



5th Session, 37th Parliament

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LEGISLATIVE ASSEMBLY  
(HANSARD)

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**Afternoon Sitting**  
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THE HONOURABLE CLAUDE RICHMOND, SPEAKER

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(Entered Confederation July 20, 1871)

LIEUTENANT-GOVERNOR  
Her Honour the Honourable Iona V. Campagnolo, CM, OBC

**5TH SESSION, 37TH PARLIAMENT**

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Afternoon Sitting

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TUESDAY, OCTOBER 5, 2004

The House met at 2:04 p.m.

### Introductions by Members

**R. Masi:** It's my pleasure today to introduce a number of people from the Delta Gateway Society, a community-based non-profit organization helping people with autism for the last 27 years. With us today from the Gateway Society are Kelly Reaburn, Johnny Van Tol, Candace Chittim, Pete Fournier and Danny Perrault. Would the House please make them welcome.

[1405]

**R. Hawes:** It is my pleasure today to introduce 13 students from Meadowridge School in Maple Ridge, which my colleague from Maple Ridge-Pitt Meadows and I would argue is the finest independent school in the province. They're here with their teacher, Mr. Parker, to see how the Legislature works and do a tour of the premises. Could the House please make them welcome.

**M. Hunter:** In the gallery visiting the Legislature today are two friends of mine from Nanaimo: Wally and Joan Worth. Would the House please make them welcome.

**W. McMahon:** It's a pleasure today to introduce new caucus legislative assistants to you. We have four new assistants here. They're Aman Dodd, Derek Tryan, Kevin Dixon and Jeremy Walden. I know they're excited to be here working, and we're excited to have them. I ask you all to join me in extending them a warm welcome.

### Introduction and First Reading of Bills

#### FINANCE STATUTES AMENDMENT ACT, 2004

Hon. G. Collins presented a message from Her Honour the Lieutenant-Governor: a bill intituled Finance Statutes Amendment Act, 2004.

**Hon. G. Collins:** I move the bill be introduced and read a first time now.

Motion approved.

**Hon. G. Collins:** I'm pleased to introduce the Finance Statutes Amendment Act, 2004, which amends the Ministry of Finance statutes, most notably the Business Corporations Act. The act was brought into force on March 29, 2004. The amendments respond to various issues that have come to light since that date. Most of the amendments are purely housekeeping and either correct errors or refine the application of provisions. However, there are a few changes that are more substantive in nature and intend to further streamline the corporate registry practices.

The bill also contains minor technical amendments to the Society Act and Financial Institutions Act, arising out of recent amendments to those statutes, in addition to a minor amendment to the Pension Benefits Standards Act reflecting a recent change in accounting standards.

I move the bill be placed on the orders of the day for second reading at the next sitting of the House after today.

Bill 69 introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

#### PROPERTY TRANSFER TAX AMENDMENT ACT, 2004

Hon. G. Collins presented a message from Her Honour the Lieutenant-Governor: a bill intituled Property Transfer Tax Amendment Act, 2004.

**Hon. G. Collins:** I move the bill be introduced and read a first time now.

Motion approved.

**Hon. G. Collins:** This bill improves the certainty and fairness of the Property Transfer Tax Act by changing how the tax applies to pre-sold strata units. As proposed by government on June 22, 2004, in response to communications we received from individuals — and particularly the member for Vancouver-Burrard — the legislation is amended so that all purchasers of pre-sold strata lots will know how much property transfer tax will be payable when they register their purchase at the land titles office.

The amendment also ensures that first-time homebuyers of pre-sold strata lots will know with certainty whether or not they will be eligible for the first-time homebuyers exemption at the time they make the purchase.

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

Bill 70 introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

#### EXPROPRIATION AMENDMENT ACT, 2004

Hon. G. Plant presented a message from Her Honour the Lieutenant-Governor: a bill intituled Expropriation Amendment Act, 2004.

**Hon. G. Plant:** I move the bill be introduced and read a first time now.

Motion approved.

**Hon. G. Plant:** I'm pleased to introduce Bill 67, the Expropriation Amendment Act. Bill 67 will provide the

Supreme Court of British Columbia with jurisdiction over expropriation and related matters. That jurisdiction is currently held by the Expropriation Compensation Board. This bill will dissolve that board.

[1410]

The Expropriation Compensation Board has a relatively low caseload and formal, often protracted proceedings. Its decisions are frequently appealed. Moving the board's jurisdiction to the courts will avoid duplication and will streamline Expropriation Act proceedings.

I want to point out that Bill 67 deals only with the jurisdiction of the board. These amendments do not affect the substantive rights or remedies of expropriating authorities such as provincial and local governments, hospitals, school boards or landowners, or any other substantive aspect of current expropriation law. There are transitional provisions that will ensure that hearings that have already been set by the Expropriation Compensation Board or which are in progress will not be affected by these changes.

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

Bill 67 introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

#### LAND TITLE AND SURVEY AUTHORITY ACT

Hon. G. Abbott presented a message from Her Honour the Lieutenant-Governor: a bill intituled Land Title and Survey Authority Act.

**Hon. G. Abbott:** I move the bill be introduced and read for a first time now.

Motion approved.

**Hon. G. Abbott:** I'm pleased to introduce Bill 68 today. The Land Title and Survey Authority Act is a new act designed to establish the land title and survey authority as an independent, not-for-profit corporation responsible for operating the province's land title and survey systems and facilitating the execution of Crown grants.

This act is consistent with the government's new-era commitments of operating more efficiently, supporting the economy and bringing more certainty to land uses in the province. This act will establish the authority for the purpose of assuming all of the functions of the land title branch, including the operation of the three land title offices. The authority will also assume responsibility for the majority of activities now carried out by the surveyor general.

This government listened to the concerns of British Columbians regarding the operation of land titles offices. We responded by establishing this authority as an excellent way to deliver improved land title office and survey services, including improved timeliness of land

title and survey plan registration activity. In so doing, we are enhancing services to private land owners and investors.

The proposed legislation is modelled after other acts recently passed to establish the Business Practices and Consumer Protection Authority, the Safety Authority and the B.C. Ferry Authority. The legislation incorporates necessary governance and accountability provisions to protect the public interest.

Bill 68 is an important step in this government's commitment to efficient, effective service delivery. I'm pleased to present this bill in the House today, and I move that the bill be placed on the orders of the day for second reading at the next sitting of the House after today.

Bill 68 introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

#### Statements (Standing Order 25b)

##### ROLE OF TEACHERS

**R. Masi:** Today is World Teachers Day. World Teachers Day is our chance to recognize, celebrate and appreciate all that teachers do.

I can remember the primary teacher who gave up many Saturday afternoons to go shopping for those things that helped enrich the wonderful learning environment in her classroom. I think of the English, French and social studies teachers who face 80 papers to mark almost every Sunday night as well as doing the lesson plans for the week.

I know of many athletic coaches who give up many weekends motivating young people to fulfil their potential. I know of band teachers giving early morning rehearsals and arranging road trip concerts to perhaps discover another Diana Krall or Michael Bubl . I think of the grade 5 teacher, with two or three special ed kids in her class, striving to deliver motivating lessons to a difficult age group while keeping one step ahead of technological changes.

I know of drama teachers who spend months working after school and evenings preparing for the annual drama festival, perhaps to discover the next Hollywood star. I think of the teachers in the trades and culinary arts who inspire and mentor many young men and women to be a productive and vital part in our society.

[1415]

Let's remember, too, that most teachers have families and households of their own to look after but still find in their hearts the time and compassion to care for and motivate their students towards the goal of becoming mature and competent adults. I ask: how many of us here can remember and credit a teacher who has profoundly influenced our lives? I would like to quote Henry Brooks Adams, who was an American historian and grandson of John Quincy Adams. He said: "A

teacher affects eternity. He can never tell where his influence stops."

**J. Kwan:** Today I and my colleague from Vancouver-Hastings are also very proud to stand and celebrate World Teachers Day. It is a day for all of us to recognize the teachers of B.C. and to let them know how much they're valued and appreciated.

Teachers are the stewards of the education system in our society. They're the people we entrust our children with every day, the people who help so many of us get to where we are today and guide us through an often challenging and perplexing time in our lives — high school.

Teachers at all levels in the system are the individuals who guide our kids through tricky math problems, teach our children the history of this country, coach their soccer teams, sponsor their clubs and chaperone their dances. B.C.'s teachers are the hard-working and pivotal mentors of the youth of this province. Their day-to-day efforts deserve our respect and our thanks.

Unfortunately, teachers of this province have not seen the respect and appreciation they deserve from this government. Instead of working with teachers in a collaborative and cooperative manner to meet the challenges of the profession, the government has chosen conflict and confrontation. The government stripped teachers of their right to have a self-governing profession. They were okay with used car dealers governing their own, but not teachers. It took a year of conflict and public pressure to give back to the teachers what the government took away.

The government went as far as to erase a decision of the B.C. Supreme Court to impose their will on B.C.'s educators, making their tough job even tougher. The government forcefully removed critical protections for students and teachers related to class size, services for special needs students, and specialty services from counsellors, librarians and ESL teachers from collective agreements. These are not the actions of a government that respects, values and appreciates the teachers of B.C.

On this day, World Teachers Day, it is time that this House acknowledges B.C.'s educators and all of the valuable work that they do for our children and our society.

#### BIKE TO WORK PROJECTS

**P. Sahota:** The Bike to Work program started in Victoria, and I'm proud to report that our government has embraced this idea as well. Last month the Minister of Management Services announced that the province would be helping the Bike to Work movement by going B.C.-wide. In addition to reducing pollution, studies show that people who bike to work are healthier, happier and more productive.

With funding of \$24,000 from several ministries, Bike to Work Victoria has created a 53-page planning manual and a one-day workshop for communities that want to replicate the program. On September 22, I was

in Kelowna when Mayor Walter Gray announced that Kelowna will be the first out of the gate, holding a workshop on October 30 as a prelude to their first-ever Bike to Work Week next spring. I understand that Vancouver plans to do the same, and I hope the city of Burnaby will also do the same. I understand that other cities in Alberta and Ontario are also hoping to replicate this program.

