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3RD SESSION, 37TH PARLIAMENT

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TUESDAY, OCTOBER 29, 2002

The House met at 2:03 p.m.

Introductions by Members

Hon. G. Abbott: It's a great pleasure for me to rise today to welcome members of the B.C. Professional Firefighters Association to the House this afternoon. The note said 15, but I think we've actually got a stronger representation than that here today. Many firefighters from all across the province have travelled to Victoria for a two-day conference over at the Empress. I had the good fortune to speak to the association yesterday and very much appreciated their gracious reception. They're meeting with their MLAs today to discuss a variety of important issues. I know that these meetings have been both constructive and productive.

Would all members of the House please join me in welcoming these members of the Firefighters Association and acknowledge and salute the important and wonderful work they do for their communities.

[1405]

K. Manhas: We've often heard the Premier mention that our population is aging. At the UBCM conference the Premier asked everyone to look at the person sitting next to them and asked if they looked younger than the year before. There was one person who had both of their neighbours on either side of them raise their hands.

Today I investigated to find out if there was truth to this assertion, and as I saw a cheesecake being snuck into her office, I asked what the occasion for this was. She told me that she was turning 29.

I'd like to ask everyone in this House to wish a very happy birthday to the age-defying minister, the Hon. Christy Clark.

G. Trumper: I would like to take this occasion to welcome the firefighters to the Legislature today. I have some individuals I would like to introduce: Ted Greves, Terry Peters, Shelley Barrett, Greg Zimmerman, Larry Hooge, Frank MacDonald, Larry Powell, Jerry Kustaski, Mike Burgess and the two most important ones, Ed Francoeur and Herb Nadig from Port Alberni, and Calvin Thompson. Please make them very welcome. They do a great job for us.

P. Sahota: I'd also like to welcome the firefighters. It's a privilege for me to introduce six heroes from Burnaby, who on a daily basis put their lives at risk to ensure our communities are safe. Would the House please make welcome Mike Hurley, John McQuade, Joe Robertson, Jim Peever, Jeff Clark and Miles Ritchie.

Hon. K. Falcon: I have the pleasure to introduce two separate groups to the House today. First in the galleries we have Eileen O'Halloran, who is the 89-year-old relative of a very valued constituent of mine, Mary Martin. She is visiting from Ireland. She is joined

by her sister Kathleen Curtin and their friend, Myrtle Gagnon. I welcome them to the House.

The second group is a group of Kwantlen University College students, who are elected representatives of their student council. I had the opportunity to have lunch with them today. We had a very pleasant discussion and dealings both in the lunchroom and in my office. I would like the House to make welcome Chris Moyer, Laura Anderson, Aaron Spires and Brian Baker. Would the House please join us in making these two groups welcome.

R. Visser: I'd like to introduce a couple of firefighters from Campbell River who are friends of mine. I was going to make a joke, but I won't embarrass them, other than that one beats me in curling every time we play. Scott Kratzmann and Ken Dawson are here. Would the House please make them welcome.

Hon. S. Santori: I, too, would like to welcome all the members of the B.C. Professional Firefighters Association, but specifically two of my good friends up here, Richard Melnyk and Jason Milne with the Trail Firefighters Association, who do an excellent job for our community. I wish that the House would make them all feel welcome here today.

L. Mayencourt: I also have some of British Columbia's firefighters here in the gallery. I'd like to introduce them and have them welcomed. They're here to ensure that their firefighters have access to emergency medical assistance training, something that we are very committed to doing, and to discuss occupational disease that is faced by their firefighters and how the WCB deals with this.

It's my pleasure to introduce the members from the Vancouver Fire Department. They are Rod McDonald, Rob Hall, Colin Thompson, Gord Wilson, Martie Cameron, Bob Hollier and Joe Foster. Would the House please make them welcome.

R. Stewart: I join with my colleagues in recognizing the professional firefighters who have come to the capital today, and in particular two professional firefighters from Coquitlam, Troy LeTrace and Terry Wyatt. Would the House please join me in welcoming them.

[1410]

K. Manhas: I join my colleague from Coquitlam in welcoming the Coquitlam and Port Coquitlam area firefighters. I'd like to welcome a constituent of mine, Joe Robertson. He's also the vice-president of the B.C. Professional Firefighters Association. I'd like to thank all the firefighters for coming down, and thank them for their commitment to the safety and well-being of British Columbians and the people of the communities they serve. Thank you.

V. Roddick: On behalf of Delta North and Delta South, please make welcome all of our Delta firefighters.

T. Christensen: I, too, want to welcome some professional firefighters from Vernon to the precinct today.

I'm pleased to welcome Brent Bond as well as Bob Brett, who is the president of the B.C. Professional Firefighters Association. Would the House please make them welcome.

D. Hayer: On behalf of all my colleagues from Surrey, we'd like to welcome all the firefighters from Surrey. We appreciate them coming up and sharing their time to have a meeting with us. Would all the members of the House please make them welcome.

Mr. Speaker: Thank you. Are there any firefighters from Kamloops? Welcome to the House.

Statements (Standing Order 25B)

KITIMAT CHARITY TELETHON

R. Harris: A couple of weeks ago I had an opportunity for the second time to be the co-host to a very special event in Kitimat. This was the annual Aluminum City Telethon. This year was the telethon's twenty-third year. It's an event that has become a lot more than just a telethon. It has become an annual exercise in community-building that I believe has few equals.

Each year the telethon raises money for service groups within the community. This year's recipients were the child development centre, the hospice society, Kitimat Status of Women, Kitimat home support, the acute care hospital as well as the multilevel care facility, Kitimat Victim Services and the Kitimat chapter of the B.C. Special Olympics.

What's so special about this event is not that it's been around for 23 years but, in fact, the level of community involvement that it takes. Over 400 volunteers come together to not only put on an 11-hour showcase of local talent and energy, but they create a festival atmosphere that involves everyone. From the smallest child to the senior, from the unions to the business community, everybody takes a role in this event. People attending it can enjoy an international food fair as well as get a full day of activities for their children.

This year's telethon raised over \$54,000. Over the 23-year history of this telethon, they've raised over \$1.4 million. On a per-capita basis, the Aluminum City Telethon raises more money per person than any other telethon in North America — all this from a town of just 10,000.

I'd like to take this moment to thank the dedicated volunteers who again this year put on a tremendous show and allowed me to participate again. To the organizers, especially those who have been at for all 23 years, I'd like to congratulate you on your dedication and commitment. The community is a better place for it. To the citizens and businesses of Kitimat who have so generously supported this event: you should be very proud of your accomplishments, and I look forward to being there again next year. Thank you.

AUTO CRIME IN SURREY

B. Locke: All too often it seems that as a society we have a fascination for bad news, which is reflected in the newspapers and on TV. We focus on statistics that are misleading and tar the reputation of communities. The latest statistic from ICBC shows that there are lots of cars stolen in Surrey, giving the impression that our community is crime-ridden and a haven for criminals.

Let's be upfront. There are problems. There are thefts, and there are people who think it's easier to steal than to make an honest living. According to the RCMP, ten to 15 vehicles are stolen daily in Surrey. But the numbers also don't tell the whole story about what a wonderful place Surrey is and how, as a community, we are working together to combat the problem.

The RCMP and security at various malls are working together to reduce auto crime through the Surrey Crime Prevention Society's mall patrol. Patrollers are equipped with mini computers, binoculars and radios as they check for stolen vehicles. As we all have to be responsible for reducing auto theft, volunteers will leave a special ticket warning motorists of possible theft if they continue to leave their valuables unlocked or in plain view.

[1415]

Even Surrey auto dealers are getting involved. Some are now putting in anti-theft devices or other disablers in all of their automobiles.

Another measure to combat auto crime is to toughen up on Criminal Code statutes around this issue. We've all heard stories about teenagers who steal a succession of cars and don't do any real jail time. There needs to be a deterrent that ensures that stealing cars is not seen as an attractive way to make a living.

We can't put all the burden on the RCMP and the courts to deal with the issue. This is a community, and we must all do our part to combat auto crime. We need to put valuables in the trunk, we need to use the CAT auto stickers, we need to use anti-theft devices, and we all need to remember that auto crime costs all of us through higher insurance premiums. Auto crime costs most of us by staining our city's reputation.

A community is strongest when its residents work together. I believe in Surrey, and I know we can work together to reduce auto crime and make our city all it can be.

BURNABY BID FOR 2009 WORLD POLICE AND FIRE GAMES

P. Sahota: Throughout the day members of the Legislature have had the opportunity to meet with firefighters to discuss a variety of important issues that concern us all. Two of the Burnaby firefighters who have joined us in the gallery this afternoon are here to discuss a bid — not the 2010 bid, but the 2009 World Police and Fire Games bid for B.C. and Burnaby.

The World Police and Fire Games started in 1985 as a means of promoting physical fitness and sport within police and fire organizations. Since then, the games

have grown to become a truly international event. In fact, it is the second-largest event outside of the Olympics itself. More than 12,000 athletes are expected to attend the 2009 games from close to 70 countries.

The Burnaby bid is a tremendous opportunity for my community, for our province and for Canada as a whole. The games could have a huge economic impact, estimated to be between \$35 million and \$50 million. There is no doubt in my mind that a successful bid for the 2009 Police and Fire Games in Burnaby will only add to the momentum of the Vancouver bid for the 2010 Winter Olympics. Athletic events like these bring a sense of community, pride and renewal. In addition, they bring spectators, athletes and thousands of visitors to our beautiful province.

Firefighters and police officers play a pivotal role in keeping our communities safe, and we need to remember the important services they provide. We also need to remember that these men and women not only serve the community; they live in the community. That's why these firefighters are willing to put such a tremendous effort toward getting these games. They know the benefits will go to all British Columbians.

I want to thank the Burnaby firefighters and all others for everything they do for our communities — my Burnaby colleagues from Burnaby North, Willingdon and Burquitlam. I also want, at this time, to offer our support for the Burnaby, B.C., bid for the 2009 games.

Mr. Speaker: That concludes members' statements.

Oral Questions

INCOME-TESTING MODEL FOR PHARMACARE PROGRAM

J. MacPhail: The Minister of Health Services says he has no idea whether or not his Pharmacare income-testing scheme for seniors will wipe out their tax cut. He said that a few weeks ago, and now he's had time to run the numbers. Can he tell this House how his Pharmacare income-testing scheme will affect a senior citizen on a fixed income of \$25,000, which is the average income for a senior woman?

Hon. C. Hansen: We have not yet finalized the various income bands or the thresholds that will be applied to the various income categories. We're certainly working on that. We're anxious to get that out as quickly as possible.

Basically, the underlying principle we have established for this rollout of income-based Pharmacare is that we recognize that pharmaceutical products are a necessary part of a good health care system and that no province in Canada can afford to pay 100 percent. What we're saying is that all British Columbians should be able to access the pharmaceutical products they need, based on their ability to pay.

Mr. Speaker: The Leader of the Opposition has a supplementary question.

[1420]

J. MacPhail: I'm pursuing the theme of this government that tax cuts pay for themselves. The average senior pays \$873 a year for prescriptions. On January 1 the Liberals will increase the Pharmacare deductible to 4 percent of income. That means a senior citizen on a fixed income of \$25,000 a year will see her deductible grow from \$200, when the Liberals took power, to \$1,000 next year. These are from the government's own official documents. This senior will now have to pay her entire drug bill of \$873.

To the minister: does this wipe out the seniors' tax cut?

Hon. C. Hansen: I think it's rather dangerous for the member to speculate on what the percentage of income may be. Certainly, there is no such thing as an official document that would set out the percentage of income that will be applied to the new income-based Pharmacare program.

Mr. Speaker: The Leader of the Opposition has a further supplementary.

J. MacPhail: Actually, there are official documents on all of this. Let me just run through the numbers. The minister has actually had several weeks to examine this himself. A senior citizen living on a fixed income of \$25,000 a year got a tax cut of \$259 a year, and that includes the reductions to her MSP premium, but she will pay \$673 more for her prescriptions next year under income testing.

The Liberals gave \$259 with one hand and will take \$673 with the other. Seniors gave into the system their whole lives on the understanding that it would be there for them when they needed it. Now the Liberals are kicking them off Pharmacare. Will the minister today commit to backing off his income-testing scheme, and will he release the secret Pharmacare options paper he has been withholding...

Interjections.

Mr. Speaker: Order, please.

J. MacPhail: ...from the public?

Hon. C. Hansen: As I indicated earlier, those numbers have not been finalized. Whatever document she has or pretends to have is not finalized, because that has not been completed.

Let me put in perspective what happened while the NDP were in office. In 1991, when that political party formed government in this province, the deductible for seniors for Pharmacare was \$125. They increased that to \$200. Now, tell me what percentage of income increase that was over that period of time. That was regardless of income. You applied the same increase to the lowest-income British Columbians...

Interjections.

Mr. Speaker: Order, please.

Hon. C. Hansen: ...as well as to the highest-income seniors. We plan to bring some fairness based on ability to pay.

PRIVATIZATION OF B.C. RAIL

J. Kwan: The fact is that the previous government looked at all the options before they increased Pharmacare costs, but this government went and gouged seniors...

Interjections.

Mr. Speaker: Order, please. Hon. members, let us hear the question.

J. Kwan: ...before they even looked at the books around the tax for the rich. That's what has happened. That's the reality — the tax that would not pay for itself.

On page 9 of the *New Era* document, it says: "A B.C. Liberal government will not sell or privatize B.C. Rail." It's in black and white, but right now a private U.S. company out of Denver is angling to buy and operate the whole company. They're holding meetings in the north, testing the waters, right now.

To the Minister of Transportation: a B.C. Liberal government will not sell or privatize B.C. Rail — true or false?

Hon. J. Reid: That is the policy we have stated. When I deal with transportation in the north, I want to see the very best rail infrastructure for the north. There are challenges in delivering that. On the 21st of next month, we are going to be going to Prince George to talk to the people, to give them the same information I receive on the challenges we're facing. That's what we want to do: deliver the very best rail transportation service for the north.

Mr. Speaker: The member for Vancouver–Mount Pleasant has a supplementary question.

[1425]

J. Kwan: It's a simple question — true or false, yes or no. Are you planning on privatizing B.C. Rail?

First, the minister cancels passenger service, and only now does she say that she's looking for a private operator. It sounds like damage control to me. Let's be clear. The Liberals have been trying to wiggle out of their B.C. Rail promise for months. Piece by piece, they've been selling it off, and now they're looking at selling the whole company.

To the minister again. British Columbians who live in the interior want to know: will the Liberals keep their new-era promise to keep B.C. Rail public, or will B.C. Rail be privatized? A simple question — yes or no? Will you privatize B.C. Rail?

Hon. J. Reid: The situation has been very clear with the service plan we've put out. The core service for B.C.

Rail has been the freight service. We've talked about, and we've talked in this House about, the problems in being able to provide proper service on the passenger side.

Interjections.

Mr. Speaker: Order, please. Let us hear the answer. Excuse me, hon. members. You asked a question. Let us hear the answer, please.

Hon. J. Reid: We have concentrated the resources of B.C. Rail on the freight side. There are still challenges to work out on the freight side. I'm taking that information into the communities, because I was asked by the mayors of the north during the transportation congress to be able to give them that information.

