which are largely run by women entrepreneurs and small independent businesses.

The minister's decision intended — I quote from her decision note: "Signal government's move away from market-based child care, recognizing it may be cost-prohibitive for for-profit providers to remain in the sector." Why did the minister sign off on a plan to dismantle 60,000 child care spaces that families across the province rely on?

**Hon. K. Chen:** Let me set the record straight. During the past four years, and since we've started our Childcare B.C. plan in 2018, we have supported the fastest space creation in B.C.'s history. If the member opposite is confused, let me give her....

Interjections.

[11:00 a.m.]

**Mr. Speaker:** Shall we continue?  
Minister.

**Hon. K. Chen:** If the member opposite is confused, let me give her the real numbers. We have supported the creation of over 26,000 spaces, which is five times more than the member opposite ever created when they were in government for 16 long years.

We know parents in this province want access to child care, so we have been working really hard to find every opportunity possible. We have learned so much from the past four years of our Childcare B.C. plan and soon the Canada-wide agreement. One thing that we've done with the federal government is to know that we need to focus on creating child care spaces that could be long-term community assets.

But at the same time, while we are focused on support-

ing public non-profit spaces, our start-up grant continues to support small business owners and family child care to create more spaces while the other side of the House voted against our plan every step of the way.

**T. Stone:** With all due respect, you don't improve access to child care by blowing up 60,000 spaces in the private system.

Thank goodness for FOI. That's the only way that we've been able to learn of the minister's decision to eliminate 60,000 child care spaces across British Columbia.

Let's be clear. These FOI documents.... This one is called the *Ministry of Children and Family Development Decision Note*, dated May 21, 2021. It's signed by the Minister Responsible for Child Care.

Interjections.

**Mr. Speaker:** Let's hear the question, please.

**T. Stone:** This decision note clearly shows that the NDP made a secret ideological decision to drive independent child care providers, who are responsible for almost 50 percent of all child care spaces in this province, out of business. That's on page 2 of this decision note. These FOI documents say the NDP's changes for independent child care providers will be "making these spaces unavailable in the medium term."

The question to the minister is this. Why did the minister make the decision to dismantle 60,000 child care spaces that families across British Columbia count on every single day?

**Hon. K. Chen:** While it is encouraging to hear the members opposite talking about child care, let me remind them they've ignored the child care crisis for 16 long years, with lack of investment hurting our local businesses. The members opposite were the ones who ignored the child care crisis and left lots of child care providers and early childhood educators struggling with low wages, lack of support and not being able to maintain their spaces.

Ever since we started our Childcare B.C. plan, we have increased funding...

Interjections.

**Mr. Speaker:** Members.

**Hon. K. Chen:** ...for all child care providers, including non-profit, for-profit, Indigenous, governmental providers through operating grants...

Interjections.

**Mr. Speaker:** No side commentary, please.

**Hon. K. Chen:** ...start-up funding, funding to maintain their spaces, and we are continuing this work. We're continuing to create child care spaces that will become long-term community assets. We know — and we've learned so much since day one of our Childcare B.C. plan — that we're underway to make sure we know that public dollars need to go into high-quality child care spaces that can be long-term community assets.

Let me give the member opposite an example. Even in the member opposite's ridings alone, in Kamloops — the two Kamloops, North Thompson and South Thompson ridings — we have invested over \$40 million into their communities, including creating new spaces.

Interjections.

**Mr. Speaker:** Members. Order.  
Kamloops–South Thompson, supplemental.

**T. Stone:** I'm holding the document in my hands here. Page 7, it's signed by the Minister Responsible for Child Care. The recommendation says: "Discontinue for-profit eligibility for the new spaces fund. Do not create any additional incentive programs."

[11:05 a.m.]

That's on page 7 of the minister's document. This document is crystal-clear: "Over the last three years, growth in the child care sector has been led by for-profit providers with both the number of for-profit providers and the spaces they deliver outstripping not-for-profit and family providers, starting in 2017-2018." That's on page 2 of the minister's FOI decision note.

