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5TH SESSION, 37TH PARLIAMENT

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THURSDAY, MAY 20, 2004

On section 3.

The House met at 10:03 a.m.

Prayers.

Orders of the Day

Hon. G. Collins: I call Committee of Supply.

Committee of Supply

The House in Committee of Supply B; J. Weisbeck in the chair.

The committee met at 10:04 a.m.

ESTIMATES: LEGISLATION

Vote 1: legislation, \$45,737,000 — approved.

ESTIMATES: OFFICERS OF THE LEGISLATURE

Vote 2: auditor general, \$7,069,000 — approved.

Vote 3: conflict-of-interest commissioner, \$292,000 — approved.

[1005]

Vote 4: Elections B.C., \$13,508,000 — approved.

Vote 5: information and privacy commissioner, \$2,133,000 — approved.

Vote 6: ombudsman, \$3,097,000 — approved.

Vote 7: police complaint commissioner, \$985,000 — approved.

Hon. G. Collins: I move the committee rise and report resolutions and ask leave to sit again.

Motion approved.

The committee rose at 10:06 a.m.

The House resumed; Mr. Speaker in the chair.

Committee of Supply B, having reported resolutions, was granted leave to sit again.

Hon. G. Collins: I call Committee of the Whole for consideration of Bill 54.

Committee of the Whole House

MISCELLANEOUS STATUTES AMENDMENT ACT (No. 2), 2004

The House in Committee of the Whole (Section B) on Bill 54; J. Weisbeck in the chair.

The committee met at 10:10 a.m.

Sections 1 and 2 approved.

J. Kwan: Section 3 of Bill 54 repeals section 22(3) of the Election Act. Section 22(1) of the Election Act, "District registrars of voters," states: "The chief electoral officer...." Then subsection (3) goes on to say: "An individual appointed under subsection (1) must be employed under section 10 or otherwise be within the public service of British Columbia."

If you go to section 10 of the Election Act, which is the section referred to here, it further states: "General staff of the chief electoral officer. 10 (1) The chief electoral officer may appoint a deputy chief electoral officer and other employees necessary to enable the chief electoral officer to perform the duties of the office. (2) The Public Service Act applies to appointments under subsection (1) and, for the purposes of that Act, the chief electoral officer is deemed to be a deputy minister."

Then subsection (3) says: "The chief electoral officer may also retain, on a temporary basis, other persons necessary to enable the chief electoral officer to perform the duties of the office in relation to short term administrative matters, including the preparation for and conduct of an election, enumeration or plebiscite."

Subsection (4) says: "The Public Service Act does not apply to persons retained under subsection (3) and the chief electoral officer may establish their remuneration and other terms and conditions of their retainers."

Section 3 of Bill 54 basically repeals all existing provisions surrounding the hiring of district registrars of voters, and district registrars now will be hired exclusive of the Public Service Act, keeping in mind that district registrars of voters are hired by each electoral district. That's the process, as we know. Why are these changes that are being proposed under this miscellaneous bill necessary?

Hon. G. Plant: I'm advised that the chief electoral officer has in the past used government agents as district registrars of voters in most parts of the province, but there are no government agents in the lower mainland or in southern Vancouver Island. In that part of the province the chief electoral officer has tended to use, I guess, employees of Elections B.C. However, the regional offices of Elections B.C. have been closed, so that option is no longer available to Elections B.C.

What's proposed here is that the chief electoral officer would have the ability to use district electoral officers who are appointed under section 18 of the act. They're not appointed under the Public Service Act. What we're really trying to do here is give flexibility to Elections B.C. to allow the job that needs to be done to continue to be done in a slightly different way, and this is being done at the request of Elections B.C.

J. Kwan: Presumably, then, the hiring practice or the requirements for hiring would remain intact with exception that the Public Service Act would not apply, but the district electoral services provisions for hiring would then apply.

Hon. G. Plant: That's correct.

Section 3 approved.

On section 4.

J. Kwan: Section 4 amends section 32 of the Election Act by adding subsection (6) which states: "For the purposes of this Act, an individual who has no dwelling place may register as a voter on the basis that the individual's place of residence is a shelter, hostel or similar institution that provides food, lodging or other social services." How would someone in such an institution go about registering to vote?

[1015]

Hon. G. Plant: One of the reasons for this provision is to ensure that our registration requirements and rules mesh with those of Elections Canada. In practical terms, what comes from this amendment is that if somebody who would meet these definitions is already on the national register, they will automatically be put on the provincial register as a result of the arrangement that will allow us to import the national register into the Elections B.C. database. That will deal with some people who would fit this definition.

Then Elections B.C. intends to conduct some outreach with social service agencies to see if we're catching all the people that could be registered who want to be registered. I guess the next step would be that people can show up on election day and apply to register, as they have in the past. As long as they meet the requirements of proof associated with that process on election day, they would be registered so that they can vote on election day.

J. Kwan: Let me ask this question. What would they have to provide by way of identification in order to register? For example, Elections B.C. does some outreach and goes to a particular shelter. There are a number of people there. If you're registered with that shelter, are you then automatically registered with Elections B.C. in that process? Or would you have to go through some other process and provide some other ID or whatever in order to get on the voters list?

Hon. G. Plant: There are two phases for this. One is during the outreach exercise by Elections B.C., and during that time — which is to say, before we're in an election day cycle — people can register without any particular requirement for identification. They would just have to make whatever statements that are required of them at the time they apply to register.

Then there is the situation where people want to register in conjunction with voting. There are already requirements in place to provide identification at that time. Nothing in this process here would change those requirements. The ID requirements that are in place now for registration at the time of voting will be the same after these amendments.

J. Kwan: Did I hear the Attorney General correctly in that during the outreach phase of this process...? Elections B.C. sends someone to a particular shelter, and the folks at that shelter would not have to provide any other additional identification; they would just be registered. Did I hear that correctly?

[1020]

Hon. G. Plant: Yes. In fact, no one is required to provide identification if they apply to register now, for example. There's no difference in that respect between somebody who happens to be in a shelter or somebody living in a neighbourhood somewhere. If they apply to register, they have to make whatever statements are required. The process is established under section 35 of the Election Act.

They have to sign an application form that includes their full name; the address of the place where they are a resident, within the meaning of the act; their mailing address if that is different; their birthdate or any other identifying information that is required by regulation; any other information that's required to be included by regulation; and a declaration that they meet the requirements of the act to be registered as a voter.