Here in the capital, though, with seed funding from the government, the capital regional district's traffic commission has spearheaded more than two dozen projects, which are making our roads safer. Three of those projects, including the structure of the commission itself, were showcased at the biennial world conference on safety and injury prevention in Vienna, Austria.

One of the commission's projects is a free audio CD for seniors who want to learn how to fine-tune their driving techniques. Now the Ministry of Public Safety is teaming up with ICBC to make that CD available free to seniors throughout B.C.

Adding to all this, the Ministry of Community, Aboriginal and Women's Services has created for the UBCM a \$100,000 fund to help municipalities set up their own traffic safety commissions. These initiatives will make our citizens safer, healthier and more productive. I'm proud to support them. Well done — to all the folks who started all this with the Victoria Bike to Work Week.

[1420]

**Mr. Speaker:** That concludes members' statements.

#### Oral Questions

#### EDUCATION FUNDING

**J. Kwan:** Just today, we see another story about students losing dedicated teachers because of B.C. Liberal budgets. Richard Cook, a counsellor and coach in the Saanich school district, is gone because Liberals are cutting funding to school districts. The ministry says it is all about declining enrolment, but parents know it is because this government just doesn't care and has cut funding to the classroom.

To the Premier: why is the government spending millions on television ads extolling the record of what the government has done and what a great job they're doing to education, when teachers like Mr. Cook aren't in the classroom where they belong?

**Hon. T. Christensen:** It's interesting that the member refers to that article because I read it, too, this morning. It referred specifically to the fact that in the Saanich school district, they do have the challenge of declining enrolment. They are actually projecting their enrolment to decline by 23 percent between now and 2010. Let's face that this is a significant challenge in the province and that means that...

Interjections.

**Mr. Speaker:** Order, please.

**Hon. T. Christensen:** ...school districts are going to need to adjust.

But I also know this in Saanich. I actually had the opportunity to visit Cordova Bay Elementary School this morning and speak with teachers there. I know they have incredibly dedicated teachers throughout Saanich. It's always sad when we may lose a teacher for one reason or another, but we have exceptional teachers in Saanich, and we have exceptional teachers in every school in this province.

**Mr. Speaker:** Member for Vancouver–Mount Pleasant has a supplementary.

**J. Kwan:** You know what? This government loves to duck responsibility for its cuts. It loves to deny the reality that parents are facing.

Interjections.

**Mr. Speaker:** Order, please.

**J. Kwan:** It loves to deny the reality that parents and teachers are facing. The fact is that they broke their new-era promise to increase funding to education, but they can't be trusted. They can't be trusted.

Interjections.

**Mr. Speaker:** Order, please. Order.

**J. Kwan:** Let me ask the minister a very simple question. When you account for inflation and downloading, how much has funding to education been cut since this B.C. Liberal government took office?

**Hon. T. Christensen:** The fact is that funding on a per-pupil basis and funding in straight dollars is higher now than it has ever been in this province.

We know the members opposite have an interesting record on their accounting, but the member can look at the public accounts just as every member of this House can, and they will see that the dollars are higher than they've ever been. More importantly, as I visited school districts in every single part of this province and schools in every one of those districts, what I've seen is that those dollars are being put to exceptionally good use and teachers are working hard to meet the needs of our students. It simply provides confidence to me every time I'm in a school that we have one of the most exceptional school systems in the world.

**J. Kwan:** It sounds like the minister has been watching too many of the government's ads on TV. Maybe, just maybe, he should consult....

Interjections.

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

**J. Kwan:** Maybe the minister should consult the Chartered Accountants of B.C. Here's what they had to say in a report issued just last week, last Tuesday: "When inflation and additional costs downloaded to school districts are taken into account, per-student funding will in fact be 3.5 percent less than in 2001."

[1425]

Again to the minister: does the Minister of Education accept the findings of the chartered accountants that education has been cut — yes or no?

Interjections.

**Mr. Speaker:** Order, please. Order.

**Hon. T. Christensen:** About three and a half years ago we came into government. This is my first term in government. Lo and behold, I think all of us on this side of the House were incredibly surprised to see the fiscal nightmare that faced this province. We have worked exceptionally hard over the last three and a half years to get the economy back on track, to get this province moving in the right direction.

We're investing more money in public education now in this province, because the province has the financial wherewithal to do it. Over the next three years...

Interjections.

**Mr. Speaker:** Order, please. Order, please.

**Hon. T. Christensen:** ...you will see that at a minimum, an additional \$313 million is being allocated to the Ministry of Education budget. Our job is to make sure that those dollars make it into classrooms to make a difference to students here in British Columbia.

**J. MacPhail:** Well, isn't that interesting? The shiny little Minister of Education won't answer the question. The chartered accountants say there's been a real cut of 3.5 percent in education. Here's what this government's logic is. They dump buckets of new costs on parents, teachers and school boards. Then they fill a little tiny thimble of coins and give it back and say: "Oh, we've increased funding for education." That's their logic. I'll take the chartered accountants' logic any day. The government is blowing....

Interjections.

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

Interjections.

**Mr. Speaker:** Order. Order.

**J. MacPhail:** The chartered accountants say there is a real cut of 3.5 percent, and the Minister of Finance is

clapping like a seal. That's interesting. The government is blowing millions of tax dollars to spin fiction into fact. This year the school boards have lost \$35 million in grants to cope with the global budgets that this government imposed on school districts.

According to Statistics Canada, B.C. has the second worst record in the country in improving student-teacher ratios.

Interjection.

**Mr. Speaker:** Order, please. Order, please.

**J. MacPhail:** Again to the minister....

**Mr. Speaker:** Hon. member, time for the question, please.

**J. MacPhail:** Thank you, Mr. Speaker. Again to the minister: will he stand up and admit (1) that the chartered accountants are right, and (2) what parents, teachers, students and the chartered accountants already know — that since taking office, the B.C. Liberals have taken the hammer to education dollars going into the classroom?

**Hon. T. Christensen:** I find it interesting that finally the member is listening to the chartered accountants of the province. I just wish for the people of British Columbia that she'd started listening about a decade ago, and we'd be in a much better spot.

The fact is that we have approximately 30,000...

Interjections.

**Mr. Speaker:** Order, please.

**Hon. T. Christensen:** ...fewer students in the public education system than we did five years ago. This year we've provided an additional \$85 million....

Interjections.

**Mr. Speaker:** Order, please. Order, please. We cannot hear the answer. Please proceed.

Interjections.

**Mr. Speaker:** Order.

**Hon. T. Christensen:** For the 2004-05 school year we've provided an additional \$85 million in grants to school districts, and I was very pleased about a month ago to add an additional \$10 million to allow those school districts to focus on textbooks.

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

[1430]

**J. MacPhail:** Maybe he actually wants to go into the schools and talk about that ten million bucks for school books.

Here's a rare document. This document would get a million bucks on eBay. You can't find it on the Internet anymore, Mr. Speaker. Isn't that interesting? A million bucks it would get on eBay. It's a question of trust with this government — trust that the government broke its promise to enhance education funding in this book, trust in a government that broke its promises to parents and children, trust in a government that can't tell the truth about what they've really done.

Before the last election, the Liberals promised — I know you don't know this book anymore — to increase funding to education. Today we know they've cut per-pupil funding. They weren't telling the truth then; they're advertising fiction now. Why does the Minister of Education think we should trust him now?

**Hon. G. Campbell:** Education is important to everybody in this House, and there are a couple of things that are important. Number one is investing in education. Number two is getting results for education.

We've actually increased the investment over the next three years by \$313 million. By 2006 we will have invested \$1.3 billion in capital infrastructure improvements across the province. But more important than that, we said we would take those additional dollars and focus them on students and teachers and achievement in the classroom. What's happened? We've watched as the number of grade 7 students meeting or exceeding expectations in writing is up 11 percent in British Columbia. We've watched as the number of aboriginal students that are exceeding expectations is up by 4 percent. We've watched as 85 percent of the number of grade 7 ESL students are now meeting or exceeding expectations. That's up 14 percent.

This government is committed to our students, it's committed to our teachers, and it's committed to our parents. We're committing resources to make sure we have the best education system in Canada.

#### B.C. RAIL PRIVATIZATION PROCESS

**E. Brenzinger:** My question is to the Premier. My question concerns the conduct of the Premier prior to the sale of B.C. Rail to CN. On November 21, 2003, CP Rail wrote a letter to the Premier stating that the government's handling of the B.C. Rail sale was extremely prejudiced. My question to the Premier is: will he confirm that he did in fact meet with Paul Tellier, the CEO of CN, prior to the RFP being issued regarding the sale of B.C. Rail and that amongst the matters discussed was the final purchase price the government was looking for?

**Hon. K. Falcon:** I think what that member ought to be very excited about is that the final acquisition was \$1 billion — a billion dollars that we can now reinvest back in the northern communities, a billion dollars that we will see improve transportation; \$135 million for the northern development fund, controlled by northerners for the benefit of northerners; containerization at the port of Prince Rupert, which will create hundreds of

new jobs; a new wheel shop in Prince George — lots of opportunities right across the province of British Columbia, because this is a great partnership deal for the province.

Interjections.

**Mr. Speaker:** Order, please.

#### HEALTH CARE SERVICES IN KIMBERLEY

**W. McMahon:** My question is to the Minister of Health Services. Changes to the health care system in Kimberley, and in particular the closure of the Kimberley Hospital, have been difficult for many of my constituents. A few months ago the city of Kimberley, along with the interior health authority, reached an agreement through which a primary care centre would be established at the site of the old hospital. I'm wondering if the minister can tell us and my constituents what services the new health care centre in Kimberley will offer patients and when it will start functioning.

[1435]

**Hon. C. Hansen:** First of all, I'd like to thank the member for Columbia River-Revelstoke for helping to facilitate a meeting two weeks ago with the mayor of Kimberley. I thought it was a very productive meeting. Certainly, there was some very good news coming out of Kimberley around delivery of health services.

I'm pleased to advise the House that the interior health authority has committed to establishing a new primary care centre in Kimberley. Renovations are about to start in the very near future, and I can also report that it is expected that that facility will be open and serving the residents of Kimberley very early in the new year.