According to this document, independently owned child care spaces have been steadily increasing since 2003, and page 3 of this FOI decision note says that 83.7 percent of operational spaces created since 2017 are operated by private child care providers — private child care providers. But astoundingly...

Interjections.

**Mr. Speaker:** Members, you are heckling your own member.

**T. Stone:** ...this very same document recommends blowing up 60,000 private spaces. This decision is breathtaking in the impact that it's going to have on families across British Columbia.

Why would the minister sign off on a strategy to dismantle 60,000 child care spaces in communities all over the province of British Columbia? What does she have to say to all of those families who are going to be devastated by this decision, as outlined in her signed decision note?

**Hon. K. Chen:** If the member opposite did not hear me,



let me say it again. We have been accelerating the creation of child care spaces in this province, which is...

Interjections.

**Mr. Speaker:** Members.

**Hon. K. Chen:** ...the fastest ever in B.C.'s history, which is five times more than they ever did in 16 long years. We are supporting all child care providers...

Interjections.

**Mr. Speaker:** Members.

**Hon. K. Chen:** ...through operating grants, through wage enhancements, through start-up funding. We know that now, because we are going into the fourth year of our child care plan, we need to make sure that we focus on child care spaces that can become long-term community assets that will benefit generations to come.

We are going to continue to support the creation of child care spaces. I know the members opposite were heckling about the work that we've been doing, but we have invested \$2.3 billion into the child care sector, which is historical.

Other than the 26,000 spaces...

Interjections.

**Mr. Speaker:** Members, let's listen to the answer, please. Quiet.

**Hon. K. Chen:** ...that we've been supporting and creating, the 26,000 spaces we funded....

Let me just end with a quote from the member opposite. This is a quote from the city of Prince George when they were talking about the child care assessment that happened in 2015.

This was someone from Prince George who said: "At the time, there wasn't enough money available during the member's time in government to help create spaces that were required for child care. But the environment now is very different in 2019 because, thankfully, now we know there's funding available to help to create spaces." This is from the Prince George social planner.

[End of question period.]

### Tabling Documents

**Mr. Speaker:** Hon. Members, I have the honour of tabling the Auditor General's report *Ensuring Long-Distance Ground Transportation in Northern B.C.*

### Orders of the Day

**Hon. M. Farnworth:** I call second reading, Bill 20, Access to Services (COVID-19) Act.

[11:10 a.m.]

[S. Chandra Herbert in the chair.]

### Second Reading of Bills

#### BILL 20 — ACCESS TO SERVICES (COVID-19) ACT

**Hon. D. Eby:** I move the bill now be read a second time.

In recent weeks, a very small group of people has staged disruptive events — at schools, hospitals and other sites where people provide essential services — in order to express their views regarding various COVID-19-related matters, such as vaccine and masking requirements. These actions were rightly met with widespread public condemnation not only because they impeded access to important facilities but also because of the impact they had on children, school district staff, patients, people in health crisis and health care workers who have been stretched to their limits by the pandemic.

The COVID-19 pandemic has created significant strains on critical services we all depend on and have a right to access, like health and education. It has also tested the limits of the people we count on to provide those vital services.

Deliberate attempts by individuals to impede, interfere with or intimidate the people trying to access these services, the children trying to access these services or the people who provide those services is an affront to the vast majority of British Columbians who have worked so hard to keep each other safe in this time. It's also an insult to the courage of our many front-line workers who have sacrificed so much in service of the public.

The proposed Access to Services (COVID-19) Act that's before the House today is responsive to these recent events. It seeks to ensure that people who need to use important services can access them and that the people who provide those services to the public can provide those services without being interfered with, disrupted or made to feel unsafe at a time when their services continue to be under strain due to the pandemic itself.