KYOTO ACCORD

B. Lekstrom: My question is to the Premier. The Prime Minister has announced that he will not call a first ministers' meeting to discuss the implementation of the Kyoto protocol. This is clearly astounding, given that every Premier has already agreed that a first ministers' meeting is necessary. It seems clear, based on this news, that the federal government either has no plans, or the plan is so devastating that it is afraid to discuss it with the provinces. To the Premier: how do you intend to react to this outrageous response by the Prime Minister?

Hon. G. Campbell: Well, let me start by saying that I think the Prime Minister's rejection of a first ministers' meeting on Kyoto is clearly no way to build a country. It is no way to build understanding across this country of the challenges that we face with regard to climate change.

We have been very clear. It's not acceptable to me, to the cabinet, to the government or to the province or to the people of British Columbia that the federal government's most favoured response will cost 11,000 jobs in British Columbia. It is not acceptable to the people of British Columbia or to the province that the federal government's most favoured response means that British Columbia will lose more in gross domestic product growth than any other province in the country.

I think it should be very important for everyone to know that I intend to work with other Premiers across this country. I intend to make sure that the federal government respects provincial jurisdiction and, most importantly, respects the jobs of individual Canadians across this country so we can move forward.

Mr. Speaker: The member for Peace River South has a supplementary question.

B. Lekstrom: This morning I read in the paper that there's talk in Ottawa of the federal government taking control of B.C.'s forests as part of its plans to implement Kyoto. We all remember the national energy pol-

icy and the devastating impact it had on western Canada. Clearly, the Kyoto protocol is the national energy policy in fast-forward, except this time no one will benefit. Can the Premier tell us what actions he will take to protect B.C.'s interests?

Hon. G. Campbell: As you know, we live in a federation. The federal government does have responsibility, indeed, to negotiate treaties. That is their obligation to all Canadians, but provinces have a responsibility for managing our land and resources. Clearly, British Columbia owns our resources. We will not allow the federal government to confiscate British Columbia's resources, and we will certainly not allow the federal government to blow away 11,000 B.C. jobs because they haven't taken the time to listen to every single Premier in every province across this country before they vote on ratification.

[1430]

CANADIAN HISTORY IN SCHOOL CURRICULUM

T. Christensen: My question is to the Minister of Education. In recent years there's been a growing awareness of the need to teach our children the importance of Canadian history. In reading the *National Post* today, I was shocked to learn that in some provinces, Canadian history is not even a mandatory course. Yet the same article found that nearly nine in ten Canadians believe that Canadian history should be considered a mandatory subject. Can the Minister of Education tell us what Canadian history courses, if any, are B.C. students expected to take?

Hon. C. Clark: It is absolutely true that British Columbia children should have a better grounding in our history. They should know what it is to be a British Columbian. They should know what it is to be a Canadian. They should know what it means to have the privilege to be able to cast a ballot to elect our representatives to our governments across this country. That's why I am proposing, as part of our review of graduation requirements....

Interjections.

Mr. Speaker: One moment, hon. member. We'll wait until we have order in the House.

Hon. C. Clark: Thank you, Mr. Speaker. That's why I am proposing....

Interjections.

Mr. Speaker: Order, please. Order. Please continue.

Hon. C. Clark: That's why we are proposing a mandatory civics course in grade 11 that will give every British Columbia child an opportunity to learn about those important principles, which will give them

the tools they need not just to understand our past but to participate fully in our present and to become full participants in our civic, democratic system. It's a proposal. It's up for debate, and I am interested in hearing what British Columbians have to say about it.

Mr. Speaker: The member for Okanagan-Vernon has a supplementary question.

T. Christensen: As we approach Remembrance Day and we think about those courageous Canadians that gave their lives for our country, it's particularly discouraging that many Canadians are unaware of their country's proud military history and of the courage, determination and sacrifice of some of our soldiers. In fact, a poll earlier this year indicated that only 36 percent of Canadians were able to correctly identify the Canadian victory at Vimy Ridge in World War I.

Interjections.

Mr. Speaker: Order, please. Order.

T. Christensen: Given the shortage of knowledge of Canadian military history, of some of these events of the past, can the Minister of Education tell us what she plans to do to ensure that B.C. students of the future have a firm grasp on Canadian history?

Hon. C. Clark: We are proposing, in our review of graduation requirements, not just that students have a firmer grounding in social studies and democratic, civic principles but also that they have a better grounding in science and in English and in all those other core subjects that are so critical.

British Columbia has created 90,000 jobs since December, and we have an obligation in government and in the Education ministry to make sure that every young person, no matter where they live in British Columbia, is equally well equipped to be able to compete for and get those jobs so that they can succeed.

Interjection.

Mr. Speaker: Order, please.

[End of question period.]

Tabling Documents

Hon. G. Plant: Pursuant to section 32.1 of the Provincial Court Act, I seek leave to table the *Response to the Judicial Justice Compensation Committee 2002 Report to the Attorney General*.

Leave granted.

Orders of the Day

Hon. G. Collins: I call report stage of Bill 64.

Third Reading of BillsHUMAN RIGHTS CODE
AMENDMENT ACT, 2002

[1435]

Third reading of Bill 64 approved on the following division:

YEAS — 71

Falcon	Coell	Hogg
L. Reid	Halsey-Brandt	Hawkins
Whittred	Cheema	Hansen
J. Reid	Bruce	Santori
van Dongen	Barisoff	Nettleton
Roddick	Wilson	Masi
Lee	Thorpe	Hagen
Murray	Plant	Campbell
Collins	Clark	Bond
de Jong	Stephens	Abbott
Coleman	Chong	Penner
Jarvis	Anderson	Harris
Nuraney	Belsey	Bell
Long	Chutter	Mayencourt
Trumper	Johnston	Bennett
R. Stewart	Hayer	Christensen
Krueger	McMahon	Bray
Les	Locke	Nijjar
Bhullar	Wong	Bloy
Suffredine	MacKay	Cobb
K. Stewart	Visser	Lekstrom
Brice	Sultan	Hamilton
Sahota	Hawes	Kerr
Manhas		Hunter

NAYS — 2

Kwan MacPhail

Bill 64, Human Rights Code Amendment Act, 2002, read a third time and passed.

Hon. G. Collins: I call committee stage of Bill 62.

Committee of the Whole HouseMISCELLANEOUS STATUTES
AMENDMENT ACT (No. 3), 2002
(continued)

The House in Committee of the Whole (Section B) on Bill 62; J. Weisbeck in the chair.

[1440]

The committee met at 2:41 p.m.

Hon. J. Reid: I just wanted to take a moment to introduce the staff with me today and also to add some information to the record from when we ended off debate last time, which I believe was the 22nd.

With me today are Kathie Miller and Kirk Rockerbie. On the 22nd, when we were having this exchange in committee stage, there was a question around arterial highways and whether there are any opportunities for privatizing arterial highways. My comment was negative, and I just want to expand on that. It's part of my service plan that we are looking at a private partner in the Coquihalla Highway. Normally we wouldn't think of the Coquihalla as being an arterial highway, but according to the strict definition within this act, I just want to clarify there are nine kilometres of that within the bounds of Merritt. I just wanted to add that to the record.

On section 10 (continued).

J. Kwan: In our debate last time, I was asking the minister a series of questions in terms of what plans and discussions have taken place, particularly with respect to potential privatization schemes with potential implementation of tolls. The minister had advised there was one possibility, and that was the Fraser River crossing, although that was not the only possibility. Of course, the minister also advised it would be a network of roadways, if you will, which may well lead into potential privatization schemes.

Just following on those discussions, then, could the minister please advise: outside of the lower mainland, who else has the minister spoken with — mayors, councils, regional district representatives — around privatization and their comments?

Hon. J. Reid: Over the summer — actually, longer than the summer — since the bill, which is now 67, was introduced, I have been speaking to communities all over this province — a total of 19, I believe. Their comments have been far-ranging — I believe we've had this conversation already in committee stage — and certainly, I appreciate those comments. I've spoken with members of councils. I've spoken with mayors. I've received letters. So there has been a very broad-ranging discussion around all of this subject matter.

[1445]

J. Kwan: The answer the minister gave last time and this time is of a general nature. I'm looking for specifics, Mr. Chair, in terms of which mayor, which council, which regional district the minister consulted with on the issue around privatization.

This is the section of the bill that is dealing with allowing for arterial highways, if you will, potentially to be privatized. Then, of course, later on today there will be further discussion in terms of the transportation authorities act, which is tied into this piece of miscellaneous amendment. Given that they're two separate pieces, Mr. Chair, and given that they're related, we have to take all of these things in context.

The government talks about how they're open, they're transparent and they're consultative. Aside from speaking broadly — "I've spoken with people, and they seem to be in favour" — I'm looking for specifics in terms of... Maybe the minister can advise: which council or mayor or regional district representative did the minister speak with that is actually in favour of the privatization of roads and the imposition of tolls?

Hon. J. Reid: The discussions in the communities have been over the broad transportation plan, the challenges facing the government and the different options we have looking at those challenges. So for every given situation — whether it be from Vernon, whether it be to Prince George, whether it be to Whistler, or all over the province — as I've been talking with people, we talk about their particulars. They talk about what's on their wish list. We talk about what's able to be financed under the current structure for the province and explain the different options. That's been the discussion. It's been a good, healthy discussion and dialogue.

I certainly have not been asking people for specifics, because people understand that if they want the transportation infrastructure in their areas and in their regions that they believe are important, we have to look at many different approaches. I've been open about the different approaches that are possible to us, but none of that has gone forward for decision-making. None of that has gone forward in a plan, saying this is what we're going to do and this is exactly the proposal, because that has not been put together. In fact, I still continue to receive from every region of this province additional requests for transportation infrastructure improvements.

J. Kwan: What consultation, then, will go on with local residents about private tolls with respect to roads or bridges that will be perhaps a major commuter route?

Hon. J. Reid: First of all, there is lots of broad discussion around the province around the concept of how we add to transportation infrastructure at a time when we don't have those dollars budgeted for these large projects or for significant improvements. That discussion is already ongoing. That discussion is happening with TransLink. That discussion is taking place all around the province. As people are advocating for their specific projects in their specific areas, then we will have to get down to the specific funding options.

Around consultation I'd like to refer the member to the record that we have within this ministry around consultations we have done with inland ferries. This has been very extensive. This has been going on for quite a period of time since last spring. The tolls in that situation don't come in until the new year, and that has been an extensive consultation discussion with certainly participation by the communities.

J. Kwan: I know the minister likes to think that this government is very consultative, but the reality is that

it isn't. I'll use one example that's actually directly related to the minister's area of responsibility. There was a promised final version of the *Creating Opportunities for Expanding Transportation Infrastructure* report. That was promised on July 9 in an information bulletin, a press release that actually came out of the minister's office. To date we have not seen the final version. We see these major legislations before us in this House that we're debating, but no final version has actually come out yet.

The consultation that supposedly went on — where is that information? Why isn't that available? Where is the result of the consultation that supposedly took place, which is supposed to be made public? The promise from the government was that that information would also be made public, and so far none of it is and nobody's seen it.

[1450]

Hon. J. Reid: There has been consultation around.... I presume the member is referring specifically to the policy that was put forward with the previous Bill 57, now Bill 67. The priority in analyzing that was to be able to make amendments to that act. Certainly, I'm willing to talk to it when it comes time to discuss that. For those questions around that process, around that act, I'd prefer to comment on that in context when we do get around to discussing those particulars.

J. Kwan: Actually, no, I'm not talking about the old act that was introduced. I'm talking about the final version of *Creating Opportunities for Expanding Transportation Infrastructure*, which was a document the government had put out to feel for input from the broader community. The government had actually promised that they would release the information by July. None of it has actually happened. I've just sent a note down to my staff for them to send that information up so that I can read the press release for the minister's information.

The point I want to make relative to this is that the government says: "We're consultative. We've gone out and done that work. We're open. We're transparent." The reality is that it isn't. This government is not transparent. Reports that are supposedly done and promised to be made public on issues that we're debating in the House on this Bill 62 — and of course a later bill that's going to be coming up right after this, as I understand, or shortly after this, Bill 67 — are tied together with all of these issues. But we haven't seen the report yet. Where is the consultation?

When the minister says, "Don't worry. We're going to consult with the public," with all due respect, I do worry. There's been very little evidence, if any, to date from any of the ministers on any of the portfolios around having done a proper, accurate and appropriate job around consultation. This is no exception.

The issue of consultation has not been fulfilled, and what plans the minister has around consultation on imposition of tolls, other than this general brief discussion that the minister talks about.... What other plans

are there? The minister said earlier that she has no identified roadways or bridges or roads on which the government would bring forward tolls, but at the UBCM the Premier announced a series of wish list projects around transportation infrastructure. In terms of where the funding is coming from for that and how the tolls would apply — those are valid questions as well. I'd be very interested to hear from the minister.

Maybe the minister can advise first: does she have any idea which project would be up first for the purposes of privatization or toll imposition? Will it be the Sea to Sky Highway?

Hon. J. Reid: I'm trying to respond to the questions but also trying to be able to put this committee stage debate into a context. What is before us right now allows partnership funding for arterial highways. This section does not provide authority for tolling. In talking about arterial highways, talking about the partnerships that already exist with communities and in talking with the member about what partnerships we might have with the federal government, I believe that would be in the context.

I would have to say I have no problem with this discussion, but I believe it does need to be in the context of the piece of legislation that, as the member says, is coming up shortly for that discussion. I would ask that we look to this piece about being able to use partnerships with arterial highways. I'm quite willing to answer all the questions on tolling when we get to the piece of legislation that actually talks about tolling. This piece does not give any authority for tolling.

J. Kwan: As I mentioned earlier, this piece of legislation, this section here relating to arterial highways, is to be read in conjunction with Bill 67 in the broader context. It's true that this section doesn't talk about tolling specifically, but when you put in the context of Bill 67, it does allow for tolling. That's the reality of it.

Is the minister saying that arterial highways will not be faced with a toll, then? That's one question. The second question, which I asked the minister earlier, was around privatization. Is the minister saying, then, that arterial highways will not be privatized? As I understand it, that's the whole purpose of this section of the act — for the government to allow for privatization.

[1455]

The minister likes to call it partnership. You can call it whatever name you want. The reality is that the government is looking at privatizing. That's one of the options that is being contemplated. This is enabling legislation to allow for that. If the minister would answer my questions, I would appreciate it.

Hon. J. Reid: We have many, many existing partnerships right now with municipalities. We have existing partnerships with the federal government and believe that this has worked well for municipalities. The basis around those partnerships isn't going to change. We have talked about looking at other ways of being

able to provide funding for investment in highway infrastructure.

As the member opposite states, this does include that type of partnership in this language — along with the municipalities, along with the federal government — and certainly is the clarification around the long-standing policy that already exists. The member has stated that this is part of a broader enabling legislation plan. I would anticipate that the member understands that what it means is that you put a framework in place, and then you work from that framework, allowing the government to then analyze its options, be able to work with communities, be able to look at what the priorities are and how they're going to be delivered.

While the member would like specifics, I've stated before that the specifics aren't available, because they have not been developed. This is the enabling legislation to allow us to go and develop that. The discussions I've been having with communities have been based on a presentation I've given called *Challenges and Choices*. That's up on the ministry website. If anybody would like to see what kind of discussion I've been having with the communities and what kinds of options I've been putting forward, that's up on the website.