[End of question period.]

**V. Anderson:** My question is to the Minister of Management Services.

**Mr. Speaker:** Excuse me. The bell terminated question period, hon. member.

#### Tabling Documents

**Hon. G. Collins:** I have the honour to present the guarantees and indemnities authorized and issued report for the fiscal year ended March 31, 2004, in accordance with the Financial Administration Act, section 72(8).

I also have the privilege to present a number of reports from the various pension plans: the public service pension plan, British Columbia, 2003 annual report; the college pension plan, British Columbia, 2003 annual report; the municipal pension plan 2003 annual report; the teachers pension plan, British Columbia, 2003 annual report; the Pension Corporation of British Columbia annual report 2003-04; the Members of the

Legislative Assembly pension plan, British Columbia, 2003 annual report; as well as the annual report of the B.C. Investment Management Corporation for 2002-03.

#### Orders of the Day

**Hon. G. Collins:** I call second reading of Bill 60.

#### Second Reading of Bills

##### UNIVERSITY AMENDMENT ACT, 2004

**Hon. S. Bond:** I move Bill 60 now be read a second time.

On March 17 of this year, the Premier announced that the new Okanagan campus of the University of British Columbia would have a separate senate to govern local affairs. As well, the Premier committed to expanding the university's board of governors to provide for representation from the Okanagan region.

The new university and college are part of the province's commitment to add 25,000 public post-secondary spaces by 2010 and to help ensure that any high school graduate with a 75 percent average gains access to a B.C. post-secondary institution.

When government consulted with stakeholders regarding the proposed UBC Okanagan university model, one of the things that was most important to those we talked to was the ability of the region to actually guide the development of the university to meet its very unique needs.

[1440]

When the Premier announced the formation of UBC Okanagan, we promised that a distinct senate for the Okanagan region would be part of this new university. Currently, under the existing University Act, each university is allowed only one senate, which is responsible for making decisions regarding the academic governance of the institution. The act very clearly details the exact composition of the boards.

I'm really pleased today to be able to say that the changes being made to the University Act by Bill 60 will allow the University of British Columbia to establish an additional autonomous senate for the Okanagan, which is a major step towards granting the people of the Okanagan their own full university directed by an independent senate to meet the needs that are important and the priorities that are significant in the southern interior of the province. The amendments being introduced today will also expand the UBC board of governors to guarantee local representation for the Okanagan campus of the university on the overall UBC board of governors.

But we've also done some other things in terms of the UBC Okanagan model to ensure that the people of the Okanagan have the ability to direct and influence the shape of this new university. We've appointed two advisory councils, one that will serve the UBC Okanagan component and one that will serve the Okanagan College. This is an incredible opportunity for students and their families in the Okanagan, and

we are absolutely thrilled with the new options that will be available in that part of the province.

Today Bill 60 also makes two changes to the University Act which will help in terms of deregulation. These two changes involve reducing the red tape surrounding the disposition of university lands and granting the powers of a natural person to the public universities that are governed by this act.

As I mentioned in my introductory remarks, the first amendment is intended to establish a second senate for the University of British Columbia. In addition, a series of other amendments will ensure that we have other flexibility for institutions in our province.

When we look at the second change in terms of the effective local representation on the board of governors for the University of British Columbia, we wanted to propose an amendment to provide for an expanded board for that university. This will ensure that the regional interests of the Okanagan are considered wherever the board exercises its powers and will fulfil the commitment that the Premier made to provide a high-quality education facility in the Okanagan that, first and foremost, considers regional interests.

The amendments that we are making in terms of deregulation will change the approval requirement for the disposition of land from the Lieutenant-Governor-in-Council to the Minister of Advanced Education. In addition, the University Act will be amended to grant the universities with the powers of a natural person.

The University Act currently requires Lieutenant-Governor-in-Council approval before a university makes any disposition of land. This is an unnecessarily lengthy approval process for routine procedures. Bill 60 will amend the University Act to require that only the Minister of Advanced Education needs to approve the disposition. This reduction will streamline the disposition process while maintaining the current government accountability framework. Overall, the amendment will serve to simplify the administration of a routine procedure.

In addition, as global competition increases, universities in British Columbia have been seeking innovative approaches to their operations — for example, initiatives that employ endowed land as a vehicle for revenue-generation. The universities currently maintaining these innovations are hindered by their lack of autonomy as a natural person, while universities in other provinces experience such autonomy. To address this, these amendments will give the universities the powers of a natural person. The granting of these powers would be consistent with the current practice of universities in other provinces, and it would be in line with the trend to give universities and their governing boards greater autonomy to manage their affairs.

This power will also provide universities with additional flexibility in their day-to-day operations. In addition, the change would ease current restrictions on the ability of public universities to pursue new opportunities and would allow them to be more responsive and more competitive on a national and international level.

[1445]

In conclusion, the amendments being made by Bill 60 to the senate provisions, the establishment of the council of senates and the expansion of the board of governors will set up the framework for the expansion of UBC into the Okanagan. The government is fulfilling our commitment to provide a high-quality educational facility to what is currently an underserved area of the province. The proposed amendments to approval requirements for the disposition of land and the granting of powers of the natural person will serve to streamline the operations of our universities while maintaining the current accountability frameworks.

Many of the limitations placed on universities were enacted at a time when the scope and complexity of university operations was much more limited. The proposed amendments will aid in deregulation and recognize the modern status of universities in our province by giving them a more appropriate level of autonomy. These amendments fall within our three-year service plan to cut red tape and build a more efficient and integrated post-secondary education system. They are consistent with our government's new-era commitments to remove unnecessary legislation and regulations that impede the efficient and effective delivery of services. Most importantly, they signal our confidence in the ability of institutions to make wise management decisions and to operate in a way that puts students first. That is a principle that is the first and of most significant importance to my ministry and to this government.

**Hon. R. Thorpe:** I'm pleased to rise in the House today to talk in support of this bill. Before I get to the specifics of the bill, I would just like to say thanks to the Premier and to the Minister of Advanced Education for the tremendous commitment they've shown to the people of the Okanagan in British Columbia.

You know, over the next few years, up to the year 2010, we will be creating 55 new spaces for post-secondary education in the Okanagan. That follows as part of our commitment — the Premier's commitment — to the largest single increase in commitments to access for students of 25,000 seats. That is the largest single commitment in British Columbia for 40 years. These new seats in the Okanagan will take our enrolment capabilities from 6,600 to 12,100 opportunity spaces for our students of tomorrow so that they can get their education closer to home in the Okanagan and the southern interior.

Over this period of time our government will invest in Okanagan College and UBC Okanagan over \$100 million in capital funding, plus an additional \$52 million in additional annual operating funds for these two institutions. When we are done, it is estimated that these two fine post-secondary institutions will generate \$500 million in economic benefits to the Okanagan — up from \$117 million that is being generated today by Okanagan University College.

When I talk about Okanagan University College, let me just say thanks to all of those who have made this

institution truly a very important institution in the entire Okanagan. It has served the purpose, but it is now time for us to move forward with this new vision of Okanagan College and UBC Okanagan. But again, I want to thank those who work so diligently in making sure that OUC provided opportunities for our students.

One of the great things about UBC Okanagan is the tremendous international recognition and credibility that this facility will attract, both for faculty and for research investment. The new Okanagan College will offer expanded training opportunities in what is currently the OUC's KLO campus in Kelowna, but also in Revelstoke, Armstrong, Vernon, Salmon Arm, Sumnerland, Penticton, Oliver and Osoyoos.

[1450]

To show our government's commitment under the leadership of the Premier and our Minister of Advanced Education, this year's students at OUC were able to see their tuition decreased by \$1,000 — again providing a benefit to students and families in the Okanagan. But this bill is about a government with a vision for post-secondary education, a government that made commitments on March 17, 2004, and a government now fulfilling those commitments. We said we would expand the board of governors to provide representation from the Okanagan. We're doing that. We said we would allow and provide for more senate representation. We are now doing that to ensure that the voices, the expertise and the knowledge of the Okanagan are there to represent the needs of the southern interior of British Columbia.

This is good news. This is positive news. You know, from time to time the members of the opposition... I would be very interested to hear what they have to say on this bill, because in the past when this was announced, their leader, who is not in this House, was against this announcement — was against the expansion of post-secondary opportunities and seats in the Okanagan.

I know it is hard for people to separate the political rhetoric. Last Saturday I was at an event in the South Okanagan — the Minister of Water, Land and Air Protection's riding — and I happened to be acting as an auctioneer to raise funds for wine education in our post-secondary education facilities in the Okanagan. We did raise over \$24,000. I'm sure that didn't have much to do with the auctioneer, Mr. Speaker, before you say that.

The fact of the matter is that it gave me the opportunity to stand and chat with a young lady who was working at the event serving beverages to the clientele. I asked her where she was going to school. Her name is Robyn. To me this sort of crystallized it all. She said: "I'm currently going to OUC." I said: "What are you going to do after that?" She said: "Rick, I'm so excited. I'm now going to have the opportunity to go to UBC Okanagan. All my life I dreamed of the opportunity to go to UBC, but I never thought I would have that opportunity. Now I'm going to have that opportunity in the Okanagan."

So when it is all said and done, we should actually be focused on the students — the students of today, the students of tomorrow. When we can create the opportunity for those students to have access, whether it be to Okanagan College or to UBC Okanagan — whatever they choose, whatever field they want to pursue — they can do it closer to home and be closer to their families. I believe that is going to create opportunities in the Okanagan.

To Robyn and all of the other students of the Okanagan: thanks to the vision of the Premier, the hard work of the minister responsible for advanced education, Bill 60 makes this a reality for the students of the Okanagan. I say good on you.

**Hon. B. Barisoff:** It is a great privilege to rise in the House to support Bill 60 and the fact that on March 17, 2004, the Premier of this province along with the Minister of Advanced Education made a great, bold move to advance education in the Okanagan Valley.