The proposed act would establish access zones around hospitals with emergency rooms, around COVID-19 testing and vaccination sites and around K-to-12 schools, both public and independent. It will prohibit specific types of conduct within an access zone, specifically conduct that impedes access to or egress from the facility, conduct that interferes with or disrupts the provision of services at the facility and conduct that intimidates or attempts to intimidate or otherwise could reasonably cause concern for physical or mental safety. The

proposed act will make it an offence to engage in prohibited conduct within the access zone.

The proposed act will authorize law enforcement officers to issue fines and violation tickets or, in certain circumstances, to arrest individuals who are contravening the act. It will also provide a statutory basis to apply for an injunction to restrain an individual from contravening the act.

The act will establish authority for the Lieutenant-Governor-in-Council, also known as cabinet, to make regulations to, among other things, prescribe additional facilities or classes of facilities around which access zones are established or to carve out or exclude certain facilities or classes of facilities that do not require that level of protection.

The act includes an express provision to clarify that it does not apply in relation to lawful strike, lockout or picketing within the meaning of the Labour Relations Code.

The rights of free expression and peaceful assembly play a fundamental role in our society, but these rights are not absolute. There are other rights, including the right to access essential and vital public services, and they can also be limited in order to protect important public values. Further, they should not be exercised in a manner that infringes on the rights of others, including people seeking or providing medical care, school children and educational staff.

This act has been carefully tailored in an attempt to both preserve the rights of free speech and peaceful assembly to the maximum extent possible while balancing those rights against the vital need to ensure safe access to important public services and to safeguard the people who use and provide them.

For example, these prohibitions are not limited to COVID-19-related speech. This ensures two things. First, access to important services is preserved, no matter what issue is motivating the behaviour that would interfere with access. Second, the legislation does not single out speech that challenges the government's approach to COVID-19. As well, access zones are only being established around those kinds of facilities where disruptive events have occurred to date.

This legislation does not apply everywhere. It applies at schools, where access zones are only in effect during specific times when children and educational staff are reasonably expected to be present.

[11:15 a.m.]

Further, as noted, the regulations give the flexibility to adjust the size, timing and location of access zones. For example, access zones around schools could be turned off, essentially, for the summer months if the facility is not being used.

Finally, the act will only be enforced for a limited period of time as our province continues to respond to and recover from the effects of the COVID-19 pandemic. It is set to be repealed on July 1, 2023, or earlier by regulation.

This legislation is not necessary to regulate the conduct

of the vast majority of British Columbians, because most people know that hospitals, schools and vaccination and testing sites are not the types of places to stage disruptive protests, particularly when these vital public services and the people who provide them have been under such significant strain during the pandemic. Unfortunately, in recent weeks, a small group of people has acted in a way that has disrupted these important services and made vulnerable people and our front-line workers unsafe.

We can't let this kind of behaviour continue, particularly given the current strain on key services and the people who provide them. It is for these reasons that we are introducing this act today.

**M. de Jong:** I listened with interest to the remarks of the Attorney General, speaking initially on behalf of the government. I think it's fair to say that this is one of those bills that elicits a mixed reaction and, I will confess, a certain measure of discomfort — maybe disappointment — that it would be deemed necessary. The Attorney has made the case for why the government has concluded that it is necessary, and I'll talk about that in a moment.

He has pointed to, I think accurately, some behaviour, societal behaviour, on the part of a very small number of individuals that has provoked a reaction and criticism on the part of a much larger group of our society.

I want to think that part of the reason we are only seeing this legislation now, some weeks or months after the government indicated that it was preparing it and intended to table it, is because the government itself has struggled with finding, through this legislative instrument, the right balance. The Attorney has used that word several times in his presentation, and I want to talk a little bit about that as well, because we are, I'm going to suggest, confronted by a collision of two tenets of our society.

Our desire for civility. We seek respectful discourse. We seek unity in the pursuit of common purpose, which acquires an even more heightened level of importance when we are confronted by a crisis like the one we have been dealing with, an international pandemic. It is something that I think British Columbians take a measure of pride in — the degree to which that unity of purpose has brought people together from all walks of life, all activities, to confront this challenge that all of us know so well and has had such a profound impact on so many people's lives.

