



3rd Session, 37th Parliament

OFFICIAL REPORT OF

DEBATES OF THE
LEGISLATIVE ASSEMBLY

(HANSARD)

Tuesday, October 22, 2002

Morning Sitting

Volume 9, Number 3

THE HONOURABLE CLAUDE RICHMOND, SPEAKER

ISSN 0709-1281

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

LIEUTENANT-GOVERNOR
Honourable Iona Campagnolo

3RD SESSION, 37TH PARLIAMENT

SPEAKER OF THE LEGISLATIVE ASSEMBLY
Honourable Claude Richmond

EXECUTIVE COUNCIL

Premier and President of the Executive Council.....	Hon. Gordon Campbell
Minister of State for Intergovernmental Relations.....	Hon. Greg Halsey-Brandt
Deputy Premier and Minister of Education	Hon. Christy Clark
Minister of Advanced Education.....	Hon. Shirley Bond
Minister of Agriculture, Food and Fisheries.....	Hon. John van Dongen
Attorney General and Minister Responsible for Treaty Negotiations.....	Hon. Geoff Plant
Minister of Children and Family Development.....	Hon. Gordon Hogg
Minister of State for Early Childhood Development.....	Hon. Linda Reid
Minister of Community, Aboriginal and Women's Services.....	Hon. George Abbott
Minister of State for Community Charter.....	Hon. Ted Nebbeling
Minister of State for Women's Equality	Hon. Lynn Stephens
Minister of Competition, Science and Enterprise	Hon. Rick Thorpe
Minister of State for Deregulation	Hon. Kevin Falcon
Minister of Energy and Mines.....	Hon. Richard Neufeld
Minister of Finance	Hon. Gary Collins
Minister of Forests	Hon. Michael de Jong
Minister of Health Planning.....	Hon. Sindi Hawkins
Minister of Health Services.....	Hon. Colin Hansen
Minister of State for Mental Health.....	Hon. Gulzar S. Cheema
Minister of State for Intermediate, Long Term and Home Care.....	Hon. Katherine Whittred
Minister of Human Resources.....	Hon. Murray Coell
Minister of Management Services.....	Hon. Sandy Santori
Minister of Provincial Revenue.....	Hon. Bill Barisoff
Minister of Public Safety and Solicitor General	Hon. Rich Coleman
Minister of Skills Development and Labour.....	Hon. Graham P. Bruce
Minister of Sustainable Resource Management.....	Hon. Stan Hagen
Minister of Transportation.....	Hon. Judith Reid
Minister of Water, Land and Air Protection.....	Hon. Joyce Murray

LEGISLATIVE ASSEMBLY

Deputy Speaker.....	John Weisbeck
Leader of the Opposition	Joy MacPhail
Deputy Chair, Committee of the Whole	Harold Long
Clerk of the Legislative Assembly	E. George MacMinn
Clerk Assistant	Robert Vaive
Clerk Assistant and Law Clerk	Ian D. Izard
Clerk Assistant and Clerk of Committees.....	Craig H. James
Clerk Assistant/Committee Clerk.....	Kate Ryan-Lloyd
Sergeant-at-Arms.....	A.A. Humphreys
Director, Hansard Services	Anthony Dambrauskas
Legislative Librarian.....	Joan A. Barton
Legislative Comptroller	Peter Bray

Published by British Columbia Hansard Services, and printed under the authority of the Speaker by the Queen's Printer, Victoria. Rates: single issue, \$2.85; per calendar year, mailed daily, \$298. GST extra. Agent: Crown Publications Inc., 521 Fort St., Victoria, B.C. V8W 1E7. Telephone: (250) 386-4636. Fax: 386-0221.

www.legis.gov.bc.ca/hansard

In addition to printed transcripts, Hansard Services publishes transcripts on the Internet and broadcasts Chamber debates on television.

ALPHABETICAL LIST OF MEMBERS

Abbott, Hon. George (L)	Shuswap
Anderson, Val J. (L)	Vancouver-Langara
Barisoff, Hon. Bill (L)	Penticton-Okanagan Valley
Bell, Pat (L)	Prince George North
Belsey, Bill (L)	North Coast
Bennett, Bill (L)	East Kootenay
Bhullar, Tony (Ind L)	Surrey-Newton
Bloy, Harry (L)	Burquitlam
Bond, Hon. Shirley (L)	Prince George-Mount Robson
Bray, Jeff (L)	Victoria-Beacon Hill
Brenzinger, Elayne (L)	Surrey-Whalley
Brice, Susan (L)	Saanich South
Bruce, Hon. Graham P. (L)	Cowichan-Ladysmith
Campbell, Hon. Gordon (L)	Vancouver-Point Grey
Cheema, Hon. Gulzar S. (L)	Surrey-Panorama Ridge
Chong, Ida (L)	Oak Bay-Gordon Head
Christensen, Tom (L)	Okanagan-Vernon
Chutter, Dave (L)	Yale-Lillooet
Clark, Hon. Christy (L)	Port Moody-Westwood
Cobb, Walt (L)	Cariboo South
Coell, Hon. Murray (L)	Saanich North and the Islands
Coleman, Hon. Rich (L)	Fort Langley-Aldergrove
Collins, Hon. Gary (L)	Vancouver-Fairview
de Jong, Hon. Michael (L)	Abbotsford-Mount Lehman
Falcon, Hon. Kevin (L)	Surrey-Cloverdale
Hagen, Hon. Stan (L)	Comox Valley
Halsey-Brandt, Hon. Greg (L)	Richmond Centre
Hamilton, Arnie (L)	Esquimalt-Metchosin
Hansen, Hon. Colin (L)	Vancouver-Quilchena
Harris, Roger (L)	Skeena
Hawes, Randy (L)	Maple Ridge-Mission
Hawkins, Hon. Sindi (L)	Kelowna-Mission
Hayer, Dave S. (L)	Surrey-Tynehead
Hogg, Hon. Gordon (L)	Surrey-White Rock
Hunter, Mike (L)	Nanaimo
Jarvis, Daniel (L)	North Vancouver-Seymour
Johnston, Ken (L)	Vancouver-Fraserview
Kerr, Brian J. (L)	Malahat-Juan de Fuca
Krueger, Kevin (L)	Kamloops-North Thompson
Kwan, Jenny Wai Ching (NDP)	Vancouver-Mount Pleasant
Lee, Richard T. (L)	Burnaby North
Lekstrom, Blair (L)	Peace River South
Les, John (L)	Chilliwack-Sumas
Locke, Brenda (L)	Surrey-Green Timbers
Long, Harold (L)	Powell River-Sunshine Coast
MacKay, Dennis (L)	Bulkley Valley-Stikine
McMahon, Wendy (L)	Columbia River-Revelstoke
MacPhail, Joy (NDP)	Vancouver-Hastings
Manhas, Karn (L)	Port Coquitlam-Burke Mountain
Masi, Reni (L)	Delta North
Mayencourt, Lorne (L)	Vancouver-Burrard
Murray, Hon. Joyce (L)	New Westminster
Nebbeling, Hon. Ted (L)	West Vancouver-Garibaldi
Nettleton, Paul (L)	Prince George-Omineca
Neufeld, Hon. Richard (L)	Peace River North
Nijjar, Rob (L)	Vancouver-Kingsway
Nuraney, John (L)	Burnaby-Willingdon
Orr, Sheila (L)	Victoria-Hillside
Penner, Barry (L)	Chilliwack-Kent
Plant, Hon. Geoff (L)	Richmond-Steveston
Reid, Hon. Judith (L)	Nanaimo-Parksville
Reid, Hon. Linda (L)	Richmond East
Richmond, Hon. Claude (L)	Kamloops
Roddick, Valerie (L)	Delta South
Sahota, Patty (L)	Burnaby-Edmonds
Santori, Hon. Sandy (L)	West Kootenay-Boundary
Stephens, Hon. Lynn (L)	Langley
Stewart, Ken (L)	Maple Ridge-Pitt Meadows
Stewart, Richard (L)	Coquitlam-Maillardville
Suffredine, Blair F. (L)	Nelson-Creston
Sultan, Ralph (L)	West Vancouver-Capilano
Thorpe, Hon. Rick (L)	Okanagan-Westside
Trumper, Gillian (L)	Alberni-Qualicum
van Dongen, Hon. John (L)	Abbotsford-Clayburn
Visser, Rod (L)	North Island
Weisbeck, John (L)	Kelowna-Lake Country
Whitred, Hon. Katherine (L)	North Vancouver-Lonsdale
Wilson, John (L)	Cariboo North
Wong, Patrick (L)	Vancouver-Kensington

