



4th Session, 37th Parliament

OFFICIAL REPORT OF

DEBATES OF THE
LEGISLATIVE ASSEMBLY

(HANSARD)

Thursday, November 6, 2003

Afternoon Sitting

Volume 18, Number 5

THE HONOURABLE CLAUDE RICHMOND, SPEAKER

ISSN 0709-1281

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

LIEUTENANT-GOVERNOR
Honourable Iona Campagnolo

4TH SESSION, 37TH PARLIAMENT

SPEAKER OF THE LEGISLATIVE ASSEMBLY
Honourable Claude Richmond

EXECUTIVE COUNCIL

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

LEGISLATIVE ASSEMBLY

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

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

www.leg.bc.ca

Hansard Services publishes transcripts both in print and on the Internet. Chamber debates are broadcast on television and webcast on the Internet.

ALPHABETICAL LIST OF MEMBERS

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

LIST OF MEMBERS BY RIDING

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

CONTENTS

Thursday, November 6, 2003
Afternoon Sitting

Routine Proceedings

| | Page |
|--|-------------|
| Introductions by Members | 7873 |
| Introduction and First Reading of Bills..... | 7873 |
| Canadian Pentecostal Seminary Act (Bill Pr410) B. Penner | |
| Richrock Mines Ltd. (N.P.L.) (Corporate Restoration) Act, 2003 (Bill Pr411) J. Bray | |
| Statements (Standing Order 25B) | 7873 |
| Down syndrome E. Brenzinger | |
| Kermode bear R. Harris | |
| Remembrance Day T. Christensen | |
| Oral Questions..... | 7874 |
| Referral of queries on income assistance time limits J. MacPhail Hon. M. Coell | |
| Income assistance regulations and access to benefits J. Kwan Hon. M. Coell | |
| Closing of St. Mary's Hospital P. Nettleton Hon. C. Hansen | |
| Food choices in schools R. Stewart Hon. C. Clark | |
| Access to long-term care for new residents of B.C. V. Anderson Hon. K. Whittred | |
| Promotion of B.C. business D. Hayer Hon. R. Thorpe | |
| Ministerial Statements..... | 7877 |
| Violence in schools Hon. C. Clark J. Kwan | |
| Second Reading of Bills..... | 7879 |
| Western Pentecostal Bible College Amendment Act, 2003 (Bill Pr409) B. Penner | |
| Committee of the Whole House..... | 7879 |
| Western Pentecostal Bible College Amendment Act, 2003 (Bill Pr409) | |
| Report and Third Reading of Bills | 7880 |
| Western Pentecostal Bible College Amendment Act, 2003 (Bill Pr409) | |

| | |
|---|------|
| Committee of the Whole House..... | 7880 |
| Flood Hazard Statutes Amendment Act, 2003 (Bill 56) | |
| B. Penner | |
| Hon. J. Murray | |
| J. MacPhail | |
| R. Hawes | |
| J. Les | |
| Reporting of Bills | 7886 |
| Flood Hazard Statutes Amendment Act, 2003 (Bill 56) | |
| Third Reading of Bills..... | 7886 |
| Flood Hazard Statutes Amendment Act, 2003 (Bill 56) | |
| Second Reading of Bills..... | 7886 |
| Significant Projects Streamlining Act (Bill 75) | |
| Hon. K. Falcon | |
| J. MacPhail | |
| R. Sultan | |
| J. Les | |
| D. MacKay | |

THURSDAY, NOVEMBER 6, 2003

The House met at 2:03 p.m.

Mr. Speaker: Good afternoon, hon. members. Next week, at the eleventh hour of the eleventh day of the eleventh month, Canadians pause to remember those who gave their lives for our country. As the House isn't sitting next week, I would ask all members to stand and observe a moment's silence in their honour.

[1405]

Thank you, hon. members. Please be seated.

Introductions by Members

Hon. G. Halsey-Brandt: Today in the members' gallery I would like to acknowledge three special visitors from New Zealand. Please join me in welcoming His Excellency Graham Kelly and Mrs. Kelly. His Excellency is the newly appointed High Commissioner of New Zealand to Canada, and this is their first visit to British Columbia to discover the many opportunities of our bountiful province.

Also, please welcome Ms. Anne Chappaz, who is the newly appointed consul general of New Zealand to British Columbia, located in Vancouver. We hope Consul General Chappaz enjoys her posting in Vancouver and also avails herself of the splendour of this province. Would the House please make them welcome.

R. Masi: It's my very great pleasure today to introduce 40 fine young representatives from North Delta Senior Secondary, home of the Huskies. Would the House please make them all welcome.

S. Orr: In the gallery today we have a young man who has been my legislative assistant for almost the past year. He is moving on to greener and more exciting and wonderful pastures that only his age can enjoy, so I would like this House to make him feel very welcome and wish him well on his way.

Interjections.

Mr. Speaker: The member for Victoria-Hillside seeks the floor again.

S. Orr: And this gentleman's name is Ivan Watson. There you are.

Mr. Speaker: Hon. members, in the gallery today we have two representatives from the Captioning Group, the company that works with Hansard to provide the excellent closed captioning that we see on our television broadcasts and webcasts: the company's president, Tammy Stretch, and its business development director, Kurt Richter. Would the House please make them welcome.

Introduction and First Reading of Bills

CANADIAN PENTECOSTAL SEMINARY ACT

B. Penner presented a bill intituled Canadian Pentecostal Seminary Act.

B. Penner: I move that a bill entitled Canadian Pentecostal Seminary Act, of which notice has been given on the order paper, be introduced and now read a first time.

Motion approved.

B. Penner: I move that the bill be referred to the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills.

Bill Pr410 introduced, read a first time and referred to the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills.

RICHROCK MINES LTD. (N.P.L.) (CORPORATE RESTORATION) ACT, 2003

J. Bray presented a bill intituled Richrock Mines Ltd. (N.P.L.) (Corporate Restoration) Act, 2003.

J. Bray: I move that the bill, of which notice has been given on the order paper, be introduced and now read a first time.

Motion approved.

J. Bray: The bill will place Richrock Mines back on the corporate registry.

I move that the bill be referred to the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills.

Bill Pr411 introduced, read a first time and referred to the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills.

Statements (Standing Order 25B)

DOWN SYNDROME

E. Brenzinger: I'm pleased to rise in the House today to speak about National Down Syndrome Awareness Week. There are three different types of Down syndrome, and most cases are not inherited. In fact, about 95 percent of all cases are not passed on genetically from parents.

Down syndrome is caused when a baby is born with three copies of a specific chromosome instead of two. It is important to understand that all of the chromosomes of this person are normal, but the fact that a person has an extra chromosome is what causes Down syndrome. The extra chromosome comes through a faulty cell division process. Every cell in a person with Down syndrome will contain 47 chromosomes instead of 46.

A host of complicating medical factors can aggravate life expectancy for people with Down syndrome.

Down syndrome children are at an increased risk for a wide range of medical problems that could potentially include congenital heart defects, increased susceptibility to infection, respiratory problems, gastrointestinal disorders and childhood leukemia.

[1410]

Some studies have shown that as many as 60 per cent of Down syndrome children will experience some form of hearing loss, and that will affect speech development. With early detection, children with Down syndrome should be able to hear and speak normally. Fortunately, not every baby with Down syndrome develops health problems, and most of these health problems are now treatable.

It is very important to note that those afflicted with Down syndrome are active, contributing members of all our communities. Anyone who has experienced prolonged interaction with Down syndrome-afflicted people will tell you that they bring a positive, loving interpretation of life to those of us clouded by the travails of daily living. During this week we have an opportunity to highlight the unique abilities, strengths and contributions of Canadians living with Down syndrome.

KERMODE BEAR

R. Harris: This past September, at the UBCM, I hope most of the members took the opportunity to spend some time at the trade show. It is there that you would have had a glimpse, some of you for the first time, of a unique feature of British Columbia — that is, what we in the northwest call Moksgm'ol or, by another name, the Kermode bear.

What is it that makes a black bear white? Quite frankly, it's genetics. The product of a recessive gene in the black bear means the Kermode bear is neither threatened nor endangered. That's important. Its habitat is not only the central coast; it roams extensively throughout the Nass and Skeena regions. It's been spotted to the east around Burns Lake and as far north as Stewart.

Tsimshian legend states that the Creator, to remind people of when ice and snow covered the land, put the white bear on the planet. The raven was said to have flown amongst the black and brown bear people, turning every tenth one white. He then decreed that these bears would live in peace and harmony forever — and they do.

In the past, B.C. has had a number of powerful symbols of our province. Most noticeably, it would be the orca. Now the people in communities in the north have put forward the idea of embracing another powerful figure to represent our province and country to the world at the 2010 Winter Olympics. Moksgm'ol is unique to British Columbia and effectively represents the diversity and cultures of the people who call this province home. It's a powerful symbol of strength and determination, whether in athletics or in everyday life, a trait that speaks to the human spirit.

The Kermode already has global recognition. It provides us with a vehicle to communicate to the world the high sustainable standards and values we as a government have set for our resource industries.

When each of you thinks about the 2010 Winter Olympics and the visual image you would like the world to have of our province, look to Moksgm'ol, the Kermode bear — the spirit of 2010.

REMEMBRANCE DAY

T. Christensen: I rise today to mark an important date for all Canadians, Remembrance Day. Each year on November 11 we recognize and remember the Canadian men and women who fought so bravely for our nation and for the principles of freedom and democracy upon which our society is founded. Many men and women gave their lives to protect these two fundamental principles. It is because of their commitment and sacrifice that we in this House are able to freely debate the issues that confront British Columbians today.

As Canadians, we often take for granted our way of life, our freedom to participate in cultural and political events free from persecution, and our right to live under a democratic government. The Canadians who have gone off to war have gone in the strong belief that such rights and freedoms were being threatened.

On November 11 we will remember the hard-fought campaigns and battles and the courage and heroism of our Canadian troops. We will remember Vimy Ridge, we will remember Juno Beach, and we will remember the Korean War. We'll think of the thousands of Canadian men and women who have participated in peacekeeping missions in Bosnia, Afghanistan and the many other parts of our world where war has been more recent or continues to be a threat.

The records of wars recount the battles and the strategies, the leadership and the courage of our soldiers, but we must also remember that with every battle, extremes of temperature, mud, mind-numbing fatigue, fear and death were the daily realities. While most of us, in my generation in particular, can hardly imagine such hardships, we must try to understand what the combatants experienced and learn from the survivors.

[1415]

On November 11 we will attend memorial services in our constituencies around British Columbia and reflect on the past. For all the conflicts fought in far-off lands, there is much to remember. Foremost are the people — the men and women who served wherever they were needed. They faced difficult situations bravely and brought honour to themselves, their loved ones and their country. They were ordinary Canadians from all walks of life, backgrounds and ancestries who, brought together by a common threat, made extraordinary sacrifices.

We honour and we remember them, lest we forget.

Oral Questions

REFERRAL OF QUERIES ON INCOME ASSISTANCE TIME LIMITS

J. MacPhail: Can the Minister of Human Resources please tell this House what directive has been given to

ministry staff when answering questions from the public about the impact of his changes to welfare?

Hon. M. Coell: If the member could be a little bit more succinct. I'm not sure what she's asking.

J. MacPhail: Let me just clarify my question for the minister. I'm surprised he doesn't know.

Here's what the opposition has obtained in an e-mail, Mr. Speaker — a confidential e-mail. Here's what it says. It's from a manager at the Ministry of Human Resources last week, telling staff to refer all questions about changes to income assistance to spin doctors at the public affairs bureau. To the Minister of Human Resources: why are his staff being told to refer questions from the public about income assistance to the B.C. Liberals' spin shop?

Hon. M. Coell: Again, if the member could be a little bit more succinct. Maybe she could read what she's got in front of her.

J. MacPhail: I'd be happy to, Mr. Speaker. I would be happy to. It seems that the minister is actually afraid to confront what this is.

Interjections.

Mr. Speaker: Order, please, hon. members, order. Let us hear the question.

J. MacPhail: Mr. Speaker, I'd be happy to read it, but I'm going to ask my question as well.

"Over the last few weeks we are increasingly being asked for information, opinions and statistics re the upcoming time limit expiration. I have received calls from students and advocates, and that makes me think you are probably also getting questions.

"Please do not provide any information to the public regarding potential numbers of clients being cut off or the effect of time limits on caseloads. Refer any questions to Mike Long at the public affairs bureau, through Melanie Brownlee.

"The reason for this, likely obvious, is this is a very hot news story, and we can't speculate on how the policy will affect people or the numbers. That's up to the public affairs branch.

"Thanks, and if you have any concerns, let me know."

Openness and accountability was the promise. Censorship and secrecy is the reality. I have read the entire e-mail into the record, and let's be clear. It says that it's up to the public affairs branch to get the Liberal spin out. Why has...?

Interjections.

Mr. Speaker: Order, please. Order, please. Order. Would the member now please put her question.

Interjections.

Mr. Speaker: Order, please.

J. MacPhail: Why has the Minister of Human Resources placed a gag order on his own staff? Why can't the public depend on non-partisan civil servants for straight answers to simple questions? Why is he referring it to the spin branch, the \$7 million spin doctor branch called the public affairs bureau? Why doesn't his staff just tell the truth?

Hon. M. Coell: Mr. Speaker, a minister is usually responsible for his or her ministry, and I think I've been very open in answering your questions. I've actually been very open to the media, and I'll continue to do so.

Interjection.

Mr. Speaker: Order.

INCOME ASSISTANCE REGULATIONS AND ACCESS TO BENEFITS

J. Kwan: The minister says he's been very open. He has not been open to this House when questions were put to him about how many people were going to be kicked off income assistance, but we'll give him another chance.

The memo to the staff is very clear. Questions from the public are not to be answered by professionals in the ministry. They are instead to be answered by the political staff in the Premier's office.

Interjections.

Mr. Speaker: Order, please.

Interjections.

Mr. Speaker: Order, hon. members. Let us hear the question.

[1420]

Interjections.

Mr. Speaker: Hon. members, let's give the member the courtesy of listening to the question.

J. Kwan: Well, the minister won't answer any questions about what's going on and what's going to happen on April 1 when the two-year rule kicks in. Let me ask him this. He has a chance to be open right here, right now. How many British Columbians have already been denied income assistance as a result of his new rules?

Hon. M. Coell: One of the primary jobs of the Ministry of Human Resources is to help people back into the workforce — find employment.