In 1965 we had roughly 54,000 people in the valley. Today we have roughly a little over 300,000 people in the valley, so the decision to allow UBC Okanagan to move into the valley gives us two great facilities. It gives us UBC Okanagan right in the Okanagan, and it makes Okanagan College one of the biggest colleges outside the lower mainland.

I'm truly excited about what's happening. The Minister of Advanced Education has put into this bill that we would actually have a separate senate in the Okanagan, which gives us a huge, huge advantage in allowing a lot of the decisions that we want to make right in the Okanagan Valley to be made there.

What we're doing is combining the great facility of the Okanagan College and the great facility of UBC Okanagan. Tying the two together — I don't want to say it — we're ultimately going to have some of the best education that we're going to have certainly in the province. Again, a lot of credit goes to the Premier. It was a vision of his, along with the Minister of Advanced Education. Together the two of them, along with all the MLAs from the Okanagan, made this dream a reality.

[1455]

I know, as my colleague the Minister of Provincial Revenue from Okanagan-Westside has just mentioned, in talking to a lot of the young people in the Okanagan, they're truly excited about what's going to happen.

I'm truly excited as an MLA for the South Okanagan, knowing what's going to happen with UBC Okanagan, knowing what's going to happen with Okanagan College and the fact that we're going to have these two great facilities in the Okanagan.

Again, I want to give credit where credit is due — to all the people who came before us who, when they started Okanagan College, turned it into Okanagan University College. Now we've gone back to having UBC Okanagan and Okanagan College — two great facilities right here.... Not right here in the Okanagan, but if I was in the Okanagan, that's what I'd be saying. I know that the Minister of Advanced Education has

some big announcements that are coming for the south end of the valley in the next few days. I'll be part of that, and again I'm truly excited about what's happened.

**Hon. G. Abbott:** It is a great pleasure for me to rise and speak today as the member for Shuswap, because Salmon Arm has long had one of the centres — earlier as Okanagan College, more recently as Okanagan University College. I really do want to say a few words of appreciation, particularly to the Minister of Advanced Education and to the Premier, for their leadership in bringing about one of the really, really exciting educational developments in British Columbia in a long time.

The change that was announced, the creation of the new UBC Okanagan and the new Okanagan College, was part of the announcement of 25,000 new seats for education — student spaces for post-secondary education across B.C. by 2010. That is a great step forward. It is going to ensure that my kids and my grandkids and students across British Columbia have the opportunity to access the post-secondary education that is so important to their success.

The change to Okanagan University College is, I think, special to me for a number of reasons, in part because I was a student there at one time. Also, because I had the opportunity to teach there for a long time, I know and love that institution well. I think this is just a tremendous step forward. It is going to provide great educational opportunities, really unparalleled educational opportunities for young people in the Shuswap and the North Okanagan as they move forward with their education. They'll have the opportunities not only at the Okanagan College centres in Salmon Arm and Armstrong and Vernon and Revelstoke, and so on, in the north end of the valley, not to mention the south end of the valley. They'll have those opportunities at Okanagan College.

They will also, of course, have the opportunity to ladder into UBC Okanagan at Kelowna and become a part of that great educational institution, the University of British Columbia. They'll be able to do it right in the valley — a tremendous change.

An institution that has also had a great announcement in the last few months is the Thompson Rivers University. University College of the Cariboo is going to become Thompson Rivers University, and of course there will be a lot of students from the Shuswap who likely will be going to Kamloops to attend that now much-improved post-secondary institution as well.

I was first a student, Mr. Speaker — and this will astonish you — at Okanagan College back in 1970.

**L. Mayencourt:** No.

**Hon. G. Abbott:** Yes, 1970-71. That's correct. That was in the early years of the Salmon Arm centre of Okanagan College. I returned there after my graduate and post-graduate years down at UBC and UVic to teach at Okanagan College, which became Okanagan

University College later on. I had the opportunity to teach there, in fact, until 1996 when I became part of this great institution here via the 1996 election.

[1500]

I know the institution very well. Okanagan University College was a great teaching university college. People had absolutely exceptional teachers there and a great range of programs, whether it was academic, vocational, technical. Students in the Okanagan were able to access great educational opportunities in the full range at their local campus centres.

What we've achieved through the creation of UBC Okanagan, through the new Okanagan College, is to really build on the strengths of all of those institutions — Okanagan College, Okanagan University College, the University of British Columbia.

[G. Trumper in the chair.]

I think this is just an exceptional example of the kind of partnerships that can so markedly improve educational opportunities and so markedly improve the prospects for young British Columbians — particularly in the North Okanagan, the Shuswap and, I guess, up and down the Okanagan — as they are going to enjoy this very special, wonderful educational opportunity. Again, I thank the minister for this, and of course, I join her in supporting this bill and wish her the best of success.

**D. Jarvis:** This act — Bill 60, University Amendment Act of 2004 — is drafted with the intent to make the University of British Columbia's campuses, both in Vancouver and now in the Okanagan, each have a voice in the administration and operation by expanding their board of governors. Also, this bill gives the universities more flexibility and independence in their day-to-day operations.

Another university college that has satellite campuses, as well, is one that I would like to describe to you, and I would be remiss if I didn't take this opportunity to do so. That is the fact that in the heart of my riding of North Vancouver-Seymour we are most fortunate to have Capilano College, a first-rate post-secondary institution that has satellite campuses in both Squamish and up the Sunshine Coast. I understand that almost 50 percent of all North Shore graduates in our high schools choose full-time study and attend Capilano College for reasons that are as far-ranging as the programs they offer, such as preparatory courses, university transfer courses, business and management studies, creative and applied arts, and programs like those — just to name a few.

The current enrolment in Capilano College is almost 7,200 and boasts 45 percent university transfers and another 45 percent that are in career and vocational programs. Just in case you thought that only North Shore residents attend, they are made up of 44 percent of our student body from the North Shore. Twenty-eight percent of the students come from Vancouver and Burnaby, and the remaining 28 percent

come from all over British Columbia, Canada and, in fact, the world.

Capilano College has one of the highest university transfer rates of any college in British Columbia, with most of the students going on to full-time studies at the University of British Columbia. The college is never stagnant, adding a broader range of programs to its roster every year.

Just this last August my colleague the Minister of Advanced Education announced the new program under the B.C. tourism and hospitality education and training consortium. This is a very forward-thinking program headed by Capilano College and Vancouver Community College. It works in partnership with each other and other post-secondary colleges throughout the province. The goal is to ensure world-class services and support training for the expansion of tourism before, during and after the 2010 Olympics.

[1505]

For example, in the tourism end of it they also do a very exceptional course in tourism, and they actually have graduate students in Southeast Asia now. As a matter of fact, I had dinner with some people from Vietnam and the Premier of the most northern province in Vietnam that abuts China. They were very excited about the fact of their association with Capilano College and to promote tourism throughout Vietnam.

Another program which Capilano hopes to spearhead is a film industry training program, something that I will be talking about in this House in a few weeks in a private member's statement. This is another example of the Capilano administration looking to the future, seeing the niches in the current and future labour market that can be filled by our young British Columbians and giving them a little bit of an edge over the jurisdictions not only in B.C. but the world job market.

Another program announced this year is the first nations tourism management co-op program, which the provincial government funded for \$1.4 million; \$75,000 of it was going to our Capilano College. This project will be a key component in delivering Capilano's First Nations Tourism Management Co-operative diploma program, enabling students to apply the skills learned through the program in a real work environment in hotels, resorts, adventure and cultural tourism — first nation attractions, conferences and special events. The program was developed in consultation with the Squamish and Mount Currie first nations and the Musqueam Indian bands.

It's upon this success that I support fully Bill 60. The government's biggest success, I believe, is the expansion of post-secondary institutions across British Columbia. Some 25,000 are expected by the year 2010. Therefore, I thank you for the opportunity to speak to this bill.

**J. Bray:** It is my definite pleasure to stand in support of Bill 60, University Amendment Act, 2004.

As we've heard other speakers and the Minister of Advanced Education lay out, this fulfils the last admin-

istrative function for the new university, UBC Okanagan, that was announced in the spring.

I think that this actually alludes to a much larger issue, and it's one of the achievements of this government that I am most proud of because it represents some of the larger things that we've tried to do since we were elected in 2001. One of the things that we promised to do with British Columbians was to go out in meaningful ways to re-engage legislative committees, to go out and listen to British Columbians, hear their priorities and then to come back and actually enact good public policy to achieve the goals of British Columbians.

Yet again, we have another example of where that has come about. It's important to know that in 2003, the prebudget consultation process was enacted, as it is every year, and the Select Standing Committee on Finance travelled around listening to British Columbian communities in every region of this province. One of the things that struck the committee was that although health care is always an important topic and K-to-12 is an important topic, the predominant theme that came forward from business, labour, rural communities, urban communities, the labour unions, the colleges and universities themselves — from every group — was the need to reinvest in post-secondary education.

Before I go into the details of the Finance Committee's report on those findings, it's important for us to understand where we came from in the nineties, because the Leader of the Opposition is sitting there listening to this debate, not really participating, and there's no wonder. They talk a great game about the importance of post-secondary education, but they only had one word for the way they managed in ten years post-secondary education in this province — one word. The word was "freeze." They figured if they just freeze everything, things will work well. What did the NDP do? They froze capital budgets. They told universities: "You can't build. You can't meet the demand in your communities. You can't build anything. No new seats."

[1510]

Now, they froze tuitions, but they also froze the money that was going to support universities and colleges. The result? The NDP's decade of the nineties led to a decline in enrolment in British Columbia. When the rest of the country was seeing increases, in B.C. we saw a decline in enrolment. In fact, fewer students were able to get in. The reason? Well, university presidents, college presidents and boards of governors all said to the NDP, year after year: "You are restricting our ability to meet the demand we have in our communities. By freezing tuitions, by freezing capital budgets and by freezing dialogue we are actually reducing the number of students who can attend."

The other result? As we all know, tuition is but one component of the cost of going to school. A larger component is transportation, food, rent, laundry, travel to attend institutions. By restricting and freezing all of those budgets, universities were not able to provide the

full spectrum of courses necessary, often meaning students had to come a fifth and even a sixth year in order to achieve their degrees, diplomas or certificates. The result? The small amount they saved in the freeze was eaten up within the first month of the extra year they had to attend, to go to university.