LIST OF MEMBERS BY RIDING

Abbotsford-Clayburn	Hon. John van Dongen
Abbotsford-Mount Lehman	Hon. Michael de Jong
Alberni-Qualicum	Gillian Trumper
Bulkley Valley-Stikine	Dennis MacKay
Burnaby North	Richard T. Lee
Burnaby-Edmonds	Patty Sahota
Burnaby-Willingdon	John Nuraney
Burquitlam	Harry Bloy
Cariboo North	John Wilson
Cariboo South	Walt Cobb
Chilliwack-Kent	Barry Penner
Chilliwack-Sumas	John Les
Columbia River-Revelstoke	Wendy McMahon
Comox Valley	Hon. Stan Hagen
Coquitlam-Maillardville	Richard Stewart
Cowichan-Ladysmith	Hon. Graham P. Bruce
Delta North	Reni Masi
Delta South	Valerie Roddick
East Kootenay	Bill Bennett
Esquimalt-Metchosin	Arnie Hamilton
Fort Langley-Aldergrove	Hon. Rich Coleman
Kamloops	Hon. Claude Richmond
Kamloops-North Thompson	Kevin Krueger
Kelowna-Lake Country	John Weisbeck
Kelowna-Mission	Hon. Sindi Hawkins
Langley	Hon. Lynn Stephens
Malahat-Juan de Fuca	Brian J. Kerr
Maple Ridge-Mission	Randy Hawes
Maple Ridge-Pitt Meadows	Ken Stewart
Nanaimo	Mike Hunter
Nanaimo-Parksville	Hon. Judith Reid
Nelson-Creston	Blair F. Suffredine
New Westminster	Hon. Joyce Murray
North Coast	Bill Belsey
North Island	Rod Visser
North Vancouver-Lonsdale	Hon. Katherine Whitred
North Vancouver-Seymour	Daniel Jarvis
Oak Bay-Gordon Head	Ida Chong
Okanagan-Vernon	Tom Christensen
Okanagan-Westside	Hon. Rick Thorpe
Peace River North	Hon. Richard Neufeld
Peace River South	Blair Lekstrom
Penticton-Okanagan Valley	Hon. Bill Barisoff
Port Coquitlam-Burke Mountain	Karn Manhas
Port Moody-Westwood	Hon. Christy Clark
Powell River-Sunshine Coast	Harold Long
Prince George North	Pat Bell
Prince George-Mount Robson	Hon. Shirley Bond
Prince George-Omineca	Paul Nettleton
Richmond Centre	Hon. Greg Halsey-Brandt
Richmond East	Hon. Linda Reid
Richmond-Steveston	Hon. Geoff Plant
Saanich North and the Islands	Hon. Murray Coell
Saanich South	Susan Brice
Shuswap	Hon. George Abbott
Skeena	Roger Harris
Surrey-Cloverdale	Hon. Kevin Falcon
Surrey-Green Timbers	Brenda Locke
Surrey-Newton	Tony Bhullar
Surrey-Panorama Ridge	Hon. Gulzar S. Cheema
Surrey-Tynehead	Dave S. Hayer
Surrey-Whalley	Elayne Brenzinger
Surrey-White Rock	Hon. Gordon Hogg
Vancouver-Burrard	Lorne Mayencourt
Vancouver-Fairview	Hon. Gary Collins
Vancouver-Fraserview	Ken Johnston
Vancouver-Hastings	Joy MacPhail
Vancouver-Kensington	Patrick Wong
Vancouver-Kingsway	Rob Nijjar
Vancouver-Langara	Val J. Anderson
Vancouver-Mount Pleasant	Jenny Wai Ching Kwan
Vancouver-Point Grey	Hon. Gordon Campbell
Vancouver-Quilchena	Hon. Colin Hansen
Victoria-Beacon Hill	Jeff Bray
Victoria-Hillside	Sheila Orr
West Kootenay-Boundary	Hon. Sandy Santori
West Vancouver-Capilano	Ralph Sultan
West Vancouver-Garibaldi	Hon. Ted Nebbeling
Yale-Lillooet	Dave Chutter

CONTENTS

Tuesday, October 22, 2002
Morning Sitting

Routine Proceedings

	Page
Second Reading of Bills	3935
Workers Compensation Amendment Act (No. 2), 2002 (Bill 63)	
Hon. G. Bruce	
K. Stewart	
R. Hawes	
J. Kwan	
B. Bennett	
B. Belsey	
Transportation Investment Act (Bill 67)	
Hon. J. Reid	
J. MacPhail	

TUESDAY, OCTOBER 22, 2002

The House met at 10:04 a.m.

Prayers.

Orders of the Day

Hon. G. Bruce: I call second reading of Bill 63.

Second Reading of Bills

WORKERS COMPENSATION AMENDMENT ACT (No. 2), 2002

Hon. G. Bruce: Mr. Speaker, Bill 63 amends the workers compensation appeal process. It replaces Bill 56, Workers Compensation Amendment Act (No. 2), 2002, introduced May 30 of this year. The new legislation has the same policy goals as Bill 56, but we have made improvements to the legislation. For example, we have revised the health professional assistance and transitional sections following consultation this summer with worker advocates and the employer community. Revisions expand health professionals to include others such as dentists and psychologists. Transitional provisions were made more comprehensive to ensure that appeal rights are retained. We have also changed the provisions related to reconsiderations and reopening to increase finality.

[1005]

With this bill we aim to make the appeal process more responsive to injured workers and employers alike. In developing the new system, the ministry took into consideration the recommendations of the 1999 royal commission report on workers compensation and the 2001-02 WCB core services review conducted by Mr. Allan Winter. The changes that we are introducing will accomplish three main goals: first, limit the amount of time that it takes to reach a decision; second, improve the quality and consistency of decision-making; and third, end the cyclical nature of the current process.

Every year the Workers Compensation Board makes about two million decisions that can be appealed. Last year approximately 17,000 appeals were filed in total at the three levels of appeal. The present system, as many would know, is both time-consuming and complex. It takes, on average, about 35 months to reach a final decision.

The appeal system that we are setting out will take less than half that for most matters. It's simpler and more accountable. The number of appeal levels will be reduced from three to two. The appeal bodies will be accountable for making a decision within designated time frames. Appeals will be considered right away under the proposed system.

It is expected that with the imposed time limits, most matters will take less than 15 months from the time of application to completion. This will be a sub-

stantial reduction of time, given that it can take as long as seven years to get through the system now.

This legislation puts an emphasis on improving the consistency of decision-making throughout the system by making Workers Compensation Board policy binding across all levels of the system. That means no matter where you are in the process, you can be assured that consistent criteria are being used in making a decision. This will restore the integrity of the system and build confidence among its users.

With this legislation, we are reducing the number of appeal levels from three to two. The appeal system will be composed of an internal review function and an independent external appeal tribunal.

The internal review function will be the first level of appeal. Currently, the first level of appeal is to an external body. It is a commonsense approach to make the first level of a review a relatively informal process internal to the Workers Compensation Board. This approach provides flexibility so that disputes can be resolved quickly. It improves the quality of initial decision-making, because there will be direct feedback to the front-line decision-makers and senior management at the WCB about service quality. The internal review staff will also provide feedback to the WCB board of directors on the effectiveness of their policies.

The internal review will be accountable for making a decision within 150 days of receiving an appeal, unless the board of directors establishes a shorter time limit. If experience shows that a shorter time limit is workable, we expect the board of directors to reduce the time.

[1010]

This legislation sets out the process for appealing a decision made at the internal review level. Again, taking a commonsense approach, the proposed system sends an appeal of an internal review decision to an external body for a more formal but final decision. This bill establishes that body as an independent external appeal tribunal. Cabinet will appoint the chair of the appeal tribunal and set the budget, ensuring that accountability for costs falls directly to government. This bill sets out the chair's responsibilities, including a reporting structure to ensure performance targets are met and open communication is maintained. The extent of responsibilities imposed on the chair by this legislation is beyond compare anywhere in Canada.

Workers compensation appeals are complex by nature, and we want to ensure that quality and efficiency are assured through an appeal body that is external to WCB and at arm's length from government. While it will be independent of the WCB, the appeal tribunal will be bound by board policy. That provision ensures that each person responsible for making decisions — whether on the WCB front line, in the internal review group or in the appeal tribunal — is making those decisions based on the same set of rules. Consistency of decision-making across all levels reinforces the quality assurance that we aim to build into the system.

In addition, the tribunal will be able to set certain decisions as precedents, thus reinforcing consistency.

The appeal tribunal, like the internal review, will have a responsibility to provide feedback to the board on problems with the policies and on the quality of decisions being made at the internal review level. In particular, there is a clear process for resolving questions of whether a policy is consistent with the law. Unresolved differences of opinion on the lawfulness of policy have been a source of inconsistency and have contributed to the volume of appeals and a sense of unfairness in the system.

The bill sets out in detail appeal rights to the tribunal, including who may appeal, how to appeal and the time limit for appeal. It outlines the expertise that will be accessed in making the decisions. For example, the tribunal chair will be responsible for developing a list of health professionals who the tribunal may call upon to provide independent advice on medical issues. This process will replace the medical review panel, which is now another level of appeal that takes an average of 300 days to get through. The appeal tribunal will be accountable for making a decision within 180 days of receiving an appeal.

The tribunal's decisions will be final and binding, and the possibility for future reconsideration of the matter by the WCB has been eliminated. This will break the endless cycle of appeals that is perpetrated under the current system. It has been reported by some that this lack of finality has been as difficult to endure as the initial injury. We need to break that cycle and let people get on with their lives. What we are proposing is a fair and balanced system that places a real emphasis on timeliness and quality and consistency of decision-making.

This bill also includes extensive transitional provisions that ensure those with appeals in the system or the right to appeal will be treated fairly and equitably. Anyone with an appeal filed in the system will have that appeal heard. For the vast majority there will be one final and binding decision by the new appeal tribunal. In most cases, the new provisions will apply to those appeals. However, given the volume of appeals currently before the system, time limits will not apply in these cases. When the legislation takes effect, those with the right to file an appeal will be able to do so under the previous time limits.

[1015]

We made a new-era commitment to making the workers compensation system more responsive to workers and employers alike. With this legislation we are taking another solid step towards fulfilling that promise.

I move second reading of Workers Compensation Amendment Act (No. 2), 2002.

Mr. Speaker: Continuing debate on second reading of Bill 63, the member for Maple Ridge–Pitt Meadows.