Interjection.

Mr. Speaker: Order.

Hon. M. Coell: We have a number of programs: the job placement program, the training-for-jobs program,

the community assistance program, the bridging program for women, employment programs for persons with disabilities, direct purchase into ministries, confirmed job supplements.

In the Fraser Valley area we spent \$21 million this year and found 6,000 people jobs. In the interior of British Columbia, our interior region, we spent \$14 million and found 5,200 people jobs. In the north area, an area that has.... We spent \$5.8 million and found 2,000 jobs for people.

Interjections.

Mr. Speaker: Order, please. Order.

Hon. M. Coell: In the Vancouver coastal area we spent \$18 million and found 4,700 people jobs.

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

J. Kwan: So much for openness and accountability from this minister. He will not answer the question put to him. He puts out spin, spin, spin.

Interjections.

Mr. Speaker: Order, please.

J. Kwan: We know that under the Liberals there has been unprecedented politicization of government communications. It's one thing to have an army of partisan spin doctors to protect the Premier's image, but to direct British Columbians who have legitimate questions about the impact of government policies on their lives to political staff so that they can be spun is shameful.

Will the minister just answer my question? He must have the data. It's a simple question. I'll say it slowly for the minister. How many British Columbians...?

Interjections.

Mr. Speaker: Order, please. Order, please. Let us hear the question.

Interjections.

Mr. Speaker: Order, please. The member for Vancouver–Mount Pleasant has the floor.

Please put your question, hon. member.

J. Kwan: Let me put the question to the minister. How many British Columbians have already been denied income assistance as a result of his new rules? No spins. If the minister can't give me the answer, perhaps what I have to do is go out into the hallways and ask Andy Orr the spin doctor for the answer.

Hon. M. Coell: Just to finish what I was saying, on Vancouver Island we spent \$16 million on training programs and found 5,600 people jobs.

The members of the opposition have always wanted to see people fail. This government wants to see people succeed, and people are succeeding in British Columbia, despite the NDP's ten years of bad rule. We're working with people on income assistance to find employment that pays three times what it does to be on income assistance. We're also protecting the most vulnerable, and we will continue to do that.

Interjections.

Mr. Speaker: Order, please.

CLOSING OF ST. MARY'S HOSPITAL

P. Nettleton: I have an ongoing concern with the way this government repeatedly fails to sit down and work with people to find solutions and answers to problems, instead choosing to close doors, shut facilities down and sell them off to the lowest and meanest bidder.

[1425]

A case in point is the impending closure of St. Mary's Hospital in New Westminster due to a shortfall of \$13.4 million — this after the Premier received a plea for help from a hospital board member. His response was to quickly audit the hospital and just as quickly shut it down.

My question is to the Minister of Health. Why couldn't the ministry get together with the board of St. Mary's and hammer out a plan whereby they might save the hospital and avoid disruption and hardship to patients well into the future? Are there no problem-solvers in cabinet or in the B.C. Liberal caucus?

Hon. C. Hansen: I assume that was directed to me. I would refer the member to the Ministry of Health Services website. The George Morfitt report is linked to the website. I think once he reads that report, he will have all the answers to his questions.

FOOD CHOICES IN SCHOOLS

R. Stewart: As the father of four school-aged children, I share a concern with parents across the province over the nutritional choices that children and youth are offered at schools. There's currently much discussion in the media about this issue, an issue that was raised recently because of a decision of the Coquitlam school board. I ask the Minister of Education if she can tell us what she's doing to ensure that young people learn healthy eating habits.

Hon. C. Clark: We are working hard to make sure young people have the tools they need to be able to make the right choices about what they should eat. It's important from a provincial perspective. We are working to help kids have a healthier lifestyle by bringing in minimum amounts of time that kids are required to be physically active in schools, for the first time in a long time, and minimum standards for physical activity as well as awards programs to encourage physical activ-

ity. This, though, is something school boards have a great deal of responsibility in, too, so we will be bringing school boards together with other interested parties for a healthy schools summit to talk about what we can do to try and make sure kids are able to make all the good choices they need to make in order to grow up healthy and able to tackle their school work.

Junk food is a big issue, I know, that's been raised by many, many parents. It's a big issue in school districts, and it's something that I think we need to tackle on a provincewide basis to make sure every child has the encouragement they need and the tools they need to make the right choices.

ACCESS TO LONG-TERM CARE FOR NEW RESIDENTS OF B.C.

V. Anderson: My question is to the Minister of State for Intermediate, Long Term and Home Care. Seniors moving to Alberta must wait three full years before they are eligible for long-term care and health benefits, whereas seniors moving to British Columbia are eligible after one year. Still, a year without long-term care to a senior can be a long time and can affect their health. Can the minister please tell my constituents who have asked about it if there are any plans to change this waiting time for seniors who recently have moved to the province? Is there any interministerial cooperation in this regard?

Hon. K. Whittred: As the member indicated, long-term care is not a Canada Health Act service, and therefore there is a wide variety among provinces. In B.C., however, I am pleased to say that for people who have high care needs and would be assessed at a complex level, the waiting period is only three months. I think that is among the most generous in Canada. I'm also pleased to say that under the new health accord, which is being negotiated as we speak by ministers of Health, both home care and end-of-life care are part of that package. I am anxiously awaiting the outcomes of those discussions.

PROMOTION OF B.C. BUSINESS

D. Hayer: My question is to the Minister of Competition, Science and Enterprise. As a member of the Select Standing Committee on Finance and Government Services, I have heard many submissions regarding next year's budget. One concern that has been raised....

Interjection.

Mr. Speaker: Order, please. Order, hon. member. Order, please. We cannot hear the question.

Please start over.

[1430]

D. Hayer: One of the concerns that has been raised is in relation to the government's ability to attract business and investments to B.C. Tax reforms and fiscal

responsibility are not enough. We need to get the message out there and tell the people in other jurisdictions what B.C. has to offer. Can the Minister of Competition, Science and Enterprise tell this House what is being done to promote and attract and show B.C.'s advantage to the rest of the world?

Hon. R. Thorpe: First of all, our government committed to leading-edge marketing missions around the world, and those would be led by the Premier. Secondly, we said we were going to globally market the investment opportunities in British Columbia, and we were going to work very hard to grow export markets for British Columbia wood products and British Columbia technology.

In the last month and a half the Premier has travelled to California, to Texas and to New York, telling the American investors that British Columbia is open for investment. The Premier today is en route to India and has just spent four days in China. I have just come back from Korea and Taiwan. Let me tell you the message that I received from the chamber of commerce in Korea. They said they're glad to hear that British Columbia is once again open for investment and open for business. That's what they're saying in Korea.

Since my return from Korea, I've met with a major Korean company here in Victoria looking to invest in British Columbia. In Taiwan the wood frame construction code has been approved, and we're moving forward to build homes in Taiwan using British Columbia 2-by-4s and value-added wood products.

In China the Premier announced yesterday a dream home project with the Chinese investors that are going to build an additional 205 homes using British Columbia wood and wood technology. British Columbia is moving forward.

[End of question period.]

Ministerial Statements

VIOLENCE IN SCHOOLS

Hon. C. Clark: I rise to make a statement today respecting a number of violent incidents that have occurred in and around schools in British Columbia over the past several weeks. As Minister of Education and as a parent of a child who will soon enter the public school system, I am concerned about student safety.

Following one such incident that occurred in West Vancouver on October 21, I instructed the superintendent of the West Vancouver school district to report to me outlining the circumstances preceding that incident, including the actions taken by school district officials and staff. I have now received the report prepared by superintendent Geoff Jopson. The report is thorough and provides clear information about the district's procedures and policies. I'd like to thank Mr. Jopson for the excellent job he did in preparing this report.

The report includes highly personal information about the students involved. Under the provincial

Freedom of Information and Protection of Privacy Act, the confidentiality of this information must be protected. There are also ongoing criminal proceedings and a publication ban that must be respected. As a result, I am advised that the report cannot be released to the public.

I do, however, want to speak in general terms about the policies and procedures followed by the West Vancouver school district and provide the House with the course of action our government is taking to keep students in schools safe. It is evident from the report that teachers and administration of West Vancouver school district work hard to provide an inclusive and welcoming environment for all of their students. Staff teach appropriate behaviours and involve children's parents, other agencies and the police, where necessary.

Schools in the district also have a code of conduct for student and staff, based on the principles of respect and responsibility. This code was designed by the people it affects in the school district, and it has been clearly communicated to parents, students and staff in the district. Unfortunately, the tragic incident of October 21 is a reminder that behaviour cannot be legislated, and we must continue to work as a community to improve the safety of every student in every classroom.

I want to assure this House that our government is acting to make schools safer places to learn. Our government is now working with educators, parents and students to develop new provincial standards of conduct for schools that will help keep students safe. These school safety standards will clearly outline provincewide expectations and provide examples of good practices. I expect these standards to be completed by December 15, if not before.

[1435]

I believe that students need to be directly involved in helping to design these standards and resolve issues of violence and harassment in our schools. I will be meeting with student leaders next week to hear their views on what is needed in the new school safety standards. Their comments will be considered as I develop the final standards.

My review of the report confirms for me the importance of communication between schools and parents. Parents must be informed in a timely manner of any threat of violence or violent incident in their child's school, because parents need to be assured that schools and district staff are managing the situation. That's why I am instructing that the school safety standards provide a process for informing parents of a threat of violence or a violent incident.

The report also makes clear that schools need to work closely with parents on issues of student safety. The roles and responsibilities for parents and schools must be clearly defined and communicated. That's why I'm instructing that the new school safety standards outline a policy and procedure for defining and communicating the roles and responsibilities of parents and schools.

As well, effective today, the Ministry of Education will have a new webpage on school safety available for parents and educators. We've been working with the

B.C. Confederation of Parent Advisory Councils to update and translate their *Call It Safe* guides for parents on dealing with violence in our schools. These publications will help ensure that parents know what to do if their child is the victim of bullying, intimidation or harassment.

The reality is that the causes of bullying or violence in society are complex. The solutions will be no less complex. To ensure safe schools, we must work together as communities — parents, students, educators, law enforcement officials and local agencies.

Earlier this year the safe schools task force, chaired by the member for Vancouver-Burrard, provided us with the direction we need. The task force identified specific areas of concern, communicated with parents and staff regarding those concerns, and came up with recommendations to improve safety for B.C. students. In September our government responded to the task force report and took action with our safe, caring and orderly schools strategy. A key component of that strategy requires all school boards to report annually on violent incidents and how they were handled at the school.

Parents need to know that they can entrust their children to our schools and that their children will be safe there. Any violence in our schools needs to be dealt with immediately and stopped before it escalates. Many schools and districts already have excellent policies and practices in place. Our government is acting now to build on those strengths, to work in partnership with all members of the education community and to create a system where all students are free from physical harm.

J. Kwan: I rise to respond to the ministerial statement. The opposition certainly shares the concerns that the minister outlined with respect to student safety, and particularly, we're concerned about safety for all of our community members. As the members in this House know, the Leader of the Opposition has a son in the school system, and as a new mother I will soon have a young daughter in the public school system as well.

The incidents that have occurred of late are troubling indeed, and they are troubling for all of us as legislators, as individuals in our community. Specifically, on the West Vancouver district incident that occurred on October 1.... It is my understanding that irrespective of the minister's request for the report, the West Vancouver school district and the school would have prepared a report in any event, as it is their practice currently to do that. They would have done that, and I have no doubt in my mind and I have every confidence that they would have done a thorough job of investigating the incident and the issues surrounding that unfortunate situation — acting, of course, on their own accord without the minister's direction.

Having said that, as we well know, the minister just stated that she will be embarking on the recommendations that arose from her task force — the task force that she outlined, the government's safe schools task force. She stated that the key component is to ensure that there are strategies in place which require all school boards to report annually on violent incidents

and how they were handled. For your information, Mr. Speaker, it is also my understanding that currently schools do report to school districts at school board meetings all serious incidents regarding violence that take place in school.

[1440]

I must caution that it's one thing to collect more data and to collect more information, but it is another thing for government to actually act on it in a way that would assist the school system in trying to prevent some of these situations.

Of course, one of the most important things that is needed — as teachers will tell you, as school trustees will tell you, as parents will tell you and as some students have told us — is adequate resources in the education system. Underfunding in the education system does not help the situation. Pressures from government — just recently we were talking about the Minister of Human Resources cutting off income assistance for people come the next fiscal, including families with children, where they will lose some financial support, \$100 to \$200, including those with single parents — will put more pressure on the family unit and, I think, create more troubling situations that may well occur in the school system.

It does not help when you have a government that put forward an ill-fated pension plan for the police officers that caused some of the schools to lose their police liaison. It does not help for the government to fail in their commitment of providing 75 percent of the traffic fines to municipalities for policing — for that commitment to not be fulfilled.

It does not help for the Minister of Children and Family Development to cut funding from his ministry that provides for preventative measures in our communities for addressing children and youth at risk and programs that provide for special needs in our school system, to identify children who are at risk who may actually run into problems down the road and who might run into issues with conflict with the law or substance misuse challenges. To cut those kinds of funding, where effective preventative actions could be taken, does not help the situation at all.

All in all, I would urge this minister and this government to look at their budgeting policy and their programming policy to ensure that there's adequate funding in the education system to fully assist in trying to prevent violence in the school system and in our communities.

Orders of the Day

Hon. G. Collins: I call second reading of Bill Pr409.

Second Reading of Bills

WESTERN PENTECOSTAL BIBLE COLLEGE
AMENDMENT ACT, 2003

B. Penner: I move that the bill now be read a second time.

Motion approved.

B. Penner: I'd like to just offer some very brief remarks on second reading. This bill is very straightforward. It simply amends the title of an existing statute from An Act to Incorporate the Western Pentecostal Bible College to the new name of Summit Pacific College, so it's extremely straightforward.

However, I have received an inquiry regarding the preamble to the bill, which refers to a petition having originated this process. There's nothing untoward about that process. Petitions are available from the Clerk of the Legislature's office, and it simply is a process by which individuals who are seeking amendments to private bills or statutes may seek to initiate the process. In this case, the act that we are proposing to amend was originally passed in 1967 by this Legislature. I'm advised that Western Pentecostal Bible College, as it is still referred to, has been in operation since that time and has made a valuable contribution to the lives of many people not just in the Fraser Valley or British Columbia but across Canada.