This has been an open process. I don't believe we can get more obvious than that. In fact, I've had people around this province saying they don't want to hear me talk on the subject anymore, because they've heard it too many times. I have been, actually, repetitive with that presentation and have covered so much ground in that area. I would reiterate that this is part of enabling legislation, but it is also a very important piece to provide clarification around what is existing today in partnerships.

J. Kwan: I found the news release that was sent up from my office, which actually talked about consultation and the information that would be available — which is not. This is the P3 discussion paper aimed at increasing infrastructure, sent out on July 9, 2002. It goes on to talk about infrastructure needs and so on, and therefore we need to look at other options and P3 models that need to be adopted.

Then it goes on to say: "Look at the ministry's website at the following address." Then it says, "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." We haven't seen the information. It's actually not out there.

Yet we're debating these major pieces of legislation that are relevant to the information that's supposed to have been received, which the minister had actually promised would be made public. As I say, to date, it has not been. Pardon me if I don't accept the minister's vague promises around consultation and information that will be forthcoming, because so far we have seen no evidence of it whatsoever. On the issue around arterial roads, the minister says this is not about tolls. It's not about what those projects are going to be, because we don't know what the projects are going to be.

[1500]

Let me ask the minister this question, if she doesn't have a list of projects. What will happen to proposed projects if no private sector proponents come forward and if the minister decides that the proposal is unworkable in terms of a private partnership? What if no private partner comes forward to join in with the minister? Will this mean that the project is dead? Will it mean that it will be financed by the government? What will happen?

Hon. J. Reid: I'm going to contain my remarks to the current discussion. While the member is asking a broader range of questions, as I've said, I believe they are more adequately expressed in the context of further legislation, so I'm going to address my remarks to this piece about the arterial roads.

We have situations in this province right now in partnerships where, as we're looking for the best arrangement to be able to provide transportation infrastructure, there have been occasions that have already occurred where a municipality has wanted to see a development along an arterial road where there's a developer that would benefit from having access to that arterial road. There's been a working-out of this so that there has been a developer who has been able, as a result of their development, to pay for alterations to the arterial road that benefit the municipality and help them reach their goals.

As well, we've had municipalities which have desired to have urban improvements and have funded them, such as curb and gutter projects, bus bays and street lighting. This is what has been going on. They've been entering into cost-sharing agreements with the province. Again, with the federal government there have been cost-sharing agreements with the province. This has been the practice in the province for decades. As I said earlier, this piece of legislation has been long on the ministry's books to bring forward for that clarification. I believe it does it succinctly. It recognizes the current reality that exists, and it enables us to further develop those partnerships with the federal government as opportunities come in. There can be opportunities for the private sector as well — again, as we've expressed — whether they be on an individual basis, such as the developers I've talked about that already participate in these partnerships....

If we want to get into further discussion of building toll roads, I am not going to do it under this discussion. I will be doing that when we get to the debate around Bill 67.

J. Kwan: I was asking the minister this question. If she wishes to engage in a discussion around the tolls under Bill 67, that's fine. We can do that. I'll ask the list of questions I have here that the minister has not answered when we debate Bill 67. I actually want to ask this question before I ask the specific question I had relative to this amendment.

To the minister: under what section in Bill 67 would I be asking those questions? Would it be under the

definitions of the tolls around 67? I just want a clarification, because the minister advises that that's where I should ask these questions. Would it be under the definitions section of 67 that I should ask those questions?

Hon. J. Reid: I'd be happy to take those questions under definitions, under any particular section — however the member would like to engage in that. Then we can do it in the context of that bill, which I believe would be appropriate.

J. Kwan: That's fine. I'll ask the toll questions and related questions when it comes to 67.

Let me go back, then, to this question for the minister. I asked what would happen if proposed projects on a list.... I can only assume the minister will be working towards building a list. Perhaps this list will start with the list of priorities the Premier announced at the UBCM in terms of road infrastructure. Is that the list the minister will be working from? I'm assuming there's some sort of list, although it's not a finalized list, which people are working on and working towards for privatization — not for tolls but for the purposes of privatization.

[1505]

This piece of legislation, this amendment, allows for arterial roads to be privatized.

In that light, what if no private sector proponents come forward? What if the minister decides that the proposal is not workable, even if there is a private proponent who's come forward with a proposal? What will happen then? Will the infrastructure project still continue? Will it be funded by government? What will happen in that case scenario?

Hon. J. Reid: There have been situations in the past where developers had been looking for a certain benefit and were willing to invest along arterial roads with municipalities. When they found that their contribution wouldn't give them the benefits that they were anticipating, then those projects were either restructured or didn't go ahead. That has happened in the past. That's life.

J. Kwan: The project would either be restructured or be dead; that's basically what the minister is saying. The option of government coming forward with the funding, even though it's a priority project, would actually not happen then.

Hon. J. Reid: We have lots of options. You can reconfigure projects; you can look at other forms of partnerships. Sometimes you wait to see whether there's federal funding that's going to be made available. All those options exist.

When the private sector wants to get involved, then obviously there has to be a business case. If there isn't a business case, we have to look at what other issues are involved. We have to look at safety in certain intersections. We have to look at traffic flow. We have to look

at what would fit under current budget parameters or whether it doesn't. All that conversation takes place with the municipalities. We have very good working relationships with municipalities when we're trying to get projects through. We have a number of discussions underway as municipalities are looking for improvements in their own area.

J. Kwan: What happens, then, if a private company comes forward with a proposal for an infrastructure project that is not a priority of government? Would the government not even entertain such a proposal, or would it somehow be considered? Would the government move forward with such a proposal?

Hon. J. Reid: The framework that has been the history in the past for these developers participating in infrastructure is that they're going to get some benefit. These exist right now. These are current realities where developers have participated in the costs of these improvements. The ones that are current have come up with municipalities. Needs have been identified. It's over a period of time, working with municipalities. Obviously, it has to work for all those parties involved.

Right now there are partnerships that do involve private sector investment in the development of infrastructure, and those aren't toll situations. Those are situations where the developer is going to get some benefit, the municipality is agreeing, and there's a pooling of dollars in order to get the project accomplished.

J. Kwan: That's what I'm saying. If it is not a priority project, not on the list of projects to be done, but yet a proposal comes forward, what would the minister do with it? Would it just be set aside, saying: "This is not a priority"? I understand that as you're working with municipalities, amongst others, proposals come forward and you consider them. What if the opposite happens, and the proposal is put forward and is not on a priority list?

[1510]

Hon. J. Reid: I would talk to the municipality. I would find out whether this was a priority to them or not, whether this was something that they wanted me to look at or not. It would be looking at the wishes of the municipality in that case.

J. Kwan: If the municipality says, "No, this is not a priority for us; no, in fact, we don't want to privatize roads, to see arterial roads privatized," then the minister will respect their wishes and say: "Okay, we'll respect that, and we'll stay away from the imposition of the potential privatization of a project."

Hon. J. Reid: I was referring to the context of when a developer is participating because the access to that arterial road is going to provide some kind of benefit. There has to be working together with the municipality in that case in order for that benefit to be realized, or else the situation is not realistic. Those are not the

situations that exist today. That is not privatization; that is a partnership where private sector dollars have gone in to fund work on arterial roads. That's a reality today; it's happened. There are opportunities for that in the future, and municipalities are wanting to take advantage of those opportunities. I work with the municipalities to identify those. It does become a true partnership, and it doesn't work without the cooperation all around.

J. Kwan: Would the principle of respecting municipalities by not forcing them to comply with a plan they're not ready or willing to accept be applied to the general principle of privatization of roads — in this case, arterial roads?

Hon. J. Reid: The examples we're looking at, where there have been these kinds of developments and participation, are certainly examples that exist historically. We look at other examples where there are federal dollars going into projects, and we have to evaluate them on the basis of safety and other considerations.

As we move into looking at the provincial transportation plan, there's a lot of work that we have to do to evaluate the safety of roads, the condition of roads, the use of the roads and the movement of goods and services. That is a responsibility of the province to see that that provincial transportation grid functions well.

When we're talking about the arterial highways, when we're talking about a developer coming onside and working in that partnership, when we're talking about the application.... As the member would like to say: "Well, how broad can this application get?" There is a role for the province in establishing an effective, efficient network in transportation.

I deal with situations all the time where, as times change, we have to expand a roadway. There are always people who say: "I moved here, and it was a two-lane road, and I don't like that it's now a four-lane road."

That's part of the responsibility the ministry has to undertake. There are times when we do have to develop that provincial grid. We work with municipalities to the very best of our ability, but I'm not going to say that the province can always make all people happy, because as the member opposite knows from her time in government, that's just not possible. There is a provincial requirement here, and safety is a very large part of that requirement.

[1515]

J. Kwan: So the answer is no. If the municipalities don't agree with the minister on the privatization of a particular arterial road, the minister will proceed in any event. This is what I heard from the minister.

That's a simple question that I think I'm asking of the minister. This is in light, of course, of the entire context of what this government had promised to municipalities: that they would not offload — in fact, they would outlaw offloading of services and costs to local

governments. Privatization of roads is another way of downloading costs to municipal governments.

The question is: if they don't agree with this concept, would the government force it on them anyway? That is the crux of the question.

What I heard from the minister, in a very fancy long-winded kind of way, is that she said: "No, we will force it anyway. We would not respect the wishes of the municipalities." Am I not correct in understanding that's what the minister basically answered to my question?

Hon. J. Reid: I know it's hard for the member, because she has a lot of excellent questions. It's difficult because under this piece of legislation, it doesn't give me the ability to expand on all the different provisions we envision for working with municipalities and working out problems and concepts and all that wider, broader discussion.

Again, I'm willing to have that discussion around Bill 67. It doesn't enable me to have that discussion here, because we're not talking about all the sections that the member would like to discuss.

There is, as the member knows very well, a provincial responsibility. There's a provincial responsibility to maintain safe roads, to do works that are going to benefit the province. The member knows that. While we will work with municipalities — as she, when in government, worked with municipalities — you still have a provincial responsibility. I think that's a very, very clear answer to the question.

J. Kwan: We can canvass this broader concept under 67. There's no doubt about it that we can do that. But under this bill, Miscellaneous Statutes Amendment Act, (No. 3), 2002, it's dealing with a section that talks about how some or all of the costs of construction and maintenance of arterial roads may not be borne by the ministry. What that tells me is that somehow government will find a way to off-load the cost onto somebody else, whether it be through what's called a public-private partnership or through another partnership, onto the local governments or onto any other body which the government can impose the cost on.

The question I ask of the minister is very relevant to this section of the bill in relation to arterial roads. If a municipality said, "No, we do not want you to exercise this right that you have brought in under legislation to off-load this cost onto us. We do not want it...."

Given that this government, the Liberal government, has promised it would outlaw downloading onto local governments, when a local government says, "No, we do not want you to off-load the cost of maintenance and construction on arterial highways onto us," will the minister respect that wish? Consistent with the statement made by the Premier and the minister responsible for municipal affairs — it's now called the Community, Aboriginal and Women's Services — would the government respect the wishes of local governments? That's the question I'm asking. It's a simple question — yes or no?

Hon. J. Reid: I've stated before, and I'll state again that this is not downloading. This is clarification of language of a situation that currently exists. I've already answered the member's question.

The province has a responsibility to deliver safe highways. We will work with municipalities in every way possible. We have been working with municipalities in every way possible.

This amendment clarifies actions that currently exist and allows us to enter into the partnerships with the federal government. It is a responsibility to deliver transportation infrastructure.

[1520]

The member doesn't like my answer, but the answer stands. There is a provincial duty to provide safe roads. While we want to work with municipalities — that still exists and, I believe, is obvious and, in fact, an important part of what the government does — I believe that the people of British Columbia want the provincial government to deliver safe roads. I cannot imagine that anybody would want the provincial government to not do that. That is part of what the responsibility is. We take that seriously. We're looking for ways to be able to do that. We're working with the public, and we're working with municipalities. We will move forward to fulfil that which people are asking me for, and that is an increase in transportation infrastructure.

J. Kwan: The issue is not about whether or not the government should be responsible for delivering safe roads. Of course the government ought to be doing that. There's no doubt about it. But you know what? In the minister's own section notes under 62, what we're talking about is this. The Liberal government, this minister, is off-loading costs onto somebody else. The explanatory notes say very clearly what section 10 is. Let me read that into the record for the minister's information, and perhaps the minister can respond to that. Section 10 says: "Highway Act, repeals and replaces section 29(1), removes the obligation of the Ministry of Transportation alone to fund the full cost of construction and maintenance of arterial highways and instead provides that the minister may provide some...or none of that funding."

The government is off-loading the costs onto somebody else, and who's likely going to be on the receiving end of this off-loading? Well, local governments, because the arterials are in their communities. That is what is going to happen, and that is what this bill says. For the government to say, "Oh no, we're just clarifying something, and, really, it's like a grammar thing," or something or another is false. The explanatory notes of the bill itself say that what this government is doing is off-loading the costs onto somebody else. Nobody is saying they shouldn't be responsible for safety in the transportation network. Nobody is saying that they shouldn't be, but the issue here is that they're off-loading the costs onto somebody else. This government also promised they would actually not off-load costs onto local governments. In fact, they outlawed it. It was

said at the UBCM. I have newsletters to show for that, to quote directly that here's what the government said.

For the minister to pretend something else is going on, sort of like all the other sections in this Miscellaneous Statutes Amendment Act.... This government so far has said: "You know what? We're going to exempt FOI information for the government caucus committees, but that's really just a technical change." What the government is doing is hiding information from the public. That's what they're doing. Let's be clear about it. On the issue around changes on the welfare disability and income assistance, government is bringing retroactive penalties for people on income assistance so they wouldn't qualify for another 60 days. That is what is happening, so let's call it what it is and be truthful about it.

I don't know why the minister cannot admit, with her own explanatory notes to this bill, that this is what this government is doing — off-loading costs. There's no commitment I've heard so far from this government that she, this minister, would actually commit to respecting the local government's opinions and perspective on that.

To that end, Mr. Chair, I have an amendment to make which is on the order paper, and the amendment reads as follows:

[10 Section 29 (1) of the Highway Act, R.S.B.C. 1996, c. 188, is repealed and the following substituted:

(1) Subject to subsection (2), some or all of the cost of construction and maintenance of arterial highways may, but need not, be borne by the ministry but only after consultation with, and agreement by, the local government, or governments, within whose jurisdiction the arterial highways lays.

That's the amendment in my name on the order paper, *Orders of the Day*, and I move the amendment.

On the amendment.

The Chair: Speaking to the amendment?

J. Kwan: Speaking to the amendment, Mr. Chair, is the crux of the issue. I'm actually just trying to help the minister here to respect what her own Premier has said at the UBCM and prior to the UBCM — that this Liberal government would outlaw off-loading from local governments and would not do any such thing until they have full agreement and in full consultation with local governments.