K. Stewart: I would like to stand today in support of the Workers Compensation Amendment Act. Ever

since I've been involved in politics, one of the issues that has come to me many times is that of injured workers and their inability to get their claims through the Workers Compensation Board.

My concern is not just the injuries those people have suffered over those years, but the effect that has on their personal and family lives. All too often, having grown up in the same community, I have people coming in to see me with regards to WCB issues — people that I have known as vibrant young men — and they're shadows of their former selves.

It's not just because of the physical injuries that they suffered from an accident at work — through no fault of their own, in most cases — but because of the emotional and family pressures that are put forward on them as these time frames go on and on, appeal after appeal. I wouldn't personally have believed some of the stories that these people come and tell me in my office if I hadn't on my own personal account seen firsthand the ineffectiveness at the WCB and the incompetence in some of their rulings.

Now, I'm not saying that in the past the WCB hasn't done a lot of great things for a lot of workers, but it has missed some. I think it's a body that's been operating independently with its own set of rules for too long. They haven't had the public scrutiny nor the transparency that we'd like to see in an agency that's set up to protect the people of British Columbia when they go to work.

I'd like to first comment on a couple of the issues that I think will be important in this. One is the reduction of appeals from three to two — the limit of the time frame. This is the area that I see. The minister commented on a time frame of up to seven years. I must have seen just about every one of those seven years, because I have people come into my office who have been injured for longer than seven years.

My concern is that initially the medical care they receive is usually fairly good, although there have been some cases of misdiagnosis that have caused further injury to these workers and just made their problems worse and the time lines to get back to work extended. But the time frames with the limitations, I think, will have a real impact on concluding some of these long-standing claims that have been out there. It's difficult to see the effect that this time frame has on their families. They can't find other work in many cases. The maladies that accompany the initial injury grow worse. You see people who are depressed because they can't get back into the workforce. They get retrained for something, and there's no work in that area.

I'd just like to say that I really support the fact that we're moving ahead with some amendments. I know there's much more work ahead for this organization. I think the WCB is an agency that's there to serve the workers. I think it's lost its direction over the years. It's caught up, as we see in many areas of the governments, where the bureaucracy becomes more important than the purpose it's there for. That is to ensure the safety in the workplace, first of all, and secondly, when there is a unfortunate incident....

I've had cases where people have had slings of metal dropped across their legs, and they couldn't walk. There's no question about the cause of the accident; there's no question about the WCB accepting the claim. But it's how that claim lingers on for months. Those months become years. We see families that are torn apart by the aggravation of not being able to get back to work, and the claims that after a while, the money seems to.... Initially the WCB is fairly good, but as they move along in these claims and people go through these long appeal processes, the money seems to get lessened and lessened as they take them through the various training programs.

[1020]

I think the important part of this is first to deal with the initial injury and get the appeal process through. Again, this is a good start for that, but what we really do have to look at is to start expanding some of the other services to beyond just looking at the individual and their initial injury to some of those other maladies — of depression, family problems, future training — that move in. I would certainly like to see this process continue beyond this bill, and I'm certainly looking forward, over the next few years, to some significant changes in WCB to where they get back to the point where the worker is number one and that's what they're there for and they ensure that the primary service to the citizens of British Columbia who get hurt at work is fulfilled. I would just like to support the amendments today. Thank you.

R. Hawes: Like my colleague from Maple Ridge-Pitt Meadows, I rise to support this bill. Frankly, it's high time that the complete rework of WCB begins, and this is a very good step. If there's any dysfunctional organization that springs from government, I can't think of one that would be more dysfunctional than WCB. I know that in my constituency office, like probably every member of this House, the biggest issues that hit are WCB issues. There are hundreds and hundreds of workers and employers who have not received the kind of treatment they would have hoped for at the hands of WCB, who are suffering in either their business lives or in their personal lives as injured employees.

I know my colleague has already mentioned the time of appeals, but the complication of the system is beyond what the average person can understand, and the rationale for a lot of decisions that are made are simply not, first off, understood. Some of the decisions that are made go without explanation, and you are not entitled to an explanation. The system is not working, and it has not worked for some considerable period of time, as witnessed by organizations that have sprung up now throughout the province to look after the interests of injured workers, who are working to try to fight WCB on behalf of injured workers. One has to ask: can the system be made worse than what it has been? It's hit the very, very bottom.

The reason all of these organizations who try to work for workers is necessary is because the system

doesn't work. For the last ten years the government has continually looked at bureaucratic fixes, and the bureaucracy within WCB has grown exponentially. I know that not far down the road, we'll begin to look at regulation in addition to the changes now in the appeal process. I listened last week as the head of the B.C. Federation of Labour was on a weekly television show with one of the newspaper pundits, and he talked about how this government might be looking at regulation and other changes to WCB that would hurt workers. The bottom line, Mr. Speaker, is that in my office I have a pile of the regulations on my desk — all of the WCB regulations — that sits probably eight or ten inches high. There are over 40,000 regulations that no one, frankly, has ever read that I'm aware of. I've asked a lot of workers who have WCB problems if they understand either the appeal process or the regulatory process, if they've ever looked at the regulation — and if they had, would an understanding of the regulation have stopped the injury that has caused their problem? The answer is no. None of them have ever read the regulations. Even if they've read some of the regulations, their injury was not caused from not knowing the regulations.

[1025]

Employers also do not understand nor have they read the regulatory regime that's been put in place. I guess the bottom line for me is if you want to protect workers, if you think it's the regulation that protects workers from injury and they've never read the regulation and the employer has never read the regulations, how can they be protecting people? The fact is they're not. They're there to create penalties. We have inspectors going around in various businesses looking for infractions in that huge block of regulation, and it's very easy to find infractions often in very trivial things that are meant to create a financial penalty now against employers. They then will be forced into an appeal process, which has happened, that takes forever.

One of the most common complaints that I have in my office is that an injured worker gets cut off while they're plainly injured, can't go back to work and has no other source of income other than the WCB payment. Once they're cut off, they're forced into making settlements with WCB that they don't want to make and shouldn't be forced to make.

What comes to my mind is an example like a young woman that was in my office about a year ago who had injured her hand in a food-packing plant. She had tossed a bag of something behind her, and her hand hit a portable piece of racking that she didn't realize was behind her. She was at that point unable to work because of the injury and the pain in her hand. She was diagnosed as having a tendon problem that required an operation. In fact, she had three operations — and I've spoken about her in the House previously — on her hand, only to then find after the third operation that, in fact, she didn't have a tendon problem. She had a cracked bone in her knuckle, but by then the operations had caused such problems that she's now perma-

nently disfigured and crippled, and her hand is now totally dysfunctional.

There has been appeal after appeal made on her behalf or by her to WCB. She has been cut off. She now doesn't receive anything from WCB. It's completely unfair, and this woman is now unable to work and suffers a tremendous amount of pain. In fact, she wears a glove on her hand at almost all times because any kind of cold at all causes unbearable pain.

There's no reason for this. There's no reason that this woman should be forced now to take a pittance in a settlement, which is what has been offered to her, because she's been, in essence, starved into taking that pittance. This isn't right, and this bill goes a long way to addressing the wrongs that have been happening to workers like this woman for a decade in this province.

The previous government apparently didn't care. Constantly we heard from the NDP that they were the workers' friend. Well, the fact of the matter is that you couldn't have a worse friend than one that totally ignores you when you're in big need, and that's what was going on here for a decade. I'm really proud of our minister for bringing forward this bill that's going to address to a great degree the distress that workers have been faced with because of this bureaucratic regime.

I know that in relatively short order, further amendments will come forward. I'm confident of that, because I know that the minister realizes the regulatory regime doesn't work either. I know there's going to be a tremendous number of changes in WCB with the sole purpose of making workers compensation work for the workers and the employers. This is a partnership, really, between employers and employees to make sure that all are protected. No employer in this province wants to deliberately go out and create a workplace that's unsafe, but when accidents happen in the workplace, workers need to know they're going to be treated fairly. And if they don't accept or don't like the settlement that's been given to them, they need to know that they have a speedy way, an uncomplicated way, to have their grievance at a settlement reheard.

[1030]

This bill allows that to happen. It allows the ordinary worker to understand the course that is going to be followed in order for them to get their final and, hopefully, fair settlement. It also allows, though — and I think it's really important — some self-examination by WCB. If the process is bogging down, if there are further problems, it allows a much easier analysis to find those problems and correct them. What I think has been happening for the last decade is that as problems are detected, they've been thought of as a lack of management, and a few more administrators and a few more rules would straighten out the problems that have been encountered — which is, of course, the NDP way. "Let's regulate everything to a complete standstill. Once it reaches a standstill, we'll bring in a group of experts to really take a look at how to fix it, and maybe we can hire a few more people." It's sort of a paralysis-by-analysis type of approach, and workers have paid the price for this for a decade.

What I want to do is congratulate the minister and say thank you for bringing this forward on behalf of my constituents who have huge problems with WCB, and there are many. There are legions of them out there. They, at least, are well on the way with this bill to getting the fair treatment they deserve from WCB. I'm quite proud to stand today and support this bill. With that, thank you very much for the opportunity to speak.

Mr. Speaker: The member for Vancouver–Mount Pleasant. Hon. member, I assume that you're the designated hitter on this bill.

J. Kwan: Yes, I am.

Mr. Speaker: Thank you.

J. Kwan: The government introduced the so-called exposure bill. This would have been back in the spring of last year. The government advised that they wanted some input on it. The minister, in fact, was talking in the media about this. "We promised in May to consult with workers and employers over the summer, and as a result of those consultations, we've revised one section of the legislation on health professional assistance and another on transitional provisions." It goes on to talk about what the goals are.