[11:20 a.m.]

So we have, on the one hand, that legitimate, important desire or objective versus another fundamental tenet, which is the right to disagree and to be loud and vocal in that disagreement, to even, dare I say, be unpleasant, to protest against governments — to protest as a single individual, in certain circumstances, against measures that may enjoy a broad level of support from a broad cross-section of society but that even a single individual may profoundly disagree with.

These are not merely conventions or traditions or estab-

lished practices. These are constitutionally guaranteed freedoms secured by the bravery and blood of previous generations — that right to disagree and articulate that disagreement, even in the form of organized protest.

What has brought us to this point where we now have a piece of legislation, Bill 20, that asks us and requires us to determine whether or not we are respecting the balance between those freedoms and the other tenets of a civil society? Well, the Attorney General has referred to them.

First and foremost, of course, we are confronted by a public health crisis. The Health Minister is well positioned to describe how significantly that has impacted everyone, the delivery of health services. The Attorney, on his behalf, has referred to, I think appropriately, the measure of appreciation and thanks virtually all British Columbians have for the service rendered by those on the front lines.

We tend to forget today where and when, in the aftermath of vaccinations and a greater awareness, but in the early days of the pandemic, no one knew. No one knew what the risks were. So when we use words like “to hero” to characterize, it’s really in that context — when people stepped up at a time when we didn’t have the same amount of information, didn’t have the same protections and didn’t know.

Public health agencies have helped to guide our society and our population through a myriad of measures, whether it’s protective measures around the use of masks and other protective devices, the regulation of gatherings and, ultimately, the development and dispensation of vaccinations and vaccines — all, I would suggest, having been advanced with thought and consideration.

I think, in fairness, one has to acknowledge that not all is without controversy, not without, at times, differences of opinion about the effectiveness and appropriateness of those measures. People have, at times, expressed those concerns and opposition, as our laws and freedoms allow them to do and which is their right to do.

I suppose the key point here is that but for the actions of a very few, I think we might agree that this legislation wouldn’t be necessary. But there have been the actions of a few that have crossed the threshold of what most reasonable-thinking people in this province would deem acceptable.

The images of people storming into a school, however passionate, however genuinely held those beliefs might be, strike most reasonable people in this province as having crossed the line and represent conduct that not only perverts the intention of those constitutionally guaranteed rights to discourse and protest and expression but also puts others at risk and causes them not just inconvenience but, perhaps, even danger and trauma and is, therefore, in the minds of, I think, most British Columbians unacceptable.

[11:25 a.m.]

Similarly, that a few would choose to descend upon a hospital, a health care facility, and assault — for to spit on

someone is a form of assault — the very people who have been at the forefront of trying to protect members of society, as I mentioned a few moments ago, and at times when it was far from certain that the protective measures that had been put in place would be sufficient to protect them, I think, strikes most British Columbians as being not just disrespectful but conduct that must be prevented and for which there must be sanction.

We saw, I think, a very small group of people who, in exercising their freedom to choose, sadly, sought to prevent others from exercising their freedom to choose and did so in a way that, again, most reasonable members of our society would deem inappropriate. I feel obliged, although I suspect it was not the reason the government opted to develop this legislation, for it seems clear that it was in the works some time ago and much longer ago than last week....

But I think British Columbians were profoundly dismayed when, just last week, on Thursday, on a day when we as a province and a nation choose to commemorate those who made the ultimate sacrifice to achieve for our society the collective right to the freedom to choose, the freedom to debate, the freedom to disagree, the freedom to protest, that, again, a very small group of people would choose that moment and that place to interrupt and disrupt and disrespect that commemoration.