It is in the spirit of this *New Era* document that's been out there since the election and prior to the election for the Liberal government to actually say they will be open, consultative and transparent. This is exactly in that spirit, and I would not understand why the government would reject such an amendment. It supports the local community, and it supports the premise that they would not download onto local governments unless if they've agreed to it. It does not compromise the issue of safety. Nobody's asking for the government to compromise the issue of safety. I want to be very clear about that. At least the minister

tried to create confusion by somehow suggesting that if they don't off-load the cost to somebody else, they would be forced to compromise safety.

[1525]

The issue is about priorities. The tax cuts that have never paid for themselves have caused some of the problems. Those are some of the problems this government has caused on their own, and those are the problems we're now faced with. So it is about priorities. It is safety for the roads, and people say: "Do not off-load the cost onto us anymore because we cannot take it." For an average family who's already been hit hard by the increased costs, whether it be from health care, school cutbacks, income assistance cutbacks or Pharmacare — the list goes on — whatever the costs might be that the government has already imposed and off-loaded onto British Columbians.... When they say, "We gave you a tax cut," we already know the tax cuts have not covered the average British Columbians' increased costs that this government has imposed on them.

Let's be clear in terms of what this amendment means. It means to say that the government will not privatize a road, not off-load a cost unless they have done the full consultation with local governments and they're in agreement with it — what the government had promised prior to the election and what they promise even now. They pretend they're promising such things. Well, let's put the money where your mouth is. Vote for the amendment.

Hon. J. Reid: Speaking to the amendment. The member, in our discussions, has refused to hear the current situation that we have with municipalities. The consultation requirement in the amendment is redundant as the ministry's policy and practice as contained, as I've already stated, in circular G23/87. This is what we use as a basis for working with communities. This is what's existing. This is the practice. It already features a consultation requirement prior to works being carried out on arterial highways rights-of-way.

For example, if a municipality requires infrastructure improvements — such as, as I've said, bus bays, curbs and gutters and sidewalks — that municipality would make those requirements known to the ministry. Ministry staff would then meet with the municipality and negotiate cost-sharing and the planning and work at implementing the improvements as per the policy. Consultation is inherent in the existing policy.

Further, the requirement to obtain an agreement with the municipality effectively gives control of the arterial highway right-of-way to the municipality with respect to construction, maintenance and rehabilitation activities for which the municipalities would neither be legally responsible nor accountable. As a result, giving municipalities this measure of control is unacceptable and is not in the interest of the province.

J. MacPhail: The policy that's from 1987 has been abandoned by this government. That was made clear at the Union of B.C. Municipalities as well. Those sessions

were not widely reported, but the Union of B.C. Municipalities delegates told this minister in particular that they were extremely upset about the downloading, the off-loading, without any notice let alone any consultation.

One example is the beautification maintenance of highways next to the borders of municipalities — just done completely. When I was travelling the province with the committee on the prebudget consultation committee, every single Liberal MLA, as well as I, on that committee heard mayors report that they were spending thousands of dollars — these are very tiny municipalities — just this year because of the off-loading of responsibility for beautification maintenance without any landscaping maintenance, without any consultation whatsoever.

[1530]

The second thing this government has done without any consultation whatsoever, but has had to back off of because there's push-back, was on the downloading of policing costs. The minister will stand up, because in her little message box there it says: "Oh well, that isn't my responsibility." This government, without any notification — in fact, in complete reversal of the promise they made — said they were going to download policing costs onto towns of less than 5,000, but they were forced to back off.

That's why my colleague from Vancouver–Mount Pleasant is actually tabling this amendment so we don't have to go through this extremely confrontational, exhausting, stressful exercise by municipal leaders that will have to fight this once it's passed. All the amendment says is that they should consult and get the agreement of municipalities before they download the costs. In fact, it basically incorporates the new-era promise into legislation.

I love it. I sit on a legislative committee where one of the questions on the checklists that we have to answer — it's a bit unusual; I spoke to the Chair about this, and he fully understood — is: do the Crown corporation goals and objectives or something meet the test of the new-era commitments? Well, this is just making sure the legislation meets the test of new-era commitments.

Municipalities, we heard in our prebudget consultations, are very concerned about downloading. That policy the minister refers to as if it's gold was in existence when they raised all of these concerns. If you vote against this amendment, you're voting against the new-era document.

[1535]

Amendment negated on the following division:

YEAS — 2

MacPhail	Kwan
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NAYS — 68

Falcon	Coell	Hogg
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L. Reid	Halsey-Brandt	Hawkins
Whittred	Cheema	Hansen
J. Reid	Bruce	Santori
van Dongen	Barisoff	Nettleton
Roddick	Wilson	Masi
Lee	Thorpe	Hagen
Murray	Plant	Campbell
Collins	Clark	Bond
de Jong	Stephens	Abbott
Coleman	Chong	Penner
Jarvis	Anderson	Harris
Nuraney	Belsey	Bell
Long	Chutter	Mayencourt
Johnston	Bennett	R. Stewart
Hayer	Christensen	Krueger
McMahon	Bray	Les
Locke	Nijjar	Wong
Bloy	Suffredine	MacKay
Cobb	K. Stewart	Visser
Lekstrom	Brice	Sultan
Hamilton	Sahota	Hawes
Manhas		Hunter

[1540]

The Chair: Is it the wish of the members to waive the time?

Some Hon. Members: Aye.

Section 10 approved on the following division:

YEAS — 68

Falcon	Coell	Hogg
L. Reid	Halsey-Brandt	Hawkins
Whittred	Hansen	J. Reid
Bruce	Santori	van Dongen
Barisoff	Nettleton	Roddick
Wilson	Masi	Lee
Thorpe	Hagen	Murray
Plant	Campbell	Collins
Clark	Bond	de Jong
Stephens	Abbott	Coleman
Chong	Penner	Jarvis
Anderson	Harris	Nuraney
Belsey	Bell	Long
Chutter	Mayencourt	Johnston
Bennett	R. Stewart	Hayer
Christensen	Krueger	McMahon
Bray	Les	Locke
Nijjar	Bhullar	Wong
Bloy	Suffredine	MacKay
Cobb	K. Stewart	Visser
Lekstrom	Brice	Sultan
Hamilton	Sahota	Hawes

The Chair: We are on section 1 of Bill 65.

T. Christensen: My question is in respect to the fact that there are definitions for both administrative services and community services. It's my general understanding that the intent of the bill is to eventually devolve both administrative services and community services to regional authorities. Can the minister give me some background on why it's necessary to separate the two areas of service?

Hon. G. Hogg: The separation of the administrative services allows for the possibility of there being shared administrative services across two service delivery authorities. As an example, in one region we may have an aboriginal authority and a non-aboriginal authority, and they may wish to share the types of administrative services that would support them, therefore generating economies of scale and efficiencies that would ensure there would be more dollars that would be able to move to actual service delivery in that context.

J. Kwan: Under the definitions section, the term "administrative services" is used. The definition of administrative services includes legal services provided to that minister. Could the minister please advise what the significance of that is? What kinds of legal services will be utilized by the minister and for what purpose?

Hon. G. Hogg: The legal services that will become available through this process will not all be available through the Ministry of Attorney General. Legal services will be required by the authorities as well. They may be in child protection services where they will need to retain counsel for matters that appear before the courts. Those services need to be made available to the authorities so that they can respond to their legal needs.

[1555]

J. Kwan: Then they would extend beyond the legal services provided to the minister. The authorities would also get legal protection, legal advice and representation or whatever is required in the process.

Hon. G. Hogg: That is correct.

J. Kwan: Under the definition of administrative services, why doesn't it say that? It just says it "includes legal services provided to that minister." Why doesn't it include the authorities that will be established under this act?

Hon. G. Hogg: Under the Attorney General Act, all legal services are currently required to be provided through the Attorney General ministry. This provides the ability for counsel to be retained by the authorities outside the Attorney General ministry to give that type of independence. I'm sure that responds specifically to the member's question. If it does, I'm delighted; if not, I'll seek clarification.

J. Kwan: Actually, no, it doesn't quite answer the question I had.

The intent of the definition of administrative services is, in part, that legal services are provided, first, to the minister and, second — when I asked the question earlier — to the authorities that are established under this act. I understand they would be outside sources, so there would be independence and so on and so forth, but it doesn't actually say, under the administrative services provision, that legal services are being extended to the authorities established under this act. If the intent is to make sure that they, too, have legal services available to them, why doesn't it say that under the administrative services component?

Hon. G. Hogg: I'm advised that in the finest of legalese by the Attorney General's draftspeople, that's exactly what this says, but I appreciate that it is not perfectly clear to those of us not trained in the intricate wording of the legal profession. Certainly, in terms of the policy we put forward to be developed and the intent expressed by the ministry, that was what was asked for. This is what was provided, and I'm sure we should be just delighted.

J. Kwan: Is the minister saying: "Thank God, we're not lawyers, so we can actually read what is actually written and what it means"?

Interjections.

J. Kwan: I was speaking for myself and the minister. Now, that was a comment from your colleague, who actually asked the question of whether or not lawyers actually have feelings. That was actually a comment from your colleague. I just want to be clear: it wasn't from me.

Interjections.

J. Kwan: Okay, where's the Attorney General when we're looking for him?

Could the minister then advise, please: with the legal services provision that would be provided to the authorities that are established under this act, would the minister have to approve that request? How would that trigger the legal services representation for the authorities established under this act?

Hon. G. Hogg: I'm sure the reference to lacking some heart does not include those members today. Certainly, the member for Okanagan-Vernon has provided very emotive and emotional responses to the issues here and, by his words, would be excluded from those comments that were made — somewhat extraneously, I'm sure.

[1600]

The authorities would be delegated budgets. Within those budgets they would have the ability to contract with legal counsel of their choice to represent them as they saw fit.

J. Kwan: Following the administrative services definition, we then have the community services definition, which includes a long list of nine different types of services to be included under the definition of community services. Does the minister anticipate that any other services could be added to this list? Is this meant to be an exhaustive list?

Hon. G. Hogg: Yes, we do anticipate that there may well be other services included in that, which is why there's a subscript after item (i) which says: "...and includes other types of services provided pursuant to the powers, functions and duties of the Minister of Children and Family Development that are prescribed by the minister." That condition will provide for the ability to put more services into the legislative framework to make it more exhaustive than is contained in (a) through (i).

J. Kwan: The list that is now identified under this act, the services that are provided for.... Given that there isn't a (j), as an example, is it because the ministry has not yet identified what those other services might be? Was the provision that says "and includes other types of services provided pursuant to the powers" allowed just in case other services might pop up, so they could be added? Given that it's a long, exhaustive list — not an exhaustive list; it's a long list, but it could be added to — do we not see other items beyond (i) because they have not yet been identified by the ministry at this time?

Hon. G. Hogg: The list contained herein was developed by referencing the Child, Family and Community Service Act. The majority of them are contained within the act. They were added to where issues of service currently exist, and we're working with the community on those. We may well add others as we look at how these function and as the authorities come back with other issues that they may wish to have contained within their ambits of responsibility.

J. Kwan: Would the minister, then, accept proposals from the communities or the new authorities that will be established under this act, which have identified new services that need to be added, and then in that situation the new services would be added? Is that how it would work? Would it be done by regulation, or would there be amendments to the act that would be brought back to the House?

Hon. G. Hogg: Under the act, if it passes in this condition, they can be added by being prescribed by the minister. Authority would be granted for the minister to prescribe those.

With respect to the first part of the question on discussions that are taking place, and as an example that may happen, I met this morning with the four elected aboriginal leaders and a number of the service providers. One of their concerns in ongoing discussions has

been the provision of federal funding and federal support for aboriginal services.

One of the possibilities would be that these authorities might also be able to take funding from the federal government, which currently funds children who are in care on reserve but does not fund them when they come out of care. That is counter to the direction we're trying to go, which is to give more authority for the aboriginal communities to make decisions in a more holistic fashion. We'd want to look at models that would allow for those authorities, as they saw areas where they might be able to provide more and better services in the best interests of keeping children safe — ways that might be done, including further services that are currently funded by the federal government....

[1605]

It may also look, at some point, at some other services that may be provided by other provincial ministries — again, believing that if the decisions are made in the local communities, they'll be more responsive to the needs of those communities, and believing that as ministries, we have columns in terms of our service delivery which don't always reflect the best interests and needs of a coordinated, integrated and holistic approach at the community level. This would allow us to have some flexibility to allow those services to be more inclusive and more responsive to the needs and the nuances of various communities and the challenges that exist within them.

Section 1 approved.

On section 2.

T. Christensen: Section 2 deals with the purpose of the interim authorities. The wording contemplates that the purpose of the interim authority is to perform some or all community services or administrative services in place of the ministry. Can the minister give us some idea of how he sees this evolving over the course of time? Presumably, all of these services aren't going to be shifted at one single point in time. And presumably, these interim authorities and the communities that the interim authority will be serving are going to be involved in determining at what point the eventual new authority is in a position to actually assume responsibility, given the importance of these types of community services to all citizens of the province and, in particular, some of our most vulnerable citizens. Can the minister give me some idea of how he sees that transition evolving?

Hon. G. Hogg: The uniqueness about this process is that usually we, as government, will pass legislation and expect the communities to respond to that and deal with it. What we're trying to do with interim legislation is involve the community, firstly, by serving notice through this act that we are serious about moving to a new style of governance and, secondly, about creating a legal entity and, thirdly, about the process of

transition, of planning to move exactly as the member is suggesting.

This piece of legislation is to reflect and develop the social policy to ensure that the communities have a chance to influence the final legislation, the legislation which will no longer have the adjective "interim" appended to it as we move forward. Each of the authorities which will be framed under this legislation will have the ability to do that planning. They will have a legal entity, but they will not be able to provide direct services other than those delegated to them through the authority of the minister. They will have delegated authority. Once permanent legislation passes, then they will have legislative authority for the provision of those, so we're moving from a delegated to a legislated form of the provision of services.

Now, our intent is to follow that process by ensuring there's certain thresholds that are met before those authorities become legislated and invested within communities to be delivering them. We don't want to have different sets of authorities or different levels of authority and responsibility existing in different areas of the province without them meeting the same threshold that we have to meet across the province. The state will be ultimately responsible for the funding, for ensuring that there are standards which are kept across the province and for holding authorities accountable for the delivery of services at those standards. As the authorities meet the threshold, then the delegations will take place to them to carry that out.

T. Christensen: Following up on the minister's comments, is it possible that community services, as a bundle, aren't necessarily going to devolve at the same time but that over the course of time, as these new authorities are ready — or, in fact, the interim authorities, if it's delegated — they may get some of these community services, and those will then be built upon as the interim authority is in a position to properly provide those services?

[1610]

Hon. G. Hogg: This interim legislation and then the permanent legislation envisage at least three forms of those authorities: one authority for community living, and its delegation may, in terms of its full function, be at a different time than the aboriginal authorities, which would be a second one we'd have to meet, and then the third one being the regional authorities for the provision of child welfare services. So there are three different divisions that exist with those.

The envisioned model for community living is a provincewide authority, whereas we have the five separate authorities for each of the aboriginal and child welfare models. Each one of those may be moving at a slightly different pace in terms of their readiness to meet the readiness criteria to be able to take over the functioning. The legislation, when proclaimed or when moved into permanent legislation, would allow us to look at and to ensure that the OICs — the orders-in-council — necessary to have them up and running

would allow for us to do that based on them meeting the readiness criteria at whatever rate that may be.