It is the intention, I believe, of the people at the college to expand their horizons and appeal to a broader cross-section of individuals, and that explains their application for a name change for their institution.

Having made those brief remarks, I move, by leave, that the bill be referred to a Committee of the Whole House to be considered forthwith.

[1445]

Leave granted.

Bill Pr409, Western Pentecostal Bible College Amendment Act, 2003, read a second time and referred to a Committee of the Whole House for consideration forthwith.

Committee of the Whole House

WESTERN PENTECOSTAL BIBLE COLLEGE
AMENDMENT ACT, 2003

The House in Committee of the Whole (Section B) on Bill Pr409; J. Weisbeck in the chair.

The committee met at 2:46 p.m.

Sections 1 to 6 inclusive approved.

Preamble approved.

Title approved.

B. Penner: I move that the committee rise and report the bill complete without amendment.

Motion approved.

The committee rose at 2:47 p.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

Bill Pr409, Western Pentecostal Bible College Amendment Act, 2003, reported complete without amendment, read a third time and passed.

Hon. G. Collins: I call Committee of the Whole for consideration of Bill 56.

Committee of the Whole House

FLOOD HAZARD STATUTES AMENDMENT ACT, 2003

The House in Committee of the Whole (Section B) on Bill 56; J. Weisbeck in the chair.

The committee met at 2:48 p.m.

E. Brenzinger: I ask leave to make an introduction.

Leave granted.

Introductions by Members

E. Brenzinger: Today I have 20 educators and administrators from Shanghai visiting the Legislature. Bruce Hardy of Options, which is a non-profit agency in Surrey, hosts the Shanghai delegation. Can I ask the House to please welcome them all.

Debate Continued

On section 1.

B. Penner: I have a number of questions on this bill, but my questions are mostly general in nature. I think it's most appropriate to ask them under section 1.

This statute and this amendment will be much celebrated in the part of British Columbia that I come from. People in Chilliwack-Kent have been asking for some time to have greater flexibility and to be given greater responsibility, as well, in terms of making decisions about what height to build various buildings at — particularly homes and residential dwellings. For too long, there's been a very prescriptive approach taken, not giving people enough flexibility to make decisions for themselves.

[1450]

My question to the minister is: to what extent will individuals now face the legal liability in the event there is a flood hazard or a flood situation, as opposed to the province? Will this bill insulate taxpayers generally, or at least go some distance towards insulating taxpayers, from costs that might be associated with dwellings that are damaged during flood events if individuals choose to build their homes at less than the recommended flood-level height?

Hon. J. Murray: Owners who develop buildings that are below the guidelines established will accept liability accordingly.

B. Penner: That's certainly a philosophy that I support — one of giving people the information they can use to make informed decisions, but then at the end of the day having individuals be responsible for their own decisions and not necessarily turn to taxpayers for compensation as a result of decisions they may have made that have resulted in difficulty.

However, I do believe that it makes more sense, rather than elevating buildings on the valley floor, to put our resources behind improving protection along various watercourses — whether it be the Fraser River, Chilliwack River or various creeks throughout British Columbia — so that we reduce the bed of the river as opposed to raising up the dikes on the side of the river or increasing the height of various buildings. The cost to society generally of elevating every single structure to what may now be deemed a safe height in terms of flood is extremely expensive and is prohibitive.

The member for Chilliwack-Sumas will be very familiar with this, because he and I have both been concerned in the past about increased costs to changes at the University College of the Fraser Valley in Chilliwack, for example, as a result of the previous government's very prescriptive, heavy-handed approach to floodplain regulations. In fact, it made that project so much more expensive that it did not proceed for a long period of time, and our government now is finally making that project move forward.

My question, then, to the minister. I note that section 1 deals with dike maintenance and the like. Will her ministry continue to have responsibility for dike maintenance once this legislation is enacted?

Hon. J. Murray: Under this amendment the inspector of dikes will still be there to provide expertise and set standards for the maintenance and protection of the important dike infrastructure in the province.

B. Penner: The minister will be well familiar that other MLAs and I and other municipal leaders, in fact, throughout the Fraser Valley have been very upset at what we see as foot-dragging on the part of the Department of Fisheries and Oceans when it comes to approving gravel removal in significant quantities from the Fraser River and other watercourses.

The recent flood event we had in Pemberton, and to a lesser extent in the Fraser Valley, demonstrates to all of us very clearly what the risk is that we face if we do not adequately manage the wild watercourse that we have through the Fraser Valley. Doing nothing is not an option, and, frankly, I don't think building the dikes higher is an option. Furthermore, I sincerely doubt the viability, from a financial perspective, of elevating every single structure up as much as five, six, seven, eight metres off the ground. Rather, it makes greater sense to get back into that river on a regular basis in an environmentally responsible way to extract gravel during times when the water level is low.

[1455]

Dike maintenance is clearly one important aspect here, but so is regular maintenance of that watercourse,

whether it's the Fraser River or other bodies of water. We've recently, as I said, had a serious situation with heavy rains. For example, some houses were very nearly displaced and destroyed as a result of the failure of an unmaintained dike in an area near Wilson Road in the Chilliwack River valley. If not for the quick action of the provincial emergency program — and, I'm told, the expenditure of perhaps hundreds of thousands of dollars — with crews working around the clock, homes and property would have been lost, and more property would have been lost than already was. As it is, I believe an acre of land or more was washed out to sea during that event, just in a few days.

Now that work has been done and that dike, even if it's not high enough — and certainly it isn't high enough in that area to my liking.... I think it's imperative that proper maintenance continue, lest we as taxpayers lose that initial investment that's been made over the last two weeks and that riprap and other rock work that's been put in place get undermined and washed out.

I note that the dike that failed a few weeks ago was initially put in place following a similar flood event in around 1990 but had apparently not been maintained adequately, if at all, since that time. The result is that taxpayers have now lost that initial investment made in 1990. At least an acre of property has been washed out to sea, and we very nearly lost some homes and other small cabins and dwellings in the vicinity.

I'm looking for some indication from the minister: what is the scenario contemplated under this legislation for maintaining the dikes we have and improving those that still need some improvement in order to ensure safety in various parts of British Columbia?

Hon. J. Murray: Under the Flood Hazard Statutes Amendment Act, 2003, the Ministry of Water, Land and Air Protection will be working with the smaller diking districts and with the larger, more well-resourced diking districts to help negotiate the transfer of the dikes that are under the authority of the smaller diking districts, which sometimes don't have the resources to maintain them to an acceptable level. Those dikes then create a vulnerability that is the weak link in the chain for a larger diking district. In many cases, it is in the interests of that authority that is more well-resourced to accept responsibility for the dikes belonging to smaller diking districts. This will be done on a voluntary basis, however, when the authority sees it's in their interest to do so. Water, Land and Air Protection will facilitate those transfers over the coming seven years.

With respect to orphaned dikes — those are dikes that are not under the responsibility and authority of a diking district — the ministry will continue to maintain responsibility for those. There are 50 at present. Through our policy internally, we'll develop plans for managing those on a risk priority basis. We will no longer be adding orphaned dikes to that inventory. Those are dikes that are typically built at a time of emergency and then are not the responsibility of an

existing diking authority. We will not have more orphaned dikes. We will continue to manage and be responsible for those that exist today.

Section 1 approved.

On section 2.

[1500]

J. MacPhail: This bill, as I understand it, the Flood Hazard Statutes Amendment Act, 2003, is about moving from the provincial government enforcing standards when it comes to the building and maintenance of dikes to now prescribing guidelines that the diking authority is to follow.

My questions will flow from the most recent experience our province has gone through, the terribly difficult and challenging times our province has gone through as we saw just recently. We saw this summer, with interface fires and then just a couple of weeks ago with the flooding through several parts of the province, that when disaster strikes, the provincial government steps in to help those whose homes and property have been destroyed.

Can the minister tell us if this bill changes the liability of the province when it comes to protecting property from flooding?

Hon. J. Murray: Under the provincial emergency program, the assistance the member was referring to is brought forth in a time of emergency. There is no change to that under this act.

J. MacPhail: Mr. Chair, I'm sorry. Could the minister just repeat that very last part of her answer?

Hon. J. Murray: The member was referring to government stepping in at a time of emergency to assist. That takes place under the provincial emergency program. There's no change to that under these amendments. Water, Land and Air Protection did continue to provide expertise during the recent flood events, as they have in the past.

J. MacPhail: It will be yes or no. Is the minister saying that this bill does not change liability of the province when it comes to protecting property from flooding? There's no change in the liability of the province?

Hon. J. Murray: If approving officers live up to the provincial guidelines that are established by the province, then there is no change in liability.

J. MacPhail: At what level will the guidelines for dikes be set?

Hon. J. Murray: We have standards with respect to dikes. Those standards are set at the 100- and 200-year flood level. That is not changed. We are not changing those dike standards under this amendment to guidelines.

J. MacPhail: Even though it's a guideline, it is a standard that's required to be met?

Hon. J. Murray: That's correct. With respect to dikes they're enforceable standards, and they continue to be enforceable standards. With respect to floodplain levels we are moving from standards to guidelines.

J. MacPhail: That was going to be my next question. Will the municipalities/diking authorities be able to set different levels in different parts of the floodplain?

Hon. J. Murray: Yes, they can. Municipalities can adopt bylaws that are not consistent with the 200-year guidelines if they choose to because of reasons of protection from flooding that they consider to be adequate.

J. MacPhail: What criteria will be used to assess the different standards?

[1505]

Hon. J. Murray: Under this amendment the province will establish guidelines that are based on the 200-year flood level. The municipality will then have the flexibility to adopt that level or another level as they deem fit, and that will not require the approval of the province.

J. MacPhail: Do all communities in a floodplain have bylaws and/or development regulations prescribing what can be built on a floodplain and how it can be built?

Hon. J. Murray: Some communities have bylaws; some don't. They all have the power, under their approving authority for development, to approve or not approve development.

J. MacPhail: I'm told that about 75 percent have flood protection works and land use planning policies. The change here is that it will now be these municipalities who will be setting the standards or determining how the guidelines are applied. There's no fallback. It's the municipalities, the diking authorities or no one. It becomes far more important that the municipalities/diking authorities have flood protection and land use planning policies. What plans does the ministry have to work with local governments to ensure that they do have such bylaws or requirements?

Hon. J. Murray: When we went out to consult on this, the proposed changes to our flood hazard statutes, we heard loud and clear from municipalities and local and regional government that they wanted the power to make decisions regarding land use in their areas. For rural areas that are not covered by a municipal or local government, the Ministry of Transportation has the authority to approve or not approve developments that might be subject to flood.

J. MacPhail: How will the land use regulations by the local governments be monitored or enforced?

Hon. J. Murray: That will be up to local government.

J. MacPhail: Does Bill 75, Significant Projects Streamlining Act, override this act?

Hon. J. Murray: I'm not sure it has any bearing on this act, but I'd invite the member to ask questions about another act when it is coming up for debate.

J. MacPhail: I would expect that if somebody's trying to develop on a floodplain and they apply to have their development super-speeded through under the Significant Projects Streamlining Act, it will have a bearing on which act applies. With this government now saying it's up to the cities to set the guidelines for land use around floodplains, I would expect it applies, and I'm surprised the minister doesn't know the ranking of it.

How can the minister assure us that this legislation doesn't put local governments at the mercy of developers who are willing to risk a flood, knowing that it will be the homeowner who is liable for any damage caused by the flood and not the developer or the city? What reassurances does she have for the public against that nightmare scenario?

[1510]

Hon. J. Murray: The municipality or a regional government will have the ability to approve or not approve a subdivision, so they do have that authority. They will also have the authority to require the developer to put a covenant on title, which is a form of buyer beware, so that a buyer is knowingly purchasing a property that may not be consistent with a 200-year floodplain level guideline as established by the province. The local government will have that approval power whether or not they have a bylaw.

J. MacPhail: Recently I've heard a lot of government caucus members who represent residents in the Fraser Valley talking about being very vocal in demanding that gravel be removed from the Fraser River. They have articulated that as a way to reduce the risk of a breach of the dike. They have been very specific in blaming the Department of Fisheries and Oceans for standing in the way of gravel extraction because of their concern for fish habitat. On that basis, has the minister seen any analysis of the impact that gravel removal will have on the flow of the Fraser and on fish habitat?

Hon. J. Murray: Both from the hydrological perspective and the fish habitat perspective, Water, Land and Air Protection continues to be involved in multi-partner initiatives with respect to gravel removal from the Fraser River so that we can extract gravel to reduce flood risks but also do it in an environmentally safe way.

J. MacPhail: I just wondered, because the government caucus members were very clear and asserted very emphatically that it was the fault of the DFO. There was a statement in the House here. There was a

statement saying that the DFO was standing in the way of gravel extraction because of DFO's concern for fish habitat, so I assumed the government had given some analysis to those government caucus members so that they could reach that conclusion. Is it the minister's view, then, that gravel removal is an effective flood deterrent?

Hon. J. Murray: My ministry's position is that we are in support of gravel removal in order to reduce those flood risks and that it needs to be done in a way that respects fish habitat.

J. MacPhail: That's possible, is it?

Hon. J. Murray: Yes, it is.

J. MacPhail: Where could the public turn to ensure that, as the minister asserts?

Hon. J. Murray: The Department of Fisheries and Oceans has studies. I presume the Fraser Basin Council, which is an organization that has been grappling with this issue with many partners over the last while and is developing a longer-term strategy.... My ministry has studies with respect to gravel removal and fish habitat protection. If the member opposite would like me to get my hands on some of those studies and forward them to her, I'd be quite willing to do that.

[1515]

J. MacPhail: Yes. Thank you very much for the offer. I'd very much appreciate that.

It's interesting that the minister notes the Fraser Basin Council, because I read an article recently by Patrick Reid, the chair of the Fraser Basin Council. In that article he states: "Let's not delude ourselves. The mighty Fraser will flood again like it did in 1948 and in 1894. It's not a question of if such a flood will occur but, rather, when." My question on that is: what actions are the minister and the government taking to address this natural occurrence and to protect the lives and property of those who live in the Fraser Valley? What is the work that's being done?

Hon. J. Murray: My ministry supports the removal of gravel from the Fraser River, as I mentioned, in an environmentally sensitive way, and that is one tool for prevention. The ministry does have regulatory authority over diking infrastructure with an inspector of dikes who has expertise and authority. We have developed flood mapping tools, and the provincial government made a one-time \$1 million grant for the purpose of developing various tools for the municipalities to utilize in their planning to prevent and make decisions around flood hazard. The ministry continues to be involved in flood response, as I mentioned earlier, with this fall's flooding.