That was the policy of post-secondary education for the NDP — to just freeze everything. The result was fewer students able to get in, spending more money, taking longer to get their degrees in institutions unable to meet the demand.

What we heard last year in the Finance Committee were pleas from communities, from labour, from business, from small towns and large towns to please look at post-secondary education as the kind of investment that will improve lives, improve communities, improve the economy, improve health.

Madam Speaker, I just want to read one of our main recommendations from last year's report: "In terms of future program spending, we strongly endorse the public's preference for more funding for the public post-secondary system, particularly to tackle access issues. We believe there must be more opportunities for British Columbians with the appropriate competencies to access our post-secondary opportunities, be they provincial colleges and universities or private sector training institutions. As well, the province as a whole benefits from having a more educated workforce."

In our specific recommendations, No. 7 specifically, our recommendation as a Finance Committee was that the government provide additional funds in future years for post-secondary education as they become available — fairly clear-cut, fairly obvious. So what did we announce in the throne speech? Twenty-five thousand additional post-secondary spaces right across this province — the most aggressive expansion of post-secondary education in 40 years.

Now, that didn't just come out of nowhere. That came out of British Columbians speaking to the Finance Committee and this government and the Minister of Advanced Education and the Premier listening to the people of British Columbia. That is how this government has operated.

Bill 60 actually is the implementation of some of the benefits that have gone to the Okanagan Valley to look at aviation sciences, to look at health sciences, to look at university arts degrees, engineering. That is what our commitment has done.

Now, it was interesting that that's what British Columbians said to this government. That's what the Finance Committee said to this Legislature. When the announcement was made in the spring, what was Carole James and the NDP's response? Oh, they were against it. They didn't want a university in the Okanagan. Stunning. British Columbians clearly wanted expansion, British Columbians clearly wanted investment, but the NDP said: "Oh no. That's not a good idea. We don't want that." We do things differently here on the government side. We listen to British Columbians' priorities, we act on British Columbians'

priorities, and we deliver on British Columbians' priorities. Bill 60 is a continuation of that promise and that delivery.

As a result of the changes we've made just this year to post-secondary education, what are some of the outcomes? The NDP only focus on inputs. They figure that if they freeze budgets and run away and turtle, somehow things will magically happen. But they don't actually look at what happens at the other end. British Columbians told us what was happening: lower enrolment, less access, longer time to graduate, fewer program options.

[1515]

What are our achievements in three years? Well, enrolment is up. In fact, it is up and leading the country — yet one more indication that B.C. is back. We're leading the way.

Here's another thing that's important with respect to how we've allowed universities and colleges to actually make decisions based on their community needs, their student needs, their faculty needs. By letting them operate in a more autonomous fashion and getting out of their way, universities and colleges in this province have gone out and partnered with the private sector, with other foundations, with other institutions to create creative ways to provide additional student financial aid to their own students. We lead the country in the increase in bursaries and scholarships available to students from institutions in this province. That's because we got out of the way and allowed institutions to make those partnerships, without dictating every last thing. By allowing capital expansion to occur, we've signalled to business, to the communities and to the foundations that we will support post-secondary education today, tomorrow and for a generation to come and that their investment will leverage great benefits for the students that attend in the communities right across the province.

There's another issue that our expansion of 25,000 spaces will deal with. As we know and have read in the papers, one of the other results of the NDP's freezing-and-turtling policy for post-secondary education was that the entrance level for students to be able to get into university was rising and rising and rising, literally to the point where an A-plus might not be good enough to get into university.

This Premier and this Minister of Advanced Education have a vision. It's a simple vision, but it's a vision that's got my community in Victoria very excited. It's the vision that any student who works hard and who attains a B average should be able to enter university and continue their studies should they so choose. That is a vision. Now we're doing the things that implement that vision, that actually make it a reality: 25,000 new spaces, the University of British Columbia in Kelowna, the Thompson Rivers University in Kamloops. These are ways that we're achieving those very goals.

Already, in one year since the announcement in the throne speech, we're seeing at the University of Victoria that the entrance level is starting to decline. Several hundred students are now going to UVic this year that

would not have been able to go last year, and that will continue as we continue to bring new spaces on line between now and the year 2010.

That means a student that works hard in their community and gets a B average can go to university in their community. They can stay closer to home. They can pursue their own dreams. Do you know who benefits from that kind of vision? Certainly the student does. The student's family benefits; the province benefits; our communities benefit. That individual's family.... As they go on to earn several thousand dollars a year more because of their post-secondary education, their family benefits, which means the next generation benefits. That's what a vision is all about.

What the Minister of Advanced Education has done is taken that vision and started to implement it in a sustainable, long-term way to the benefit of faculty, researchers, students and communities, because we recognize that colleges and universities are critical parts of the social and economic fabric of communities. They aren't just a bunch of buildings with glass and bricks. In many cases they are one of the heartbeats of a community. When they're strong, when they're supported, when they're able to expand and when they're able to be flexible and meet the needs of their community, they enhance the community for everybody, whether they attend or not.

On the Finance Committee this year we were at Thompson Rivers University the day they actually made the announcement. I can tell you, the atmosphere in that facility was electric. People were excited about the fact that they were attending a university. They were dreaming their own dreams. The university, the faculty, were dreaming about new research opportunities, ways in which they can focus their research on areas that are critical for the Kamloops, Shuswap, Okanagan and South Chilcotin area in forestry, in tourism. These are exciting things.

[1520]

Another important thing about our vision for our post-secondary education that the Premier announced a few years ago and that the Minister of Advanced Education is helping to deliver is a \$134 million investment in the life sciences initiative. Now, what that really means is we recognized and we heard, when we were in opposition as well as in government, the need to increase the number of medical students that we have in the province. We also knew that fully 75 per cent of people who train in a particular location will stay in that location after graduation. When the NDP were in government, they heard the same message. They didn't do anything.

We have doubled the number of spaces for medical students in this province. In three years we have built the facilities now at the University of Northern British Columbia and at the University of Victoria to train physicians. In UNBC they'll specialize in rural northern remote medicine, a critical shortage that we've heard about for years. We're meeting that need. Those first students have entered school this year. At UVic doctors will be training and specializing in gerontology —

again, a critical factor in our health care system as we deal with an aging population and the tsunami of the baby boomers as they enter their elder years.

That \$134 million is going to translate into better health care. It's going to translate into more doctors, and it's going to translate into better research, not just at UBC but at the University of Victoria and University of Northern British Columbia. Those are dynamic changes that benefit communities, benefit physicians and benefit health care.

It's important for us to realize that by listening to British Columbians through the Finance Committee, by developing a vision and a plan and by executing that plan, we are benefiting students right across this province. We were in Fort St. John earlier this month, and they were incredibly excited about some of the opportunities in their college. We've heard from every community we went to about how pleased they are that they're getting additional spaces and the plans and the ideas that they have for those spaces and the kind of students that they're going to be able to attract into their communities. That's right: attract into their communities — and not just their own communities. They're now becoming centres of excellence for people in the surrounding area.

Terrace is another example. We toured the new facility being built in Prince Rupert that will provide up to 400 spaces for students in the northwest to attend to study tourism, to study their general arts degrees. It's very exciting. The town is electric at that opportunity, but that doesn't happen unless government listens to the people, develops a plan, brings forth the vision, works with our professional civil servants to develop the actual implementation and then has the political will to actually deliver that implementation.

I know that the NDP likes to harbour that they care about students. I know the NDP likes to say that they watched over post-secondary education, but the facts show that their freeze-and-turtle approach didn't work.

This is an exciting time for post-secondary education in the province. We are now in a position where the rest of the country is looking at what we're doing. We're seeing research move to this province. We're seeing students move to this province. We're seeing scholarships and bursaries raised in the province and from other places to support our students. I want to congratulate the Premier. I want to congratulate the Minister of Advanced Education for continuing on this vision, for bringing forth the greatest expansion in the last 40 years in post-secondary education.

Thank you very much for the opportunity to speak, Madam Speaker.

**J. MacPhail:** I want to begin, first of all.... I didn't have an opportunity to do this earlier today — to send my best wishes to the member for Esquimalt-Metchosin. Our thoughts are with him and his family, and we are praying for him. I just want to say that. He was travelling with both the member for Victoria-Beacon Hill and me on the Finance Committee tour. Our prayers are with you.

I wasn't actually going to speak to this legislation. I was going to wait for some actually substantive legislation around the issue of advanced education to be introduced into this Legislature, but I expect we're not going to get that. I'm just going to make a few brief comments about post-secondary education in this province, and it will be quite interesting as it follows the comments made by the member for Victoria-Beacon Hill, who just spoke.

[1525]

I was quite taken aback when that member had the gall to stand up and say that post-secondary enrolment fell in the 1990s. I just couldn't miss an opportunity to set the record straight. I know that perhaps that member isn't that worried about what he says in the Legislature because his career is coming to an end, but nevertheless, I would expect that when one looks back on history, one would actually be able....

Interjections.

**Deputy Speaker:** Order. Order, please.

**J. MacPhail:** I would expect that when one looks back at what one actually contributed to the debate, it at least be factual. So let me just say first what did happen in the 1990s to post-secondary education, and then let's just examine what we're hearing about it now.

The greatest number of universities opened in Canada in the decade of the 1990s was here in British Columbia. The enrolment in post-secondary education in British Columbia went from second-last in the participation rate to second from the top, a fact that is real and not the myth or the misleading that the member for Victoria-Beacon Hill just did.

Tuitions were frozen for six straight years and became the second-lowest tuition rates in all of Canada. The only rates lower were in Quebec, where Quebec has a two-system rate. If you were a Quebecker — Quebecois — you had lower tuition rates, but if you came from anywhere else, the tuition rates were much higher than in British Columbia. So amongst that group, British Columbians were the lowest in paying for tuitions.

The funding for post-secondary education as a percentage rate increased every single year — the real rate of increase. The real per-pupil funding every single year increased, unlike this year. Apprenticeship and training funding increased every single year.