S. Brice: Minister, you make reference to provincial standards, and as you devolve down to the local level and have a requirement to have provincial standards maintained, I wonder if you would elaborate on that for us — how you anticipate that's going to unfold.

Hon. G. Hogg: The ministry has developed an accountability framework that will guide both government and the authorities to ensure that the services are of the quality standards which we believe the people of this province deserve, and they'll be focused on the kinds of positive outcomes that we want for children and their families.

There will also be performance agreements with the authorities which will further articulate the desired outcomes. The ministry has also been looking at the whole process of accreditation to be a part of that. By using international accreditation standards, we can be assured — and the people of this province can be assured — that the services being provided by the service providers throughout this province do meet internationally recognized standards. I don't believe the ministry should be exempt from that as well. The ministry should also have to meet those international standards that we would ask the service providers to meet.

Those would be three of the steps we would see in terms of ensuring that the readiness criteria are met. As an example, currently in our delegation and enabling agreements with the aboriginal communities, there are three stages to the delegation agreement where they can come in at, where they start to create and meet certain steps to finally get to the full ability to do child protection. There are tests that have to be met in terms of doing that, and the same type of process would be the process we would look at in terms of the delegation here. That's how we would maintain some degree of control over the quality and the standards that are applied.

S. Brice: Thank you for that response. Obviously, I know, minister, you're absolutely committed that this devolution to the community is the preferred way to go. Certainly, your accountability framework there sounds that it will in fact ensure provincial standards.

I guess as I look and see the 23 percent reduction your ministry is facing, and I know the whole point of this process is to provide a better service to vulnerable children, youth and families.... Can you perhaps give us some idea of how you're going to meet that challenge with the 23 percent reduction in your budget and still maintain these provincial standards and this solid delivery?

Hon. G. Hogg: Well, the 23 percent budget is across the whole ministry, and I'm sure I and all of us would love to be able to be doing this without having to have a budget target that sees a reduction in terms of the funding levels we're having to do. But because of our

broad agenda as government, we have to do that. We've committed to that, and we ran on it.

As we look at it, we looked at the 23 percent overall in terms of service delivery, and some decisions have been made with respect to how those will interpret with each one of the service delivery models. So in the community living and special needs sector, we're looking at a 17 percent reduction. The rationale for getting to that number was simply in meeting with the sector. They said to me that if we could create an authority with a different model and a different governance structure, they felt they could provide the same level of services for some 20 percent less. So the simple way of getting to 17 percent was that we have a recognition that there are about 6,700 special needs children on wait-lists today. One percent equals about \$15 million, so if we were able to do it — if the community is right about that, and I believe they are — then we're going to be able to do that and actually have, if this works out the way we'd like it to, \$45 million available in that model for dealing with issues for special needs children.

[1615]

We have a committee that's been working with our transition group, with representatives from the community and service providers and the B.C. Association for Community Living, which has been working over the past two weeks straight to try and look at those budget numbers and get them into being able to address the targets. They're very close to that; they're now less than 1 percent apart in terms of doing that. I take some solace in my belief that they're going to be able to manage that.

What that means, of course, on the child protection side is that because we've reduced it there, we're going to have to have a higher percentage reduction on the child protection side, another major part of what we do. In that sector, as the member may well know, we currently have seen an increase of over 60-some percent in the number of children coming into care over the past six years. The growth has been pretty dramatic post-Matthew Vaudreuil and the issues that grew out of that. We're looking at ways we can actually bring those numbers back to more traditional numbers and numbers which are consistent with the averages across Canada.

The number of children in care across Canada averages about nine per 1,000 of population. In British Columbia we've been over 11 per 1,000 of population. One of the things we want to do is rather than have the bureaucratic response we have now — we have the largest child protection system in Canada through this ministry — we want to look at a model that says we're not just going to apprehend children, but we want to build supports around children to allow them to stay within the context of their family.

About 70 percent of the children we apprehend today are apprehended from single parents, usually women, who are on B.C. Benefits or on income assistance. We believe most people want to be good parents, and if we can provide them with some supports to

keep their families together, we know from research worldwide that the outcomes for those children are going to be better. We know that they have a higher probability of being employed, a higher probability of graduating, a higher probability of having a healthy life.

With those types of models and the funding around that, when we bring a child into care, it averages about \$40,000 a year fiscally for each child in care. If we can provide supports for them that are going to keep them in the context of the family, their performance outcomes will be better. Not only will it be fiscally responsible, but I think it's morally the right response to give and to deal with them. Within that broad framework, that's how we're trying to look at that target of 23 percent, with those frameworks.

All of that is contingent upon and dependent upon partnerships with the community where the state is saying: "Here's the funding envelope we have. How can we best work with you to ensure we're providing the best services possible to the most vulnerable people of this province as we move forward with a new governance model and a new governance structure with this envelope of funding?"

J. Kwan: Just a couple of comments before I ask my questions. The minister actually said that the reduction of the budget, the 23 percent being contemplated for this ministry that will come in place for next year's budget, was something the minister ran on. That's not true. The Liberal government during the election did not run on cuts to services at all. In fact, there was only one candidate who did that, and that candidate disappeared from the campaign trail very quickly after he made that comment. That was the candidate for Vancouver-Hastings who ran against my colleague, who is now in the House. I just wanted to actually say that as well, because that simply is not true. I don't believe any of the candidates ran on cutting services and cutting budgets.

Relating to that issue, of course, is the issue around the authorities that are now being established, the groups which the minister is consulting with. It worries me a little bit when I hear the minister say that they're very close to actually meeting the budget targets the minister has set out and that he's confident they will. The issue is not that I don't have confidence in the community, who can deliver and perhaps do a better job than government. I've seen many occasions in a variety of areas where they could do that. It worries me greatly, though, when I hear the minister saying that it is they who are doing that and that they are going to deliver this budget reduction.

In the eventuality that they're not able to or if something goes amiss as a result of a lack of resources, I worry very much that it will become a pattern and trend of this government to say: "Hey, you know what? I didn't do that; somebody else did." We've seen it time and again in different ministries. We see it most prominently in the Ministry of Education, where the Minister of Education just blames the school trustees

for all the cost pressures the minister has caused on a reduced budget for education with increased service demands.

[1620]

It worries me a little bit, but nonetheless, I just want to flag that. I want to flag that for our attention, for our diligence as we watch and see how this progresses. I hope the minister will recognize that if the realities of materializing the goals of what the minister, I believe, genuinely hopes to achieve, but not the bottom-line goal that the minister will actually step up to the plate and say that the communities are struggling and the authorities are struggling to achieve this goal because they haven't got the resources to do it, and the minister will step up to the plate and ensure adequate resources for them to do the job they've been tasked to do....

The issue around budgets around the interim authorities is an important one. So, too, is the staffing component, because the other piece with which people are going to be faced under the new budget is, I believe, a 22 percent reduction in staffing. So when you have a budget crunch, you have a staffing crunch. It creates difficulties for the interim authorities. Again, we'll watch that, as well, in terms of where that goes and whether or not problems surface.

Will the minister please advise: will staff be transferred to the interim authorities? I'm assuming that they will. In our briefing, when I spoke with the minister's staff, I think they advised that the staff would be transferred to the interim authorities. Could the minister please confirm that in this House?

Hon. G. Hogg: No, the interim authorities will not have staff transferred to them. That would have to wait for permanent authorities. The interim authorities do not provide services, nor do they have direct staff employed by them. They will be able to contract with staff to support, and there may be some secondments to them, as well, to allow them to carry out their planning functions. Their functions are around the planning, not service delivery. There will be no staff who will be directly employed by the interim authorities.

If I confused the member with respect to the issues of budget, then my apologies. My intent was to say — and I hope I did say — that what we ran on as a government was a balanced budget of government, not the issue of services.

J. Kwan: Yes, for that clarification in terms of the member, the minister and the Liberal government now ran on a balanced budget. But at the same time, they also said that tax cuts would pay for themselves and that therefore there would be no service cuts. I want to put it all in context. Let's just be clear in terms of what was promised and what is reality now, and therefore the dilemma that I anticipate the authorities would be faced with down the road.

I hope that my fears and my concerns don't materialize. I'm not just standing here to be a naysayer but rather to say that I want to flag these things. Having worked in the community, I have seen time and time

again where the pressures and resources are inadequate and how the communities get hurt at the end of the day, and I do want to flag that very clearly.

So the staff would not be transferred for the interim authorities, but they would be transferred to the permanent authorities once they are established. Can the minister advise, then, for the interim authorities what kinds of budgets they would be working with? What kind of staff complement does the minister anticipate they would have in terms of doing the work they've been tasked to do under this piece of legislation?

Hon. G. Hogg: Some of the questions around the issues of staffing are covered in section 11. I'm sure we'll get more clarity with respect to that once we move on to that. With respect to the overall budgets, that is an issue for budget and for our estimates debates. At this point in time, we're looking at trying to do allocations of somewhere in the range of \$11 million of planning funding for the various authorities, the three or ten or 11 authorities, as we move forward looking at that within this fiscal year.

[1625]

J. Kwan: The \$11 million is coming, then, out of the minister's existing budget for the interim authorities? They are not taking over services as of yet, but it's just merely setting it up. But the ministry's going to lose \$11 million from its existing budget from areas including service delivery for the interim authorities' setup costs.

Hon. G. Hogg: Well, \$11 million is correct, but we were given funding as a ministry to look at the development of transitions. This is funding that was given for this purpose specifically, so it is not taken out of any of our services or any of the other provisions we have. This is an add-on with respect to the restructuring costs associated with this ministry. It is funding allocated specifically to that.

J. Kwan: Once the interim authority is set up, this is not ongoing funding, then. It's one-time transitional funding of \$11 million. I presume then, once the permanent authorities are set up, they will get permanent ongoing budgets to provide the services they have been tasked to provide under new legislation that I guess will come forward for the permanent authorities.

Hon. G. Hogg: That is correct.

Section 2 approved.

On section 3.

W. McMahon: You're establishing the interim authorities, and from the authorities come the boards. I'm just wondering when you expect them to be up and running.

Hon. G. Hogg: I certainly hope that when and if this act passes, we will be able to appoint them imme-

diately. We'll go through a process of doing that. In each of the regions, the interim chief executive officers and the interim co-chairs are looking for people who are interested in and have an aptitude for and an ability to work in this field and an interest in doing that. Once this legislation passes, I'm hopeful we'll be able to have the boards up and running and functioning as soon as those names come to us and are approved. That, hopefully, will all be completed by some time in January, but if this legislation passes and gets royal assent, it may well happen before that.

J. Kwan: Sorry, the minister might have touched on this question earlier when I was getting materials for the debate, when another member rose in the House. I didn't quite catch all the answers from the minister or the question which was put, so if I am repetitive, I apologize. Does the ministry anticipate that there would be more than one interim authority set up, that there would be more than one interim authority created under this act?

Hon. G. Hogg: Yes. There will be at least one for community living that would be set up under this act and perhaps five for the services that are currently included in all of the child welfare services and five for regional aboriginal authorities. We could have up to 11 within that context.

J. Kwan: Where would the one community living authority that will be set up be located? Would there be a centralized office somewhere? Would it be in Victoria or in Vancouver? I don't know. I'm just guessing here. Where would it be based?

Hon. G. Hogg: There will be transition funding provided, and it will be up to them to make the decision as to where they want to have their offices and how they want to provide those services.

J. Kwan: Will the Ministry of Children and Family Development offices that deliver services in local communities be replaced, then, with the one centralized authority, for community living in this instance?

[1630]

Hon. G. Hogg: Well, this is the interim authority, so there will not be services provided through the interim authority. The interim authority's responsibility, again, is to start the planning process to move to boards of a permanent authority.

In effect, we have parallel structures in existence now. The ministry is still in existence, and the ministry is still providing all of those services. At the same time as the ministry is doing that, we're putting in place a parallel structure that will allow us to transition to the governance model we're describing. This is an interim authority that allows them to create the legal entity to start the process of planning for the permanent authorities and to help us influence and shape what the permanent legislation will be.

In response specifically to the member's question, no, those offices will remain in existence and continue to provide the services they do today as we start this other process in place. As we move into the permanent legislation, then we will be moving the services over in permanent legislation, but that's not a part of this legislation.

J. Kwan: The interim authorities to be set up would not replace any of the existing Ministry of Children and Family Development offices, but once the permanent authorities are set up, that may well take place and likely would take place. That is what I'm gathering from the minister's comments. It would be up to the permanent authorities, of course, to see how they would ensure the services are being provided, but the only way the minister could maintain those offices would be if the minister had increased funding. That's not the case, because the funding would actually be transferred into the permanent authorities for operations and service delivery. That would really just mean, then, that those offices will shut down once the permanent authorities are established.

Hon. G. Hogg: This legislation provides for the interim authorities to act to develop the service delivery plan that makes most sense for their communities. They envision and will work at that service delivery model. They will submit the service delivery model to the ministry as they see it, given some terms of reference around how best to do that. They will submit the service delivery plan, and it will go through the checks and balances we've talked about previously in terms of wanting to make sure they meet certain thresholds with respect to services, as other members have requested.

This is a process of developing a service plan, making sure it's responsive to the nuances and needs of various communities and regions, then submitting it and having the submission go through the due diligence necessary to ensure that it meets the standards of care the ministry has set across the province.

J. Kwan: If the minister doesn't have this information here, I wonder if he could send the information along to our office. I would appreciate that.

Could the minister please advise how many offices of the Ministry of Children and Family Development now exist in local communities and where they are located? I would anticipate that the minister wouldn't have the information right at this moment, but if it could be sent along to my office, I would appreciate that.

Hon. G. Hogg: I've been advised that the number is approximately 158 across the province. We'd be happy to provide the list.

J. Kwan: Thank you to the minister for committing to provide that information.

I do just want to put on record, as well, that there were concerns about the aboriginal authorities that are not mentioned in this bill. I understand there is still work to be done, but I understand, however, that it is to be a priority of government. Many were hoping it would actually surface in this bill in terms of the establishment of the interim aboriginal authorities. Will the minister pledge that this enabling legislation will indeed lead to the legislated establishment of regional aboriginal authorities as promised by the minister to the first nations, the aboriginal communities, on numerous occasions?

Hon. G. Hogg: Yes, it is the commitment of this government to develop aboriginal authorities. That has been approved, and we are proceeding with that. That will be part of the legislative framework we hope to bring forward in the spring.

[1635]

J. Kwan: I know the minister touched on this in second reading debate, but I want to get it on record once again. Could the minister please advise of the time lines for the aboriginal authorities that would be established at a future date?

Hon. G. Hogg: As I think I said to the member earlier, I met with the aboriginal leaders and service providers again this morning, and we are working at exactly the intent as expressed in this legislation. The time line for the creation of those authorities is that it could take up to three years for planning and five years to take over full service delivery. We expect to have all of the aboriginal authorities in place and functioning by the year 2007. I'm hopeful we'll be able to do it much sooner than that, but there are issues of capacity and development. The aboriginal community obviously does not want to have issues placed on them until they've reached the degrees of readiness necessary to take them on. We are in constant discussion with them, trying to help them build the capacity and the readiness to take this on.

That's the broad framework and time frames. I wanted to set an outside time frame so that we had some specific goals. Certainly, as we meet the criteria, or the aboriginal authorities and service delivery models meet the criteria before that, then we will move much more quickly than that.