Irony doesn’t seem to be a sufficiently strong word. But I must confess, I thought to myself of the irony that people who I don’t doubt feel passionately about protecting their right to choose would decide to attack and disrespect — maybe attack is too strong a word — and disrupt the commemoration of the very people who made that sacrifice to preserve for them that right to choose. I will say, sadly, I think those people did themselves a disservice, did all of us a disservice.

So to address the behaviour that the Attorney has referred to — misbehaviour, the bad behaviour that he has observed and that I have commented upon and acknowledged — the government says it requires an additional tool. The Attorney, moments ago, has made his initial case for an argument for saying that he believes the government has struck an appropriate balance in developing that tool to respect those freedoms.

[11:30 a.m.]

I would say, importantly, the Attorney says and the legislation, the bill before us, makes clear that the tool will exist only until July 1, 2023. Further, the bill — and I’ll confirm this with the Attorney in committee stage — makes, as far as I can see, no provision for extending that date through any regulatory means. If the tool that is purported to be created by this legislation is to extend beyond July 1, 2023, it will require renewed consideration by this chamber and the people who sit in this assembly at that time.

I will say that is, for me, and, I think, many members of this chamber, certainly on this side of the House, a funda-

mentally important dimension to the legislation before us and not the only reason but a big part of the reason that I am able to say that in the official opposition, we are prepared to offer support for the creation of the tool on a limited-time basis.

Now, I'm going to pose some questions to the Attorney in the committee stage, and we're going to test the proposition that he has made about it representing an appropriate balance of the considerations that I have spoken of. There are some pretty broad regulatory powers contained within the bill, not to extend the life of the law, which is significant, but to extend its application to other facilities.

There's an interesting, I'll say, inconsistency at this stage. I'll pass judgment on the use of that word after the committee stage debate. But on the one hand, it is a bill whose need has arisen in the context of a health crisis, the pandemic, yet the Attorney, just a few moments ago, made it clear that it can be applied, if the government so chooses, to protests relating to other matters.

Well, the House will be interested, I expect, to know what may be in the Attorney's and the government's mind, even for the year and a half that the bill will be available for use, to what the circumstances are in which the government might choose to draw on the use of this new tool.

We'll want to ask the Attorney about the use of existing tools, because the essence of the argument that was spoken or not is that the government requires this tool because existing tools were not sufficient to address the bad behaviour that has been described and commented upon. We'll want to pose some questions about that to the Attorney, as well, and to what extent those existing tools, whether they be trespass or other forms of sanction, criminal sanction, were deemed inappropriate or unworkable.

The legislation allows, actually, for certain prohibited activities, because the legislation purports to create an access zone and then precludes certain prohibited activities. The legislation actually permits certain prohibited activities in an access zone in certain circumstances. It will be interesting and, I think, appropriate to hear from the Attorney about the circumstances in which he and the government believe prohibited activities like intimidation are ever appropriate in close proximity to a school or a hospital or another facility.

So I'm sure someone in the Attorney's realm will be tracking some of my comments with respect to the nature of the questions he can expect to receive as the bill moves into committee stage.

[11:35 a.m.]

Finally, I will say this. If there is, as I expect there is, general support in this assembly for the creation of an additional temporary tool, then I will only say that I am hopeful, and I suspect I am correct in saying, that there is an equally shared sentiment. That is the hope that over the course of the next year and a half, it will not be necessary to use that tool.

**S. Furstenu:** I rise to speak to Bill 20, the Access To Services (COVID-19) Act.

I'll begin by echoing the comments of the member of the official opposition. These disruptive behaviours of people were deeply distressing — when we saw people choosing to block entrances to hospitals, health care centres, schools, as a way to express their desires to have, as he pointed out, the right for choice — and the implications of the choices being taken away from people, both working and trying to access these places, were serious.

I think we are completely united in here. That is not an appropriate way to express disagreement with any kind of government initiative. There are many, many appropriate ways to express disagreement, including demonstrations, as we've had on the lawn of the Legislature; corresponding with your elected officials; expressing yourself publicly on social media.