Community colleges were treated with a great deal of respect and were given their full worth. We continued with the good work done by the previous Minister of Advanced Education to the time of us coming in — now the current member for Comox Valley — to introduce a system of university colleges into the British Columbia system. That's what happened in the 1990s. We also made adult basic education completely tuition-free, and apprenticeship training was completely tuition-free as well.

Here's what has happened from 2001 onward. Tuition fees across this province have more than doubled.

This government is happy to have them just a little bit above the national average, as they'll say now. I think we're the fifth-highest province, whereas I said before that in almost every other circumstance we were the lowest province for tuition fees. But this government — unlike for businesses, where they have to have the lowest rates of business contributions to our taxation system — is happy to have us creep up every year to make post-secondary education expensive. Apprentices have to pay for their schooling now for the first time ever. Students who need adult basic education are having to pay exorbitant tuition now. Where they can get adult basic education courses, they have to pay for that now.

[1530]

It's not just tuition costs that have gone up under this government. All of the extra fees that students have to pay now are the highest in Canada. Don't take my word for it. That's according to Statistics Canada that they're highest in Canada — the extraneous fees that students have to pay.

Interjections.

**J. MacPhail:** Well, actually, I hear all of the heckling coming from the members. I welcome them to join the debate and put their comments on the record. I hope it will be a little more factual than the member for Victoria-Beacon Hill. But as I say, when one is retiring, when one is sort of having a forced retirement, one has to be a little less careful with the facts. I just hope that they engage in the debate, Madam Speaker, because it's important to know what's going on in post-secondary education.

Here's what I heard on the prebudget consultation tour of the Finance Committee. It's a very dedicated group. We're working hard, and we're listening to British Columbians. When we were in Kamloops, the college — now a university named the Thompson Rivers University — made a presentation. It's actually in writing, so we can check this out. They said: "We've expanded access over the last years with no increased funding per pupil." It's right there in black and white. Well, actually, it's in colour — it's a beautiful colour brochure — but there it is. When questioned, they said: "No, we haven't received any extra funding for per-pupil."

Well, the Minister of Advanced Education is calling what the university said nonsense. I welcome her challenging the written document that they presented to us. I welcome her challenging the words of the president of the Northwest Community College, when she said that enrolment is on the decline in the Northwest Community College.

Why? Well, they actually did a survey. Applications to the college were up, and they surveyed all of those people who applied and qualified about why they weren't enrolling. The vast majority of them said it was because they couldn't afford to. Now, that's on the record. That's on *Hansard*, by a group we value greatly, so I welcome the Minister of Advanced Education get-

ting up and challenging the president of that college saying that.

We heard that elsewhere as well. If I remember correctly, we heard it in Cranbrook, where enrolment was at 108 percent when this government took over. It then fell to 100 percent of capacity, and now it's down around the mid-90s of capacity. A 10 to 15 percent decline in enrolment — that's interesting.

We hear that the enrolment is down at Okanagan University College as well.

**Hon. R. Thorpe:** Because they've got jobs.

**Hon. K. Falcon:** Exactly.

**J. MacPhail:** Now, isn't that interesting? Here we are.... The great brains trust of that front bench over there says enrolment is down because people have jobs.

**Hon. K. Falcon:** That's right.

**J. MacPhail:** So that's this government's answer to dealing with the skills shortage — is it? That the only province in the country where enrolment is on the decline on an institutional basis.... They take pride in it.

Well, let's look at the youth unemployment rate in this province. It's the highest in Canada. In August of 2004 the unemployment rate amongst the 15 to 24 was the highest in Canada. Was that a one-month aberration? No. Unemployment amongst youth has been steadily rising this year. I hate it when those facts get in the way of a good government spin.

Now, let's also look at their saying that they've created the most seats in 40 years. I'm actually surprised this has gone untested in the media, but I understand there's a relationship between advertising and media reporting. I do understand, and I accept that. I do; I accept it. It's the marketplace. This government is paying more...

Interjections.

**Deputy Speaker:** Order, please. Order. Thank you.

[1535]

**J. MacPhail:** ...in advertising than anyone could have possibly imagined. Another broken promise by the Premier, who said, prior to the election, that people hate government advertising. Well, it's true that they don't like this government. Perhaps the Premier should look at the link between his broken promise and why they don't like this government.

I challenge the Minister of Advanced Education to stand up year by year and admit to the number of post-secondary seats created in the last 40 years — year by year. I expect she will be very reluctant — in fact, will not agree to do that — because her own advertising will then be proven to be false — her own advertising. I'd love it — for the last 40 years.

I expect it will be shown that the current member for Comox Valley, when he was Minister of Advanced Education under the then Socred government, had a better record than the post-secondary seats that this government has added. By the way, Madam Speaker, it's on a promise that this government is advertising. Let's be clear. They're promising the 25,000 seats by — what is it? — the year 2010. Are we doing '01 through '10? That's ten years, is it? Or is it nine, or is it eight that they're making their claim over?

Throughout the 1990s, the average was well over 4,000 seats added per year. That includes the period of the Social Credit, too, as the late eighties were as well. I can hardly wait to see the Minister of Advanced Education's math. I want her to stand and tell us on a year-by-year basis. How many have actually been delivered, and how many are promised? What's the annual rate of creation that makes this record believable, according to their advertising?

I expect that the students with whom I speak every week, going to post-secondary institutions, who say it's tougher and tougher to keep going because of the horrendous costs and the burgeoning debt load that they're assuming.... I expect they know the truth in the face of those ads by this government — those misleading ads. I expect the fact that access to UBC is not getting any easier, that this government hasn't increased the participation rate at all.... I expect those students and their parents will know. I expect the parents who come into my office and are so upset because this government cancelled the first-year grants for student financial aid.... Therefore, they can't afford to send their children to university. They'll know the truth.

I expect those students who know that the smoke and mirrors around student financial aid is nothing but smoke and mirrors, with a heavy dose of carbon monoxide in terms of what it really means for killing people's education. I expect they will understand what the student financial aid change that this government has brought in really means for post-secondary education.

That's the real record of this government. That's the real record that they will defend over the course of the next few months. That's the real record that they'll have to defend when they said to students back in the last election that they would carry on the tuition fee freeze. Oh, but that's that silly *New Era* document, which has disappeared from the face of the earth. It was in that silly *New Era* document that.... Oh no, I'm sorry. It wasn't. It was actually in this chamber that the then opposition voted to carry on the tuition freeze. It was on the election trail, when asked directly, that the Liberal candidates said they supported a continuation of the tuition freeze and never for a moment hinted that not only were they going to double tuition, but they were also going to increase virtually every other cost.

[1540]

Madam Speaker, I had to seize this moment because there won't be any substantive legislation coming in to expand education. This bill doesn't do anything to expand education or the participation rate of people at the post-secondary level. It doesn't do anything. This

bill doesn't do one iota to expand education even for the Okanagan — not one iota. I just thought that we could refer to these differing views — one factual, from me, and one mythological, from the member for Victoria-Beacon Hill.

**H. Bloy:** I'm embarrassed to be following the member for Vancouver-Hastings after some of the facts and figures that she's misquoted. I'm not sure who she speaks to in the real world, but I can tell you that when I go to Simon Fraser University and speak to students up there, they're all pleased with the number of seats that are now open in this province. They have an opportunity to get the classes when they want them, and they have an opportunity to graduate within their four- or five-year period — unlike the last government, which was making students sit for six years.

The former speaker, you know, referred to the facts. I can tell you she's never let the facts get in the way of her story or her spin on anything that I've heard in this House for three and a half years.

Really, I stood up today to thank the Premier of this province and the Minister of Advanced Education for what they're doing for the southern interior. Somebody said: "Well, why would you stand up for the southern interior?" I know that I have a university in my riding, and I'm so proud of the work that the minister's done there. I know what it will do for the southern interior. Bringing UBC up there spreads the wealth and the opportunity for every student in this province.

This Minister of Advanced Education brought forward 25,000 new seats, and it wasn't a number that was picked out of the air or on a whim. It was research that was done stating that any student with a 75 percent average should have the opportunity to go to college or university. With this, we've now developed these 25,000 seats. Over 5,000 of them are going to this new university, and I wanted to stand up and commend them.

This legislation, by being able to establish the second senate for the University of British Columbia in the Okanagan and expand its board of governors with local people, makes it effective for that community. The new UBC senate will fulfil the Premier's commitment to the Okanagan. So today I would like to congratulate the Minister of Advanced Education and the Premier for such a great job they're doing.

**K. Stewart:** I have a few comments on this bill. It's a University Act amendment. It's for the up-country universities. People might ask why a person from Maple Ridge-Pitt Meadows would get up to speak about this. Well, for two reasons.

One is that I have a number of friends that are from other parts of the province. Recently, as of last year, I concluded a university degree. It was a cohort program where people came to the lower mainland from Kamloops, from up-Island and from Victoria to attend this course. As much of an advantage as it was for them to be able to attend a cohort program such as this, there was still quite a burden to come down from Kamloops.

I have a number of friends from Kamloops who came down on the weekends on their own time, driving down.

Even though we have wonderful roads in this province — and I thank the Minister of Transportation for always looking to improve that — we do have weather conditions in Canada, especially in British Columbia when you're coming down things like the Fraser Canyon or the Coquihalla, that even with good maintenance make it quite tiresome to be driving that route. It's only to the advantage of us as a province to try and encourage areas outside of the lower mainland to have university courses and programs that will allow people to get the training they need for their education in their hometowns.

[1545]

When I look across the province now and I think back to when I graduated from high school, I had a couple of choices other than a university in the United States. In British Columbia the choices were the new — at that time — Simon Fraser University, the University of Victoria or UBC. Now students in British Columbia have a number of choices. You know, when I was graduating, again, I looked at the college system they had down in the States, and we didn't have that here. Now we do.