It is a comanagement model that I have with the aboriginal communities. We are putting the resources of the ministry there to support them, and the decision-making is vested collectively in that group, because I believe that's the best way we can ensure we get the best form of delivery.

J. Kwan: Would the minister only proceed if all of the authorities, the five different regional authorities, are ready to go? Or as the authorities come to be ready — the regional authorities, one by one perhaps — would the minister then proceed as they are ready to move forward?

Hon. G. Hogg: Certainly subject to those overall time frames, we will move as soon as the authorities are ready. As soon as they meet the criteria, we'll move as quickly as we can. It may be one or two or three — whatever the number. We don't have to have them all ready at the same time.

Section 3 approved.

On section 4.

T. Christensen: Can the minister provide us with some indication of what the thinking is behind the appointments to these interim boards and the type of qualifications the minister will be looking for in making those appointments?

Hon. G. Hogg: Certainly as we've appointed the interim co-chairs, they have been people who are active in their communities, who are aware of the resources — the social capital that is in existence within their communities. They are people who have shown a penchant for and an interest in the delivery of human services. That's the type of people we want to have.

Included in that, obviously, is the need to be able to manage a budget of a significant size in terms of the models of service delivery. People who have had experience in working with large budgets, who have had experience in the delivery of human services, who have organizational skills and who would represent a good cross-section of the community would be the type of people that we would be looking for.

We would be looking for, as we go into regions, geographic representation in terms of that as well as the different types of service delivery and the skill set that allows them to be members of boards of directors. It is not a hard and fast set, but it is something that is representative of the community, and it is representative of a board of directors who will be responsible for the provision of services over a large area and with a large budget.

J. Kwan: Is it the case that the minister has sole discretion on the appointment of the members to the board?

Hon. G. Hogg: Yes, for the interim legislation, that is in fact correct.

[1640]

J. Kwan: The minister can also choose the size of the board. Could the minister please advise how many members he is anticipating he'll be appointing to the interim boards?

Hon. G. Hogg: The range we've been looking at is in the eight-to-12 range, but certainly the community living sector may be larger than that, and their proposal is slightly larger. We want to have flexibility and, again, be responsive to the needs that exist in each of

the service delivery areas and in each of the regions of the province.

J. Kwan: Is there remuneration for the board members, and is there a rate discrepancy for, I presume, chairs of the different authorities? I assume there would be chairs.

Hon. G. Hogg: The remuneration is covered in section 5. Shall I proceed with responding on section 5, or are we...?

Hon. G. Plant: Wait till we get there.

Hon. G. Hogg: Wait till we get there. Thank you, Attorney General.

J. Kwan: It doesn't matter with which breath the minister answers these questions. It's all the same to me as long as the answers are forthcoming.

How will the minister ensure that there would be fair representation in terms of the construction of the boards? Would there be regional representation from designated areas? How would the minister try to achieve a fair representation? What will fair representation look like for this board?

Hon. G. Hogg: We will be looking to the regional advisory committees now to help us with that and to make recommendations regarding that, to the aboriginal community to help us with that in terms of their representation and to the community living sector to help us with that as well. It's a partnership, and it's an agreement, and it's a discussion. The community living sector, in the submission of their recommendations, have some ideas as to how that might be achieved, and we have to look at those and put together a model which is going to be representative both geographically and in terms of service provisions across both the regions and the province. There isn't a hard and fast model for doing that, but it will be achieved as a result of the planning committees that are in place and the recommendations they make around that.

J. Kwan: The people who are now working with the minister, if they forward a recommendation to the minister for appointments to be made for so-and-so.... Would the minister then, on that basis, accept the recommendations and then appoint those individuals to the board? Or is it just for the minister's consideration, and so in the meantime the minister can actually come up with an entire list of people and then not accept the recommendations from the people from whom he is seeking advice?

Hon. G. Hogg: I have invited the people who are sitting on the planning committees to look at transition and to possibly sitting on interim boards as well. There may well be many, many more names submitted than we will want to reasonably have sitting on a board, so the discretion exists with the minister to make the deci-

sion with respect to both the numbers and who sits upon those boards.

J. Kwan: Will the minister put out a request for proposal for members to be participating on the board, aside from recommendations from those who are now advising the minister?

Hon. G. Hogg: That's the process we followed to develop the interim planning boards. We went out and asked for anyone who was interested to submit their names. We went provincewide to do that. That's the same group we're asking to continue with this process, and we'll be seeking guidance from them with respect to how they feel they will be best able to put together a representative group for the board from each of their regions.

J. Kwan: What will the aboriginal representation be like on the board? Does the minister have any notions on the regional aboriginal authorities? I would imagine the majority, if not the entire authority, would have aboriginal representatives. For the rest of the authorities, would they also have aboriginal representation on those boards? Is that the vision of the minister at this time?

[1645]

Hon. G. Hogg: We're certainly open to suggestions that come to us from the planning committees that exist. The current planning committees that I've been meeting with in the aboriginal sector are virtually all aboriginal members, although there may have been some that they have brought to those committees that are non-aboriginal. I don't know that for sure.

Certainly we have ensured as we've gone through this process that there is aboriginal representation on the community living sector, that they have representation from the aboriginal communities, so that we can ensure that the interaction takes place. We know that we have to have an integrated service delivery model if we're going to be able respond in an integrated way to the holistic needs of children. We'll have to do that cross-referencing as we build the models.

Again, we're looking for guidance, support and advice from those aboriginal communities.

J. Kwan: During second reading stage, I brought a number of criticisms to the minister's attention in terms of what's taken place to date around the current structure of the transition steering committee. I hope the minister can commit that he will take those concerns and work to address them while he is creating the board of the interim authority. I hope that's a commitment the minister can make in this House.

That's one piece that I want to ask the minister about. The second piece is that I hope that the new board would not just be the same people who have served on the transition steering committee. Is that the minister's anticipation — that it would be the same

people who would simply transfer from the transition steering committee? Or would there be new people brought on to the board?

Hon. G. Hogg: I know that some of them who were on the transition steering committee, who were meeting for 40 or 50 hours a week over periods of time, have said: "I've made my contribution. I'm not sure that I have time to make further." There will have to be some other people who will be moving into that, but there also is a need to have some continuity. There has been a lot of information and a lot of knowledge gained as a result of sitting on those committees and those transition groups. We will want to be able to take advantage of the tremendous wealth of knowledge that exists within the communities and has been further cultured and developed over the course of developing the recommendations that are coming forward.

J. Kwan: On the issues around the criticisms and concerns that were brought to this House when we were engaging in second reading debate, will the minister commit that he will keep those concerns in mind and address some of those concerns as he's creating the new board?

Hon. G. Hogg: I think the member's comments were primarily on the issue of community living and some of the concerns that existed there. I have committed that when we do receive the report, which I think is coming today.... I'm having a formal presentation on November 13, I believe it is, when they're having a ceremonial presentation of it. I have committed to and will continue to commit to having a process for making that report available and allowing people who disagree with it, and disagree with some of the intent and direction of it, to have the opportunity to provide that. We're setting up a process for that to take place. I've spoken to a number of individuals and some groups who want to express their concerns with respect to the final recommendations. We will be hearing those as part of the due diligence that the ministry is going through regarding the report.

J. Kwan: Is there a policy of multicultural representation on the board? I raise this as a particularly important issue, because oftentimes we don't see that in the creation of the boards, to ensure that there is broad representation. Of course, in the areas around community living and on child apprehension, cultural understanding, language barriers and so on become critical for all sectors — whether it's for government or the community — for the families who have children or adults who are in care or at risk to be in care and so on.

Hon. G. Hogg: That is certainly something that is most appropriate in the lower mainland in particular and indeed in some other parts of the province. The planning committees are aware of that and are part of that. We expect that they will come forward with recommendations that do reflect the nuances and needs

and makeup of their various regions when they come forward with their report.

[1650]

Section 4 approved.

On section 5.

J. Kwan: This is the section that deals with remuneration. Perhaps the minister can advise on the different rates that the minister is contemplating. Would there be a differential rate for chairs versus board members? What other conditions of appointment does the minister anticipate that he'll be setting for this board?

Hon. G. Hogg: The rates of remuneration — there is remuneration — will be set by the minister, and they will be consistent with Treasury Board directives around those who sit on boards. Chairpersons will receive more remuneration. There will also be expenses paid by the interim authority and to the members who sit on it.

J. Kwan: So the minister doesn't have any figures at this time. It would just be whatever Treasury Board says or enables the minister to do.

Hon. G. Hogg: There is a Treasury Board directive that sets the framework for those rates. We can make that available to the members who wish. It has to be within the framework which is provided by that directive.

J. Kwan: What other conditions of appointment does the minister anticipate setting?

Hon. G. Hogg: It may be that someone has resigned from the board or left the board or moved out of the province and would have to be appointed in that context. Reference was made earlier to some of the cultural needs. It may well be that recommendations coming from one of the authorities or the planning groups may suggest that there be a representation from a specific ethnic or cultural group that should be appointed to it. That would also be a part of it, and maybe that they are a resident of and remain a resident of the region. There are certain conditions such as that which may dictate or be other conditions which would be applied to the criteria in making a recommendation or making an appointment.

Section 5 approved.

On section 6.

J. Kwan: Under what circumstances would the board be delegating to another person the exercise of any power or performance of any function or duty conferred or imposed on the board?

Hon. G. Hogg: Through the process of this legislation we will be delegating authority to the board, and

then the board would have the ability to delegate to a CEO, who may be on contract to them to carry out some of the functions on behalf of the board. That would be the delegation that would take place, to do the planning and carry it out at a contracted staff level or a seconded staff level to carry out those responsibilities.

J. Kwan: Is there any limitation as to who this person could be? Would it be the CEO only, or would it be to a variety of people within the authority?

Hon. G. Hogg: It may well be more than one person. The responsibility is planning, but they may have planning in a different area. In the north, as an example, they may have somebody who is responsible for doing some planning in the Fort St. John area. They may have somebody else in the Prince George area. The delegation with respect to that would not necessarily be just delegated to one person. It may be a range of people who are on contract or secondment to carry out those responsibilities.

[1655]

J. Kwan: Will the delegation of responsibilities be an ongoing kind of thing as opposed to a one-time "Here's a task I've delegated to you; please perform and report back"? Would this be an ongoing delegation of authority to the CEO, as an example?

Hon. G. Hogg: It could be either one of those. The process of planning will carry on until the report is completed and submitted, and then those responsibilities will move as a result of new legislation to a new process for carrying that out.

Section 6 approved.

On section 7.

J. Kwan: On section 7, how closely does the minister anticipate he'll be monitoring the functioning of the interim authority?

Hon. G. Hogg: This moves to a comanagement model. Again, the ministry runs everything now. We're moving through this interim legislation to a comanagement model and finally, with the legislation in the spring, to permanent legislated authority. They will be meeting consistently with the staff of the ministry. I'll be meeting with the chairs as we go through this and as they develop their plan for each of their regions. There will be a lot of ongoing interaction between the chairs and the interim chief executive officers and our staff in each of the regions. At the same time, there will be ongoing meetings that will happen with myself. As an example, the aboriginal management committee that I met with this morning is planning to hold, it seems like, quite a few meetings before we move forward.

There will be ongoing discussion and meetings, and all of the minutes of those meetings will be posted so

that people will be aware of what's happening in each of the regions and the planning processes that are taking place. We expect that on the ministry website there will be available to look at what the focus and direction of each of the regions are. For each of the planning committees, their minutes and agendas will be posted so that people will be able to see what activities are taking place and the progress. Our ministry will be actively involved with them in helping to plan and organize those.

J. Kwan: Does the minister anticipate that reports of some sort will arise out of the authority and that these reports will then be made public, for the public to see and review in terms of how progress is going? Let me just ask that question first.

Hon. G. Hogg: Under section 9, which we'll be getting to quickly, it does say that they will "prepare a report on the extent to which the interim authority has met the objectives" that the business plan has laid out, so they will be submitting that plan. It has been our intent to post those plans, as we have all of the submissions we've had to date, on the website for everyone to look at and comment on.

J. Kwan: Is it anticipated that the minister will actually be participating in these meetings, or is it mostly just staff, and the minister will just meet with, let's say, the chairperson of the interim authority?

Hon. G. Hogg: It is not anticipated that I will be spending a lot of time meeting with each of the areas and regions. However, I will be meeting with the chairs of the committees, and they report to me through that process, but they will be meeting on an ongoing basis in their regions to carry this out.

J. Kwan: If there's disagreement between the minister's position and that of the interim authority, how would that be resolved? I assume that the minister will try to resolve it, but if at the end of the day there's no resolution, would it be the minister's position that would override, or would it be the interim authority? How would that work?

Hon. G. Hogg: This interim authority anticipates the delegation of responsibility. The minister is still ultimately responsible for those. The minister has the ultimate responsibility and, therefore, the say in the final outcome of any of the measures which may be in dispute.

[1700]

Section 7 approved.

On section 8.

T. Christensen: Actually, I probably could have asked this under section 7 as well. The combination of sections 7 and 8 obviously contemplates the develop-

ment of directions, and then the interim authority needs to follow those directions. I'm assuming that this also includes what the minister mentioned earlier, which is the establishment of standards these authorities are going to need to meet.

I'd like the minister to comment, if he can, on what those standards might be or how those standards are going to be developed. Are they going to be developed in consultation with the interim authorities so that there's perhaps some give-and-take and agreement on what these authorities should be striving for in our communities?

Hon. G. Hogg: Through legislation, through regulation, through policy, and there are a number of standards in existence today around the issues of child protection. Those standards are ingrained within an audit process, which is internally carried out by the ministry today. The ministry, through our audit division, audits the service delivery performance of each one of our offices around the province.

Those standards will be standards we will set provincially, and we'll expect the interim authorities and eventually the permanent authorities to be able to meet those degrees and those standards of care. Those will exist within aboriginal services and child welfare, as well as some standards in the non-statutory areas such as community living, where there are still policies and practices that are reflective of standards. Those standards will become part of the practice standards that will exist.

[J. Weisbeck in the chair.]

There are also, as I mentioned earlier, the processes of accreditation. There are international standards that apply to service delivery as well, and those international standards will be incorporated into the planning and certainly into the accountability frameworks that we designate to each of these authorities.

T. Christensen: Thank you to the minister for shedding some light on that.

In addition to the standards that may arise from the audit process that currently goes on, or from accreditation, which I understand a number of organizations are going through at the moment, is there opportunity within the establishment of standards to differentiate between different parts of the province, between aboriginal authorities and non-aboriginal regional authorities or between one aboriginal authority and another?

It seems to me that part of the advantage of and the reason for moving toward aboriginal authorities is a recognition that, quite frankly, governments have failed miserably in dealing with aboriginal children in particular, in trying to ensure that those children have the opportunities and the type of safe upbringing that we would like them to have.

The advantage here of bringing aboriginal authorities into the picture is that hopefully, by having aboriginal authorities, we can better meet the specific

needs of aboriginal children and, in doing so, involve aboriginal communities. In doing that, does the minister contemplate having some flexibility in the standards we want aboriginal authorities to meet? This is not in the sense that we may require a lesser standard but that we may have different requirements that will reflect the particular needs of those communities and different approaches to the particular problems.