There are many, many avenues to express disagreement, but it is a line that is crossed when people cannot access health care, or health care workers are being harassed, or children are being harassed going to school or teachers and staff are being harassed. I would boldly speak on behalf of my entire caucus and express our agreement that these are not actions that we want to see.

Other provinces also reacted and responded with legislation to ensure that people would not be impeded while accessing government services in this type. I point to Bill 105 out of Quebec as an example. It's a one-page bill, and it identifies: "No one may be less than 50 metres from the grounds of the following places in order to demonstrate in any manner in connection with health measures ordered under section 123 of the Public Health Act, COVID vaccinations or any other recommendations issued by public health authorities." Then it identifies the places where these kinds of demonstrations would not be allowed.

Our bill is a little bit different than what Quebec put out. It does speak to how a person must not, in an access zone for a facility, impede access or egress, physically interfere with or otherwise disrupt the provision of services at the facility or intimidate or attempt to intimidate an individual or otherwise do or say anything that could reasonably be expected to cause an individual concern for the individual's physical or mental safety.

What's differing in the Quebec act from our act is the specific reference in the Quebec act to COVID-19. In this act that this government has brought forward, "facility" is defined as "a site at which a service is provided." So that doesn't limit it, necessarily, to health care sites or education sites.

[11:40 a.m.]

What the Quebec bill does, again, that's different in its one page is it doesn't extend any kind of regulatory powers to government to make other rules around demonstrations. As the minister pointed out in his opening notes, this bill, in clause 6, does indeed provide the government, the Lieutenant-Governor-in-Council, to make regulations

to prescribe additional facilities and additional classes of facilities and to add those not in the legislation here that we are going to be debating, but, yet again — and this is a trend with this government — to add them so that they can be added by regulation.

It's this part of the bill that raises concerns for us. It raises concerns because, yet again, it's an example of this government providing itself with additional powers by regulation outside of what is debated in this Legislature — to extend this quite a bit beyond what I think the public was expecting with legislation like this.

The public was expecting to see the disruptive events at hospitals and schools stopped. What I don't think the public was expecting was to see regulatory powers put into this legislation that give the government the ability to extend this kind of enforcement to matters that don't concern COVID-19 at all.

To have it on the title of the bill in parentheses, Access to Services (COVID-19) Act, doesn't really tell the whole story. It's this that raises concerns for us and our own level of discomfort around this legislation, because yet again, we are being asked to debate and pass legislation that provides government with the ability to make more regulations without seeking the approval of this chamber.

This is a pattern that's becoming very familiar. We see it with the bill that was passed last December around sick pay, and we're going to see what decision the government will come up with, because it gave itself the ability, in regulation, to determine how many paid sick leave days people in British Columbia can expect.

We will be asking questions in committee stage, for certain, around why, unlike, for example, Quebec, with their one-page bill with legislation very specific to COVID-19, very specific to the locations where it applies and a 30-day expiry of the legislation....

Now, they did just recently extend it for another 30 days, to November 21, and we shall see if they extend it again. But that is a constrained, and, in my view, appropriate response to an issue that all of us agree needed a response from government. But what we weren't expecting — and I truly don't think the public was expecting this — was the capacity for some pretty broad, sweeping ideas about what kind of facilities and what kind of classes of facilities that this could apply to, what kind of activity or class of activity. I worry about that.

[11:45 a.m.]

The member of the official opposition, Abbotsford West, talked about unity and common purpose. I couldn't agree more that this is what we should be striving for, over and over again, always bringing it back to, as a society, how we create more unity, more common purpose, in particular, in the face of what we are going to experience more and more often, which are disruptions to our society, disruptions to our communities, whether they're in the form of, as we've seen for almost two years now, a global pandemic, or whether they're in the form of, as we saw over this

weekend and into today, extreme weather events precipitated by the growing impacts of climate change.

I think about the imperative of creating unity and common purpose all the time, because we need each other more and more in the face of growing emergencies. We need to be able to understand the importance and value of collective response to these forces that are so much bigger than us and that are going to impact us so heavily.