Those are the rules that apply to all residents who seek to apply to become registered as voters, and they will apply to people who seek to be registered under the residence rules that would be established as a result of the amendment to this section of the act.

J. Kwan: The outreach program that the Attorney General talked about — when is that going to start? And how would it be undertaken?

Hon. G. Plant: I'm advised that the outreach program is still being developed. The plan is to have something roll out early in 2005.

Of course, I want to make it clear, for the benefit of people following this debate who may not be clear about this, that Elections B.C. is an independent, arm's-length agency. The chief electoral officer is an officer of the Legislature, not of government. In that respect the member who represents a well-established political party would have the opportunity to approach Elections B.C. directly to make inquiries about how they are developing that program and inquiries related to that. That's not to stop her from asking the questions here but just to make it clear that Elections B.C. works for all British Columbians when it does this work.

J. Kwan: Yes, and by my asking the questions, I do not mean to discolour Elections B.C. in any way, shape or form. I'm just wondering and curious about it.

As the Attorney General knows, in my own riding, for example, we have a number of shelters. We have a number of people who have great difficulty in getting access to the right to vote, quite frankly, for a variety of reasons. If there was some sort of plan, I'm sure all MLAs would want to ensure that their community members would have that information and be participating fully, as best as they can, in engaging in that.

I wonder, then, if I could just make this request too. I suspect that when we get to that stage, information will be forthcoming, and we'll probably see it in the media. But just in case it is not as high-profile as it might otherwise be, we could ensure that information is made known to all members of the House when the details of the outreach program are a little bit more nailed down — the dates, and so on and so forth — so that MLAs can endeavour to notify their own community in that process as well.

Hon. G. Plant: I'm advised that Elections B.C. will be happy to oblige.

J. Kwan: In the terminology of subsection (6) where it talks about "...residence is a shelter, hostel or similar institution that provides food, lodging or other social services" — what sorts of criteria, if any, are going to be applied in determining what falls and fits into the description under subsection (6)?

[1025]

Hon. G. Plant: I'm advised that the intention here is to take a broad approach. To some extent, that will involve relying upon district electoral officers' knowledge of what constitutes the appropriate agencies in a particular community for this purpose. I think there are some backstops to all this. Obviously, this would have to be administered in a way that tries to help people who are residents of British Columbia register as voters, but it would also have to operate in a way that tries to ensure they only register once. Within that framework, I think the language here is intended to be as inclusive as possible to catch the right sorts of agencies and service providers for this purpose.

J. Kwan: The terminology "other social services." I think one generally understands when the language of residence is "a shelter, hostel or similar institution that provides food, lodging..." I think that's fairly understandable, but "other social services" then allows for a broader range of institutions to qualify. Let me just throw one out as an example to see whether or not this falls within that definition, to get a sense of it. I'll describe the institution just in case the Attorney General is not familiar with this particular institution in my community.

The Carnegie Centre, as an example, is an institution in the riding that has provided and continues to provide tremendous services to our community. Many people use it, not as a shelter necessarily, although it does have food programs within that institution. Certainly, it does provide a range of social services. Would the Carnegie Centre...?

I saw the Attorney General nod, so I think he knows the Carnegie Centre in the riding. So would that fit into this definition?

Hon. G. Plant: I think the answer to that question is probably yes. I could think of some other institutions and agencies in the member's riding that don't neces-

sarily provide lodging. There is the Downtown Eastside Women's Centre, which probably still provides meals from time to time. That would be an agency where many people are accustomed to spending time there, who don't necessarily get to reside there but who see it as a centre point in their lives. That might be another example of a place that could be used for that purpose.

J. Kwan: Yes. The Downtown Eastside Women's Centre does provide tremendous services, and of course, there is second-stage housing, as well, upstairs from the Downtown Eastside Women's Centre, which was funded and provided for by the previous administration. Although I suppose the women's centre.... I know that they're in quite a situation at the moment because of a funding crunch, funding cuts from the provincial government, and whether or not they will survive that remains to be seen. Hopefully, they will, because it is a very important service for our community members.

Now, is there going to be a list of approved institutions or institution types that is going to be used across British Columbia?

Hon. G. Plant: Remembering that what we're trying to do here fundamentally is mainly to just ensure that our registration requirements line up with Elections Canada's registration rules so that we can use their list.... I'm advised that Elections B.C. will probably start with the same list that Elections Canada uses. They may add to it as district electoral officers learn about other places that may not be already on that list and that should be.

J. Kwan: I haven't seen that list. I wonder where I might actually get access to that list. Then, having reviewed it.... Afterwards, if there are some institutions left off of the list and some suggestions for institutions to be added or whatever from any of the MLAs, is there an opportunity to do that? If so, how might we go about doing that?

[1030]

Hon. G. Plant: I don't know if there is already a list available to us, because I'm not sure of the state of the discussions between Elections Canada and Elections B.C. Certainly, as a list becomes available and as Elections B.C. works to implement these new rules, Elections B.C. will be inviting input from MLAs to make sure the list is as appropriate for the circumstances as possible.

J. Kwan: Thank you very much to the Attorney General for that. I appreciate it. I'm sure all MLAs would be very interested in providing their input with respect to that — with the aim, of course, of ensuring maximum opportunities for people to register and to qualify to vote and to exercise their democratic right.

The Attorney General mentioned section 35 of the Election Act. There are subsections (a) through (f), and

subsection (d) reads: "the birth date of the applicant or other identifying information prescribed by regulation...." Then sub (e) says: "any other information required to be included by regulation." Could the Attorney General please advise what has been specifically required by regulation? I'm not familiar with that.

Hon. G. Plant: I'm advised that the regulations under section 35 are regulations of the chief electoral officer and that the chief electoral officer has not added any mandatory information requirements under this provision, but that there are two voluntary requirements or requests. One is that people are asked if they would like to provide the last six digits of their social insurance number, and the other is they're asked if they'd like to provide a phone number. That's just to give Elections B.C. more tools to verify that the person is in fact a resident and that the person is who they say they are, I guess.

J. Kwan: Now, the language of subsection (4) looks to me to be people who are homeless, for example, and some people who fall under that category may not necessarily be at a shelter or hostel or whatever the case may be. That, as we know, greatly limits people's ability to register and, therefore, to vote. In that instance, I presume the requirements under section 35 of the Election Act would apply. Am I right in making that assumption?

Hon. G. Plant: Obviously, the conventional approach to determining residence becomes much harder to apply to someone who is truly homeless. The first step would be to try and see if there is a social service agency that the individual uses for some purpose on a regular basis, because that agency may then be the place that could be used as the home.