What I'm interested in, aside from what the government's brought forward in terms of the changes, is of course the information that came to the government, the consultation itself. What did the public tell the minister about what changes need to be put in place? What did the employers and the community say about what the changes are?

Now, sometimes, from time to time — not often but from time to time — government says it's going to go out and do the consultation. Then they put that information, actually, out to the public. They post it on the website. They make it available, generally, for the public to see exactly what input they received. It is curious, though, that in this instance the feedback the government got on this particular issue is not available on the website. Even within the media, one is not clear in terms of what the public did say. How come that information is not available?

My question to the minister is a very simple one. Would he make that available, make that public and provide that information to the opposition, to British Columbians so that they, too, can see for themselves in terms of what the input was from the public?

We have now a reintroduced bill with changes stemming from the consultation. As I say, it would be nice to know and to see what the consultation input was and what the suggestions were and to see how these changes correlate with the input that was received by government.

The government also, I want to note, commissioned the Hunt report, and this report is pending. The minister has said it would be released very soon, but to date we have not seen this report. Is the report to be a re-

view of the service delivery for the board? Is the appeal process captured within the report? Is it not captured within the report?

It also would be very helpful, given that the government has commissioned this report, to make this report available so that British Columbians, too, can see for themselves what the recommendations were; what part, if any, the government acted upon from the recommendations; what part they didn't act upon and why not, as an example. It would be very helpful, actually, to enter into the debate of the Workers Compensation Amendment Act (No. 2), 2002, with that background information. That would be, in my view, open, transparent, consultative government making available the information, putting it out to the public and not keeping it secret.

[1035]

I know that groups I have contacted about the first bill, Bill 56, and now Bill 63 have concerns that are not addressed in either version of the legislation. The section of Bill 56 that is particularly problematic in my view is, of course, section 239. Section 239(b) and (c) is very problematic for injured workers. The government says that they want to make changes to address concerns for injured workers, but the section says that any decision under section 16, vocational rehabilitation, will not be appealable. Also, any decision regarding a worker's functional impairment, if the percentage is 5 percent or less, will not be appealable. Two examples of disabled workers that fall into this category are workers with back injuries and workers with a noise-induced hearing loss. Without question, section 239 must be changed and needs to be changed.

Bill 63 takes away two levels of appeal that are now available to workers. The first level of appeal of the review board is being replaced by an internal review process, and workers will no longer be able to choose to go to a medical review panel. In addition, not all the decisions are appealable. My view is that this can be very limiting for injured workers in terms of access to benefits that they're entitled to.

In principle, one could argue that it is a good thing to streamline the appeal process, to make it work more equitably and in a more timely fashion than we have seen in the past. The backlog is tremendous, even with some of the changes that have been made in the last few years. The issue here is whether or not justice for injured workers is better served by this appeal process. I'm not sure that it is. I'm not sure.

Currently, you have an appeal process, and if you get a decision that you do not agree with or that you want to dispute, then you have a further appeal process. Workers I've spoken to are not necessarily angry about the time line so much as they're angry about a bad decision, a decision that they feel is unjust and does not represent their case. This takes away one level of access to justice, which is actually a step backwards from the situation now, so that when it's over in 15 months regardless of the decision, you're done. You have no other recourse.

It seems to me that all the WCB changes this government has introduced so far have been about saving

money and not about saving lives. If you want to save money, then save lives.

I want to just pause for one moment here, actually, and read an article into the record. I came across it very coincidentally just this week. It was an article in the *Vancouver Sun* on October 21, and it actually highlights a company which has won two safety awards. The company goes on to talk about the importance of having the top up, taking actions to provide and ensure that there is workplace safety. From the company's point of view, from management's point of view, when you save lives and reduce the incidence for potential injuries in the workplace, you actually save the company money in the long run even though you may have to put out some dollars to ensure the work environment is safe.

I thought it was worthwhile to put this on the record, because that's something we need to focus in on. I'm wondering: where has the government been in terms of addressing this most important issue? The best way to help potential injured workers and their families, to help our economy, to help business, is to reduce the number of injured worker incidences. According to our statistics there were some 168 workers who died last year, and 4,000 were permanently disabled. That's a big part of the cost for Workers Compensation. It's a big part of the cost for the worker and the family, and it's a big part of cost for the company. The government needs to concentrate on lowering those horrifying numbers by making workplaces safer for workers.

[1040]

Let me read this article, "Vancouver-based Ledcor Wins Two Safety Awards," into the record now:

"On one jobsite, Ledcor Construction has gone more than two million man-hours without a workplace accident. This could explain why the Vancouver-based Ledcor group has become the only company to win the top two Canadian construction safety awards in the same year in 2002.

"And the accolades keep piling up. On Wednesday, Ledcor's B.C. division is to be honoured by WCB and the Canadian Society of Safety Engineering for its workplace employee mentoring program.

"It starts at the top,' Dwight Brissette, Ledcor's director of health and safety, said Friday. 'Our safety commitments are reflected from our senior management through to our on-site superintendents. When the commitment comes from the top, it's not hard to implement.'

"Ledcor's shining example is the Mahkeses oil refinery project, which the company is building for Imperial Oil in Cold Lake, Alberta.

"We've gone two million hours without a lost-time accident,' Brissette said in an interview.

"Ledcor vice-president Bob Walker said winning the prestigious national safety awards from two top industry groups, the Associated Builders and Contractors and the Canadian Construction Association, earlier this year reflects the tremendous efforts by all the employees.

"Ledcor is proud to be the first construction organization to have achieved both of these awards in the same year,' Walker said. 'Each branch has its own safety department, so the owners and subcontractors

know it's a safe project. It's an extra expense, but it's very important to us. It's actually been great for business.'

"Ledcor, a privately held, employee-owned company controlled by brothers David and Cliff Lede, has 2,000 workers in 12 offices across Canada and the U.S. Founded 55 years ago, it is among North America's leading construction firms, specializing in building residential, civil, commercial and industrial projects.

"In Vancouver, Ledcor is currently building the \$170 million, 42-storey Shaw Tower, a residential commercial project at Coal Harbour, the site of the largest concrete pour in Vancouver history three weeks ago.

"It is the near completion of the Pricewaterhouse-Coopers Place office tower at Howe and Cordova, while other previous credits include the Residences On Georgia, the Palisades twin towers in downtown Vancouver, as well as the level 3 domestic terminal at Vancouver International Airport."

The article goes on to say:

"Ledcor was presented with the Gordon M. Vipond Memorial Award by the Canadian Construction Association at the eighty-fourth annual conference held in Phoenix, Arizona, earlier this year. Considered the top safety award in Canada, Ledcor won for its aggressive safety program in which 21 safety elements were recognized.

"Ledcor also took the National U.S. Safety Award at the Associated Builders and Contractors national convention held in New Orleans. This award recognizes excellence for companies exhibiting a firm commitment to safety.

"The ABC also honoured Ledcor's operations in Seattle, Dallas and San Diego by presenting them the platinum safety award for the second consecutive year of safety awards. This is the highest safety award for each division, which can only be granted after winning three gold medals in a row.

"Brissette said the Lede brothers insist on ensuring work safety after their own father was killed in an industrial accident.

"Ledcor's latest honour, recognizing its workplace employee mentor program, will result in the company winning the first ever Young Worker Training Program Award to be presented October 23 by the WCB and the Canadian Society of Safety Engineering. This program is designed to introduce new employees to the construction industry by providing direct quality instruction and supervision for the safe performance of their duties. A mentor/role model is appointed to each new young worker to ensure the safety skills and understanding are complete before they leave the program."

[1045]

This is but one example in terms of what can be done: how to save lives, how to reduce costs and how to ensure that productivity is kept at the workplace for all — all benefits for everyone. But so far we haven't seen any action from government in this direction.

If government wants to ensure and move forward on worker safety, you would think those are the kinds of initiatives one would want to put forward. You would think government would put forward mentoring programs for young workers at the worksite. You would think there'd be a directive from government to say to management at all worksites that it is the directive of the government to ensure there's a safe working environment. "Here are some of the things you must

implement." But we've not heard anything from the government on that front. It's been silent.

Instead, what we see are changes to the rules. We see changes that may work — but I'm not certain about that — by taking away a level of the appeal process for injured workers. I'm not sure if that necessitates an advancement for injured workers. If you don't agree with a decision, you have nowhere else to turn. I'm not sure if that's helpful. One could argue that it's saving red tape and reducing bureaucracy, but on the other side of it, one could also argue that it's denying access to justice.

I want to just go back and put on the record again the statistics on injured workers. There were 168 workers who died last year; 4,000 suffered permanent disabilities. It's a big part of WCB's costs, the injured workers' costs, the injured workers' families' costs and, of course, the companies' costs. Again, I want to urge the government to focus in on lowering those horrifying numbers, making workplaces safer for workers.

We see, as I understand, the board changed the rules on judging investment returns. There was a \$720 million windfall to the employers. The board itself makes the safety rules, and a new governance structure has been put in place for the board as well.

We had a governance structure that for years made almost every decision by consensus, including management. When they talked about ten years of fiscal mismanagement, the board actually had a surplus in every year but the last year. In the last six years employers' premiums went down in most cases except when you had a bad employer or a bad industry, they went up. That's what employers wanted.

The word in the community now is that WCB assessment is going to go up again. Another 20 percent is the information that's circulating in the broader community. I want to ask why that is. Is it the plan of the government to see WCB assessment costs go up again? Are bad employers in the workplace increasing and therefore requiring an increase in this assessment? Has the government initiated any initiatives to say to employers: "You must put in programs, initiatives, to reduce workplace injuries and accidents"?