J. MacPhail: Actually, Mr. Reid, chair of the Fraser Basin Council, calls on governments at all levels to work cooperatively and invest an additional \$10 mil-

lion annually in preventative measures. Will we be seeing this provincial government take up that challenge and invest even more? He made this comment after the \$1 million contribution. Will they be investing even more money in flood prevention?

Hon. J. Murray: The province, over the last six years, has invested approximately \$15 million in flood prevention works. I would welcome any assistance from the member opposite in encouraging the federal government to match or bring forward funds for flood prevention works.

R. Hawes: Just following along on the same line of questioning as the Leader of the Opposition, I wonder if the minister is aware — and I think she is — that the provincial manager of PEP has said the recent floods were caused by rain, but they came much quicker and were much more severe because of the silted-in nature of the creeks and streams throughout the Fraser Valley and in the Pemberton area. Is the minister aware of that statement by the provincial manager of PEP?

Hon. J. Murray: I'm not aware of that specific statement, but common sense would say that when streams and rivers are silted in, there will be a change in the hydrology, and it will worsen the flood.

[1520]

R. Hawes: The studies that the Fraser Valley regional district have done over the last number of years — and a lot of money has been spent on them — would indicate that taking sand and gravel out of the river does mitigate a flood possibility. Has the minister seen those studies, and are you aware that they exist at the Fraser Valley regional district?

Hon. J. Murray: We are aware of those studies. We have the view that extraction of materials from the rivers is an appropriate activity to prevent or reduce the risk of floods. We continue to work with partners on those issues, and the lead on those issues is in another ministry — Land and Water B.C., I believe.

R. Hawes: Just to follow a bit further along the path that the Leader of the Opposition was going on. Is the minister aware that highways officials are of the opinion that the changes that have been made — stopping them from doing normal ditching, which is essential for maintaining highways — have placed a huge new cost upon them that has not been budgeted for and may have some severe impacts on their ability to maintain highways. They may have to cut back what they're maintaining if they can't get at these ditches and clean them, which is the same thing. It's a flooding.... It's a question of getting the silt and the gravel buildup out of the ditches so that highways don't flood out. Is the minister aware of the problems in that area?

Hon. J. Murray: My ministry works in partnership with the Ministry of Transportation and other ministries

on these issues, including drainage issues. We're working on developing a memorandum of understanding between Water, Land and Air Protection and the Ministry of Transportation. If that's an issue that's deemed to require specific attention in the MOU, it will be in it.

R. Hawes: I want to get it on the record that I'm not sure where the Leader of the Opposition's questions were going, but it would seem to me that there's a very clear linkage between flooding dangers — from the Ministry of Transportation's perspective and from the householder perspective and the Fraser Basin Council's perspective.... There's a clear correlation between flooding danger and risk of flooding and the buildup of silt and gravel in creeks, streams and our major rivers. I'm sure that's clearly documented, and I'm sure the minister would agree with that.

I guess that's the last question I have on this section.

Hon. J. Murray: We certainly will continue to work on these issues in cooperation with the other ministries to address buildup of silt and gravel. We have a responsibility to, as far as possible, prevent flood risks and hazards.

Sections 2 to 15 inclusive approved.

On section 16.

J. Les: First of all, in the way of preliminary remarks, just let me say that I'm very pleased that this legislation is in the House. Other members of the government and I have spent considerable time bringing this change about in conjunction with the minister. The previous method of dealing with these assumed risks was very prescriptive and anticipated a combination of absolute worst-case scenarios.

The Leader of the Opposition referred to flooding that occurred in 1894. It would be wise to keep in mind that in 1894, there were no dikes anywhere in the Fraser Valley and certainly not in the part of the world that I represent. In 1948 there was a flood...

An Hon. Member: What was it like back then?

J. Les: In 1894? I'm not sure what it was like back then, but it was a different world than the one we enjoy today.

[1525]

In 1948 there was a flood in parts of the Fraser Valley, but again we should all keep in mind that the dikes that were available then were vastly inferior to the diking infrastructure that exists today.

For my mind, what we need to do is ensure that we maintain the dikes, as is in fact the case and as happens from year to year. I think the municipalities in and around the Fraser Valley in particular do a very good job of maintaining the dikes that we have. It is very good infrastructure.

In my view, we are failing to ensure that the streams, rivers and waterways are properly main-

tained. With about 350,000 tonnes of gravel a year washing into what is called the Chilliwack reach of the Fraser River, clearly if that gravel is not removed in a systematic and responsible way, then eventually, some years down the road, we are going to have the river full of gravel from dike top to dike top. Simply to advocate the raising of dikes to keep pace with that, I think, is foolish, silly and irresponsible.

So with that little preamble, just to assure everyone that I am fully in favour of this legislation, I wonder, under section 16, if I could perhaps ask the minister to outline what the effect of that particular section is.

Hon. J. Murray: The impact of this section is that guidelines will be available to local government. These guidelines will be developed by the provincial government, but it will not be mandatory to follow them. Local government can make their own determination for areas in their floodplains.

J. Les: Just to be even more clear then, municipalities — if they have the appropriate subdivision regulations in place — will be able to utilize those as they did previously, prior to the mid-nineties, and the provincial government will no longer be in the business of approving construction and/or subdivision?

Hon. J. Murray: That's correct.

Section 16 approved.

On section 17.

J. Les: Under section 17 there is reference to covenants that can be required at the subdivision stage. I wonder, for clarification, if the minister could advise if those covenants at that point in time could be written in such a way that there would be no further covenants required at the time of construction.

Hon. J. Murray: There will be no requirement by the provincial government for further covenants. However, local government can ask for them if they desire.

R. Hawes: Perhaps the minister could also explain if a local government, once they've set the floodplain level, wanted to allow someone to build a home with the bottom floor lower than that floodplain level but put a covenant on the property.... Is that at all possible, or must the bottom floor be above that municipally established floodplain level?

Hon. J. Murray: As they'll have the power to make those bylaws, they'll have the power to alter them to enable the situation that the member has described to take place.

R. Hawes: So would they be required to alter their bylaw, or would this be the kind of a situation where they could grant a variance if there were an...? Would someone have to make an application for a variance to

the bylaw, or would they have to change the entire bylaw?

Hon. J. Murray: If the local government has a bylaw and they want to have a condition that would not meet that bylaw, they would then change the bylaw.

Sections 17 and 18 approved.

On section 19.

[1530]

J. Les: Can the minister confirm that floodplain designation by a municipality will be voluntary? In other words, will a municipality simply be able to invoke the provincial guidelines? On the other hand, if they wanted to set a different level.... Let's say that a municipality wanted to set their flood construction level at ground level. Would that be a voluntary decision? I guess what I'm trying to get at is: what latitude does a municipality have?

The Chair: Minister, I think what we probably should do is do the amendment first. Let's do the amendment first, because that may impact some of the questioning here.

Hon. J. Murray: Mr. Chair, I move the amendment to section 19 standing in my name on the orders of the day.

[SECTION 19, in the proposed section 910 of the Local Government Act,

(a) by deleting subsection (2) and substituting the following:

(2) If land is designated as a flood plain under subsection (1), the local government may, by bylaw, specify

(a) the flood level for the floodplain, or different flood levels for different areas of the flood plain, and

(b) the setback from a watercourse, body of water or dike of any landfill or structural support required to elevate a floor system or pad above the flood level, which setback may be different for different areas of the floodplain and for different flood levels. , and

(b) by deleting subsection (4) and substituting the following:

(4) If a bylaw under subsection (2) applies,

(a) the underside of any floor system, or the top of any pad supporting any space or room, including a manufactured home, that is used for

(i) dwelling purposes,

(ii) business, or

(iii) the storage of goods which are susceptible to damage by floodwater must be above the applicable flood level specified by the bylaw, and

(b) any landfill required to support a floor system or pad must not extend within any applicable setback specified by the bylaw.]

Amendment approved.

On section 19 as amended.

J. Les: Well, I'd still put the question to the minister. Perhaps with the amendment in place.... I think the clarification on the record by the minister would still be helpful.

Hon. J. Murray: The answer to the member's question before the amendment was noted. Yes, floodplain designation by municipal government will be voluntary.

J. Les: Sometimes it's helpful to use specific examples. The minister will be aware of an elderly lady in my riding by the name of Annie Krahn, who has written to the member previously. Mrs. Krahn owns a residential lot in the community of Greendale. For those who remember the flood of 1948, Greendale was, of course, under water in that flood. There is a substantial community in Greendale, and Mrs. Krahn owns a lot and has owned a lot on Underhill Drive in Greendale for a long, long time. She now wishes to build her retirement home there.

For medical and other reasons, she cannot easily live in a home that has a lot of stairs, so she wants to build that home at ground level, which is the same elevation the other homes are at in that particular subdivision. If the city of Chilliwack wished to accept a covenant holding the city of Chilliwack harmless from Mrs. Krahn, would that be an option that would be available to them under this legislation?

Hon. J. Murray: Yes. By amending the bylaw, the city can authorize the situation that the member has described.

J. Les: If the city were to maintain its official flood construction level at current levels, let's say, which is probably — in Mrs. Krahn's case — a dozen or so feet above ground level, would they be able to enact a policy whereby they would still, in spite of the bylaw, be able to accept a covenant to shed the liability in terms of the city so that it would in fact rest with the homeowner?

Hon. J. Murray: The answer is yes. If the building inspector or approving officer approves the circumstance, then the municipality can enter into a covenant with the homeowner and approve that.

Section 19 as amended approved.

Sections 20 to 22 inclusive approved.

On section 23.

Hon. J. Murray: Mr. Chair, I move the amendment to section 23 standing in my name on the orders of the day.

[SECTION 23, by deleting section 23 and substituting the following:

Commencement

23 Section 16 comes into force on January 1, 2004.]

Amendment approved.

Section 23 as amended approved.

Title approved.

Hon. J. Murray: I move that the committee rise and report the bill complete with amendments.

Motion approved.

The committee rose at 3:35 p.m.

The House resumed; Mr. Speaker in the chair.

Reporting of Bills

Bill 56, Flood Hazard Statutes Amendment Act, 2003, reported complete with amendments.

Third Reading of Bills

Mr. Speaker: When shall the bill be considered as read?

Hon. J. Murray: By leave, now.

Leave granted.

Bill 56, Flood Hazard Statutes Amendment Act, 2003, read a third time and passed.

Hon. C. Hansen: I would like to call second reading of Bill 75. Mr. Speaker, if I may call for a very brief recess.

Mr. Speaker: Right. Second reading of Bill 75. We will just pause for a few moments.

Second Reading of Bills

SIGNIFICANT PROJECTS STREAMLINING ACT

Hon. K. Falcon: I move that the bill now be read a second time.

As I explained during first reading, Bill 75 will ensure that the review and approval process for projects seen to be important to the economic, social or environmental well-being of British Columbia proceed in a timely manner.

The Significant Projects Streamlining Act will provide potential investors, local governments and the province with a more effective framework to deal with the complex decision-making processes that surround projects of significant provincial importance. The Significant Projects Streamlining Act will create a competitive climate for business and investment here in British Columbia. It will reduce red tape and regulation and streamline processes for both government and business.

Bill 75 demonstrates this government's commitment to an effective framework for facilitating major invest-

ment in our province. The Significant Projects Streamlining Act allows cabinet, by a designation, to assign special status to projects deemed to be significant and that will positively benefit the economic, environmental and social well-being of British Columbia.

[1540]

There have long been concerns from investors and governments about the lack of timeliness in obtaining project review decisions here in British Columbia. Delayed project approval decisions are often caused by conflicting requirements from multiple ministries and local approval authorities. Long project review processes reduce the viability of projects, resulting in lost investments and job opportunities throughout British Columbia. I have personally heard from mayors across B.C., particularly in the heartlands, who have literally witnessed investments that would have created local jobs and opportunities pack up and move across the border due to approval delays in British Columbia.

As well, the Significant Projects Streamlining Act improves the viability of public-private partnerships, or P3s, as a means to deliver services or build infrastructure. It sends a clear signal to potential P3 investors that British Columbia will not allow stranded capital to be a feature of important investment in transportation infrastructure or manufacturing projects.

Designation under this act will ensure that project reviews are addressed within reasonable time frames and that all parties involved can recognize and address potential constraints in a way that is both positive and cooperative. The Significant Projects Streamlining Act creates a framework that encourages project proponents and all levels of government to place a discipline on themselves to work together to head off problems before they arise.

The act does not change provincial or federal environmental health or safety standards associated with the development or operation of a project. Let me emphasize again that we are not changing provincial or federal health or safety standards. I want this to be quite clear to everyone, particularly the members of the opposition.

I also want to be very clear that the act will have no effect on aboriginal rights and title. The province fully respects all existing and future obligations we have that apply to our relations with first nations. In fact, this act will provide timely approvals and support that works in the interests of potential first nations economic development projects.

The key elements of the Significant Projects Streamlining Act are quite straightforward. If a minister believes a project is provincially significant and is or may be subject to inefficient or prolonged process, the minister may recommend to cabinet that the project be designated. Once a project is designated, approval authorities will be required to take all reasonable actions to move through the complex decision-making process faster and more efficiently. For example, instead of a project going through ministerial approvals in a consecutive manner from one ministry

to the next, ministries could review the project simultaneously, greatly reducing the approvals process time frame.

If the project receives the required approvals to proceed, then all reasonable actions must be taken to move the project to completion and intended operations of the project in a timely manner. This is only reasonable. Projects that receive the green light should not be subject to further delays or the imposition of other new requirements.

The legislation emphasizes cooperative efforts as the best way to resolve problems. If, for example, a proponent feels the approval authority is not working to expedite a review decision, the proponent would need to try to resolve the matter with the approval authority. A facilitator may be appointed to assist in the deliberations. If the two parties are not able to resolve the matter, the responsible minister could intervene. If after examining all the facts, the responsible minister is convinced that the approval authority is being unreasonable, that minister would be authorized to make orders within the scope determined by cabinet to expedite the process.

I should emphasize that designated status does not provide a project with certainty of outcome. This is not the intent of the legislation. If for good reason a decision is made that a project should not proceed, then it is better to advise the proponent of this decision sooner rather than later. We've always said in this government that a business person would rather have a "no" in 30 days than an "I don't know" in 30 months.