[1035]

If that doesn't work for whatever reason, then the practice followed by Elections B.C. is that if the individual in question is able to identify where they sleep with sufficient detail to allow the people in Elections B.C. to determine what electoral district that person tends to make their home, then registration becomes possible for that purpose. Obviously, the further out you go, the harder it is to determine these things according to the usual standard indicators. I think that, provided there is some certainty around establishment of these facts and some confidence that Elections B.C. is not being misled in some way, Elections B.C. will then register somebody as a voter.

J. Kwan: So if a person is able to describe, for example, a particular park and a particular northeast corner of the park under a particular tree or something like that.... In that instance, that would be accepted by Elections B.C. for the purposes of registration?

Hon. G. Plant: I'm advised that that is the sort of information Elections B.C. would look at. I'm not certain that in any particular case the issue is going to be

resolved one way or the other. I can't predict the outcome of any particular application. The member is describing the sorts of things that Elections B.C. would look at and be prepared to accept, potentially, as an indicator of a place of residence with sufficient detail for the purpose of registering that person as a voter.

J. Kwan: Is the requirement still two pieces of ID?

Hon. G. Plant: As I said earlier, there are rules about what happens when you show up on election day or show up at an advance poll to vote. There are some identification rules that apply there. Those rules don't change. What we've been talking about for the last few questions is more likely to apply and work in pre-election registration, because I think the rules about providing ID are going to apply on election day.

J. Kwan: Yes, on election day or at advance polls when you show up to vote.... I just want to be clear, in that instance, that affidavits are still accepted.

Hon. G. Plant: The main point is that the rules aren't changing about that. I'm told that solemn declarations of ordinary residents are accepted on registration when people apply to register for the purpose of voting, either on election day or in an advance poll.

But to come back to what we're doing here today, those rules around proof of identity that apply in the context of someone actually wanting to vote when they show up are not changing as a result of these amendments.

J. Kwan: The reason why I took the opportunity to ask these questions — of course, they are really related to the concept behind this section of the act — is to find ways, I hope, to facilitate opportunities for people to get registered. More importantly, the end goal is to ensure that people have the opportunity to vote — that they have the opportunity to exercise their democratic right.

[1040]

As we know, in fact, in the Legislature a private member's bill has been tabled that I think penalizes people who are homeless, people who might be in circumstances that could very possibly preclude them from participating in our society in a number of ways. Voting is definitely one of them. That — alongside other government policy and budget changes impacting closures of services, like women's centres and so on — also has ramifications for these individuals.

I want to take this opportunity now to just flesh out a little bit of how one goes about trying to get registered and how the opportunity is maximized in terms of their opportunity to participate in it in our democratic society.

Now, am I assuming correctly...? Sorry. I just want to go back to the outreach program for one moment. Has that been done before, in terms of similar outreach programs by Elections B.C.? I know that Elections B.C. every so many years would go and register people, and then there would be a big sort of campaign, really,

about that. In this instance, with this kind of outreach for this targeted group, has that been done before?

Hon. G. Plant: I realize that Elections B.C. is planning something that is much more extensive than it has done in the past in relation to trying to reach out to identify these particular groups. The member is right. There have been lots of outreach programs in the past. I think there was even an outreach program of sorts associated with the Citizens' Assembly where we.... I can't remember which budget carried the expenditure. There was some expenditure to raise profile about the Citizens' Assembly to give people a chance to ensure they were on the register of voters at the time that the first cut of potential candidates for membership in the assembly was made, because the database that was used for identifying potential Citizens' Assembly members was the voters list.

The outreach work has been done in many ways and at different times over the years, but what Elections B.C. tells me is that they are planning something new and more comprehensive here.

J. Kwan: The last question on the outreach component is: is it anticipated that there would be advertising as well, once the outreach program is finalized, to inform members of the public about it?

Hon. G. Plant: Yes, Elections B.C. will be doing some advertising associated with this initiative.

Sections 4 to 7 inclusive approved.

On section 8.

J. Kwan: Section 8 of Bill 54 amends section 275 of the Election Act, where (3.1) reads: "Despite any other provision of this Act or any other Act, information obtained by the chief electoral officer as National Register of Electors information may be used only for purposes permitted by the Canada Elections Act."

Does this section preclude the ability of the chief electoral officer to use federal voter list data for other purposes such as jury selection?

[1045]

Hon. G. Plant: What will happen is that in order for us to continue to use the voters list for jury selection, Elections B.C. will have to determine that there is independent verification of the fact of registration from a source other than the federal election list. Provided we have that independent verification and provided that there is some independent source of information associated with the individual on the list beyond merely the fact that they're on the national list, then we will continue to be able to use the list or at least those names on the list for jury selection purposes.

J. Kwan: Are there any other examples of situations like that — not for jury selection necessarily, but other examples — that the Attorney General could think of?

Hon. G. Plant: Another example of a use that has been made of the voters list in the past is for the family maintenance enforcement program, and that will become much more problematic. We think the FMEP will not be able to use the voters list for the purposes of that program, but I am advised that FMEP expects that will affect only about 2½ percent of the searches they've done.

To take a step back from that — the detail, if you will — these were some of the issues we took into consideration when we were examining and weighing the balance about how to proceed here. I thought it was quite important that we insist upon our ability to continue to use voters data for jury selection, because voting and serving on a jury are pretty close to the heart of what citizenship means for Canadians and for British Columbians.

If you sort of take the next step out to a program like FMEP, we're now talking about a program where governments have tended to use a voters list because it's a convenient source of information about who people are and where they are. That's often very helpful in making a program like the family maintenance enforcement program real on the ground to make sure that we can actually do the work on behalf of the registrants in that program to collect on the obligations that are owed to them.

We satisfied ourselves that on balance this was the right way to go, largely because I thought we had been able to find a way to protect the jury information and because the combination of cost savings and the ability to add virtually 700,000 names to the electoral list with a very modest expenditure outweighed the concomitant costs associated with losing the ability to use that list for some other purposes. FMEP is an example of one of those. There may be others. It's the one I know we talked about.

As I say, while there will be some impact, it is pretty modest in the overall scheme of FMEP. I think on the whole that the public interest is well served by moving forward with this proposal and this initiative.