[1050]

The new board structure. Is it going to be required in terms of consensus for decision-making? The new board structure, as I understand, is actually more complicated under this model. It has more people on it, but there's only one labour representative and management person on it. The other four are from the public.

The minister, as I understand, will be appointing a new board of governors for WCB in the next two to three weeks. I can't wait to see what these appointments look like on this board. Are they people who are familiar with workplace safety, or are they people who are going to be driven by the bottom line? Are they people who understand the importance of investing up front, such as this company I just read into the record from the *Vancouver Sun* that has won a multitude of awards for highlighting workplace safety? Are they going to put that first on their agenda as an item of

business in terms of driving policies and decisions? What's it going to be? I wait to see. I hope it would be people who do understand the importance of workplace safety. I hope it is people who want to bring forward and lead initiatives that will save lives and, ultimately, save money as well.

We in the opposition have more questions to ask of the minister around the changes in this bill. I hope the minister will make available the information I've requested from him, particularly the consultation information, the Hunt report, so that when we get to third reading debate, we can have comprehensive information before us and engage in an informed debate.

Mr. Speaker: Debate continues on second reading of Bill 63 with the member for East Kootenay.

B. Bennett: I rise to speak in support of the bill. Changes to how WCB operates in British Columbia are desperately needed. I can tell you that in my brief experience as a member of this Legislative Assembly and at my constituency office in the East Kootenay, there are more constituents coming through my door who have problems with WCB than with any other government agency in the province.

One particular elderly constituent, after over a decade, is still unfortunately and tragically dwelling on his experience, his brush with WCB. This particular constituent waited for years for a final answer from WCB and doesn't believe in his own mind that he ever actually received a final answer. It's interesting that of those workers who get a decision in less than six months, 50 percent are likely to go back to work. If they wait a year, 25 percent of them are likely to go back to work, and if they wait more than two years, there's virtually no chance of those workers going back to work.

I expect that's the situation my elderly constituent found himself in. He dealt with three appeal levels, which can take almost seven years to work their way through. Meanwhile, during the seven years, I can only imagine what the worker and his or her family were going through — certainly, a high level of frustration and dissatisfaction from the workers who are impacted, who have to deal with WCB and also, I expect, a level of frustration for the employees who work within the WCB itself.

Under the new act the minister has introduced, there will be maximum time frames for decisions, which is the positive development. The new act shortens the process from an average of 35 months, if you can believe that, to a maximum of 15 months. The number of appeal levels has been reduced from three to two, and users — that is, the workers — will be guaranteed more consistency of decision-making. It was a new-era commitment of our government to reform how WCB works and to make it more user-friendly, so to speak, and I applaud the minister for following up on another one of our government's new-era commitments.

Again, I wish these changes had been made many years ago so that the constituent I've referred to.... I'm

not going to mention him, because I don't have his permission, but he's been in my office probably two dozen times over the last 15 months. He lives his life every day thinking about his experience as an injured worker with WCB. For his sake and the sake of all the other workers in this province who have been so frustrated with this government agency over the years, I would like to personally thank the minister for taking this on and making these great improvements.

[1055]

B. Belsey: I rise today to offer my support and congratulations to the minister and his staff for the fine work that's been done on Bill 63. Before entering into politics, I worked in the pulp and paper industry as manager of a maintenance and engineering branch of a pulp mill. I can tell you that there were a number of workers, families and at times employers who struggled with a cumbersome process that was very difficult to manage and often really served neither party. The work that's been done here is going to offer some finality to the appeal process for WCB compensation.

The resolution of differences in the WCB appeal process is time-consuming, cumbersome and expensive. This new act will help solve many of those issues. Balanced legislation that offers both the worker and the employer an opportunity to review a process, to review the appeal decision and know that there's finality to that process is very, very important.

I'd like to make a few remarks regarding the comments we heard from the member of the opposition. One comment was that this takes away a level in the appeal process. Well, it certainly does. In essence, this whole compensation bill is to reduce that process to make it easier.

She mentioned a company — and I was quite surprised to hear this — Ledcor, which has an excellent safety record. I might stand corrected, but the last time I looked, Ledcor was a non-union company that does work around this province and around Alberta. You can't help but wonder: do they have a safety record because they have a number of people, certainly, with safety in mind who are willing to maybe give up some of that high union wage and compensation package in order to work with a company that has an excellent safety record? It's pretty interesting.

As long as I can remember working in the industry I was with, I don't recall the last government ever coming in and saying: "We have a safety package for your employees."

J. MacPhail: Well, then, you weren't listening.

B. Belsey: Yeah, we've heard, but we haven't done that.

Mr. Speaker: Order, please.

B. Belsey: I think it's important that we put this all into perspective. I don't think safety in the province of British Columbia should be a political issue. We sepa-

rated that out a long time ago when we created a Workers Compensation Board. With this we will help those workers and those companies that have to deal with accidents that happen in the workplace. It's important that on the passage of this act, workers are going to be able to start work every day, employers are going to be able to offer work every day, and Workers Compensation is going to be able to monitor the safety records and know that there is an act in place to deal with accidents and with an appeal process that has burdened the system for many, many years.

[1100]

Mr. Speaker: Debate continues at second reading of Bill 63. The Minister of Skills Development and Labour closes debate.

Hon. G. Bruce: I appreciate the comments from all in the House today about this particular bill and workers compensation in general. First of all, let's be clear. Every one of us here in the House, those that work in the workplace, those that are in business in the workplace, want to make sure that we have a safe and healthy workplace to be able to do what it is we do.

Ultimately, that is where it all starts: to make sure that the workplace is as safe as it possibly can be, to protect workers from injury or, as was mentioned by the member for Vancouver–Mount Pleasant, death, in respect to the 168 deaths that we had this year in the workplace — very tragic and very unfortunate. There is still much work to be done at WCB in respect to their role of helping to improve and increase the safety within the workplace. I think it was encouraging to note, from the member for Vancouver–Mount Pleasant as she read it into the record, the safety record of Ledcor and the fine job that they've done. There are many within the community out there that are working hard to make their workplace safer.

WCB has a historic compromise between employees and employers. Employees would not sue employers if they were injured or if, very unfortunately, death occurred at the worksite, provided that the employers were to put in place a safety net such as the workers compensation system. That historic compromise has been here since, I think, 1917. It's important that we remember how it was put together and the point of trying to make the workplace as safe as it possibly can be.

We as government understood very clearly that there needed to be improvements to the workers compensation system. Every member in this House deals, on virtually a daily basis, with people caught in the workers compensation system, be they employees or employers. It was even seen by the previous administration, the former NDP government, that there needed to be change to the workers compensation system. There was in fact a royal commission that they commissioned in 1997 at a cost of about \$7 million.

We have spent a considerable amount of time through the work of Allan Hunt and Allan Winter, who are the two that I have asked to undertake the

reviews and bring forward the implementation steps so that we can improve upon the workers compensation system. They have spent a considerable amount of time reviewing the recommendations of the royal commission.

In respect to the changes that we've made, the first piece of legislation that we brought in this past spring, we were dealing with governance and the benefit package. The workers compensation system is an \$8 billion corporation. It's currently faced with a \$287 million deficit. The member for Vancouver–Mount Pleasant wondered why that had happened. It happened for a number of reasons, the least of which is that the investment portfolio at WCB suffered the same type of impact that many in the market are feeling today of the vagaries of the market.

More than that, there were also changes that needed to be brought about, which in fact were left on the shelf. It was interesting to note that on *Voice of B.C.* just last week, Jim Sinclair, who's the president of the B.C. Federation of Labour, when asked about the WCB changes, intimated that they didn't bring about the changes that they should have because they couldn't get consensus.

I understand that. I clearly understand that when you work through some of these things, finally somebody has to make a decision and move ahead to improve upon a system that is very much needed for all in the workplace. We're making those decisions. Not everybody will agree and accept the decisions that we are making, but in fact, as we move through this process, we will find that the WC system is much more responsive to the needs of employees and the needs of employers.

We've dealt with, through the House here, a bill dealing with governance and benefits. This particular bill, Bill 63, deals with the appeal process. It will offer a more timely process of decision-making.

[1105]

It only stands to reason, if you look at it — the common sense of how we've rearranged the appeal process so that you would go, first of all, to an internal review in as informal a way as possible and in as quickly and as timely a way as possible, so you can assist who is appealing. Then and only then, after the fact that there is no agreement at the internal review — that there weren't errors or omissions, that people didn't just clearly misunderstand something of great importance in how that decision was brought down — does it go to an external appeal.

By just fair justice there needs to be an external appeal by a body that has no ties to the WCB system. Then at that point, that body — as is the internal review, as are those when they make the decisions in the first instance — is bound by the policies of the board. There is consistency in fairness in how decisions are rendered to people who have found themselves injured or to others in the employers' instance who have found themselves in front of a situation that requires an appeal to the board.

Those two changes are fundamental. More important, though, is the reporting-back process so that we in the first instance get quality decisions. That's what it's all about. We're looking to assist people to be able to get back into the workforce in a timely manner, and not be caught up and put out over here so that they're in a system that can keep them out of the workforce for three years or five years or seven years.

It's very clear to all, as you go through the problems of British Columbia, and as I find going from community to community speaking to different groups and organizations, that one and all want the workers compensation system fixed. That then requires that somebody make a decision. In fact, this government is making the decision. As minister responsible, we've made some decisions in a number of ways to improve the workers compensation system, the least of which is appeals. Following on the appeal process will be another piece of legislation we'll be dealing with, in respect to spousal benefits.