[1705]

Hon. G. Hogg: The current delegation process we follow through for aboriginal communities is sort of that you have to meet this standard and this test prior to the delegation taking place. In our discussions with the aboriginal communities, it's very clear they do not want to have lesser standards, but they do want to have culturally appropriate standards. We have to ensure that as they come back with those, as we develop those models, there is a culturally appropriate response that gives them the flexibility to meet the types of needs which exist out of their culture, out of their geographic area and out of their heritage.

Those are tests that will be applied as we enter into that relationship. It won't be a meet-or-beat test that exists there, but a much more flexible cultural test that reflects the same standards being reflected but with sensitivity to the cultural needs of the various areas of the province.

T. Christensen: I certainly didn't want to suggest in any way that it should be a lesser standard, but I'm happy the minister has answered the concern that things can be culturally sensitive and that we can in fact, I expect, learn a great deal from some of the approaches the aboriginal authorities may bring to some of these issues.

I thank the minister for his response, and actually, I don't have anything further on section 8.

Hon. G. Hogg: Just in response to the comment, if I may. I think there's a great deal all of us can learn from the aboriginal approaches to dealing with issues. The use of extended families and the use of kin care, which have been used in other jurisdictions in other parts of the world, have been virtually unused in this province. We are hopeful, with the legislation we passed this past spring, that we are able to move more into that. I think if we're able to combine some of the more empiricist responses we've traditionally had to child protection with some of the blended, extended family utilizations which the aboriginal community has.... If we're able to blend those, I think we'll come up with one of the very best models that is possible for child protection, and we do have a great deal to learn from the aboriginal communities as it applies to these processes for child protection.

J. Kwan: Under the "Directions of minister" section, which talks about requests, directions and specifications of the minister which the interim authority must carry out, could the minister please advise or give

some examples of what those requests, directions or specifications may include? I'm trying to get a better sense, in terms of this comanagement model. So far it seems the minister is more prepared to actually take a hands-off approach rather than a hands-on approach and really let the community come to the fore and establish a model that would be most appropriate in dealing with the issues. I think the last answer is a particularly important one in recognizing the aboriginal community and some of the strengths they do actually offer and to utilize that to its fullest extent.

So I'm hoping the answer from the minister would be that, yes indeed, it would be much more of a hands-off approach and for the community to really take the lead on this front.

Hon. G. Hogg: I am certainly in agreement with the process that's been put forward, that we have to take a lead from the aboriginal community within the context of the legislation and the authorities granted to me. That's exactly the discussion I had with the aboriginal leaders this morning. They are wanting to take up the cudgel, move forward with that and make it happen for their communities. We know from all the research and practice that as a result of that, we will have a better system for aboriginal children in this province.

J. Kwan: What would some of the requests, directions and specifications include? Would it be more on general terms? What are some examples?

Hon. G. Hogg: Well, it may include looking at the evolution and development of budget, but certainly it will include wanting to move to a community-based service delivery model. I'm giving them direction to develop a service delivery model which is responsive to and receptive to the needs of the community. It may be one of saying, "I want you to be innovative in the ways you look at that," ensuring that there's equity and accountability across this process.

Those principles would be the issues of direction, putting forward a set of principles. So if information comes back with respect to the plans that doesn't meet those tests of the principles of equity and accountability and community-based service delivery, then I would be giving direction to them to go back to look at their plan and make sure it does reflect those principles.

[1710]

J. Kwan: The meeting with the aboriginal community leaders, as an example, that the minister referenced just a little bit earlier — would the minutes of those meetings be made public? I think the minister said earlier that the interim authorities' meetings and minutes will also be posted on the website so it will be public for British Columbians to observe and to review and so on. I would anticipate, then, that is also the case. What about the requests, directions and specifications that come from the minister? Would that information

be made public for British Columbians to observe, as well, when the minister puts forward such directives?

Hon. G. Hogg: Certainly, I probably would, if any of those directions come as a result of the meetings we're holding and would therefore be reflected in the minutes. The committee agreed this morning that they're prepared to have their minutes posted on the Web, so it's not just the meeting they have with me. Each of the regional authorities would have their minutes posted on the website, as well, with connections to all of the other minutes of the other committees that are working on it so they can be conversant with and aware of all the strategies taking place at any given point in time.

The flow of information will be out there, and we want it to be an open and transparent process which people are able to challenge and look at, as we go forward. We will be posting them and making them available. I guess the caveat on that is that they want to have, when the minutes are written.... Then at the next meeting, in the traditional Robert's rules of order, they'll say, "Yes, that does reflect the minutes; therefore, the minutes can be approved and now they can be posted" — either that, or they would be posted earlier as draft minutes.

J. Kwan: I'm sorry, I think the minister might have answered the question, but I might have missed it. Did the minister say that his directives and his directions and specifications would also be made public?

Hon. G. Hogg: Certainly the performance agreements will be made public and will be part of that process. I suspect that any directions that might come forward would be directions which I would provide to one of the meetings we're at. I guess it is possible that I could send a letter to them which would be received by that group and then be made public through that minuting process as well. I don't anticipate it, unless I'm dealing with an issue which may deal with personnel or child protection or one of those issues where, of course, there are caveats on the availability of making that information public. Beyond those things, which would normally be under the personnel and child protection issues, then there are other issues we would be happy to make public.

J. Kwan: That would also include meetings, perhaps, with the minister and just a chair, as an example. Earlier on, the minister had actually said that he doesn't anticipate he'll be going to the meetings regularly, but rather perhaps he'll have meetings with the chair and so on. If during those meetings directives are given and so on, would that information also be made public?

Hon. G. Hogg: Certainly, if minutes are kept at those meetings. I've had a number of meetings we have not kept minutes at. We've just been working at processes and working forward. If there are minutes kept at those

meetings and that's part of the official record, then that will be posted with the other minutes of meetings.

J. Kwan: The issue is not just about minutes and making them available. What I'm trying to get at under this section, of course, is that the directions the government will be giving through the minister.... So it could be that those directions could be given in different circumstances, whether or not it is at an interim authority meeting or with just the chair. I don't know what the practice is. If a meeting is being held between the chair and the minister, are minutes being kept? If minutes are not kept, it doesn't mean a direction was not given.

What I really want to get at is just a straightforward sort of approach to it. That is, whenever the minister gives directives or makes requests or specifications under this act to the interim authority, to the chair of the authority or to staff, who will then in turn delegate and pass on that information to the interim authority, that would actually be made public, barring the exemptions that the minister had mentioned around human resources issues and around child protection issues.

[1715]

Hon. G. Hogg: The performance agreements, as I mentioned, will be made public as part of that process. Any amendments which are given to that as a result of focus or direction, I'm happy to make public as well. If the member is asking whether I will remember to post that on the website every time I have to meet with them or I send something to them, I guess I can ask staff to ensure that is done as well. But I don't know whether that becomes minutiae and becomes problematic and confusing in the process.

Our intent is to be open. The framework that is being done will be done through the accountability framework. That will be giving the direction, and that will be the direction I will provide for them and that is intended broadly under this section. I will be providing them with that accountability, direction and the agreements that come out of that. If there are modifications to that, they will certainly be posted as well.

I'm trying to find the process by which we would achieve what the member is saying. The intent is to make everything public. We're not hiding anything in this process. If every piece of communication I send is to be posted on the website, perhaps that's a way of doing it, but I also need to talk to the aboriginal leaders about that and the processes, because they'll also be making requests of me that will go back and forth. They have some issues around that as well. As long as there's agreement with them, then I'm happy to do that.

Section 8 approved.

On section 9.

T. Christensen: I'm somewhat struck by the title of section 9, which is "Duties of Interim Authorities." It seems to me that one of the duties of an interim author-

ity or these eventual new authorities — as well as the duty of the minister and, really, all of us — is to try to make a difference in the lives of children and families, to try to ensure that the actions we take in this House and the changes we may make are going to make a positive difference to children and families, and to ensure that the children who need protection are going to get that protection. Perhaps the minister can comment briefly, really, on how this move to interim authorities, and the process that this really starts, will make a difference in the lives of children and their families.

Hon. G. Hogg: As I said earlier, we have today the largest child welfare system in Canada within the context of this ministry. When large bureaucracies such as ours have problems and things go wrong, we tend to have an inquiry or appoint a new officer of the Legislature, a minister, a family and child advocate, a children's commissioner or various other people to look at and to manage things. I looked at one issue with respect to a child who died, and there were 11 central agencies that reviewed the work the social worker had done and made conflicting recommendations with respect to what should have been done.

All of this work being done and these machinations around how we can make the system better were really about making policy and bureaucracy better. They didn't reflect on the needs and services as they happened where the social worker or service provider was meeting the children.

All of those changes that take place haven't really had a dramatic impact on the worker except to continue to put more pressures on them around their time to the point where we're looking at 60 and 70 percent of their time in front of a computer rather than out being involved in social development or involved in working with families in an effort to try to guide, support and assist them in making life better for them.

The intent is to turn this system upside down so that we can move it so children, families, communities and service providers can be responsive to the needs of the families and their communities rather than to the needs of the structure that exists outside of that, rather than to the needs of a bureaucracy that is served in Victoria.

The intent is, the purpose is and the direction is the ability to coordinate, to pull services together in a coordinated way that can only happen at the community level with a belief that the principle that decisions made closer to the service provisions and closer to the issues of concern will be better decisions, because they will be decisions that are responsive to the needs of that child or that family or that community, not to the needs of the broad-based bureaucracy and the structure that happens there.

As decisions and funding move there, they'll be more reactive. We allow social workers today, in a free and democratic society, to apprehend children, to go into a family and take a child. That is a tremendous power which is granted to those people; yet we don't have a system that allows them to spend \$25 to assist

and support them. If those decisions are made closer to the communities, then they can make more responsive and better decisions around that.

Through the course of this process, as the interim legislation contemplates moving to a permanent legislation, eventually service delivery will be part of this system. This is to set up a plan that moves the service delivery to be responsive to the local nuances and needs of communities and families as opposed to the structure that exists today, which is largely a bureaucratic one to respond to the large structure and needs. It's one that will move us to be able to respond to not just the physical needs but the physical, social, emotional, spiritual and psychological needs of a child, which is much broader than our tight framework currently works at.

[1720]

We want to have a much more flexible, responsive ability to deal with the needs of children and families in communities, and this structure, I believe, is the first step to doing this. I don't think we can do that — I'm convinced we can't do that — with the large bureaucratic structure we have in existence today. I don't think we can do a better job without an organizational shift, and an organizational shift which puts the emphasis on service delivery, on children, on families and on the most vulnerable in this province where it should be: within the context of their communities.

T. Christensen: Thank you to the minister for his response and for providing some of the general information around the direction we're going. I certainly know, within my own community, that in speaking with contracted service providers, they're certainly excited about the opportunity this may present. In some cases they're a little apprehensive about some of the details, but I think that's only natural. The communities within my riding are certainly fortunate to have a number of very strong service providers that have been providing great service to the community for a long period of time and will continue to do so.

In section 9 it indicates that if requested by the minister, an interim authority must consult with persons and organizations, including aboriginal persons and organizations, that the minister specifies respecting issues and matters specified by the minister. Can the minister perhaps give some indication of any direction he contemplates giving in terms of that consultation process?

Hon. G. Hogg: Firstly, the MOU which the Premier and I and the Minister of Community, Aboriginal and Women's Services recently signed with the aboriginal leaders and the service providers.... In that MOU we made a commitment to seeking advice and input with respect to matters that apply to aboriginal communities. Certainly, if one of the other authorities was not doing that, I would be directing them, consistent with the agreement we have with the aboriginal groups through the MOU, to provide that type of consultation.

As an example, perhaps the community living sector may not have been attuned or sensitized to the needs of something occurring in the aboriginal community, so I would give the direction: "Prior to making decisions on this, I want you to go back and consult with perhaps the aboriginal community generally or maybe a structure within that." It also allows me to ensure that non-aboriginal authorities also do consultation in ways that they may have to consult with outside organizations. I may direct them to consult with the Canadian Association for Community Living in the community living sector or the Council on Accreditation for some issues. It's just ensuring that there is sensitivity to the broad-based approach and spectrum of services which we've said we want to enter into to make sure that they are touching on those bases.

I have confidence that the authorities and the people who have been working on it to this point in time are well aware of that, but this is just a safeguard to ensure that if one of those steps is missed as we start to do our due diligence, we can go back to them and say: "Here's another segment or section of the community which we feel it's important for you to consult with."

[1725]

T. Christensen: Does the minister contemplate essentially giving direction, if necessary, to an aboriginal authority to undertake broad consultation within its own aboriginal community? The reason I ask is that sometimes.... I quite frankly don't profess to have much knowledge of issues of aboriginal governance as they currently stand, but one of the concerns that we read about or hear about from time to time is that leadership within a particular aboriginal community may not be consulting with members of its community or perhaps one particular part of the community, whether that be women, people who are working with youth or otherwise. Does this section allow the minister to ensure that in looking forward, aboriginal authorities are themselves ensuring that they're consulting broadly with their own communities?

Hon. G. Hogg: Well, certainly, we'll be looking to the Aboriginal Affairs Committee to be providing us with advice with respect to that. Certainly, some of the concerns the member puts forward are not particular to aboriginal communities. They go across all the communities. They go across this Legislature and into municipal governments as well...

Interjection.

Hon. G. Hogg: ...with the exception of Richmond, of course, I'm advised. They're a part of federal issues. They're a part of the political issues that take place within the context of all communities. Clearly, the principle and intent is that we have a broad-based input that is representative.

We talked earlier about that principle of representation. Certainly, if people came to me and said that in the child welfare segment, there was one section of

some part of the province that felt they were being marginalized or left out of the consultation process, I would see myself taking that to the authority in that area and saying, "Here's an issue for you to respond to," but not giving direction other than that principle and being able to justify that principle. I think that's part of the accountability process. We've established a principle, and we've delegated some authority and responsibility for the planning with respect to that. Part of the accountability is being able to answer to your constituents, just as part of the accountability process for those of us in this House is being able to answer to our constituents in a reasoned fashion. The direction wouldn't be to say, "Go out and do this," but the direction would be based on that principle.

T. Christensen: The whole issue of consultation sort of brings up a further concern that stems from the creation of a number of authorities and in particular the creation of aboriginal authorities beyond simply regional authorities. That is that between regional authorities, we have essentially geographic boundaries that may define what area that authority is responsible for. When we add aboriginal authorities to the mix, which I agree we should, you have an issue of there may be some protection concerns about a particular child. Where are the boundaries as to which authority deals with that? If there's some question as to whether the child is of aboriginal ancestry, what then happens? Or would the aboriginal authorities be intended only to deal with children that are on reserve? Perhaps the minister can provide some light on how those divisions of responsibility may play out.

Hon. G. Hogg: Certainly, the issues the member refers to are issues which are evident today. Even before going to this governance model, there are regions that exist within the province, and there are issues of aboriginal ancestry. In all of those issues, there are processes in place to deal with all of those. Certainly 9(1)(c) here refers to the ability to look at that and refers to ensuring that there is consultation if one of the regions has a child who moves to another region. Children are extremely mobile — particularly adolescents will be — all over the province, and we have to have strategies to ensure that there is consistency of service as they move to different regions of the province — and abilities to manage that.