[1545]

This legislation is consistent with government direction to reduce red tape and the regulatory burden for British Columbia businesses and follows through on the commitment to create a strong and vibrant provincial economy. It also recognizes the reality of today's capital markets. Investment capital has many choices when major investors knock on British Columbia's door. We get only one chance to roll out the red carpet instead of rolling out the red tape.

Without this legislation, local governments, project proponents and the province will continue to face inefficient and unacceptable delays in review and decision-making processes and the uncertainty this creates. Bill 75 ensures that project reviews and related activities for significant projects are carried out in an expedited manner and respect the autonomy of local governments by creating an innovative framework for dialogue and cooperation on projects that are in the best interests of all British Columbians.

The Significant Projects Streamlining Act plays a strong role in the government's commitment to creating a strong and vibrant provincial economy. Bill 75 provides evidence that this government is committed to creating an economic environment that encourages both investment and job creation for residents. Passage of the Significant Projects Streamlining Act will simplify the relationship between business and government. The initiative will create a competitive climate for business and investment in the province and is an

important part of our government's continuing effort to create a strong and vibrant provincial economy.

I am pleased to move second reading.

J. MacPhail: Bill 75, the Significant Projects Streamlining Act. It's interesting to watch this minister assert things that he simply hopes people will believe, saying: "Oh, this bill doesn't affect environmental standards. It doesn't affect first nations." We know the value of the word of this government on its commitment to environmental standards and first nations. Because this minister asserts that this legislation doesn't affect any of those rights, one can pretty much predict that the bill does affect those rights. In fact, Bill 75 is yet another example of this government sidestepping its obligation to provide fair and responsible governance in favour of honouring commitments to its corporate donors.

I almost don't know where to begin on this legislation. This legislation is extremely far-reaching. However, it lacks any fundamental definitions and information that would inform the public about how the new legislation is going to be used. It is extremely vague. As a result, I will have many questions at committee debate. However, I also don't anticipate getting any answers, which is typical of this government.

In the short time I have had to examine the bill, I have come across some very troubling aspects. I want to go over those today so the minister will be fully prepared — 100 percent prepared — to answer every single question during committee stage. First off, let me quote from the explanatory text for Bill 75. I'm sure the explanatory text is written by the public affairs bureau, the *Pravda* of this government, because it really is all about spin. But this one let some information slip through.

"This Bill provides for projects that the Lieutenant Governor in Council considers are provincially significant projects to be expedited by requiring that any decisions that must be made in relation to the project are to be made expeditiously, and, if the project is to proceed, by allowing for any enactments or processes that might impede the prompt completion of the project to be overcome through negotiation or minister's order and replaced with alternative measures that are more in keeping with the expeditious completion of the project."

Nothing about other pieces of legislation prevailing. No. It says "minister's order." Some kind of banana republic we're in here. The key piece to this bill is that the ministers will have the power to remove a project from any and all approval processes that the minister and the proponent feel "may be a constraint." On top of that, it only has to be a perceived or anticipated constraint. It doesn't even have to be a reality.

[1550]

What could this possibly be referring to? We don't know. We don't know for sure, because the legislation doesn't say. However, I'm pretty sure I know where this government wants to go on this: the Olympics for sure and the RAV line for sure. What else?

I do understand the need to ensure that projects associated with the Olympics are kept on schedule, but

this act is not in any way limited to the Olympics. The intent of this legislation is not defined anywhere. This minister can stand up and assert whatever he likes, but his legislation doesn't back him up. The power in this legislation is not limited in any way. This legislation gives free range to cabinet, to the Premier, on any project. The Minister of State for Deregulation has gone on the radio and said.... He said it again today, and he shook his finger at the opposition, saying that this bill is not about compromising environmental standards. Well, I say to the minister: prove it. There is nothing in this legislation that dictates what processes cabinet can override and what processes it cannot. There is nothing in this legislation that limits those extraordinary powers.

Well, let's see whether I'm just fearmongering. No. This interpretation of Bill 75 is shared by pretty much everyone who's commented on it to date. In his column on Tuesday, Vaughn Palmer of the *Vancouver Sun* wrote: "Once the cabinet makes the designation, it can, by the stroke of a pen, eliminate any and all constraints to the approval process — regulations, procedures and timetables included." The British Columbia and Yukon Territory Building and Construction Trades Council press release from November 4 says: "This new legislation that proposes to fast-track major construction projects will be a disaster for taxpayers." The executive director, Wayne Peppard, whose members will be responsible for building these projects, went on to say that this legislation is an insult to local authorities. Paul Willcocks, a columnist here, in yesterday's *Kelowna Daily Courier* argued that Bill 75 could "easily be called the 'making the Premier king act.'"

Isn't it curious? The day Bill 75 was introduced also happened to be the day a new deputy minister of special projects was appointed to the Premier's office. Now, how many deputy ministers does that Premier need? He's set a record for deputy ministers. We know that this new deputy minister for special projects will be working full time in using the new powers granted the Premier under Bill 75. Full time she'll be working on it. We know for sure that all of this streamlining will be by direct order from the Premier to his new — what? — tenth, eleventh or twelfth deputy minister, the deputy minister of special projects.

Well, it will be interesting to see what these Liberal government caucus members say about saying be damned to proper public oversight of special projects. I have admitted in the most recent Public Accounts that there were lessons to be learned from the fast ferries project and the fact that it was directed out of the Premier's office. I went on the record and said that. I called for the auditor general to apply the same recommendations we learned out of that lesson to the RAV line.

[1555]

You should have seen the government caucus members fight that one. They said: "Oh my God. How dare you demand that we apply the recommendations the auditor general learned from the fast ferries project to the RAV line?" One government caucus member stood up and said: "We don't even know the provincial

involvement in the RAV line. We don't even know if there is any provincial involvement in the RAV line." I guess they were just waiting for this legislation. I guess these government caucus members were just waiting for this legislation to be rammed through, where no one can examine a special project.

Well, they got their wish today. Hurrah. Not only have they not learned one lesson from the fast ferries project; they're willing to repeat it ad nauseam by legislation. That is exactly what this legislation is about. I should have known the government caucus members had something up their sleeve when they were making themselves look silly by not wanting the auditor general to examine the RAV line according to what we learned from other megaprojects. Well, now I know. They did have something up their sleeve. It's called Bill 75.

Let's return to the minister of state's claim that he just made about the bill not weakening environmental standards. In order to grant their new-era promise for "certainty of access," this government has gone to great lengths to reduce all kinds of processes designed to protect the public interest. They gutted the Environmental Assessment Act. They gave the Minister of Sustainable Resource Management the unilateral authority to determine what constitutes a reviewable project. They also gutted the Agricultural Land Commission, and they gave the Minister of Agriculture unilateral authority over defining what is a non-farm use and what can be removed from the agricultural land reserve. Then the government gave themselves unilateral control over the siting of fish farms, even if local government doesn't want them.

Bill 75 is just an extension of that. They can now unilaterally do whatever they want. Of course this is about environmental standards, and it's about controlling local governments. This is an unbelievably arrogant approach on behalf of a desperate government who will now do anything to make up for their failed economic policies to attract back that disappearing, escaping private sector investment that is falling every year under their regime.

On top of all this, the Liberal government has removed the right of the public to be involved at every step of the way. They got rid of the project committees in the environmental assessment process, and they've refused to legislate any public consultation in their forestry changes. Every time this Liberal government reworks processes around natural resource use, the public loses — every time. Bill 75 is no different. It allows development-driven ministers to decide when a major project can skip through the approval processes and brush over public consultation requirements. These decisions will be made behind closed doors, and the public will be shut out.

Here's an interesting one. I wonder whether any government caucus members know this. Freedom-of-information laws do not apply to this legislation. Freedom-of-information laws do not apply to the Significant Projects Streamlining Act. Oh, isn't this an open and accountable government? Fast ferries are beyond

the imagination now, with this legislation. Every megaproject is going to be rammed through by a deputy minister of special projects working right beside the Premier, and no one's going to know what they're doing because the freedom-of-information laws don't apply. Billions of dollars of taxpayer money will now be exempt from freedom of information.

Open and accountable? You tell me what's open and accountable about this government. Of course the government didn't announce, when they introduced this legislation, that this law would be exempt from freedom of information. I wonder why they didn't do that. I wonder why they kept that little secret from the public. As a result, the public will have no way to get information about the government's actions on fast-tracking megaprojects. It's another step in this government's quest to become the least open and accountable government in British Columbia's history. Despite backbench blustering to the contrary, open cabinet does not count, and any of the Liberal members who actually believe it is not a scripted attempt at reality television are fooling themselves.

[1600]

I want to move to one of the biggest dangers of this bill, and that's blundering cabinet ministers. Under Bill 75, project proponents who "may be impeded by a constraint" can now ask a minister to allow the project to skip over that perceived constraint. The bill mysteriously fails to identify the types of constraints, but one can imagine that anything done by the Ministry of Water, Land and Air Protection is high on that list of a perceived constraint.

Some poor Liberal donor who wants their project rammed through can now go to the minister and say: "Oh, that Ministry of Water, Land and Air Protection is concerned about the environment. Can you just ram my project through?" And he'll now have — the Premier — the secret ability to say: "Aye, aye, sir. Done." The public won't have a clue as to what went on. They won't be able to turn to the legislation and have what a constraint is defined.

Let's just look at one example where a project proponent might see a constraint. It's a real example. I know the Minister of Agriculture, Food and Fisheries will be very familiar with the tale I'm about to tell. During the last spring session the Minister of Agriculture, Food and Fisheries was forced to step down when it was revealed that he tipped off Stolt Sea Farm about an investigation into their aquaculture practices. It was at this point that the public learned just how cozy the Liberals and the aquaculture industry were and still are.

When the story broke, many details, letters and e-mails rose to the surface under freedom of information, outlining just how messy the whole situation was. One of these documents was a letter to the Minister of Water, Land and Air Protection, the Minister of Sustainable Resource Management and the Minister of Agriculture, Food and Fisheries. The letter was from Dale Blackburn, vice-president of Stolt Sea Farm, who was concerned about the government's actions. Here's an

example of what he wrote in his letter: "In addition, the recent meeting our industry had with yourself" — meaning the Minister of Water, Land and Air Protection — "and your colleagues" — the Minister of Sustainable Resource Management and the Minister of Fisheries — "buoyed myself and other salmon farmers, as the tone of the meeting indicated a strong willingness on everyone's part to repair and rebuild troubled relationships."

The letter continued: "Instead of working with us, I see these recommendations to lay charges as just one more effort to discredit B.C.'s salmon farming industry and our operations here in Campbell River." Furthermore, the letter said: "I am requesting that the recommendation to lay charges against Stolt Sea Farm be dropped. At the same time, I would like to suggest that your staff be asked to work with us rather than against us."

What happened? The investigation was compromised by a bungling cabinet minister. The fish farm company got their way. The public lost, and Stolt Sea Farm is now able to do what it likes.

Now it's going to be even easier for ministers to sidestep the public interest. They don't need secret meetings. They don't need phone conversations to disrupt proceedings. They can just fall back on Bill 75. Next time Mr. Blackburn feels like the government is working against Stolt Sea Farm because of those silly environmental reviews and assessments, he can just ask the minister to declare his actions significant, and all the approval processes and regulations can be swept away and replaced by a process of the minister's choosing. Despite what the Minister of State for Deregulation says, there is nothing in this legislation to prevent that from happening.

[1605]

Who needs to do an investigation? Stolt is our friend. They can do no wrong. Besides, they gave us big money. Who cares about escapes, disease and waste? This bill gives cabinet the ability to override the regulations that protect our natural environment, despite the minister trying to say it doesn't. Whether they would ever use it in fish farms, we don't know, because Bill 48, which was passed just a couple of weeks ago — the right to locate fish farms in spite of local government — sure indicates that this government is willing to override any regulations. It sure indicates that the location of fish farms is a high priority, despite environmental regulations, despite local government regulations. If Bill 48, the right-to-farm amendments to allow aquaculture sitings to override local governments, doesn't work, then the fish farms can turn to Bill 75 and complain about those constraints of local government.

This is absolutely astonishing. To give these ministers such power is irresponsible and reckless. We've already seen the damage a minister can do to due process with the fish-farm fiasco, and now Bill 75 only legitimizes such interference. That should be rejected outright by this Legislature. At the very least, regulations should be developed clearly, spelling out when and

how ministers can use this power. If it is for the Olympics, say so. If it's not going to be used to skip over environmental regulations, prove it. Bring in some regulations.

Unfortunately, there will be no regulations coming with this legislation. This legislation is all there's going to be. On Tuesday my staff had a chance to sit down with some of the folks from the ministry responsible for Bill 75, the Significant Projects Streamlining Act. My staff asked when and if there were regulations forthcoming, and the reason why he asked that is because this bill is as vague as you could possibly imagine.

My staff said: "The minister is making some very strong assertions about what this bill doesn't do, and yet there's nothing in the bill that backs up his claims. When can we expect regulations to back up the minister's claim?" The answer was this: "There will be no regulations on this legislation at all." That's from the bureaucracy that's the expert on this. Oops, no regulations. The bill stands as it is.

The Premier will have unrivalled, near-absolute power. Now, that is something that every British Columbian and every government caucus member should be concerned about. I can't imagine how much more curious it will get with the Minister of State for Deregulation trying to explain how this bill doesn't override environmental regulations. There's nothing in the bill that says that, and there's no regulation coming.

For the members' information and for the folks at home, this is not by any means fearmongering. Here's what section 11 of Bill 75 states: "If there is a conflict between this Act and any other enactment, this Act prevails." And no regulations are going to be coming to modify that. That legislation stands on its own. So there you have it, Mr. Speaker. If Stolt Sea Farm complains about an approval process to the minister, this bill allows the minister to do whatever he wants to speed the process up, and such power should not be in the hands of such incompetence and bias.

Speaking of incompetence, let's talk about the Community Charter. This is the part all the Liberal government caucus members should listen to closely, because they're going to have mayors and councillors breathing down their necks demanding answers. Bill 75, the Significant Projects Streamlining Act, gives cabinet the power to sidestep processes that local governments have in place to ensure due process.

[1610]

Let's just look back a few days ago. The Liberal member for Victoria-Beacon Hill was applauding all the consultation that went into the city of Victoria's recent decision on development in Cook Street Village. He rose up and made a statement about the good work done by his local government.