J. Kwan: The family maintenance enforcement program likely, then, once we adopt this piece of legislation, would not be able to use the voters list for the purposes of collecting family maintenance. Is it the plan of the government to try to use it anyway? Or has the government already made a decision, and it understands that we're not able to use it, and therefore it's moving forward on different strategies in trying to address that issue from a family maintenance side?

Hon. G. Plant: Government has made the decision not to attempt to use the voters list for FMEP purposes. FMEP, the family maintenance enforcement program, does have access to other databases and other information. It will have a measurable impact, but as I say, the measurement appears to be on the order of 2½ percent, so it's not a very significant impact. FMEP will have to continue to do the work it does — the good work I think it does — without the ability to call on the voters

list. We're not going to keep trying. The decision has been made not to use the voters list for FMEP purposes.

[1050]

J. Kwan: How does one go about distinguishing, then, what exemptions could be in place for the purposes of using the voters list and what exemptions would not be allowed? Is it explicit under the Canada Elections Act?

Hon. G. Plant: There are three sources of limits, if you will, on the use that can be made of voter information. One is the rules in the federal Elections Act. The second would be section 275 of our Election Act, the Election Act of British Columbia. The third is an agreement between Elections B.C. and Elections Canada that I think deals in part with the jury information and leads to what I said earlier about our ability to use electoral registration data for jury selection purposes. Really, having identified those three sources of restrictions, I think the fact is that the only non-electoral purpose that the British Columbia government will be able to use the voters list for after this arrangement is put in place is jury selection. That's the only one that we know of.

J. Kwan: Final question in this area. What about debt collection, even federal government debt collection — whether it be Revenue Canada or whatever? Could the voters list be used for that purpose?

Hon. G. Plant: I don't have the federal Elections Act in front of me, but I'm advised that the federal Elections Act does not permit the use of the federal elections list for debt collection purposes. It really doesn't permit the use of the federal list for anything that's non-electoral. That's my understanding. As I said, I don't have the details of it in front of me. We may have them, but I'm not sure I want to become an authoritative source on the meaning of the Canada Elections Act. That's our understanding — that it's a very restrictive provision.

Sections 8 to 19 inclusive approved.

On section 20.

The Chair: Hon. members, we have an amendment on sections 20 and 21 to delete the sections. Now, the normal practice is to vote against the sections rather than bringing up the amendment, if that is the will of the House.

Member for Vancouver–Mount Pleasant, do you want to speak to section 20?

J. Kwan: Just one quick question for sections 20 and 21. I do note in the orders of the day that these two sections are being deleted. I'm just curious as to why.

[1055]

Hon. G. Plant: I'm advised that the provision as drafted overreached, in the sense that it may have

worked in the context of the Employee Investment Act, but it may have operated negatively in its application to other tax programs. So the decision was made not to proceed with that change.

Government's intention in respect of the amendments would be to vote against the section as the way of giving effect to the proposed amendments.

Sections 20 and 21 negatived.

On section 22.

J. Kwan: Sections 22 to 24 of the Income Tax Act were repealed in 2000. This section of Bill 54 attempts to amend sections of a previous act that were repealed in 2000. My question is: how can this be done, and what's the rationale behind it?

Hon. G. Plant: I need to get to the same place as the member. Section 22 of this bill is the first of a series of sections that increases fees in land title transactions. I don't think I am at the same place that the member is at, and so I'm not sure I'm going to be able to answer that question.

[H. Long in the chair.]

J. Kwan: My apologies. My mistake, actually. The Attorney General is correct. The Income Tax Act provisions that we dealt with were 20 and 21, and they were new provisions. It doesn't repeal old sections.

To make sure I'm not thoroughly confused, could the Attorney General advise: are there any sections in this bill that attempt to repeal a section that has already been repealed?

Hon. G. Plant: I'm not certain that anybody would know the answer to that question phrased the way it is. The people who were here assisting with the Income Tax Act changes in sections 20 and 21 of the bill are not here anymore. I'm not really able to help the member. Maybe someone will be able to help me.

[1100]

I'm not certain if this is the answer to the member's question. We're not exactly in the right place, but section 30 of the bill repeals section 21 of the Miscellaneous Statutes Amendment Act (No. 2), 1999. I have a note that says that this provision was not brought into force. The note reads exactly as follows: "Section 30 repeals a not-in-force provision, consequential to the amendment of section 23 of the Employee Investment Act by this bill."

It doesn't repeal something that has already been repealed, but it does repeal something that was never brought into force.

Sections 22 to 27 inclusive approved.

On section 28.

J. Kwan: Thank you to the Attorney General for that. I was confused about the sections. He's right; the reference is about section 21.

Okay. Now, on section 28, this section expands on the amendment to section....

Interjection.

J. Kwan: Oh, sorry. Yeah, okay.

R. Masi: I seek leave to make an introduction.

Leave granted.

Introductions by Members

R. Masi: It's my pleasure today, on behalf of the member for Surrey-White Rock, to introduce a number of students — about 36 students, I think — from Ray Shepherd Elementary School in the South Surrey area, accompanied by their teacher, Ms. Graham, and a number of parents. It's a good lot of students with us. I met them this morning, and they're a fine bunch, so thank you. Would the House please make them welcome.

Debate Continued

J. Kwan: Section 28, the Local Government Act. This section expands on the amendment to section 910 of the Local Government Act that was passed in November of last year in relation to local governments regulating construction within floodplains. The changes gave municipalities the power to regulate as long as they abide by provincial guidelines. Last year we were assured that the guidelines would be ready and released in short order. My question is: have the guidelines been completed? If so, are copies available?

Hon. B. Barisoff: The guidelines are just about done now. As soon as this bill is passed, they will then be posted on the website.

Sections 28 to 30 inclusive approved.

On section 31.

[1105]

J. Kwan: Section 31 deals with the Motion Picture Act. In this amendment it brings forward the definition of "motion picture" to include video games. "Video game" means an object or device that (a) stores recorded data or instructions, (b) receives data or instructions generated by a person who uses it, and (c) by processing the data or instructions, creates an interactive game capable of being played, viewed or experienced on or through a computer, gaming system, console or other technology."

Could the Solicitor General please advise: by including video games in the definition of motion picture — the standards for evaluating and rating the video

games.... Is it less than what it was before, or is it more stringent than what it was before? I'm talking about the ratings in relation to violence and explicit material, for example — those kinds of ratings.

Hon. R. Coleman: Maybe I should just first of all explain to the member what we're doing here. There was a Video Games Act brought in at the end of the last government, which was never put into force, so this has always been governed under the Motion Picture Act. The act is out there. It has the assent, but the regulations weren't written. It wasn't actually brought into force as far as the regulations were concerned.