It was mentioned by the member for Vancouver-Mount Pleasant as though there was something hidden or untoward in all of this. Consultation alone in the royal commission saw 3,500 submissions. We've used that as a basis. Both Mr. Hunt and Mr. Winter were instructed to go out and speak with organizations and individuals to a fair extent, but not to the point that it would limit us from moving ahead in bringing about the changes that very clearly needed to be brought about.

In regards to the Hunt report, shortly the new board of directors will be named. The board of directors will be the ones that will be given the responsibility for taking the Hunt report, which deals with service delivery from the time one walks through the front door, from the time one picks up the phone and phones the WCB system, to moving through that. The Hunt report, and what Mr. Hunt has been instructed to deal with, is how one is treated. Is one treated fairly, efficiently and expeditiously? The new board, when announced, which will be in the course of the next two or three weeks, will be instructed to deal with the Hunt report. At that point the Hunt report will be released. It's not that there's anything hidden or mysterious about this. It only makes sense that the new board of directors be given that responsibility and effect the changes that are necessary so that one can expedite themselves through the system as much as possible.

The other aspect of the WCB system is in respect to the cultural shift. It should be, in my view, that when one is making improvements or changes to the workplace, they should make those changes and improvements with an eye to making sure it is done in a safe and healthy manner. This institution, the workers compensation system, should be the system or board or body that one would feel comfortable in picking up the phone and calling and saying: "Listen, these are the changes I'm making. I want to make sure my workplace is safe. Somebody else has probably already done this. I don't need to reinvent the wheel. Can you give me some advice on how best to do that?"

In fact, I'd venture to say that as you went through the province and spoke to people out there.... Do they feel comfortable about phoning the workers compensation system for that type of advice? In fact, I would almost go as far as to say that probably not one in 100 would feel comfortable about picking up the phone and phoning the workers compensation system for that advice. We want to change that culture. We want that workers compensation system there so that people feel comfortable picking up the phone and saying: "Look, how can I improve on the safety at my worksite?" We want the workers compensation system to be an advocate in encouraging workplace safety so that we don't have accidents to workers, and we don't have deaths on the worksite.

[1110]

It's a large corporation. As I mentioned, it's an \$8 billion corporation. It's been left in the doldrums for some time, and we are dealing with the changes that need to be brought about. I can say on a personal note that I would like to have had these changes done far earlier, and not in 15 or 16 months but in one month. But this is a complex piece of legislation as we deal with different sectors of it. Ultimately this comes down to dealing with individuals, people who have found themselves injured on the worksite. Not everything that is straightforward from the standpoint of this policy will fit for everybody. Then it takes longer and takes greater time in bringing about the changes so that they are there and as much as possible can look after injured workers in an expeditious and timely way.

Mr. Speaker, this bill, Bill 63, in dealing with the appeal process, is done in such a manner that we can give quality decisions, timely decisions, and can do it in a helpful way so people can get back in the workforce and feel productive again and that they are not put out in six and seven years in a situation where they feel lost and frustrated. In fact, I have had people who have been injured say to me that they have found the appeal process almost more debilitating than the injury they received in the first instance. That is just not good enough. This government has gone on record to improve and change the WCB system so it's there for workers and employers so that we can have a safe and healthy worksite. Bill 63 is just one part of doing that.

I move second reading of Bill 63, Workers Compensation Amendment Act (No. 2), 2002.

Motion approved.

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

Bill 63, Workers Compensation Amendment Act (No. 2), 2002, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

Hon. G. Bruce: I call second reading of Bill 67.

TRANSPORTATION INVESTMENT ACT

Hon. J. Reid: I move the bill now be read a second time.

British Columbia's economic health is in many ways dependent upon our transportation system. We need the safe and efficient movement of goods, services and people to keep our economy functioning, and it is key to keeping our economy growing. Unfortunately, our transportation infrastructure needs are many, and our public resources are few. Our capacity that we have created in years past in transportation gets consumed, and we need to be able to move ahead with infrastructure. As well, the infrastructure is constantly under wear and tear and needs ongoing investment.

[J. Weisbeck in the chair.]

The province faces significant fiscal challenges including a \$4.4 billion structural deficit in 2002-03 and a provincial debt that has more than doubled in the last ten years. We estimate it would cost \$10 billion worth of investment over the next ten years to make the infrastructure improvements in transportation and the enhancements that would keep British Columbia thriving in the trade and transportation centre that it is. With the commitment to protect health care and education as the government's top priorities, government funding is no longer adequate to meet all of our transportation needs. If we are to move people and products safely and efficiently and maintain our ability to compete in the global marketplace, we must invest in our transportation links and structures. We need to do that now. As we put this off for years, the problem grows worse, and it erodes our ability to be competitive and to be a centre for trade and for being a gateway that the province is.

The issues we have to address are safety as well as increased traffic congestion and population growth. In the lower mainland over the last five years there's been a 14 percent growth in traffic without any increase in infrastructure. Another example is the central Okanagan Valley. In the last five years there's been a 7 percent increase in traffic without any increase in capacity infrastructure.

This last decade we have seen a doubling of the number of trucks crossing the Canada-U.S. border. That is good economic news, but it certainly puts a strain upon our infrastructure system. We have to ensure that as Canada's gateway to the U.S., Asia and the rest of the world, British Columbia's transportation infrastructure keeps pace with this ability to move these products and goods to market both locally, nationally and certainly internationally.

[1115]

Another challenge we have is keeping up with our tourism sector, our tourism industry. From 1994 to the year 2000 the number of visitors to B.C. increased by 15 percent. Again, that is good growth. We want to be able to pursue that. Last year we saw an estimated 22 million visitors from around the world visiting British Columbia.

We have the challenges of being able to maintain and increase our infrastructure capabilities with re-

gards to transportation, and we have significant fiscal challenges to accomplish that, so we need to come up with innovative ways to meet these goals. Encouraging private sector involvement and investment in transportation projects is one solution to this dilemma. Allowing the private sector to help us make transportation improvements now and recover their outlay through the use of tolls makes good sense with some projects. The Transportation Investment Act will provide a framework for forging those public-private partnerships where financial analysis shows that there would be a clear cost-savings and a public benefit.

The bill was originally introduced during the spring 2002 session of the Legislature. During this summer, I visited many areas of the province and spoke to and visited 19 different communities explaining the challenges facing us with transportation and talking with local government, chambers of commerce and potential private sector partners. I explained the contents of the bill, the intent of the bill, and encouraged comments on the bill. I talked about why we are looking at public-private partnerships. What I found was that everywhere I went, people still had more projects they wanted to add to their transportation infrastructure wish list, so it's very apparent that public resources alone cannot meet the need to accomplish all the work that has to be done.

Using those comments and suggestions that we received on the bill, the draft act and the tolling policy that was published on the website, we have made changes to the bill. The act now clearly provides for the government or another person appointed by the government to take over a private sector-operated highway in the event of the termination of an agreement. It also provides for the imposition of penalties on operators who fail to perform to the specified agreements.

There are no decisions that will take place on individual projects until full and proper planning has taken place. This is framework legislation to allow us to enter into these discussions. Any highway built by the private sector will be required to meet the provincial highway standards for safety, design, construction and maintenance.

[1120]

Public-private partnerships will allow British Columbians to access improved infrastructure far sooner than would be possible for the province to construct with the funds available to us at this time. The Transportation Investment Act will authorize the Ministry of Transportation to enter into agreements with private sector investors to allow them to construct, improve, operate and maintain provincial highways. There are already some public-public partnerships in place with the federal government and other levels of government to put our dollars together to stretch them as far as possible and get the greatest benefit. Now we're looking for other funding partnerships. An example of one good potential public-private partnership opportunity is the North Fraser perimeter road and what we call the Gateway project, because of the congestion and the need to move goods in the lower mainland.

We know the private sector is interested in pursuing potential partnerships. There was a conference that the Ministry of Transportation hosted in July. We had delegates from all over the world come, and they expressed their enthusiasm for involvement in infrastructure projects. Private sector representatives also expressed their interest that after ten years of drought in British Columbia, they again want to bring their business to B.C. With an improved investment climate in British Columbia, they see good business opportunities, and there are the benefits for the taxpayers as well.

Public-private partnerships offer a number of potential benefits compared to traditional methods of delivering and financing new infrastructure. These include reduced costs and, of course, the ability for private investment to be spent to produce the results. When we're looking at public investment, that would of course increase the public debt.

Partnerships mean projects will get completed sooner, and there's an obvious benefit from that. There is better management of risk, as that risk is transferred from the government to the private sector partner. The bottom line for British Columbia's taxpayers is cost savings in a variety of ways.

For the travelling public, building public-private partnerships means providing roads that are consistent in quality and standards. For commercial users it means more reliable means of moving goods, and that is good for the economy, and that is good for all British Columbians.

J. MacPhail: This morning I was on a local talk show, and the first caller who called in to me asked me whether I was a Stalinist. She had heard from a Liberal MLA who said I was a Stalinist. Well, I convinced her I wasn't a Stalinist, but right now I feel like I'm Alice in Wonderland. There is no question. When I stand up and hear this minister describe all of the good work she's going to do as a result of this Transportation Investment Act and just spew forward fantasy, I feel like I'm Alice in Wonderland. To that lovely older woman who called in, I'm Alice. I'm Alice in Wonderland.

Let's go through exactly what did happen on this legislation and where the government's going. I'm going to have to take some time, because the Premier's involved in this, in spinning fantasy. The minister's involved in spinning fantasies; the local MLAs are involved in spinning fantasies. Frankly, the entire province is getting tired of this on such an important issue.