I don't think unity and common purpose are achieved, necessarily, by saying: "Here's what you can't do. Here's what's not allowed." Sometimes we have to do that, but that should be on the rarest of occasions. I think unity and common purpose, in terms of role of government, is achieved through transparency, accountability. Incredibly importantly, it's achieved through ensuring that the public understands what informs decision-making.

What are we trying to achieve with our decisions? What data and evidence are we using to inform these decisions? How are we going to measure success of those decisions? How are we going to communicate effectively about those decisions?

Common purpose helps create unity. When we have government giving itself the regulatory power to make big decisions and not being transparent about those decision-making processes, we erode that unity and common purpose.

I hope that there will be some reflection on the inclusion of this clause 6 and the regulation-making authority and a recognition that we could, indeed, follow the much more prescribed and concise model that we see from Quebec and work on building that unity and common purpose through the actions every day in here in recognizing the heavy and burdensome responsibility that government has in all of its work to do that.

**M. Starchuk:** Today I rise in support of Bill 20, access to services act.

I've started coining a phrase: I'm sick and tired of being sick and tired. I think it goes a long way with other people. We're living in a trying time. You know, we hear about it — that it's been 100 years, and we're back at it again, and what this bill doesn't do. It doesn't stop a person or a group from actually protesting if they do it peacefully.

Why this bill is important is because it still protects the rights of all British Columbians to their democratic right to protest — again, peacefully. But what this bill does do is create those protected zones around the key services like our hospitals, our schools, our COVID-testing sites and our vaccination clinics.

[11:50 a.m.]

You know, it wasn't that long ago that, at the hospitals, we saw a parade of police cars, ambulances, fire trucks, people going around them, honking their horns. They were cheering all of those front-line workers on a daily basis at seven o'clock. In fact, as those parades grew, it

was the hospital workers that were worried about how this could affect the patients that were coming in.

Now, months later, we are creating a safe zone to protect these very workers at a time when we used to bang pots and pans. Now we see protests where front-line workers are no longer treated like heroes but are attacked for doing their jobs.

Our schools used to be called safe places, until we saw demonstrators enter into the schools and intimidate the staff and children. These zones that we're creating are going to provide further protection to the staff and the children at these schools. These behaviours have jeopardized access to important services that are already under extraordinary strain due to COVID-19.

Two weeks ago my grandson was born at B.C. Children's Hospital. Lennon came into the world two months early. I can't imagine what the added stress to mom would have been if access to that hospital were restricted.

[Mr. Speaker in the chair.]

To protest in a way that intimidates and humiliates those who are working and delivering the vaccine is unacceptable. To protest in a way that intimidates and humiliates those workers who are operating the COVID-19 testing sites is equally unacceptable. These workers are the main reason — I think the Minister of Health may want to correct me on this if I'm wrong — that we're nearing 87 percent of all people over the age of 12 having received their second dose.

These are trying times. It should be noted that the vast

majority of British Columbians are acting in a reasonable manner, and it's the acts of a few that bring this legislation forward. Bill 20 will help maintain access to these critical services that all people in B.C. rely on. It will protect those who provide those services from this type of disruptive behaviour.

I agree with the member for Abbotsford West that someday, someday we won't need to use this legislation. I'm waiting for the day when that day comes and we go back to that banging of pots to celebrate the front-line workers. I can't wait for that day when we don't have to worry about: "Do we have access to a hospital?" I can't wait for that day when my grandson goes to school and he can walk there safely and attend school without any repercussions.

I stand here to support Bill 20 in all of its matters.

M. Starchuk moved adjournment of debate.

Motion approved.

Hon. S. Robinson moved adjournment of the House.

Motion approved.

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

The House adjourned at 11:53 a.m.

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**For inquiries contact:**

Hansard Services  
612 Government Street  
Victoria, BC V8V 1X4  
Telephone: 250-387-3681  
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