Well, this bill would allow cabinet to do away with such consultations that the member was applauding. All a developer would have to do is complain that there are "perceived constraints," and they would be able to describe to these ministers behind closed doors how they felt they were being constrained. There would be no public consultation, and there would be

no freedom-of-information laws applying to how that developer defined his perceived constraint.

But what about that Community Charter, a bill that was passed just a couple of weeks ago? What about all the empowerment the Liberals promised? Go back to the original press releases about the draft charter, and you'll see quotes from the Minister of State for Community Charter like this one: "We have committed to establish a Community Charter that would give local governments greater independence and outlaw provincial off-loading of costs on to municipal governments." Or how about this one from that same minister of state: "The draft Community Charter legislation we are tabling today will be the most empowering legislation of its kind in Canada. In addition to providing greater autonomy, the charter will also provide local governments with the planning and revenue tools they need to provide services to the public in a modern and more efficient way."

[J. Weisbeck in the chair.]

Greater independence? Empowering? Greater autonomy? Planning and revenue tools? The Minister of State for Community Charter must be wondering what the heck he's been doing for the last two years. Bill 75 overrides the Community Charter. It's paramount. I heard some government caucus member shouting: "Oh, what about section 2?" Let's be clear: this bill is paramount over every other enactment. Otherwise the section I just read into the record has no meaning — none. I guess the government caucus members didn't get that in their briefing.

Bill 75 is paramount legislation. That means it prevails. It says so in this legislation. If that's not what it means, then I can hardly wait for the Minister of State for Deregulation to explain that. Nothing in the Community Charter has any weight anymore. It can be swept away by a controlling Premier's office.

This legislation, the Significant Projects Streamlining Act, shows just how sincere this government is about empowering local governments. It's the same story as Bill 48, the one that lets the government override local government decisions on fish farms. "We'll sweet-talk you all we want, but when it comes to big business or you, local governments, we're on the side of big business." That's what Bill 75 says. It strips communities of their ability to plan.

I can hardly wait for the member for Victoria-Beacon Hill to explain how the Cook Street Village planning process would happen if some developer wanted to invoke this legislation. It strips communities of their ability to plan, and that's something the Minister of State for Community Charter, the Premier and all the Liberal backbenchers have been bragging they would do for years. Now who cares about official community plans or public hearings? The Premier has spoken.

[1615]

What about land use planning? Will this government consider land use planning a constraint? I've

heard government caucus members stand up. I heard the member from Chilliwack just describe how, thank God, the provincial government was getting out of land use planning or floodplain planning so that local developers could work directly with city councils to get their wish on planning. Well, if a local developer doesn't like some local council that is actually concerned about flood planning, they can just go to the Premier and say, "Oh, I'm feeling constrained. Please invoke Bill 75," and Bill 75 will be paramount.

I guess that's good news for the developers, and I guess that's who this government cares about. I guess that's who this government is or who they represent — developers. But maybe this government will finally have to admit that that's all they represent, and they're now going to have a nice, little, cosy relationship with developers behind closed doors. You and I won't have a clue what's going on.

During debate on Bill 46, the Land Amendment Act, 2003, the member for Cariboo South stood up and praised all the work he had done on the Cariboo-Chilcotin land use plan. Fair enough. He should have. He worked extremely hard on it. I didn't agree with the direction he took at the local level, but he worked darned hard on it. On October 23 here's what he said:

"Our plan, the Cariboo-Chilcotin land use plan, sets out many of the guidelines that were needed and that are needed as we move forward in plans around the province. We call it a living plan. I believe we need a living plan — a working plan and a living plan — to ensure that future generations have the flexibility and the ability to adapt and service and address their needs."

I think it's appropriate that the member for Cariboo South be so passionate about the land use planning process, and it is appropriate for him to take credit in that planning process. Too bad it can now all be washed aside by this bill, the Significant Projects Streamlining Act, if a minister wants a mine in that area badly enough.

My staff also asked, during our briefing, if Bill 75 could be used to bypass or overturn a land use plan. In fact, the staff couldn't answer that question. Isn't that interesting? The minister's staff couldn't even answer whether a land use plan was paramount. In fact, we probably know why the person couldn't answer — because the answer would have been: "Yes, this bill overrides the land use plan." The minister's political staff jumped in and said that was a question better suited for the minister himself, so I'm putting the minister on notice right now. During committee stage of this bill I will expect the minister to be able to point out where in Bill 75 land use plans are protected. I can hardly wait. I couldn't find it, and there are no regulations coming. I'm really looking forward to this debate.

As far as I can tell, there's no guarantee that any of the land use plans or the ongoing processes will be respected at all. Bill 75, the Significant Projects Streamlining Act, is that sweeping. Just how far it goes, we don't know. The bill — and remember, the bill's going

to stand on its own — does not define how government or the Premier will use these new-found powers. The bill doesn't even try and specify what a constraint is.

Under section 1, here's the definition of a constraint they've put in place. It means "in relation to a project, a measure that, unless replaced under section 4 or 5, may impede or otherwise interfere with the completion or operations of the project...." Furthermore, a measure is defined as "an enactment, directive, requirement, guideline, plan, program, policy, practice or procedure...."

[1620]

Those are the constraints. That's how they define a constraint. Stolt Sea Farm could have come forward and said: "That policy of requiring us not to violate environmental laws is a constraint." The developers that were having so much trouble with Cook Street Village could come forward and say: "That city council that wants us to make improvements — that's a constraint." That's how this is defined. Nothing more, and we're not going to get anything more. It doesn't say anywhere: "Oh, by the way, policy, practices, directives, procedures on the environment are excluded." No, it doesn't say that. So it could be anything. It doesn't say: "Oh, by the way, first nations right to a duty to accommodate is excluded." No, it doesn't say that. So it could be anything. Who knows what the intention is?

Environmental regulations, Labour Code, collective agreements.... Oh those piddly little collective agreements. What if they get in the way, like they are at Mission Hill winery in Westbank? What if they get in the way? Land use plans, employment standards, community plans — are those little things constraints? According to this legislation, they are.

No one knows what the intent is. However, what we do know is that this legislation gives the Premier the ability to override any of the processes. He's got another new bureaucracy growing; another new deputy minister of special projects in charge. She'll be working full time behind closed doors, in secret, to make sure this government's business friends get their way.

It's unbelievably heavy-handed and it's absolutely controlling. It is the equivalent of a banana republic. The Premier can now micromanage the entire province if he wants to. Section 11 is clear: this act prevails. The Premier has absolute power. If any previous administration brought in this legislation, I can just imagine what the current Minister of Finance would rail about. I can just imagine what the current Premier would say. It is appalling that not one government caucus member has the guts to stand up and say: "The emperor has no clothes." And they won't.

Now, here's an interesting section. Section 11 highlights two exceptions. It says Bill 75 does not apply to the Environmental Assessment Act or to the Agricultural Land Commission Act. I bet you every backbencher will stand up and say: "That Leader of the Opposition doesn't know what she's talking about. Look, it says right here. The Environmental Assessment Act and the Agricultural Land Commission Act prevail."

Well, let me just inform the Liberal government caucus members that before they try to say environmental regulations are protected — let me just get this on the record — and before they say my concerns about environmental protection are unfounded, the environmental assessment process has just been gutted by this government. Here's how it now works. The Minister of Sustainable Resource Management already gave himself sweeping powers that almost completely eliminated the independence of environmental assessments. Everyone agrees, including the Minister of Sustainable Resource Management, that he greatly reduced the independence of those assessments. There are now several instances in this new legislation where the minister has total control over the process.

[1625]

Section 14 of the Environmental Assessment Act gives the Minister of Sustainable Resource Management unilateral ability to define the scope of assessment. In fact, he could say: "The scope of this project, I have determined, is not subject to the Environmental Assessment Act." He admitted to that in the debate. So before all these Liberal backbenchers get up and say: "All the power of that legislation applies...." There's a very specific reason why this government decided to include that as an exemption. It looks good — the words "environmental assessment." However, they forgot to say in their news conference that they completely gutted the Environmental Assessment Act.

If Bill 75 is paramount, it remains paramount even though the Environmental Assessment Act is mentioned. Exempting the Environmental Assessment Act from Bill 75 means absolutely nothing because similar if not identical powers have already been granted to the Minister of Sustainable Resource Management. If Bill 75 is not about bypassing environmental regulations, I challenge each and every Liberal MLA to rise up in this House and point to the section where the Fisheries Act or the Wildlife Act is exempted. If this legislation is not about controlling local governments, I challenge every backbencher to stand up and point to the section where the Community Charter is exempted.

If Bill 75, the Significant Projects Streamlining Act, is not about concentrating power in the Premier's office, I challenge the minister to point to the section where there are any limits on the Premier's power. Bill 75 will allow the Premier and his cabinet to override the will of local governments and this Legislature. It is about cabinet supremacy and the will of the Premier. It will allow Liberal insiders and donors to access government like never before, and nobody will know how they accessed the government and when they accessed the government, because freedom-of-information laws don't apply. The explanatory note is clear. The Significant Projects Streamlining Act will allow the Liberals to do away with any perceived constraint by minister's order — environmental regulations, employment standards, community plans, land use planning.... The list goes on and on. They are all at risk.

Bill 75, in this current form, is an absolute arrogant attack on taxpayers and democracy, and it shows that

this government has learned nothing about mistakes from the past. It is arrogant, and it must be rejected.

R. Sultan: I'm pleased to respond to Bill 75, the Significant Projects Streamlining Act, proposed by the Minister of State for Deregulation. Bill 75 will, as has already been explained, allow cabinet to designate — that's designate with a capital D — projects. In so doing, it will allow the assignment of special status to a project considered to have broad provincial significance and importance to our economic, our social and our environmental well-being. Projects designated by cabinet will receive expedited review and approval through the encouragement of both provincial and local governments to engage in dialogue-facilitating streamlined processes and timely decisions. Should suasion not prove sufficient, cabinet could authorize the responsible minister to make orders replacing provincial or local government restraints impeding the development and operation of a project. However, the scope of such orders, as the minister of state explained, would be limited to review and decision-making processes and would not interfere with the fulfilment of inherent standards of environment, health or safety. It will not interfere — let me repeat that — with the fulfilment of standards of environment, health or safety. I think that is key.

[1630]

In a word, this is fast-track legislation. It's designed to hasten projects that would otherwise take much longer to bear fruit. Why is this legislation so necessary? A province lagging in economic growth, such as British Columbia, must obviously pay more attention to facilitating investment, and it must pay less attention to figuring out the many ways governments can slow down investment or stop it in its tracks — an unfortunate reality that we've endured all too often in the past.

Why is this bill necessary? Mr. Speaker, it's necessary because our economy continues to be burdened by a devastating combination of the virtual American embargo on our softwood lumber producers, our most important industry; the continuous slowdown in the economy of our second-most important trading partner, Japan; the impact of SARS and terrorism on our vital tourist industry; the destruction of our forestry resource by fire and insects; the lingering hangover from the tomfoolery of a previous government; and the restructuring costs of government change as we move to a more sustainable course.

Faced with this combination of difficult circumstances, we must rally all of our available means to the challenge, and there's no time to lose. Demands upon the public purse — fuelled by our aging society, accelerating medical technology, demands for higher education, court-ordered entitlements, overtaxed infrastructure, a more demanding public and so on — continue to rocket ahead. Meanwhile our capacity to pay — that is, the engine of economic growth — is underpowered. Decisions must be made quicker. Execution must be faster. Contemplation times have to be whittled down.

Watching government in action over here in Victoria sometimes reminds me of that old Sir Laurence

Olivier movie about the Battle of Britain. It's early days in World War II. Life on the RAF airdrome is leisurely — darts and ale. There's a report of incoming aircraft. The air raid warden casually, oh so casually, strolls over to a hand-cranked siren. By the time he gives it a first crank, marauding Messerschmitts have strafed and destroyed the entire squadron.

We can carry the military analogy a bit further, and perhaps it's appropriate to do so on a day when all of us wear our poppies in remembrance. British Columbians cannot afford the luxury of slowly pondering projects over time spans which exceed the years it took Canada in 1939 from a standing start to mobilize 10 percent of its population into Armed Forces; build world-challenging armies, navies and air forces; and send our men and women abroad to help defeat simultaneously adversaries on two distant fronts in less than six years. Not bad, Canada. We will not forget.

Compare the intensity and the time span of that effort with a campaign waged by a lonely but determined band of British Columbia miners to extract wealth from the ground on the Tulsequah River — eight years — and it still isn't built, although momentum is finally building. As the Minister of State for De-regulation is frequently prone to observe, pretty soon the time to receive permission to build this mine will have exceeded the time it took to defeat our enemies during two world wars.

Surely Canadian decisiveness, energy and talent have not diminished to that degree in the intervening years. I believe we are as decisive, energetic and talented as we have ever been, but we have allowed our initiative to be shackled by governments. For example, I have before me two decision flow charts brought to my office by a thoroughly frustrated Vancouver architect involved in the planning and development of two mountain resorts. These two diagrams, one for each project, show the approval steps required as these projects bounce from provincial government to regional government and back again.

[1635]

Briefly, without going into the details, the defined process involves the project proponent developing.... I'll just rattle through the steps. An expression of interest, which leads into the stage of formal proposal, which involves consultation and then government agency's review and then through the negotiation of an interim agreement leading to a draft master plan proposal, which requires further consultation and review through advertising and public input.... Then there's another consultation and review, leading to another government agency's review, which lays the ground for master plan approval.

It then requires individual application for a Crown grant, which in turn requires a master development agreement and then individual applications for tenures and Crown grants, taking into account consultation and review at the community level and official community plan and phase 1 rezoning. And don't forget the multi-agency circulation of application and thence the RDCO technical review and the regional board

consideration at first reading and then a public hearing followed by regional board consideration at the second and third stages. Thence, a negotiation for a serving agreement and application for sewers and water and subdivision. This needs regional board consideration plus an application for a development permit, which is insufficient because you can't forget the application for a building permit, which of course requires an application for rezoning for the next phase. A total of 28 steps, and eventually it requires a repeat of the above steps all over again.

Now, it turns out this is the short version — only 28 steps. Permitting his other resort project involves 50 steps. How or why an additional 22 steps were added is unclear to me, but in this world the only consistent is inconsistency — and also complexity.

I was once involved in a consortium, believe it or not, which set out to build the world's first commercial nuclear submarine. The flow charts.... [Laughter.]