What we're debating today is Bill 67. Now, the number 6 before the 7 is very important. It's called the Transportation Investment Act. It replaces Bill 57, which the Minister of Transportation introduced in July of this year. The minister put out legislation for comment, and she also put out a discussion paper on developing a framework for public-private partnerships. The common terminology for that now is P3s. When I say P3, for those that are new to this, it means public-private partnership. I would be happy to repeat that every single time, but you'll get sick of it. The discussion paper was to supplement Bill 57, the Transportation Investment Act.

Well, I guess that consultation went on. The discussion paper was out there. Curiously, we had this new bill, 67 — same title, Transportation Investment Act — tabled yesterday, and we're debating it today. So I thought, oh, good. I'd just missed the final discussion paper. I missed all of the commentary. I just hadn't gone to the website of the Ministry of Transportation to find out what public consultation had gone on and what the results of it were.

I went back. I wanted to make sure that the minister had promised that she would report out on comments and that she would report out on the discussion paper. The minister's press release of July, when she released the discussion paper on P3s, said: "Comments received by 4:30 p.m. September 12 will be given consideration, and a summary of comments received will be made public. The paper will be finalized this fall." I thought, well, gosh, the legislation's been introduced dealing exactly with this. It's now becoming law, so I'll go and read the final discussion paper, and I'll find out what those comments are that have been made public.

[1125]

To my surprise, there's nothing on the website. To my surprise, there's nothing that's been made public. So I thought, well, maybe it's just that it's not on the website. We called the Ministry of Transportation this morning, and to my surprise, they don't have anything. There's no discussion paper, and there's no record of public comment. They're still trying to figure out what to do. I thought, well, why the legislation, then? Why are we proceeding with legislation when the government doesn't know what it's going to do? But as always, here we are in Wonderland, trying to figure out what the heck this government actually intends.

Let's go back. It's not from the minister that we can actually find out what they're planning on P3s. She hasn't revealed what any of the public discussion is. She stands up and says there's lot of enthusiasm for this. I can't find one iota of evidence for that enthusiasm for P3s. I just completed, along with many of my colleagues, a tour of northern B.C., the interior of B.C., where the number one concern of interior mayors after the health care was transportation infrastructure — and they weren't talking P3s, by the way. So, what is the public discussion? What is this government actually saying about what it's going to do? How does that help us in figuring out the real intent of this legislation?

I listened to the Premier. The Premier was up at the Union of B.C. Municipalities. Everybody traipsed from the convention hall over to a room in a hotel and listened to the Premier talk about issues facing local municipalities. The Premier was under a little bit of heat from the mayors and councillors, because his government had committed to upgrade the Sea to Sky Highway. They had announced a figure of \$670 million to upgrade the Sea to Sky Highway. That's the highway that goes from just outside of North Vancouver to Whistler. They were going to upgrade the highway in preparation for the Olympic bid.

A lot of people were coming to Whistler and saying: "Yo, man. This highway ain't bad. You ought to

travel around the highways outside of my community." The Premier, under quite a bit of heat, made these following commitments at the Union of B.C. Municipalities. Now, he didn't actually talk about.... Well, he talked about how he was going to pay for these. I'm trying to relate what the Premier said to what the minister just said, and there's no connection. My gosh, what a surprise that is.

Here's what the Premier committed to build at the Union of B.C. Municipalities convention: the new bridge across Lake Okanagan. He's going to four-lane Highway 97 from Summerland to Armstrong. He's going to four-lane part of Highway 97A. He's going to start upgrading Highways 3 and 95. He's going to do a feasibility study on a new Needles bridge in the Kootenays. He's going to expand the runway in Cranbrook, and he's going to upgrade Highway 1 through Kicking Horse Canyon. In fact, he said: "Upgrading Kicking Horse Canyon, Highway 1, is our number one priority."

[1130]

All the mayors and the councillors said: "Oh, good." That's the list of stuff the government's going to do. Actually, the Premier didn't say that's what the government's going to do; he said that's what needs to be done. Then he went on — here's the kicker — to say: "We expect Canada to go 50-50 with us" — as they invest \$670 million through Kicking Horse Canyon — "and I'm very, very optimistic that we're going to be successful." That's \$335 million that we're looking to the federal government to commit as part of their strategic infrastructure program.

Now, the words "strategic infrastructure program" are key, because that's a real program. It's not pie in the sky like this government is talking about. It's a real federal program. Then he went on to say, and all of you.... He didn't actually say this. I'm paraphrasing. I won't paraphrase. I'll say what he exactly said: "The Sea to Sky Highway upgrade is less than the \$670 million we have for the Kicking Horse Canyon."

Of course, as an aside, Mr. Speaker, that's because the Sea to Sky upgrade is \$660 million. All of the mayors were saying: "How can you spend that when we have this other need?" So the Premier was very careful to say we're going to spend more on the Kicking Horse Canyon upgrade than we are on the Sea to Sky Highway. Then he went on. There was more good news.

We're looking at a \$300 million project, 50-50 shared, between the province and the federal government re smarter borders. Of course, as we just heard from the Minister of Transportation, there's been this huge increase in economic traffic across the borders throughout the 1990s, that decade of decline. There's been a huge increase in economic traffic, so the smarter borders initiative was very important.

There's the Premier's list of what he committed to the mayors. But when you actually look behind the Premier's words and the fact that he's going to cost-share this under the strategic infrastructure program, I said: "Well, that's good news. I missed the federal government committing to that." Of course, the list.... He

committed \$335 million on behalf of the federal government for one project, and I thought, wow, that's a big, big program, that strategic infrastructure program.

Well, here's a news release. The Minister of Transportation is sitting right across from me. The Natural Resources minister Herb Dhaliwal stood up and made an announcement about that program, the strategic infrastructure program. I looked for the \$335 million that the federal government would be contributing for Kicking Horse Canyon. I searched, and I thought, oh my God, this can't be the same program he's talking about, because not only is there no \$335 million for Kicking Horse Canyon, the total strategic highway infrastructure program that B.C. will get is \$37 million — total for the entire province.

Then I looked further, and I find out that the \$37 million from the federal government for the strategic highway infrastructure program is what we'll be getting until 2006. I'm wondering whether.... You know what could have happened? Maybe the Premier read.... No, I guess. How could he read \$37 million of federal funds for the whole province until 2006 as a commitment of \$335 million for one project? Hmm. That will be a question I have for the Minister of Transportation.

Is it today, under this legislation, that we find out exactly how it is that this government is going to pay for all of these projects? We don't have anything from their consultation. The Premier was dead wrong when he spoke at the Union of B.C. Municipalities, so perhaps the minister will be able to clarify for the entire province how the Premier could be so wrong and how this bill is going to correct all of that.

[1135]

I noted that the minister in her opening comments said we need to invest in our highways. That's what she said: "we." Who was it that was in *Alice in Wonderland*? Was it the Queen of Hearts? Would that be the royal "we" she's talking about, from *Alice in Wonderland*? Would that be the fantasy world of the Queen of Hearts we're looking at? Because it ain't this government that's going to be investing anything in highways. We'll examine that later to see how little they care about highways. I'm just curious who the "we" is. It isn't the federal government; we just found that out. I guess it's you and me. It'll be you and me through tolls. That's what it'll be. Let's be clear about it. That's what this bill is about.

When are we going to actually find out what it is the government's going to make us pay? When will we find that out? I see that this project of the Sea to Sky Highway.... I looked, actually, to see the time lines the government has for when we'll find out how much it is we're going to pay. This is curious. I'm sure the minister has answers for all of these questions. Well, again, it's a P3 for the Sea to Sky corridor improvements. I see right here that it's going to be a P3. That's a private-public partnership. There it is. Construction is going to start within a year and a half. So all of the work of actually finding a partner, figuring out who's going to pay how much — meaning you and I, how much we're

going to pay — has to be done in the next year and a half.

How much is it that we may actually be paying in tolls on that? How much? Well, we can't rely on the government to tell us anything, because their website's silent, blank, absolutely blank. But there is a report out from the *Sea-to-Sky Corridor Modal Diversion Study*. This was a draft, June 2002. It's a study to estimate the proportion of Sea to Sky auto travellers that would divert to alternate modes with the introduction of highway tolls on an upgraded highway. Two tolls were examined to determine the potential modal diversions. I'm curious to know where we're going to divert, going from North Vancouver to Sea to Sky.

The government had this consultant test two concepts. Toll 1 would be a \$10 toll Vancouver to Whistler, and another concept would be \$16 Vancouver to Whistler. Is that the information we can rely on to figure out what the heck it is we will be paying in these private-public partnerships? Just curious. I'll be asking the Minister of Transportation.

If we look at what exactly it is the government wants out of these private-public partnerships, let's see what they're going to be contributing. No — sorry. Here's what their report says in their service plan 2002-03. How much is the government going to be contributing to expansion of capital plans, capital expansions? This is the Ministry of Transportation.

[1140]

Don't forget we've got that old Kicking Horse Canyon, which is very necessary as an upgrade. The Premier committed \$335 million of his money, or the province's portion, and what has the ministry committed? Well, the ministry's committed their entire budget to every highway expansion in the entire province for the year '02-03 — \$89 million. Well, let's look at the next year. Will that difference be made up the following year? Gosh, the next year the capital expansion plan for highways is \$56 million.

By the way, the commitment of this province to upgrading and expanding highways was reduced by 49 percent from 2001-02 to '02-03. Then it's reduced another 37 percent in the '03-04 plan. What about '04-05? It's reduced another 7 percent for \$52 million. I guess the royal "we," about how "we" need to invest, doesn't mean the Ministry of Transportation.