When I became the minister, we sat down with industry and looked at the different rating systems in North America. There is a rating system for video games in North America. It is the Entertainment Software Ratings Board, which is an independent board similar to how they rate movies. This act allows us to bring the video game into.... The changes allows us to bring video games into the Motion Picture Act. It allows us to then identify the ratings for video games under the Entertainment Software Ratings Board by regulation, which allows us — for those that aren't rated — to still rate them under the Motion Picture Act and still have the disciplines we would need under them. Basically, this would be, as I'm advised, comparable to what that act would have done or what is in place.

J. Kwan: I have before me the act that was debated in the Legislature, and third reading was passed on April 10, 2001. It is true that it was never proclaimed. However, the next month, as members know, we headed into general elections, so there was an issue around a time crunch. The government of the day, though, decided not to proceed with proclaiming that act and putting it into force, so presumably there is a rationale for that.

To my recollection, I think all members of the House actually supported this bill when it was debated — the government side and the opposition side. I think it was not a controversial bill from that point of view, yet it was never proclaimed. Now we're sort of making this amendment. Has the government considered proclaiming the Video Games Act, Bill 19?

Hon. R. Coleman: We did consider it, but we decided it was repetitive as compared to the Motion Picture Act, and so we felt we could do it within the Motion Picture Act.

J. Kwan: Could the Attorney General then just refresh my memory? The ratings within the Motion Picture Act versus that of the Video Games Act, even though it was never proclaimed — how are they different? Or are they different?

[1110]

Hon. R. Coleman: It's comparable. Basically, these changes allow us to identify a video game in the act.

Then it allows us by regulatory powers to have either the province or another body rate video games.

In North America the ESRB standard is standard across North America. We sat down with industry and received a commitment to parents over two years ago, monitored complaints through a 1-800 line with regards to video games and ESRB standards — just the same as you used to do with film, because at one time films used to be classified almost county by county before there was a rating system put in place in North America. We wanted to allow ourselves the ability to rate ones that weren't rated by ESRB. We can set up the rating system by regulation so that we can select a rating system that is universal or acceptable, or we can decide to rate the game.

J. Kwan: If we go further on down the row, section 50 of this act — I know we're not there yet — repeals the Video Games Act in its entirety. The Solicitor General's answer to my question about comparing the Motion Picture Act in terms of its rating standards and its application for video games versus the Video Games Act is comparable.

But my recollection — and I must admit my recollection is faulty in this area — was that the Video Games Act is actually a little bit more stringent in terms of restrictions on video games on the question around access, both for minors to access video games that might contain explicit material — and there is a list of definitions of prohibited material which deals with a variety of things, things of a sexual nature as well as violence and so on — and also with issues around the access question in terms of where it should be sold, restrictions for the retailer and their responsibilities associated with that.

I do recollect that when we discussed this, we also looked at other jurisdictions as well. A few jurisdictions have actually adopted a broader picture. I remember the consultation process particularly with parents around this issue. Parents actually supported the Video Games Act from the point of view that it provided for yet another measure, although not the only measure, in trying to keep the checks and balances in place for their children in accessing video games that might not be appropriate. There were a number of pluses in terms of the Video Games Act that I think exceeded the Motion Picture Act with respect to video games.

Again, to my recollection — and I stand corrected if I'm wrong — I thought at the time the vote was taken that all members of the House supported this. That was my recollection, and I vaguely recollect the Attorney General speaking in favour of this as well.

I'm just very curious. It seems to me that this is not a partisan issue. It is a good issue in terms of providing some regulation, if you will, in this important area. There have been many studies done that talk about the exposure of children to violence — for example, heightening their propensity towards violence as well. There have been lots and lots of studies about that, and I'm not the expert on it. But again, this is just going by

memory of what I recollect reading at the time we dealt with the bill.

[1115]

From that point of view, I guess — and I know the Solicitor General tried to answer this question earlier — why not adopt the Video Games Act and enact it as opposed to repealing it altogether and only putting video games under the categories of motion pictures? What is the flaw with the Video Games Act that caused the government to take this action now?

Hon. R. Coleman: A number of things have changed in three years. First of all, when we looked at this act when I became the minister three years ago, we recognized that there was double licensing, double duplication of overlap to the retailer — that we already had a system in place for rating movies and that we also had people who could, if necessary, rate unrated video games.

We then looked at the ESRB standard. We sat down with the retailers in British Columbia and the major retailers in the country, and we received from them a commitment to parents that they would put point-of-purchase material out there so that people would understand what the rating system meant. As you may have noticed, whenever a game is advertised on television — whether it be north or south of the border — they also have added in what T for teen or A for adult means, or whatever the case may be. That's so the rating system gains in understanding for parents to understand what their children may or may not be buying.

We also have from our retailers in B.C. — a large number of them — a retailer ID system at point-of-purchase sales so that material isn't being sold or rented to the wrong age of child. In addition to that, some retailers have actually made it a policy for dismissal of their staff if they do put materials out there to somebody who is under the age allowed for in the rating system.

All of that has led to us not receiving any complaints in a number of months or any concerns other than calls to the 1-800 line, which is the commitment-to-parents line. Most of those calls are not complaints. They are people asking about how the game works. They are people wanting to know how the game actually plays. It is not an issue with regards to the material in the game.

We are also working with the federal government on both sides of the border with regards to prohibited material, which is the material that would not receive a rating that would actually make it to a retailer. That's similar to what we do under the Motion Picture Act, where we have that material viewed prior to it even being allowed in the marketplace — if it's unrated — to make sure it does not breach.... If it can be rated, it would be rated. If it can't be rated, we just prohibit its entry into the marketplace to begin with.

Having said all that, we still have something that's uncontrollable for us in the issue in and around video games, and that's the Internet. No jurisdiction has fig-

ured out how to try and regulate the downloading of games that are on the Internet over servers that we can't control because of the jurisdictions they may come from. This has actually, for three years, worked very well. I think if the industry had their wishes, we wouldn't have anything in any act, but we felt that we needed some disciplines.

Because of the duplication of the two acts and because of the commitment to parents and the success we've had with it, we are pretty comfortable that these changes get us to where we want to be as far as ability to invoke discipline with regards to video games but to also have a rating system that makes sense. If a British Columbian is watching a television show tonight and it's a U.S. channel, and if a video game is on the market, it will tell them it's T for teen or whatever the rating system is.