It's true. The flow charts given to me in my office looked familiar. They resembled the plumbing diagram of our nuclear reactor.

I would like to describe four case studies of regulatory delay of which I have some personal knowledge. Let's start with the Mackenzie Valley pipeline. About 25 years ago a consortium involving Imperial Oil, Exxon and others proposed to build a natural gas pipeline down the Mackenzie River linking Canada's Beaufort Sea gas fields to what in those days was called the lower 48 in the United States. I was therefore part of a team of financial advisers, including the Royal Bank, Wood Gundy, Citibank and Morgan Stanley. In those days, you couldn't get more blue chip sponsorship than that. I figure they put \$100 million into engineering and feasibility work, not to mention our own fees, of course, in the more significant dollars of the day. But the project was cancelled.

Why? Justice Berger's royal commission — that's why. He produced a large report saying the aboriginals did not have the capacity to appreciate the transformation of their lives that might occur. So Exxon, Imperial, Morgan Stanley — the whole crowd — walked. So here we are 25 years later, and the new semi-provinces of the territories and Nunavut are anxious for economic development.

Who is in the forefront of lobbying for the twenty-first century version of this very same pipeline? The aboriginals. Does anybody else see the irony here? Well, perhaps the price of community agreement has been 25 years of consultation. Or perhaps the price of community agreement has been 25 years of forgone economic reward and a 50-50 chance the pipeline will actually be built through British Columbia instead — an option, by the way, that I would favour.

[1640]

Let's turn to a second project with which I have some personal acquaintance: Cariboo Fibreboard, otherwise known as Williams Lake Fibreboard, a project to build a medium-density fibreboard mill, MDF, in Williams Lake. I came on the scene through a government-sponsored venture capital fund called Discovery En-

terprises. Discovery was one of British Columbia's early venture capital success stories, courtesy of a former member of this Legislature, Dr. Patrick McGeer. Discovery backed the German entrepreneur with the idea, the technology and the chutzpa to get a massive pulpwood harvesting licence — PA 19 — and the backing of North Carolina National Bank. He got bogged down in permitting.

Next up to the plate: the future member for West Vancouver-Capilano. Presumably this guy knows how to get this project moving again, particularly when — with the help of others — he recruits a little outfit called Bechtel Corporation, the engineer-constructor folks now dodging bullets in Iraq, to co-sponsor the venture in what they regard as an interesting and pioneering, path-breaking P3. We're talking a decade ago. You can't ask for more expertise or deeper pockets than that. Funny thing, though. The first time into Victoria to explain all of this, I was taken aside and it was suggested not to mention Bechtel so much. The officials didn't like that name. Okay. Onward and upward.

Three years later, Bechtel has gone home to San Francisco. It turns out Canada is not such an easy place to get a project off the ground as I had led them — or myself, for that matter — to believe, and \$5 million of new money has gone into the project and down the drain. We finally have the necessary certificates, but it's too late. The market has turned. MDF is in glut. The hubris that must propel every major project has gone. Blame it on the marketplace. I blame it on the tediously long permitting process, which did not allow that German entrepreneur to build it when he wanted to.

A third example. This involves a facility burning wood waste to generate electricity. It's a much more recent example. Let's say it was located in a community somewhere in B.C. sponsored by a heavyweight eastern engineering company. The project offered all the right stuff: 3½ megawatts of electricity, conversion of waste into electricity, the shutdown of air-polluting beehive burners.

What went wrong? The regional district government set up a series of hoops to jump through. Individually, they weren't particularly challenging, but collectively they created a time hurdle as well as some unforeseen fees and expenses. Some of them were merely pesky, but others involved real money. Ministries in Victoria weren't much better. One project adviser said the money was there, the land was there, the technology was there, but the ministry was somewhere else. This person went on to say the project dragged. The ministry issued partial information to locals, which resulted in uninformed opposition to an excellent project.

Despite all of this, permitting eventually came through, regional levies were negotiated, and the project was licensed. Now the wood industry had changed. In a way, it was the Williams Lake project all over again. Logging volumes were down. It was not clear the fibre supply would be there. Somebody said, "Let's abort," and they did. The project developers wrote off three-quarters of a million dollars and went

back to eastern Canada, where they undoubtedly spread stories about the pleasures of doing business in British Columbia. Lessons learned: grab the cycle when it's in your favour; wait a few years, and we'll turn against you. British Columbia lives in a cyclical world.

My final case history is drawn from the mining industry. The regulatory and legal challenges faced by Tulsequah Chief mine are legendary in the industry. Located in a remote northwestern corner of our province — a remote corner, in fact, that many members of the mining task force right here today visited this summer — this project has been in the permitting process for eight years. In 1995 it entered the provincial environmental assessment process, from which it successfully emerged in 1998. Opponents went to court. After a re-examination of the issues — court ordered — the province reissued a project approval certificate in 2002.

[1645]

Another complication arose. While the federal Department of Fisheries and Oceans, DFO, had earlier signed off under the Canadian environmental act, project sponsors had in the meantime agreed to realign the access road in response to some other concerns. This gave DFO reason to request Tulsequah make a second application under its federal statute and start all over again.

Amazingly, Tulsequah's ore body is so good and the proponents so tenacious that there seems little doubt that this project is going to go ahead, but its history illustrates the interplay between DFO, the courts and provincial regulators in permitting delay. Bill 75 will deal with only one leg of this three-legged stool — and the least troublesome leg at that. Quixotically, enforced delay may in the end work to Tulsequah Chief's advantage. Production will probably feed into a market upturn. But meanwhile, what have been the time and opportunity costs? In today's impatient world, to assume project sponsors will always be so patient and tenacious cannot be the foundation of a successful provincewide economic growth strategy.

What lessons can we learn from these case studies? Well, there are three of them. The first one is Shakespearean in origin. There's a tide in the affairs of men. Projects are conceptualized, the stuff of dreams and imagination. Teams are assembled. Plans for financing are laid out. Engineers sketch out the possibilities. The pre-feasibility study is made and then a more detailed feasibility study.

Talks take place with customers to check out markets tentatively. The environmental issues are identified, and preliminary solutions are planned. Locals are consulted to see if the mayors and councils and other people are on side. Other allies are cultivated. There are meetings with first nations. Enthusiasm builds. Excitement. The critical path diagram is posted on the wall. It's a complex undertaking, but it all seems to be coming together. We're going to do it, but it all depends on getting that approval certificate. But, but, but.... If, if, if.... When, when, when....

Quietly at first, noisily later, the skeptics gather. The NIMBYs, the don't-change-a-thing phalanx who

worry about the quality of the air, the quality of the road traffic, the quality of life itself. Why upset nature on this plot of land? Rally the troops. Don the cloak of righteousness and attack this frightful new thing.

William Shakespeare understood full well the competitive dynamics of project development. It's all about timing. Brutus, *Julius Caesar*, act IV, scene 3:

Under your pardon. You must note beside,
That we have tried the utmost of our friends,
Our legions are brim-full, our cause is ripe.
The enemy increaseth every day;
We, at the height, are ready to decline.
There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries.
On such a full sea, we are now afloat;
And we must take the current when it serves,
Or lose our ventures.

I doubt if William Shakespeare could have anticipated today's contest between builders anxious to get on with the job, having mobilized expensive teams, or armies, that they must hold on standby at peak strength — they're not going to get any bigger — versus low-overhead rivals who start small, proclaim the "Don't Build Nothin' Nowhere" slogan while steadily recruiting allies to their cause. It builds. The opposition builds the longer you hang out there. We see that in many spheres of our own existence around this Legislature. Shakespeare captured the competitive dynamics perfectly. Time is the enemy of venture.

A second lesson. "The perfect is the enemy of the good." You all understand that one. When regulators examine a project, they have a lot of questions. I once showed up at a meeting in Ottawa of the Department of Indian and Northern Affairs. The room was full of officials from Finance, Environment, Fisheries and a lot of other people I didn't know. Question. "Who's putting up the money for this project?" they ask. Well, my Visa card, actually. No, I didn't say that.

I said: "It's none of your business." Wrong answer, I'm told later. I suppose it was fair of them to gauge whether or not they were dealing with some biker gang. But does the financial source have to pass some sort of loyalty test? If I had told them the truth — that it was some outfit in Texas mesmerized by the prospect of cornering the world's silver market — I think they would have recoiled.

[1650]

Okay, okay. It would have been nicer if it had been the Royal Bank of Canada, but we're talking about raising 100 million bucks to restore a tired mine in some remote Subarctic town amidst great skepticism. People who give you money under those circumstances aren't like those who favour bank deposits.

As I submitted to this Ottawa grilling, I wondered why they weren't more concerned about how much money was going to actually go in the ground — where and when. How many jobs were going to be created? Who was on the technical team? What was the environmental risk? There's always environmental risk. How much lead, zinc and silver would we export to

Japan to solve our nation's huge deficit problem? We didn't go there.

Nobody's perfect, and neither is any project. If the grilling goes on long enough, something questionable will always crop up. The backers may seem flaky. The markets may not seem to be there. Maybe the plant process won't work. Maybe the environment will be severely affected. Maybe some rare plant species will be impacted. The list goes on. Human activity — starting up your car, having a cup of coffee, whatever — all has impact. To seek perfection is to seek the impossible.

On the other hand, we could point out that the project will also contribute to the building of this community, create high-paying jobs, get people off welfare, help them give their children better nutrition and an education — and we all know what that does to improve any individual's health and longevity — not to mention feed the economic engine which sustains cash flow to the Minister of Health, on which we all rely. In a word, the project is good — not perfect but good. Let's get on with it.

Third lesson: hollow men sink in the trial. Again, we recall the words of Shakespeare. I refer to the human dimension in regulation. There is an unfortunate tendency for regulators to try to transform themselves into developers. Regulators may covet juicy assignments when the need for economic development, due in part to their own gumming up of the works, becomes overwhelming. We see this tendency from Ottawa to Moscow. Maybe if we look hard enough, it might even be discovered right here in Victoria. Regulators may be good at regulating but not so good at promoting and developing. Since they are gatekeepers and allow things to happen, it's easy for them to convince themselves that allowing things to happen and making things happen are one and the same thing.

The way it really works is that persons skilled in navigating the corridors of power in government are highly talented people — God bless them; we need them — but that talent does not easily adapt to the rough and tumble of the marketplace. In the context of Bill 75, therefore, the persons doing the fast-tracking should not be drawn from the pool of persons who need to be fast-tracked in the first place. As usual, Will Shakespeare said it best: "But hollow men, like horses hot at hand, make gallant show and promise of their mettle, but when they should endure the bloody spur, they fall their crests and, like deceitful jades, sink in the trial."

[Mr. Speaker in the chair.]

To sum up, I support Bill 75. I regret the circumstances that motivate this legislation. It's unfortunate, but it's important that we pull out all stops to bring economic development to the heartlands. It's important we put British Columbians back to work, and it's important we get on with the job. We've studied this bill long enough. Let us, therefore, designate it for speedy passage.

Hon. G. Hogg: I seek leave to make an introduction.

Leave granted.

Introductions by Members

Hon. G. Hogg: On behalf of the Minister of State for Early Childhood Development, I would like to acknowledge the members of the Clarke family who are in the precincts today: Eamon and Mary and their children, Laura and Lloyd. They have journeyed here from Northern Ireland to visit our beautiful province. This family has made this journey in order to learn more about fetal alcohol spectrum disorder. They have found the knowledge and expertise they were looking for here in British Columbia. Would the House please make them most welcome.

[1655]

Debate Continued

J. Les: It's a pleasure to rise this afternoon and make some remarks with respect to Bill 75. I must say I thoroughly enjoyed the comments of my colleague from West Vancouver-Capilano. I would challenge anyone to state as eloquently as he the necessity for this legislation. I certainly will not be quoting Shakespeare. But let me assure you that I agree with everything he had to say, and I would like to add a few remarks of my own.

We are, unfortunately, coming out of a decade or more of history in British Columbia where there was almost open hostility to new business investment in this province, where process seemed to be the objective that everybody was interested in, and they weren't particularly interested in any results of that process whatsoever. I say that because we've seen many examples over the last decade or so of investment that was intended for this province and that simply had to walk away after many months and years of frustration. I won't go into the many examples of that. My colleague from West Vancouver-Capilano had some very good examples.

I'm sure members of the House will remember the early-to-mid-nineties, when Finning Tractor was a major corporation that did business in British Columbia. They decided one day that to enhance their operations in British Columbia, they wished to establish a chroming plant in this province which would employ about another 40 people. Most of us would think that would be an excellent idea. They already had the property and simply needed a permit from, I believe it was then, the Ministry of Environment. They duly submitted that application, expecting that they would be treated with some respect at least and that they would eventually, in a reasonable amount of time, get some kind of a response.

Months went by. There was absolutely no response from government. They decided at that point that perhaps they should write a letter to the Premier. Mike Harcourt was the Premier in those days. They wrote a letter to the Premier, hoping that perhaps the Premier would be interested in this new investment and job creation opportunity for British Columbians. But the

same result ensued. There was no answer. There was absolutely no response at all from government. So the folks at Finning Tractor sat around one day and bemoaned their lot and decided, after some almost lighthearted banter, that they should option some property in Alberta and see if the process in Alberta would perhaps ensue and unfold a little bit more quickly, which is exactly what they did. They optioned some property in Alberta. They filed the required application under the Alberta legislation.

A week later there was a phone call to the head office of Finning Tractor. They asked if Mr. Shepard, the CEO, was in, and indeed he was. He took the call. On the other end of the phone was the Premier of Alberta, Ralph Klein. He said, "I'm pleased to inform you that your permit has been approved, and I'd further like to ask you to drop by one day and discuss how we could move your entire operation to the province of Alberta," and that is exactly what happened. Not only did British Columbia lose the 40 jobs and the investment, they lost Finning Tractor out of British Columbia forever. Those are the kinds of things that used to go on in this province, and those are the kinds of things that this act is going to fix.

The Leader of the Opposition, in commenting on this bill just a few moments ago, of course painted an entirely different picture — that British Columbians in their local communities would rise up and oppose this bill. Well, I have some news for the Leader of the Opposition. I've been getting some feedback around this bill since it was introduced just a couple of days ago. I heard from someone who is in the independent power production industry. This was by voice mail, and I very quickly made some notes. The comments go like this: "Compliments to everybody," "This is absolutely outstanding," "It's a work of genius," "Really excellent," "Can't speak highly enough about it."