I listened to the Leader of the Opposition and her discussions about going over and trying to rewrite history and what was done and what wasn't done — the debate over the facts. She indicated that British Columbia was the highest in tuition. Stats Canada reported that. I read Stats Canada. The indication I got was that we were somewhere in the middle and that the reason we were even that high up was as a result of the fact that we've been putting money back into education in the last couple of years. A couple of things I heard too.... Again, I don't want to be sitting here trying to rewrite history. I just want to move ahead. I want to look forward to the advantages that we have in this province, the jurisdictions that we have outside of the lower mainland and the capital region here in Victoria that are now very capable of producing graduates that are going to enhance the economy of British Columbia and our brain trust in British Columbia.

The other trend that I see — and I see, as I look out to the future, this becoming more and more of a trend — is people with trades training and a university degree. Now we're seeing a lot of people who have university degrees going back to places like BCIT, but out there all across British Columbia we have people who have trades training, skills in certain areas, and want to get a little more educational backup to that. A degree would certainly help them in their career planning and certainly help them in their skills development and help us in British Columbia. Giving people that are out there in the field working already an opportunity to gain a university degree is only going to help us grow. I think that's something we have to look forward to. By doing this, it enhances that for future students in British Columbia.

When I talk about students, traditionally we think of younger people, but that's not the case anymore.

Again, when I went back to university, I don't believe there was anyone under 30 in the group that I was in — pretty darn old compared to the 18- and 19-year-old students that we're used to. There's a wealth of knowledge there and a skill set that comes with the training that people have had outside of university training, the maturity they have from, in many cases, raising families, living in the community, contributing to the community through volunteer organizations and that.

I think it's great that not only are we giving an opportunity to the young people of British Columbia to attend universities and colleges in their hometown, but we're giving an opportunity to those of us who are a bit older than teenagers and are going back to university — to have that attribute available to us in our local communities. That's why I, as a person who's not from the Okanagan, think this is a really great move. I just see it as a further enhancement of our commitment to moving ahead with education as we need to make the changes as we move ahead.

I also have to reflect upon the comments of the members of the opposition where they indicated about things in the past that were free. I don't know of too much in life that's free. Someone else might pay for it. The funding might come from somewhere else. We might tax people for it. But you know, the only thing I ever got free was advice, and some of it wasn't that good.

Interjection.

**K. Stewart:** Yeah, especially when they gave me the advice to get into politics.

Really, this term "free" doesn't mean a lot to me, because there's not a lot that's free. Someone was paying for it. We as British Columbians were paying for it one way or the other. In many cases, when we put a freeze on it, we were paying for it in a negative way, because we weren't getting the resources to the university. We weren't able to attract the professors and the teachers that we needed for the training, because we didn't have the funds to pay them. All we saw with the freeze is the same thing we see when a lake freezes: nothing. It just stays stagnant.

[1550]

Those are really the comments I had to make about that. I'm not, again, going to sit here and kick around what happened in the last 15 or 20 years. I'm looking forward to working with a Minister of Education and a Minister of Advanced Education that have one thing on their agenda, and that's to put forward a better training environment and a better educational environment for the people of British Columbia. That's what we're doing here today, and that's what I'm proud to stand up and support.

**R. Masi:** It's my pleasure today to rise and support Bill 60. I would just like to comment that I'm totally impressed with the way the Minister of Advanced Education has administered and implemented this change. You know, it's very easy to sort of look down

the list of items here, such as local control over the academic governance of UBC Okanagan, a voice in the administrative operations of the university as a whole, the university to dispose of its land, more flexibility and independence in their day-to-day operations.

It's very easy to just say: "Well, yeah, that's the way it should be. Yeah, we'll write that in, and it's done." That's not how it's done. How it's done is many, many hours of consultation with the university council, with the officials at the Ministry of Advanced Education, with the push and pull of local politicians. All these factors go together before you can make these decisions. What an excellent result that came out of this. Again, I commend the minister for her patience and her stick-to-it-iveness in terms of implementing this vital change.

This bill is a vital and an essential component, I believe, that will establish the basic concept of academic expansion throughout the province. You know, this isn't the end of it. This is a growing province, a progressive province, and we're going to have more people moving in. The population will grow, and there will be a need for more advanced education.

This bill, I believe, is a breakthrough bill. It provides an excellent framework for a vast post-secondary structure throughout this province, and I know that the minister is very, very interested in this and very aware of the needs of post-secondary education in the province.

You know, we talk about universities, and we talk about access, and I was a little disappointed in the Leader of the Opposition suggesting that all the great changes took place in the nineties. My recollection was that we had some very, very serious problems of access in the nineties. In fact, that was the major question that was brought forward: how to deal with it. We talk about the freeze in tuition fees, and that's one component, but the basic problem was that it got to the point where the average student could not enter university. I know myself that I would have never made it in terms of the expectations of a 95 average, or something like that, to get in.

What's to be done? I know that our minister grappled with that, worked hard, implemented and freed up the universities to bring forward some reasonable increases in fees, and now we're at the medium point in Canada. I believe that the results are bearing up. Now, I hate to say that the standards are lower, but I know that the expectations to get in are lower. The aim for a B average, I think, is a reasonable one, and I think we'll make it. Again, I commend the minister for that, and I'd like to support the member from Victoria in saying very clearly that this is an important plank in our objective in post-secondary education.

[1555]

We have a wonderful system in British Columbia, and I'm not sure.... It just grew beautifully. We have universities, university colleges and colleges. The way they've adapted to their respective roles is absolutely amazing.

We should be fully supportive of the fine research standards that the universities have established. You

know, research has a direct bearing on the economic health of our province. Our major universities are going forward at a great rate to in fact develop research facilities with the support of the provincial government, and we are going to be the better for it.

I would have to say again that we're on the right track. As a person that attended a small university in the interior of the province way back when — it was called Notre Dame University of Nelson, and it has now disappeared from the map — I certainly appreciate the move towards bringing a major university into the Okanagan. Perhaps some day, as the population increases, we will have further expansion under the model established, and it may well be Simon Fraser-Nelson or something like that, but hopefully, we'll keep going forward.

Good luck to the minister. I again commend her for her work here.

**L. Mayencourt:** It's a pleasure to join with my other colleagues here on this side of the House in support of this particular bill. I think it is important to note that members on this side of the House have made a firm commitment to advancing the opportunities for students across British Columbia to get a quality post-secondary education.

The Leader of the Opposition was here a few moments ago, and it was nice of her to drop in to give us a little bit of a lecture on what was happening on the Finance Committee last year. Well, I was on the Finance Committee last year. I travelled with the member for Victoria-Beacon Hill, and I heard over and over again from people who came before us that they wanted our government to make an investment in the future of British Columbia by making an investment in post-secondary education, and we are doing that. We are doing that in a way that no other government in the history of British Columbia has ever taken on a challenge. We have committed to create 25,000 new student spaces in British Columbia by 2010.

I'm proud of that, and I don't know what Carole James and the Leader of the Opposition have against post-secondary education or skills development training or providing more access to students. Why in the world are they worried about Okanagan University College and UBC Okanagan? I mean, this is a step forward. This is a step that means kids, youth and adults in the Okanagan will be able to get a quality education, a university degree, in their hometown. They won't have to travel down to Vancouver and find a nice little place on Point Grey Road. They'll be able to stay in their homes. They'll be able to stay with their family. They'll be able to get a quality education down the street. I think that's something to be celebrated, not criticized.

We need to be very clear that this is a very, very positive thing, not just for the Okanagan but for all British Columbians and for the University of British Columbia as well. Today I'm looking at a headline from the *Penticton Western News*: "About 45 New Faculty Needed for UBC Okanagan." To the Leader of the

Opposition: what is wrong with increasing the number of faculty we need at the University of British Columbia? What is wrong with putting more people to work in British Columbia and giving them more opportunity? I wonder.

The Leader of the Opposition rattled off a litany of scores or rankings. "We were second in this when I was in government. We were fifth in this when we were in government. We were seventh in this when we were in government." Our government is not interested in being second, fifth, seventh, eighth, ninth or tenth. We're only interested in being number one.

[H. Long in the chair.]

That's why we made this huge commitment. That's why we're providing Okanagan University College and UBC Okanagan the opportunity to have their own senate, to be part of the community that decides what that university will deliver in this community and to be able to reflect the needs of the students up there.

[1600]

I am so proud that our government has made these commitments. I am so proud to be part of a government that is investing in tomorrow's opportunities for youth, not just in the Okanagan but across this province.

The member from North Vancouver spoke about the wonderful things that are happening at Vancouver Community College, which is in my riding, and Capilano College, which is in his. There are scores and scores of other opportunities that have been put forward by this Minister of Advanced Education that demonstrate an unequalled, unparalleled, unprecedented belief in the future of the students of British Columbia and in the people who deliver quality education — the instructors, the professors, the researchers of British Columbia — and that are designed to put us not seventh, not fifth, not third, but first in Canada forever.

**Hon. S. Bond:** Well, there's nothing like having your colleagues in the House....

Interjection.

**Hon. S. Bond:** To close debate? That's precisely what I intend to do.

There's nothing like having your colleagues in the House stand up and be passionate about what's important to British Columbians. I am very proud to be part of a government that has a Premier that gets it and has colleagues and MLAs that get it that post-secondary education is a great-news story. It matters to all British Columbians. It's very disappointing that when there's great news for students and for families in this province, the members of the opposition can't actually stand up for once and say: "That's good for students. And you know what? We're actually going to admit that it's good for students, for once."

Let's just talk about what this government has done. First and foremost, I want to correct the record.

The Leader of the Opposition made a comment about compulsory fees and the fact that British Columbia had the highest in the country. Actually, Stats Canada had to make an apology and correct and revise those numbers because, in fact, they made an error in their first calculations. In fact, British Columbia is near the lowest in the country, in terms of compulsory fees. We want to make sure that's made very clear on the record.

Secondly, I want to make it perfectly clear about the commitment we made in the *New Era* document, because that's very important to me. What we said — and I'm going to read the promise that we made — was that we would "support the current 5 percent tuition cut and tuition freeze and fully fund it." Do you hear the words — fully fund it? That was something that didn't occur that frequently under the last government. We actually fully funded it in the "current fiscal year" — that would have been the first year we became government — and did that to offset costs to post-secondary institutions. I'm pleased to tell you that that is precisely what we did.