[1120]

One of the challenges we had under the previous Video Games Act was a notion that we would actually rate all video games by our own rating system in British Columbia when they came into our marketplace. Most jurisdictions across Canada — and I have spoken to the ministers with regards to this — are adopting, in some form or fashion, the ESRB standard. For everybody to take apart and repackage every video game is not only an expense to us but also to the industry and one that we don't think is necessary, given the fact that this rating system seems to have reached a standard of acceptance within the marketplace.

One of the challenges when you rate anything is to understand what the rating system means. As the education goes out there — the commitment to parent, the point-of-purchase material and what have you — we're actually getting a much better understanding of video games and their rating system in British Columbia than we had three years ago.

J. Kwan: Let me close with this. I am concerned more particularly with the repealing of the Video Games Act, which we'll deal with when we get to section 50. Let me offer these comments. I have a nine-year-old stepson, and he, like other kids, plays video games and all sorts of stuff. One time, I can't tell you how shocked I was; I was speechless. He was with a visitor; they were hanging out together. The visitor actually had a video game that was just appalling. It was shocking. I don't even want to mention the name of it, because I don't want to advertise this awful game. It was a game that was so violent, and it was so offensive. What it was doing was actually having people beat up and kill sex trade workers. Then they score points when they do that, and they cheer. Anyway, I watched it for a moment. I was just beside myself watching this game that the kids were playing — unbeknownst to myself, my husband and others.

We were shocked. Of course, we dealt with it then, but we know that kind of stuff is in the market. I don't even know how it got into the market for children to begin with and what we can do to try and address issues like that. Especially in light of an environment

now, where we know, for example, in the downtown east side community.... Good grief, we have sex trade workers who have been murdered. It took a long time for the community to raise the matter, to raise the issue, to heighten the awareness for the investigation, and so on and so forth. We are still reeling from some of the information that is surfacing around that. We still are trying to cope with the fact that many people are faced with violence today, yet a video game of that nature could somehow make it to the market and could penetrate a system.

I would say that not just myself.... My stepson's mother is a very vigilant parent, for sure. How that sort of just even came about.... I can't tell you how shocking it is, and I don't know whether or not this section of the act will actually address that. Maybe it will. I hope that it will. I think it would be worthwhile for all of us to put our minds towards thinking about how we can put regulations in place to prevent such games from surfacing in the marketplace, as best as we can.

I take absolutely the Solicitor General's point of view that children, people, can access stuff through the Internet now. If there's some level of measure somewhere along the line to minimize this kind of thing from emerging in the marketplace and, therefore, reaching the hands of our children, etc.... I fully understand the role of parents and the parental responsibility in that as well. I fully understand that, but I think we need all the tools we can get, given the environment we're in today.

Hon. R. Coleman: I agree with the member. I want to respond to it, though, so the member understands that the game she is describing would have been rated at an age so that nine-year-olds shouldn't have had it. Therefore, somebody has either purchased that game and given it to a nine-year-old, or the nine-year-old has gone in and either purchased or rented it. If a clerk in a store or if a store were to rent or sell a game to an inappropriate age under these changes, the clerk would be fined, and the store would be fined. The retail council is actually rolling out an additional education program in November, coming into the Christmas season, on the whole rating system and the commitment to parents and all of that.

[1125]

The unfortunate reality is whether that was described as a video game or described as a movie that was restricted. If a young person got a hold of and was watching it, the parents would be also having the same reaction as you did there. There is a side of this where the education side for parents is very important, because they need to know the material that their children may be accessing. They need to know that the rating system is understandable to them so that they can say: "No, you're not having that game. That's not appropriate for you. It's not rated for your age group. You cannot have it."

One of the challenges is that we still have the discipline to fine both store owners and clerks. I don't know how the other individual child would have got hold of

the game. It may be something where one family decides that they have a different standard of what they let their children watch versus another, and that's something that all of us.... Being a parent back in the video days, not video game days — my son played them, but they were different games then — I had to be vigilant on what they were seeing when they were going to the neighbours or what they were doing with regards to that.

I think this is a total package. The reason I'm comfortable with doing it this way is because I have seen a significant commitment on behalf of retailers to the education program and the point of purchase and not renting or selling games to people that are an inappropriate age. The larger retailers have made the choice to not even carry a lot of these games. They're not staying in the marketplace, because the shelf life isn't there if they're not actually marketable and people aren't buying them. At the same time, we still have the ability to prohibit certain types of games.

I think that this whole commitment to parents has worked extremely well. I know other jurisdictions in the country have been watching it and are moving towards the same type of relationship with the retailers in Canada. The retailers have made the commitment to put disciplines in their system; we have disciplines in our system. Having said all that, there are still going to be, unfortunately, some games viewed by the wrong people of the wrong age, and that's not acceptable.

I doubt that we will ever control the personal libraries of games where a child might take it to another household or something like that, but this certainly gets us to where we can manage the video game issue quite well in B.C.

J. Kwan: I would go as far as to say that the game I saw is inappropriate, irrespective of age. It really is. Gosh, if we think the people who created this thing somehow think that it is appropriate for anybody anywhere... I can't tell you how shocking that is, irrespective of age. It should not even exist. To promote such a notion....

Anyway, I'll just leave it at that. I know that I am emotional about it, because I actually saw such a video game. Like the Solicitor General, I will tell you that at the time I grew up, the video games that we played with were Pac-Man, and we ate little chips, little food pellets. These little happy faces went around eating little chips.

I do have another question, though, which that has triggered. The Solicitor General noted that the government has the ability, through regulation, to contract out the rating of video games to third-party agencies. Is this going to happen? What kind of agencies would be able to undertake such a task?

Hon. R. Coleman: Just a clarification. It is not contract out; it is by reference and regulation to a standard. It is just the same thing as if we referenced the movie standard for North America. We reference the ESRB

standard for video games. We're not contracting out anything with regards to that.

Section 31 approved.

On section 32.

J. Kwan: Section 32 amends section 5(6)(a) and (b) of the Motion Picture Act. Section 5(6)(a) and (b) is repealed, and the following is being substituted: "If the director reviews a motion picture under subsection (1) the director must, unless the director takes action under subsection (3) or (4), approve the motion picture, and if the motion picture is intended to be exhibited in a theatre, classify the motion picture in accordance with the regulations made under section 14 (2) (c)."