Then you look a little further on. It ain't the federal government paying. It's not going to be the Ministry of Transportation, this government, paying for highway infrastructure. What do they expect to get out of leveraged partnership funds? That would be private investment capital leveraged through public-private partnerships and defrayed or reduced costs from efficient land use. Remember, that was quite a list the Premier told the municipalities he was going to build. In the year '03-04 they expect as a target to get \$70 million from private investment capital. That target under '04-05 goes up to \$140 million.

If you add up the leveraged partnership funds, what the federal government's going to contribute and what the government expects the private companies to

contribute in these private-public partnerships, the whole total doesn't even cover off one promise the Premier made: Kicking Horse Canyon.

I guess when the minister talks about "we" need to invest, it means us through tolls. That's right. I don't recall this government in the 2001 election saying: "You're going to be paying. You citizens are going to be paying tolls in order to get your highways."

Now let's just be clear about who's responsible for being in this situation. Throughout the 1990s the previous administration invested billions in highway expansion. Let me be clear: that's B for Bob — billions. Yes, they were tax dollars. There's no question that they were tax dollars. The previous government took tax dollars and expanded highway infrastructure, because that's the purpose of government. That's absolutely the purpose of government. In fact, those billions of dollars allowed for the exact economic expansion that the minister herself identified.

An Hon. Member: B for boondoggle.

J. MacPhail: I would be happy for anybody to stand up and say what the boondoggle was. Was it the Vancouver Island Highway? Was that a boondoggle? Stand up and say it was. Stand up and say the Vancouver Island Highway was a boondoggle. Stand up and say the HOV lanes on Highway 1 were a boondoggle. Stand up and say all of the infrastructure improvements around Prince George that we heard last week were so wonderful were a boondoggle. Stand up and say the improvements through Revelstoke and Golden were boondoggles.

[1145]

I can hardly wait for these government MLAs, instead of standing up and saying, "Could you please just tell us how good you are, government," to stand up and say that those billions of dollars in investment in highway expansion were wrong, and this system of tolling is the right way to go. Stand up, please. Name names. Stand up in your constituency and say that the investment in your constituency was wrong and that tolls are better. I can hardly wait. I can hardly wait for this government to stand up and do that.

Is this government going to continue to invest in highway infrastructure? Actually, the answer is no, nada, nothing — absolutely nothing. In fact, as we're debating in some other aspect, we wouldn't want this government to actually put all of the downloading they're doing in one bill. Later on this afternoon in another bill, a housekeeping bill, we'll be seeing how the government's downloading arterial highways onto municipalities. I guess they didn't actually want to include that in this piece of legislation.

What is this government going to do about investing in highway expansion? Well, between 2001 and 2005 there will be a reduction in capital expansion, as I've already listed, from \$170 million down to \$52 million in highway expansion.

Who will actually...? Will there be anybody around to work with these private companies on highways

making sure that they're built properly and safely, as the Minister of Skills Development and Labour seems to be so concerned about? Who will actually be in charge of all this private sector investment — all of that expertise in the Ministry of Transportation that makes sure our roads are built properly, according to code, safe and long-lasting? No, they won't be around either. The Ministry of Transportation will be laying off 61 percent of its staff. It's already started — 61 percent of its staff.

Here's what the taxpayer gets: a little bit from the federal government — much, much less than the Premier thinks he's getting; almost nothing from the provincial government. But the private sector will be investing its money. I guess they'll be doing all of the ensuring that the roads are safe and built efficiently and properly, but nobody will be watching them to see that. At the end of the day, who gets to pick up the bill? People paying tolls. It's as simple as that. People paying tolls. That's the plan. The minister doesn't actually want to admit that's the plan, but that's exactly the plan.

Here are the exact figures for the reduction in capital expenditures for highways over time. The B.C. Transportation Financing Authority annual report shows a drop of 26 percent in capital investment for highways between 2000-01 and 2001-02. Then it goes on to say that there will be a 21 percent reduction the year after that, a further reduction of 12.9 percent the year after that and then a further reduction of 1.8 percent in the last year of the plan. As a result, by 2004-05, the government plans to reduce the annual capital expenditures by 50.7 percent from 2000-01 levels.

Okay. Is there some basis upon which we can decide that all these Liberal MLAs can say, "The reason why I'm voting for this bill is because I know my constituents will be paying \$10 a toll to go across the Okanagan Bridge"? Will there be an MLA who can stand up and say, "I know it's good news, because the Kootenay bridge will only cost \$5 every time I go across it, to make up for the Needles ferry shutdown"? No, of course not. There's nothing available. We'll be voting on a pig in a poke here.

Okay, let's look at other jurisdictions. We had the minister stand up and say: "Oh, private-public partnerships are good, and in fact, there's a lot of enthusiasm." She held a conference. She held a conference and said that, gosh, there was a lot of enthusiasm.

[1150]

Gee, that's funny. You'd think that enthusiasm would turn into proposals from the private sector to build highways in this province.

Well, it turns out that there's no enthusiasm for building, having private-public partnerships in this province — which we knew. Those of us who actually care about infrastructure in this province knew full well, and that's why we invested billions in highways expansion during the decade of decline.

Let's just see what record this government can rely on to somehow suggest that all this tolling will work and be good for the citizens of B.C. I can hardly wait

for committee stage to actually ask the minister what she's relying on.

I admit to reading *Business Week*. I'm probably one of the few in this chamber that actually reads *Business Week*. It's become evident by the failed economic policies of this government that they don't read any magazine that would actually teach them something. In *Business Week* very recently.... Here's an article.

Deputy Speaker: Member, I assume you're the designated speaker.

J. MacPhail: Love to be. I'm on a roll here, Mr. Speaker. Thank you very much.

Here's what *Business Week* said of toll roads. Is this an old *Business Week*? No, actually, it's a pretty recent article.

"Of the ten major toll roads constructed since the mid-1990s, nearly half carry far less traffic than projected. Some \$4 billion in toll road bonds" — now, this is in the United States — "risk default over the next five years unless they're refinanced," estimates Robert H. Muller, a municipal bond analyst at" — that socialist bastion — "J.P. Morgan Securities Inc."

The article goes on to say:

"There's a history of feasibility studies for toll roads being overly optimistic" — here's another socialist — "says John J. Hallacy III."

"The third" — that's kind of a giveaway. We know socialists don't actually number themselves. He was the director for municipal bond research for Merrill Lynch and Co.

Then the article goes on to cite a study that was done on the cities in South Carolina, Florida and California. They built toll roads to serve real estate projects of politically connected developers. Traffic often misses projections, and road operators are careening toward default.

All right. That's the United States, and I know this government doesn't want to model itself after the United States. Someone accused the Premier of being Reaganesque recently, I understand. I'd never accuse him of being Reaganesque — absolutely not.

Let's look at what the World Bank said. The World Bank is not a bastion of social democracy. A recent World Bank study of toll road projects reported that 21 projects worldwide, accounting for \$9.5 billion (U.S.), were ultimately taken over by the affected government — interesting. Contract renegotiations in which governments provide money to shore up floundering development consortia have also been common.

[1155]

Okay, that's outside of Canada. What's happening inside Canada? I have had the thrill of crossing over the bridge from New Brunswick to Prince Edward Island. My dad lives in PEI. It's beautiful. I call it the eighth wonder of the world. It's a magnificent bridge. It was a private-public partnership. It's failing; the private-public partnership is failing. It isn't working. The tolls charged, 40 bucks, aren't enough.

Let's look at Highway 407, that other wonderful toll road where my mom and brother and sisters live, outside of Toronto. It turns out it's failing too. I'll be very curious, knowing that nobody's rushing forward for a private-public partnership here, to figure out where all this enthusiasm is coming from.

Mr. Speaker, I'll be able to finish by noon — just in case anybody's anxious as to whether they'll have to come back to hear my remarks. I'll be finished by noon.

Here we are with the government completely misleading the public during the election, the Premier misleading the Union of B.C. Municipalities and this minister misleading everyone — everyone — about who the "we" is when we invest in highways. I guess that explains why we have section 8 of this legislation, which is a complete reversal of the original bill the minister tabled back in the summer, when the minister actually committed the government to some sort of liability obligation. She has now removed that under this legislation, because she knows it isn't going to work, that they're going to fail or there won't be any interest, and her government has no money to invest.

The liability raises many questions. It's got a clause in there that's stunning. It refers to being exempt from tort law that's been in existence for decades and decades. It basically says to the world: "No matter how you look at it, we're not going to be liable for anything." That's new under this legislation, from the bill that was originally tabled back in July.

I went to the website of the Ministry of Transportation to see what public was demanding that reversal of government obligation for liability, but as I said earlier, the website has nothing — absolutely nothing.

Once again, I'm sure there will be Liberal government caucus members standing up and saying: "I'm voting for this bill because I want my constituents to pay more tolls. I want my constituents to have to pay extraordinarily high tolls. I hope they have just a little iota left from that tax cut to pay those tolls, but if they don't, I don't care. This is good for my constituents."

Hon. J. Reid: I move second reading.

Motion approved.

Hon. J. Reid: I move that the bill be referred to a Committee of the Whole House to be considered at the next sitting of the House after today.

Bill 67, Transportation Investment Act, read a second time and referred to a Committee of the Whole House for consideration at the next sitting of the House after today.

Hon. G. Bruce moved adjournment of the House.

Deputy Speaker: The House stands adjourned until 2 o'clock this afternoon.

The House adjourned at 11:58 a.m.