Those are all issues the ministry has been dealing with for at least 25 years and probably 50 years and has procedures and practices in place to manage. Those are procedures and practices that will be made available to the authorities to ensure we have those effective transitions. There will be protocols developed between the authorities to ensure that the flow of information is there and available and reflective of the current practices that allow us to deal with those issues.

J. Kwan: Section 9 states that if requested by the minister, an interim authority must.... Then there's a list of things the authority must do. Inclusive in it is for

the interim authority to develop an annual budget, a business plan and so on. I have a couple of questions. One, I would assume that even if recommendations or suggestions come forward from the authority but are not requested by the minister, those recommendations would be welcomed.

[1730]

Second to that, given that the budget and the business plan are things that the minister expects to be in place, why is it that in the act it says that it would only be provided if the minister requested it? Why not simply state that the interim authority must develop an annual budget along with a business plan?

Hon. G. Hogg: I'm informed that it is a reflection of how polite the minister is and that it is wording that allows the request to go forward in non-directive terms. The intent is to ask for exactly that. It will be asked for, and it will be required. The wording could be reflected saying that, but in subsection (b) it also gives the ability to more broadly request other types of reports.

J. Kwan: That may be the minister of the day to whom that politeness applies. One of course worries that when the minister is not sitting in that chair.... Well, some days I suppose I don't worry about it that much.

As an example, it could be another member from the government side who may be in that seat, and then in that case a business plan and a budget would be required to be produced. I just wanted to flag that. It's kind of odd, if the anticipation is for that information to be public all the time and expected to be so. Under this clause, it appears that the information would only be available if the minister requests it.

On the other question, I think the assumption is that if recommendations come forward not at the minister's request, that information would also be welcomed. Am I right to make that assumption?

Hon. G. Hogg: Yes. This is a partnership, and that information would be welcomed.

Section 9 approved.

On section 10.

J. Kwan: Under the definition of donations, an interim authority can accept land, as one example. Would this have to be approved by the minister under this section on powers of interim authorities?

Hon. G. Hogg: Yes. It would require prior approval of the minister. If it is the issue of land, that would probably fall under donations in section 12.

Section 10 approved.

On section 11.

J. Kwan: Under section 11 it states that an interim authority may engage independent contractors, special-

ists and consultants. Will these contracts be put through a public tendering process from the minister's expectation? Would the minister expect the interim authority to follow the same guidelines that apply to government in terms of contracting practices?

Hon. G. Hogg: The Financial Administration Act will apply, and the tendering processes contained within that will be applicable.

J. Kwan: Have any independent contractors, specialists or consultants been hired by the transition steering committee?

[1735]

Hon. G. Hogg: That does not fall under this legislation, because we don't have them in place. There have been consultants that some of the planning committees have used to get us to this point in time. But that certainly doesn't fall under the auspices of this act or the intent of this act. That is part of the planning process that has led us to this point in time, and I know that some of the planning committees received external funding from the Vancouver Foundation. The Vancouver city savings foundation gave substantial amounts of money to some of the planning committees, and they have used consultants through those processes.

J. Kwan: Did the contracting of those specialists or consultants by the steering committee go through the processes established by the government? Were these contracts put through a tendering process?

Hon. G. Hogg: Again, that doesn't fall under this act, and I don't know the answer to the question.

J. Kwan: It is relevant insofar as the spirit of the act. Part of the interim authority that is now being established under this act and that has brought us to the debate to here is, of course, the work of the transition steering committee. If the spirit of the act and the interim authority is to be open, transparent and to follow the guidelines as the minister advised under the tendering process, then one would assume the transition steering committee would have done the same as well. If the minister doesn't have this information, could the minister provide that information to the opposition at a later date so we can look at that information to see who has been contracted and what process has been followed?

Hon. G. Hogg: Certainly this is an issue for estimates, and it's part of last year's budget. I'm not sure, as I said earlier, that we even have the information with respect to it, because in some cases it was the B.C. Association for Community Living that was doing this work. The member may have to contact them with respect to the information they have and the processes they followed or the amounts that were dealt with in that.

I will ask our staff to look at what numbers we have in terms of that process and provide that to you, but again, I don't think that falls under the issue that is contained here. This is talking about a piece of legislation that we want to put in place to deal with procedures as we move forward today. The member is referring to a number of practices that were carried out under the auspices of last year's budget or the year that we're currently in, in a debate that took place some time ago with respect to those and the planning that came out of them.

J. Kwan: I appreciate the offer from the minister to provide what information the minister has from his office on the issue of public tendering processes by the transition steering committee. I would anticipate that much of that work was in fact done with the understanding at least, if nothing else, of the minister given that the transition steering committee reports to the minister. I would be very surprised if that information cannot be obtained by the minister. I would appreciate the minister's effort to provide this information.

As I've mentioned, while it's not specifically part of this act, it's all related. It's all relevant. The transition steering committee actually set up and gave advice to the minister to the point where we're now debating this act. It's all relative, really. If the intent is, of course, for the government and the minister to remain open and transparent, then one would anticipate that that information can be and would be forthcoming. Thank you to the minister for offering to provide that information to the opposition.

[1740]

Now, on the question around staffing levels, I asked the minister this question earlier, and the minister suggested that we canvass the questions around staffing for the interim authority under this section of the act. Could the minister please advise, then, how many staff the minister anticipates the interim authority would have?

Hon. G. Hogg: I don't know the answer to that. That is because each interim authority — and we've talked about the 11, potentially, that will be in existence — will be making some decisions with respect to that. We've talked about the envelope of funding that is available to start working with that broadly. They will be looking at that, and they will be making decisions with respect to the tasks they have, the staff they'll need to achieve that and the staff they'll be able to bring in, again, by way of contract. This legislation does not allow them to hire staff. It allows them only to bring in consultants, contract people and secondments. There are not going to be direct employees as a result of this.

J. Kwan: No, I'm sorry. I didn't get it earlier on that under the interim authority, the people hired to do this work cannot be permanent staff. They can be contracted staff, consultants or secondments from the gov-

ernment, and that's the extent to which they are able to have staffing in the interim authority.

Hon. G. Hogg: Yes.

J. Kwan: Does the minister know how many staff will be seconded from this ministry for the purposes of the interim authority? Does he anticipate that other ministries' staff would also be seconded to the interim authority for their work?

Hon. G. Hogg: I don't know the answer to the numbers. Certainly, as an example, in the meeting I was in this morning with the aboriginal leaders and service providers, they were very much talking about what those numbers are. They don't have answers for that yet. It's very much a work in progress and a very organic progress that's in place to try to get the answers to those questions. If there are some individuals in other ministries that have the skill sets they would like to second and if an arrangement can be made with the other ministries, that may well be a possibility as well.

Section 11 approved.

On section 12.

T. Christensen: Perhaps the minister can give me a general idea as to what the purpose is of this section. Why is it here?

Hon. G. Hogg: I guess this section is here, initially, as a result of discussions I was having with the community living sector, who were saying to me that they have a number of other sources of funding they would like to be able to bring in to ensure that the quality of care increases. They talked about parents who were wanting to make donations of perhaps land or buildings as a bequest in a will as a part of the process. This allows the interim authorities to go out and try to seek and to support those in ways they see as being effective in responding to the overall improvement or increasing the quality of services that might exist there.

The reason for this is exactly that. It's in response to people in the community coming forward and saying: "We would like to have a section such as this included as we start to develop our regional authority." An authority for the Okanagan in community living or in other sections of it will certainly have the willingness and now the ability to accept donations. There are people out there who have asked that this be in place, because they have an interest in making donations to a regional or community-based authority.

T. Christensen: Is the intent that any funds that were donated either to what's referred to as an operations account or a donations account would remain under the sole control of the interim authority and then eventually, if transferred to the new authority, would remain under the control of that authority?

Hon. G. Hogg: Yes.

[1745]

T. Christensen: Just to add perhaps one more element of clarity to that, I'm assuming there's no mechanism by which money, land or something else that an individual decided to donate for the benefit of their community to this interim authority or new authority would somehow end up back in the hands of government.

Hon. G. Hogg: No.

T. Christensen: That makes me much happier. Finally, in terms of this whole concept of donations as well, is it the intent of this section that the person who was making the donation can dictate that the money — money or land or whatever it was — can only be used for community services as opposed to administrative services? I know it's often a concern of individuals making donations to any organization that it doesn't get eaten up in what we consider to be sort of the day-to-day administration. They'd rather that the fund actually go to a direct service to the folks who are supposed to benefit.

Hon. G. Hogg: Subsection (7)(b), I think, covers the member's concern, where it says the donation transferred to an authority under subsection (6)(b) remains subject to "(b) the conditions imposed by a donor on the donation to the interim authority." The protection is vested in that section.

J. Kwan: A few questions to add to this section. Will the minister guarantee that the core funding for the interim authority would be stable — in other words, donations would not be expected to replace core funding?

Hon. G. Hogg: If I can take some editorial licence in trying to interpret the question — because we've been having some debate here with respect to the intent of the question or the specifics of it — the process for providing a budget to an interim authority and, indeed, eventually to a permanent authority will be through the same budgetary processes that we go through today. It will be subject to debate in the House with respect to the overall budget and to the estimates debate. The authorities will be given an amount of money within that framework, and there will be some debate and discussion around what that amount is.

The intent is not that that level would be reduced because of donations being received. There's a recognition that the state has a responsibility to provide a level of funding across the province. That level will be dictated by the budgets which were allocated. There is no intent or expectation that if, for instance, somebody in the community living sector were to give a \$10 million bequest to be provided for one particular region of the province, all of a sudden that region now won't receive any funding — if that was the intent of the question.

Certainly, I know that when I sat on a hospital board and community health councils and regional boards, I had the same type of concerns. Perhaps if we went out and fundraised as a regional authority, did that all of a sudden mean the state was going to reduce the level of funding that we would be provided with? That is not the intent. The intent is that that would be separate from and above the level of funding which is available through the state.

J. Kwan: That's one aspect of the intent of the question. The other aspect, of course, is: is there any anticipation from the government or from the minister, because this provision is now here, to say that donations are one component of the work of the interim authority?

[1750]

Is the intent only just to say that if someone came forward and donated moneys to the interim authority and then subsequently the permanent authority, you would be able to accept it, and that's the intent behind this section of the act?

Or is it more than that? That is to say, as we know, government funding is going to be reduced. We know that for next year's budget there is a 23 percent reduction already, as we speak. In light of that, what I'm worried about is that under these donation provisions, as cabinet and Treasury Board and others sit together to talk about what the funding should be for the particular ministry and therefore the authority that would be set up after this act passes.... Part of the consideration for cabinet and Treasury Board would be to say, "Okay, well, we now know, from last year, that they are able to fundraise at least this amount; therefore we're going to reduce the budget accordingly," perhaps not to the extent of the \$10 million the minister talks about — maybe \$1 million, \$2 million, \$3 million or whatever the case may be. That's what I'm talking about.

Then there'll be an erosion over time of the base or core funding for the authority to do its work. This is just simply opening up the door and allowing for it. Is it then the anticipation of government that this will actually supplement core funding for the authority? Ultimately it will be the permanent authority, really, who will deliver the services.

Hon. G. Hogg: I think it's possible to ascribe negative motives to this, but virtually all organizations across Canada and agencies that provide children's aid do have the ability to fundraise and to go out and do that. This provides for that authority. I've sat on many a non-profit society that has provided a number of services, and we fundraise every year to enhance the services we provide.

If I could, I refer the member to subsection (1) of section 12, which reads, "An interim authority may solicit and accept donations from any person or source for the use of the interim authority," and (2), which says: "In addition to soliciting and accepting donations under subsection (1), an interim authority, with the

minister's prior approval, may solicit and accept donations for purposes related to the provision of community services or administrative services by or on behalf of a new authority."

I can point to last year, where there have been substantial contributions made to the processes we're involved in by community organizations. They have augmented the ability of the ministry to enter into planning processes. I refer specifically to the Vancouver Foundation and the Vancouver city savings foundation, who both made significant contributions to the planning processes that allowed us to enhance and ensure that the provisions we're coming forward with today are much more responsive than they might otherwise have been if that money had not been made available.

It does provide for and allow for some of those funds if an authority raises funds to be able to enhance the services, to be able to do things. I think if an authority in the Okanagan or the north is out doing fundraising and receiving bequests so they can improve the quality of the services they provide, they will have the authority and the ability to in fact do that.

J. Kwan: I appreciate that — for the minister to say that non-profits and others actually have the authority to fundraise. In fact, many of them do. The organizations I worked with prior to getting elected were such organizations that actively went out and sought donations. There's no doubt about it, and I'm not disputing that point.

What I'm worried about is this. We're seeing it right now, actually, within government, where this is actually taking place. Take the women's centres as an example. They were actually told by the Minister of State for Women's Equality that their funding was going to be cut, and by the by, not only that but: "Go out and seek alternative funding." In fact, the government went so far as to give a small grant — \$1,000, \$1,500, \$1,200 or whatever; I don't know — to the different women's centre organizations to ask them to look for alternative modes of funding.

[1755]

This is what I'm concerned about. Would this donation section ultimately then replace or seep into government's core funding services in this area? That's where I think it crosses the line, if this actually allows for that, if there's some intention behind that to utilize this donations section for that purpose.

I'm not disputing or saying that enhancement and supplementing of programs by donations should not be sought. Where it crosses the line is to say: "You know what? Government doesn't have the money. We're now cutting the budgets even further. If you want to provide these core services, then it's your responsibility. You've got to go find the funding for it via donation, under this provision."

This is what I'm concerned about. That's why I raise these issues. Would the minister be requiring the authorities — I suppose in this case interim authorities,

but down the road permanent authorities — to seek donations?

Hon. G. Hogg: No. In this legislation we're not requiring any solicitation.

J. Kwan: Then I just simply raise that issue. I hope the minister's answer meant that core funding would not be expected to be replaced by donations and that government will not take advantage of this provision and therefore off-load responsibilities onto the authorities for them to fund through donations, as opposed to government core funding. There's a big difference in funding and donations that come in that supplement programs, versus core funding that would not be there in terms of its base and its foundation. In my view, that is the responsibility of government, and it must be there. This must not detract from that responsibility.

Hon. G. Hogg: While it may be detracting a little bit from the focus of this debate, I also want to make it perfectly clear that we do have a service plan, and that service plan shows us having a 23 percent reduction over the course of getting to the year '04-05. This in no way detracts from the intent, direction and focus that we have, which we have been given and have published in that service plan. We clearly must do that, and the services we will provide will continue to be commensurate with the resources we have to do that over that period of time.

Section 12 approved.

On section 13.

J. Kwan: I just have one quick question on section 13. Will the financial reports and audited statements be shared with this House and the public?

Hon. G. Hogg: Yes, they will.

Sections 13 to 16 inclusive approved.

Title approved.

Hon. G. Hogg: I move that the committee rise and report completion of Bill 65 without amendment.

Motion approved.

The committee rose at 5:58 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

Bill 65, Community Services Interim Authorities Act, reported complete without amendment, read a third time and passed.

Hon. G. Plant moved adjournment of the House.

Motion approved.

The House adjourned at 5:59 p.m.