[1130]

I want to trace exactly the protocols set out in this bill and the Motion Picture Act in which a motion picture and specifically a video game would be approved. Could the Attorney General please outline that for me?

Hon. R. Coleman: Subsections (a) and (b) are the same; (c) is the subsection that is added. What it does is that if it is not rated by one of the selected standards under regulation, it permits the province to do one of two things: either view the movie or game themselves and give it a rating provincially, which could restrict its use, or accept the rating that's been applied to it by another province with regards to it.

What happens is that there are products in the marketplace that don't go through those standards. Some of the issues are around, on the film side, pornographic material which we actually do view and rate or reject being allowed in the marketplace and that sort of thing. That section permits that.

J. Kwan: Section 5(6) of the Motion Picture Act states: "If the director reviews a motion picture under subsection (1), the director must, unless the director takes action under subsection (3) or (4), (a) approve the motion picture, and (b) if the motion picture is intended to be exhibited in a theatre, classify the motion picture in accordance with the regulations made under 14 (2) (c)."

Then if you look at section 5(1) of the Motion Picture Act, which this section refers to: "On receipt of the prescribed fee, the director must ensure that every motion picture and adult motion picture submitted to the director for approval under section 2 (1) or 3 (1) is reviewed, and every motion picture is classified, in accordance with this Act and the regulations."

In reading those two sections together, am I correct in my reading that the director must submit a motion picture to himself or herself for approval? Currently, are all motion pictures approved by the director — with the exception that the Attorney talked about where the province could provide for the ratings itself?

R. Masi: I seek leave to make an introduction.

Leave granted.

Introductions by Members

R. Masi: On behalf of my colleague from Surrey-White Rock, it is my pleasure to introduce a number of students from Ray Shepherd Elementary School, accompanied by a parent, Ms. Siple. Would the House please make them welcome.

[1135]

Debate Continued

Hon. R. Coleman: Section 2(1) is theatre films — films that would go into a theatre for approval. Section 3(1) is adult films approval, which is pornography, and 3(1) identifies other films not in theatres. That language allows us to do the video games.

J. Kwan: The directors that would be approving these video games — what kind of resources do they have in terms of staffing resources? As we know, there are literally hundreds, if not thousands, of new video games surfacing all over the place all the time. Would they have the capacity to do the work that's required of them?

Hon. R. Coleman: The film classification branch has a budget of \$1.2 million. They have 13 staff. Obviously, they won't be looking at video games that are rated under ESRB if we give ESRB the standard. The remainder is about 1 percent to 2 percent of the marketplace that isn't rated. Right now across the country we're looking at harmonizing that 1 percent to 2 percent. We would probably be designating Ontario as the people that would rate that 1 percent to 2 percent and would develop the expertise in one place to do that, and it would be shared across the country by the provinces.

J. Kwan: The rating system for approval — is it just a simple yes or no?

Hon. R. Coleman: It is not just a yes or no; it's rated on context. It is a progressive context by age, by the rating person, which is age-based. There is an approach because the member may be familiar, particularly because she's from Vancouver.... Sometimes there have been difficulties with film festivals where somebody has a difficulty with a particular film that they want to show to a larger audience. The approach we take on film festivals is that for the purpose of a film festival, all films are rated as being restricted. If they wish to have a film they want to have a broader public to see, which is outside the age 18, then we would rate that film to see whether it could be shown to a larger audience based on that context.

J. Kwan: Subsection (c) is a new addition. It reads: "If the motion picture is not intended to be exhibited in a theatre, classify the motion picture in accordance

with the regulations made under section 14 (2) (m)." Am I correct in assuming that the amendment is to make sure that motion pictures that go directly to video or DVD are included in the act? Were there regulations before around straight-to-video motion pictures? I'm not familiar with that. I'm just wondering if there were regulations before.

[1140]

Hon. R. Coleman: Even I get an education sometimes when I debate legislation. Straight-to-video hasn't been rated since 1986. This does capture straight-to-video. It does. But what we intend to do in regulation is to....

Basically, there's still a national rating system with regards to straight-to-video, so we would probably do a designation of one jurisdiction that would do the straight-to-video classifications, and the rest of us would accept that. The biggest part about this section, though, is that it captures videos. This is what allows us to capture videos.

Sections 32 to 34 inclusive approved.

On section 35.

Hon. G. Plant: I wanted to rise to speak a bit about section 35, because it has generated some discussion in the world out there. I want to respond to some of the comments and concerns that have been raised by the public and others about this provision.

Section 35 makes an amendment to a statute called the Municipalities Enabling and Validating Act (No. 3), which is a statute of British Columbia enacted in the year 2001. It amends that section by adding a new section. Actually, it adds two sections, but it's only the first of those that I want to speak about right now, and that is what will become section 14 of the Municipalities Enabling and Validating Act (No. 3). The heading of that section is "Validation of Whistler Bylaws Respecting Nita Lake Development." I think that's a good summary of what this section does.

Municipalities enabling and validating legislation is not unusual. It's not new to this government. It's not new to governments in British Columbia. It's a branch of what we do in the province to maintain the public interest in a stable system of local government. From time to time, local governments identify concerns and problems with respect to bylaws they have enacted and, in some cases, bylaws they may have enacted and relied upon for years or even generations.

When they identify those concerns, the concerns often relate to the procedural requirements in order to bring into force a valid bylaw. Goodness knows that those procedural requirements are complex, and rightly so, but it's a pretty complicated set of rules that has to be followed by a local government if it wants to bring into force a new bylaw. They include the rules around the scope of subject matter that the municipal government can legislate with respect to. They also include the process that must be followed.

Sometimes municipal governments may push the envelope of subject matter. Sometimes they may do something procedurally that appears later to have run afoul of some of the detailed rules that apply to those procedures. Indeed, the body of law which lawyers call municipal law in large measure consists of the way in which courts over time have ensured that municipal governments, local governments, live within the rules they're required to live within.

[1145]

From time to time, issues are brought to the provincial government, which continues to be the senior government responsible for legislating both the powers — the subject matters of authority for local government — and also the process rules that local governments must follow if they want to exercise those powers. The issues that will come before the province will be issues that may relate to concerns that have been identified about whether the i's were dotted properly or the t's crossed in respect of proceeding with a particular bylaw, or they may be more substantive.

From time to time, the province is called upon to step in to ensure that the spirit, the intent and the purpose of the municipal bylaw is protected. That may mean legislating in this chamber to cure the procedural error. It may mean legislating in this chamber to cure the error that has been made around subject matter authority, just to make sure the bylaw that was brought into force can in fact be brought into force and that it can be given effect in accordance with the intention of the local government that brought the bylaw into force. I want to say again that this is not that unusual. These things happen and are a routine part of the life of a Legislature.