[1700]

I have an e-mail from the mayor of Chilliwack:

"This act represents a breath of fresh air. As hard as we work sometimes to attract a major business or project to our communities, if there is a provincial component to the approvals, there has been a challenge for timely approvals. I believe this act has the potential to be a significant benefit to communities like Chilliwack. We have worked very hard over the years to provide speedy approvals and to streamline the development process. Having the province catch this spirit is very encouraging."

The Independent Contractors and Businesses Association has spoken out very much in favour of this legislation. They go on to say: "Red tape is not just bad for big projects; it's bad for all projects. We can't underestimate the economic losses caused by layers of bureaucracy and paperwork."

Someone we talked to just a couple of months ago in the mining industry had this to say: "I give the Liberals very high marks indeed for taking this decisive action."

We have Jerry Lampert, who is the CEO of the Business Council of British Columbia. He says this: "This act is a very important tool for potential investors

wishing to invest in this province. It sends a clear signal to the investment community that process and red tape will not get in the way of investment, jobs and opportunities that are significant and beneficial to all British Columbians."

Finally, from the mayor of Prince George, another important community in the heartlands of British Columbia: "Every effort needs to be made to invite more capital investment to British Columbia. The Significant Projects Streamlining Act will encourage the provincial and local governments to work together to ensure projects do move forward. This will definitely help stimulate the economy and provide more employment opportunities for all British Columbians."

Clearly, in just a few days we are getting clear signals from British Columbians around the province that they are very much in favour of this legislation. We are sending a clear signal to investors, to business people and to potential employers, both within British Columbia and around the world, who would like to invest here that we are definitely open for business, that we welcome investment, and that we are keen to see people come to British Columbia and create jobs and incomes for families all over this province.

I think this has the potential to become the new standard of doing business in British Columbia. Once we iterate a number of projects, if we have to, under this legislation, all over this province the process of approving applications will be streamlined, and we will see a new ethic generated that will guide the business approval process. We need a greater certainty of process. We need to know what the outcomes will be much sooner.

In an era of globalization, investment has become increasingly more skittish. It can simply move from country to country and around the world in record time, and frankly, in making their investment decisions, they don't need to fool around with jurisdictions that are difficult to work with. We need to cut red tape. We need to remove barriers. We need to get around those who believe that more and more and ever more process is the objective we are all after. We need results from these processes, and we need those results in a timely fashion.

There was a lot said by the Leader of the Opposition about public process and how this was all designed to circumvent public process. Of course, that is simply not the intent of the bill. This bill is about expediting process but not circumventing process.

Given that the Leader of the Opposition had quite a bit to say about process and how process was very important, I find it curious when we examine the record of the NDP government as it was for the decade of the nineties and how much they respected process. For example, when the Duke Point energy project was being proposed for Vancouver Island, what was the first thing the NDP government did? They took it out of the B.C. Utilities Commission process. They were going to obviously just have a purely political process, probably run directly by a minister or directly by the Premier of the day. Was that openness? Was that transparency?

Was that properly abiding by an established public process? No, not at all. They simply swept it away in one fell swoop when it suited them.

[1705]

The Leader of the Opposition now likes to refer to the fast ferry fiasco as something we can all learn from, but there are many ways we can learn from that particular process. When the government of that day decided to go ahead with the fast ferries, they decided they needed a separate board to head up this new corporation they had set up, which was going to build these ferries and lead on to great and wonderful things in the shipbuilding industry in British Columbia. When that board became inconvenient, they simply swept that away, as well, and just arbitrarily started manipulating that whole project. Today we know how that entire fiasco has cost British Columbians over half a billion dollars. Again, I don't think the NDP has too much to crow about when it comes to being transparent and accountable to British Columbians.

There are other public processes this government has put in place, of which I am very proud, and I'm sure my colleagues are as well — for example, the lobbyist registry we brought in about a year ago. I think that's accountability, that's openness and that's proper public process. The NDP had ten years to do that, and they failed — never once thought about it, I suspect. The NDP had ten years to bring about electoral reform — not a whimper from them, however, in all that decade of time. Again they failed on that.

For ten years they had the ability to encourage free votes in the Legislature. There wasn't much evidence of the ability to vote freely under the NDP — again a massive failure by them. They had ten years to get away from the manipulation of election dates by whoever the Premier of the day was. They simply never even thought about it — again a failure by them to put together proper public processes. They had ten years to use their parliamentary select standing committees. Not once did many of the most important committees ever sit. Today they profess to be very concerned about public processes, but when they had the levers of public processes in their hands, they never once used them. They had ten years to give private members in the Legislature a meaningful role, but they simply gave them the role of being there when votes were required. Otherwise there was no substantial and meaningful role for private members in this Legislature — again an NDP failure.

Projects across this province were bogged down interminably under the NDP. This legislation is going to make sure that no longer occurs. There's an old saying — members will be familiar with this — that justice delayed is justice denied. In the context of this bill, one could say that projects delayed are projects denied or projects lost.

The Leader of the Opposition talked about fish farms and how we were just going to have our way with the coast of British Columbia and locate fish farms, I'm sure, wall to wall, end to end and desecrate the coast. Of course that is sheer nonsense. It brought

to mind some comments in relation to this bill that were made some time ago by former NDP Member of Parliament Lynn Hunter, who now is employed by the David Suzuki Foundation. In her book she, I believe, could be rightly accused of using process to torment fish farmers. She openly talked about tormenting fish farmers. Isn't that just a delicious little process in the hands of people like Lynn Hunter?

We obviously have issues to address on the coast, and we obviously have fish farms that need to be relocated. We must get on with that. It's very important that we do that. The processes of the past have frustrated that. We have fish farms that are located in inappropriate locations. We need to move those so that they have a much more benign effect on the environment. The processes that are subscribed to by the NDP have frustrated that. That frustration has been going on for years and years. The political manipulation of those kinds of things has got to stop, and it has stopped.

[1710]

What the members of the opposition don't realize is that they, too, had processes in place, but those processes simply frustrated everything that was good, everything that provided new investment and new jobs in British Columbia. Their processes only served to be manipulated in the hands of the then Premier and others, who had some obscure justification for it all. What it led to was a decade of decline in British Columbia. We are at the dawn of a new era of British Columbia, where communities all over this province and investors and those who create jobs are going to be given the opportunity to do so. They're going to be given the respect they deserve. The tenacity that they exhibited over all of those years I've described and that they still evidence to this day is going to be rewarded by their being allowed to move ahead and generate economic activity in this province. I'm more than pleased to support Bill 75. I would encourage all members of this House to do the same.

D. MacKay: Before I start on my reason for standing up to support second reading of Bill 75, it behooves me to make a few comments about the opposition leader who sits in front of me every day I'm in the House. I have to listen to her. She's a very intelligent woman, but boy, does she miss the boat. She really does not understand business. She doesn't understand where jobs come from. This bill is about jobs.

She started off, and she criticized this government and our environmental issues and how we were going to allow projects to proceed without any safeguards. It was interesting when she said that, because she may have forgotten that back in 1995 the provincial cabinet — that would be the NDP cabinet — overruled a recommendation by biologists that the Melvin Creek was critical to habitat and threatened populations of mountain sheep and grizzly bear. Al and Nancy Greene Raine abandoned the project after the objections from the biologist, but the provincial cabinet overturned that. They didn't listen to what their scientists said. It's interesting because the Employment minister of the

day and later Premier, Glen Clark, who supported Al and Nancy Greene, later revived the project for them.

The Cayoosh Creek project proposal was submitted to the environmental assessment office in 1996. It got its approval four years later. It took four years for that environmental assessment process to go through the system before they got the approval. It's unfortunate because a short time thereafter the Mount Currie band got involved in it and challenged the process, and that process to build a development on Cayoosh Creek sits in abeyance today. That's eight years, and we still don't have any project started there.

Also, when I listen to the Leader of the Opposition, I'm glad I'm going home shortly, because I don't know if I want to be here when this bill is passed. I'm going to have to bring an umbrella with me the next time I come down here, because the sky is falling again. The sky is falling. When this bill is passed, this province is going to be a wasteland. There's going to be nothing here, so who are we going to sacrifice? Who's going to be in this House to pass the bill?

I think maybe we should look at some of the members from the lower mainland, where there are lots of people. We could afford to lose a few people from the lower mainland. We can sacrifice those people, but I'm going to stay home because I don't want to live in a wasteland. My goodness, when you listen to the Leader of the Opposition.... She thinks we're going to turn the province into a wasteland. Anyway, I don't know if I want to be here for the vote. I would like to get home to see my wife and children and my grandchildren again. But I digressed there, and I apologize for that.

Because we are getting so close to November 11, I should mention the fact that the First World War started in 1914 and finished in 1918. That was a period of four years. The Second World War started in 1939 and finished in '45. That was a period of six years. So we have two world wars. One was fought in four years; the other was fought in six years. It's interesting.

[1715]

I heard the member for West Vancouver-Capilano talk about the Tulsequah Chief project. That project is one that is in my riding, and I've been following that project for two and a half years. I know the frustration those people have experienced. They started that project in 1994, and this government reissued the project approval certificate in the year 2002 — eight years. It has cost that company approximately \$30 million to date, and they still aren't up and running. But they're getting close; they're getting close. They're encouraged by what this government is doing to make things go through the system quicker and to attract more investment into our province. That was a period of eight years. I told you we fought the First World War in four years and the Second World War in six years, so it's taking longer to get approval for projects in this province than it does for us to fight world wars.

The second one I want to talk about.... I'm going to follow up on what the member for Chilliwack-Sumas said when he talked about the Finning Tractor debacle.

Several years ago they wanted to build that project in the province of British Columbia, and one year after, when they did not get the approval, they contacted the province of Alberta. They got the approval within a period of two weeks. Now, it was interesting that the member for Chilliwack-Sumas talked about the 40 jobs that were lost by the investment in that new chroming factory. He forgot to mention, and I'm going to mention it here, that when Finning Tractor left the province — when their head office left this province for the province of Alberta, where they got the approval in two weeks — they took 600 jobs with them. Those 600 jobs left this province because of the approval process that was in place under the NDP.

An Hon. Member: Bad attitude.

D. MacKay: Bad attitude. You bet it was.

One of the other things Bill 75 is going to be looking at is major resort developments, and that's one I can speak to. It's very close to me, because it talks about the ski development that was proposed for Smithers. There was a \$200 million project expansion planned for our ski hill. That project has since been scrapped. Part of the process moved through the system very quickly, and then we got bogged down in the different ministries wanting different studies done on different issues — whether we had goats on the hill, whether the black bear was going to be affected or whether there were any grizzlies up there, and whether or not we could do studies on forestry issues. Land and Water B.C. wanted studies done, and then forestry wanted studies done, but they wanted them done one after the other. They wanted them done consecutively as opposed to concurrently.

It makes so much sense to have one minister responsible, after designation, to have a project like that go through the system and everything looked at concurrently, so you don't have to wait for one project to be completed before you get the next one started.

We've lost that project. This legislation should have been one of the first pieces we introduced in this chamber after being elected with 77 seats, but it wasn't, and now we have lost one significant project. I don't want to see any more lost, so I'm looking forward to seeing Bill 75 pass through the House quickly.

The Leader of the Opposition spoke about the province overriding municipal authorities. She probably doesn't understand about a proponent, when he goes into a community and wants to build a development. The first thing he does is go to the municipal council and ask: "How do you think we would be received here?" They talk to people to find out how they feel about the project. It's not as if a proponent could come to the provincial government and say: "We'd like to build a pulp mill in downtown Vancouver." That's not going to happen. That's not realistic. So to think for a moment that the passage of this legislation would allow the province to allow a pulp mill to be built in downtown Vancouver is ludicrous. That's not a reality.

It's really unfortunate that the NDP don't seem to have any understanding about the business world and

how it works. They know they have to have the agreement of the council, and they know they have to be in compliance with the zoning bylaws before they proceed, before they get to the next stage. Those things all have to be done. They have to consult with people. If they don't do it, they're obviously not going to proceed with the project. If they can't get local approval, they're not going to proceed with the project. It just doesn't make any sense.

They're going to go to a community that will say, "Yes, we would like to have some development here," and then they can start taking the next steps. Then if they start running into regulatory problems, they could ask the minister to have it declared a designated project. Then the project is going to move through a lot quicker. As the minister himself said, it's better to know after three months that the answer is no than keep them hanging on for years, like the people at Tulsequah Chief were. That's a disgrace. No wonder investment won't come into this province.

[1720]

The project has got to be designated by cabinet — designated by cabinet. Can you imagine? Those are elected people. The people of this province elected us to govern the province. What is wrong with asking cabinet to make decisions like that? We all want jobs. The previous administration chased jobs out of this province. We all want jobs. I want jobs. My children want jobs. I want to make sure that when we leave this Legislature — perhaps at the will of the voter — my grandchildren are going to be able to work in this province in the years to come.

Different regions of this province are going to have different ideas as to what a significant project is. What may be a small project in the lower mainland, where the economy is humming, or in Victoria may be a big project up in the northwest part of this province, where the economy is in the tank right now. We look forward to economic development up there, because economic development means jobs for the residents, jobs for the people up there. That's what pays the bills. That's what keeps a roof over our heads and buys groceries for our families. It's jobs. We can't sit around waiting for years to find out whether or not a proponent is going to be able to proceed with a project.

The act itself also talks about the environment, health and safety. Those three issues are not going to be compromised by the passage of this bill. It's not going to be compromised by the passage of this bill.

I noted some of the concerns and whether or not any consultation took place. The UBCM expressed some concern that the legislation appears to indicate an increased likelihood that the province will override local government decisions and that there needs to be some assurances that this legislation will only be used in exceptional circumstances. That's exactly what this is for. It's exceptional circumstances. It's not every occurrence that happens in this province or every project that's designated.... Sorry, not designated, because that makes it an exceptional circumstance. Not every project that comes into this province is going to be designated, only

those that run into problems as they proceed through the process.

Mr. Speaker, I strongly support Bill 75 in second reading, and I expect that the rest of the members that will follow me are going to do the same.

Noting the time, I move adjournment of debate.

D. MacKay moved adjournment of debate.

Motion approved.

Hon. G. Hogg moved adjournment of the House.

Motion approved.

Mr. Speaker: Hon. members, the House is adjourned until 10 a.m. Monday, November 17.

The House adjourned at 5:23 p.m.