There has been some concern expressed — including, quite frankly, concerns expressed by the opposition — suggesting that in some way what is being done here is very unusual. I think I've even heard the adjective "stunning" applied to what's been done here. I think it's important that we in this chamber, and perhaps anybody who is paying attention to this debate, be reminded of the fact that what we're doing here is neither stunning nor all that unusual.

I have in front of me, for example, the Municipalities Enabling and Validating Act (No. 2). This is a statute you find in the revised statutes books of the province. It goes back to 1990. In fact, what the table of contents of this act shows is that between the year 1990 and the year 2000, there were some 48 different provisions added to the Municipalities Enabling and Validating Act, year by year, as the provincial government stepped in to ensure that a procedural defect, a technical error or some matter of detail that had occurred during the course of the development of a rule or a bylaw of local government was not allowed to stand in the way of ensuring that the public interest behind those bylaws was maintained.

The reason I looked at Municipalities Enabling and Validating Act (No. 2) was because I wanted to test the assertion I have seen made out there, which somehow implied that what we as a government were doing was

new and unusual. A good way to test that is to compare what we do and the practice that we follow to the practices that were followed by the former government that held office in British Columbia from 1991 to 2001. It looks as though some 43 or 44 different MEVAs, to use the acronym, were enacted over the course of that decade. In some years there were only four, and in one year, only two. Then in 1993 it looks as though there were as many as nine or ten enacted.

The idea that the provincial government has a role to play in ensuring that the work of municipal government is kept stable is not new. It's not unusual, and nor is the exercise of the authority contemplated here in some way radical or innovative or stunning. It is actually just part of the business of British Columbia.

I think, to be fair, I need to point out that in the majority of these cases, the error or the concern is identified before the matter is tested in court. The MEVA, the legislative intervention, steps in to correct a problem that has been identified, perhaps by way of a legal opinion to municipal council or by way of some other process. A municipal government gets to act on that concern by coming to the province before there is a court decision.

[1150]

I say that these things are not that unusual. I remember that in the 1990s, one of the MEVAs the former government brought into place protected a fluoridation bylaw that had been brought into force by the city of Prince George in 1954, but there was a problem with it. The Legislature intervened to protect all of the work that had been done in Prince George under that fluoridation bylaw over what was, I guess, close to half a century. Again, that's not terribly unusual or terribly stunning or terribly difficult.

There is no doubt that from time to time, the fact that we are called upon to act is a matter of considerable interest in the local community and indeed may even be a matter of controversy in the local community. The extent to which these issues are difficult or controversial is certainly something the provincial government would take into account before it chose to assist the local government. To the best of my knowledge, for example, we don't act as a provincial government unless the local government comes to the province and says: "This problem has been identified. Please help us with it." We don't act of our own initiative. We act on the basis of a request from municipal governments.

I did say that for the most part, these issues are identified before we get to the point where the problem has crystallized in the form of a court judgment. But in fact, we don't always get there that soon. The record of the last decade or so includes several occasions where this Legislature was asked to intervene after there had been a court decision. That was work done by the former government. They did that, and it is something that we have done. It is something that we are doing here.

There is no doubt that the issue becomes more serious when we as a provincial Legislature are asked to

step in to ensure that the spirit, the intent and the purpose behind a local government initiative are protected, notwithstanding the fact that a technical error has been identified and may even have formed the basis of a court judgment. There is no doubt that the Legislature does not act lightly when it comes to dealing with a request that it actually intervene to save the purpose and intent of a municipal initiative, even where that intervention requires setting aside a court decision.

That's all part of the kind of usual order of business and responsibility of government that lies underneath what's being proposed here. What's being proposed here is that the province intervene to protect something that is pretty important to the citizens of the Resort Municipality of Whistler, a \$120 million development at Nita Lake. And like large developments with significant potential public impact.... There are some in the Resort Municipality of Whistler who are opposed to the development. That's not unusual. That's part of the development business across British Columbia.

When we were approached as a provincial government and asked to consider intervening to ensure that the work the Resort Municipality of Whistler had done to try to get this development going was preserved and protected, and so that the project could continue, there was also no doubt that the majority of the residents of the resort municipality were behind the development. So when Whistler comes to government and says: "Please help us with this issue that has developed...." There is no doubt when you look at the record of public hearings — the record of other processes that had been followed here — that while there is a small and nonetheless vocal opposition, the majority of this community is strongly in support of this very important development. It's a \$120 million development — all kinds of economic opportunity provided during the course of construction. After construction this development will form a pretty interesting and, I think, exciting part of what that resort municipality can offer the citizens of British Columbia.

We have been asked to intervene. We've been asked to intervene in circumstances where we need to take a step that, in fact, involves setting aside a court decision. I want to say, Mr. Chair, that's not that unusual either.

[1155]

One of the principles of our democratic government is the principle of parliamentary sovereignty. It is, in

fact, the principle that recognizes that there are times and places when the Legislature acts to correct errors that are made by courts. Or when the courts take a step, relying on the law as it is, which appears not to be consistent with what the public interest requires, then sometimes we will act, as a Legislature, to correct the law to ensure that the public interest is protected. It's not that unusual. Yet, I have been very concerned over the last day or so to read public comments that suggest that this intervention is in some way unusual or is to be criticized for that reason.

The former government, for example, in effect lost a court challenge to probate fees. They lost the court challenge in the Supreme Court of Canada. Although the court challenge concerned a probate fee regime in Ontario, the decision clearly applied to probate fees here in British Columbia. Did the former government accept that that was the end of probate fees in British Columbia? No, they brought in legislation that effectively overturned the outcome of that court decision.

The former government brought in a piece of legislation called the Tobacco Damages Recovery Act. They actually brought it in twice. They brought it in once in about 1997-98, and then they brought in another one because they did legal advice to determine that there were problems with it.

These issues, I think, are worthy of pursuit, and I look forward to continuing to pursue them. But noting the hour, I move that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 11:57 a.m.

The House resumed; Mr. Speaker in the chair.

Committee of the Whole (Section B), having reported progress, was granted leave to sit again.

Hon. G. Plant moved adjournment of the House.

Motion approved.

Mr. Speaker: The House is adjourned until 2 p.m. today.

The House adjourned at 11:58 a.m.