Here's the second part of the commitment we made. We would consult with educators, students and administrators on the hidden costs to students and institutes of previous tuition freezes that were not properly funded by government and have reduced student access and reduced course offerings. That's exactly what we did. We held those consultations, and we looked at the impact of what that tuition freeze did to students. We found that there were problems with that.

Do you realize that as we look at tuition...? Let's tell the taxpayers of British Columbia what tuition means in the post-secondary system currently. The Leader of the Opposition was correct. We are slightly above the Canadian average. But the taxpayers of British Columbia currently pay between 70 and 80 percent of a public post-secondary education. That's important. We believe there must be a partnership, and absolutely we should have public participation in that. The taxpayers of this province are already contributing between 70 and 80 percent of the cost of a public post-secondary education.

To suggest that community colleges haven't had a role of significance in this government's agenda is absolutely inaccurate. For the first time in British Columbia, we gave community colleges the opportunity to offer applied degrees, because we want students to have more opportunities closer to home. That was one of the first pieces of legislation that we brought into this House, because we value community colleges. In fact, the reason we're looking at the strategic agenda that we are, with the distribution of seats and new infrastructure all around the province, is precisely to honour and recognize the important role that community colleges play.

Finally, I want to list a couple of things. Let's talk about post-secondary education very quickly. You know what we've done? We've already added 9,000 new seats to the system. The plan that we have.... [Applause.]

I want to point out that that cheer was led by the minister in this House who once was responsible for advanced education, who I consider a great colleague.

[1605]

In fact, we've already added 9,000 new seats, and our 25,000-seat commitment is a six-year commitment which begins now and moves out to the year 2010. We're not counting backward; we're moving forward with 25,000 new seats.

But let's talk about this. We have a new university and a new college in the Okanagan. We have the new Thompson Rivers University, which is going to focus on distance and on-line learning in the province. We have added \$600 million in new funding for capital projects, and those are in campuses all around this province. That includes Prince Rupert, Williams Lake, a training centre in Quesnel, a new training campus in Cloverdale, new operations in Surrey. That is great news, and it is such a shame that the Leader of the Opposition can't stand up and say that is good for British Columbia's students and actually have the courage to say it.

We have targeted increased seats. We're adding computer science and electrical and computer engineering seats. For the first time in British Columbia — let's talk about being first — we're going to train physicians outside of the lower mainland of British Columbia. That includes in Prince George, to serve the north, and on north Vancouver Island to make sure that we have the doctors those communities have been looking for, for decades. We're going to address that problem with a strategic plan that is the first of its kind in North America.

In addition to that, we have created a leading-edge endowment fund that is going to create research chairs that are the top research chairs not just in British Columbia but in this country. It is going to bring the best researchers to this province, and it is going to improve the quality of life for British Columbians not just today but for our families and for the future.

To suggest that this bill may not be significant or weighty.... I suggest you make that comment to the people of the Okanagan who said to us: "We want to shape our future. We want to shape that university. We want to be able to say what's important to us." This legislation ensures that they will have the representation they have asked for. Perhaps in the mind of the Leader of the Opposition this is an insignificant piece of legislation. I want you to know that it will make a difference. It is the first time in this province we have had an institution that will have two senates, because we want to listen to what the people of the Okanagan said to us.

With that, I will close debate.

Motion approved.

**Hon. S. Bond:** I move the bill be referred to a Committee of the Whole House to be considered at the next sitting of the House after today.

Bill 60, University Amendment Act, 2004, read a second time and referred to a Committee of the Whole

House for consideration at the next sitting of the House after today.

**Hon. B. Locke:** I call committee stage of Bill 45.  
[1610]

### Committee of the Whole House

#### COMMUNITY LIVING AUTHORITY ACT

The House in Committee of the Whole (Section B) on Bill 45; H. Long in the chair.

The committee met at 4:13 p.m.

On section 1.

**J. Kwan:** On section 1, I have some general questions, and the questions, of course, do tie to the definitions.

First of all, let me ask the question to the minister about the definition of "administrative services." I see in the act that there is also a definition called "community living support." I know those are meant to be two distinct things. Could I get the minister to please elaborate at this time on how the definition of administrative services differs from the definition of community living support?

**Hon. S. Hagen:** The administrative services are the expenses to keep the organization going, like lights and rent and other expenses. The community living support is the programs that are delivered.

**J. Kwan:** The funding arrangement, then, for the administrative services.... That would be, I guess, administrative support for the services to be delivered under this new authority. Would that differ from the current arrangement? If so, how does it differ?  
[1615]

**Hon. S. Hagen:** The budget as it now exists will be passed through to the board to administer. This budget we have now will be transferred through to the board.

**J. Kwan:** The minister says the budget will now be transferred to the board as it exists now. Does he mean the budget for the administrative portion of it, or does he mean the entire budget inclusive of what's now called community living support in terms of the services in this delivery?

**Hon. S. Hagen:** The whole budget for what you mentioned.

**J. Kwan:** For some reason — I don't know why — I can't quite hear the minister. Maybe it's the echo in the chamber or something. The last part of what he said in his answer I actually didn't catch. I wonder if the minister could repeat his answer.

**Hon. S. Hagen:** The whole budget as it now exists for this particular part of the budget will be transferred through to the board.

**J. Kwan:** And the whole budget — would it be allocated with line items for specific areas so that one area would be for the administrative services and another would be for some other service, as specified? Or would it just be, "Here's the global budget, and you do whatever you want," and inclusive in it would be the administrative services part?

**Hon. S. Hagen:** The entire budget will be transferred through, similar to how we fund the university, for instance. There will be performance measures that we set up and outcomes that we will want delivered, but they will have the flexibility they need to deliver the services.

**J. Kwan:** I'll tell you why I'm asking these questions. There are concerns from the community with respect, particularly, to the budgeting side of the issues, with the government's cuts to adult community living services reaching over \$50 million over the last three years and cuts to children and family services of up to \$145 million.

People with developmental disabilities and their families are facing reduced services as well. At the same time, they're faced with longer wait-lists. Really, some would say that there is chaos in the system — in fact, crisis in the system — because of the many reorganizations and the restructuring in these processes and, of course, the funding cuts.

The community living sector is concerned that it is not possible to devolve services to the authority envisioned by this bill in the context of these deep cuts. Many of the families are even calling on the government to put a hold on devolution until the government is willing to provide an adequate budget for community living services.

The government's own experts, as the minister knows, have warned that the problems created by deep budget cuts taking place at the same time as the service is being redesigned has created chaos in the system and that these problems need to be resolved before moving ahead on the devolution of governance.

On the question around budgeting, let me ask this question: how much is being transferred to the authority?

**Hon. S. Hagen:** The amount being transferred is just in excess of \$600 million.  
[1620]

**J. Kwan:** As highlighted by the community stakeholders and as has been identified by the government's own reports, there are great concerns with the deep budget cuts for the ministry in this area, and chaos has been created as a result of it. How will the minister ensure that the chaos created by this government in the community living sector has sufficiently stabilized to move ahead on devolution? What reassurances could he give in this House on that?

**Hon. S. Hagen:** I can assure the member opposite that, in my meetings with senior staff since I was ap-

pointed to this job about two weeks ago, I'm very, very satisfied that senior staff in the ministry is certainly not in chaos. They're very much on top of things. Front-line staff, I think, does magnificent work. So I want to assure the community living sector out there that — they know this, actually — this is a positive thing for them. This is actually what they've been asking for. We are actually doing what we said we were going to do from day one, which was about three years ago.

**J. Kwan:** They are also saying.... They only just recently issued a press release with this comment. Yes, this is a piece of legislation that they've been asking for, although there will be some amendments that I'll be putting forward, at the community's request, on this bill. They also say unequivocally, though, that the budget cuts have impacted the services required by members of this community and have impacted them in a very negative way. They're calling on the government to reinstate the dollars that were taken away from this community. They say this unequivocally.

I know that the minister is new. I know that he has only been at the job for two weeks. I can appreciate that. I must add that that has also created instability within the ministry and within the services that the ministry does provide to the community — because of the constant change. That's not the minister's fault. There are other issues much greater than that here. Of course, the chaos that one is faced with, the responsibility of the front-line workers or the senior bureaucrats.... I would venture to say that. I would say that the responsibility falls on the government and that the government has really allowed this to happen and caused some of the problems which community members are faced with.

I want to be very clear that it is not the bureaucracy that the criticisms were raised against previously in other meetings and in other discussions and debates. Rather, the criticisms were directed to the government very specifically. Nor is it targeted towards front-line workers — I want to be very clear about that — or the people, the families, the volunteers and the many people who have dedicated their lives to addressing these concerns.

Now, the minister says everything is fine. We heard that song and dance, I hate to say, from the first minister. I won't use the term the "former former minister," because that creates further confusion and chaos, I'm sure, and we don't need more of that in this chamber. But from the first minister, when he was first appointed to the job, we heard that song and dance. We were told that everything was on track and everything was just fine and that, in fact, we were on target, on budget and so on. Then lo and behold, we have scandal after scandal, issue after issue and more and more chaos in the system.

So I'm looking for something a little bit more concrete than when the minister says, "Don't worry; be happy. Everything is just fine," because we've heard that before. I wonder if the minister could be more concrete in terms of indicators of what is taking place

within the ministry and the government's direction to ensure that the chaos has been sufficiently addressed.

**Hon. S. Hagen:** Three and a half years ago we started talking about the devolution of these services out into the community. That's the plan that we've been on. There was an interim authority act that was created. We've been following that. Now we are introducing the subsequent act. So as I said before, we're actually on a plan, we're on target, and we are doing what we said we were going to do three and a half years ago.

[1625]

**J. Kwan:** Well, the words that the minister just put on record really do not provide any substance to the level of comfort that he would like to assure is in fact in place. He said everything is on track and everything is on record. We already know that this bill has been delayed many a time, and we know that the devolution process has been delayed many a time. We know that the community living sector folks are saying that the budget cuts are deeply impacting the services that are required by members of the community. In fact, they're calling on the government to reinstate the dollars, with the surplus, for the funding cut to the Ministry of Children and Family Development. But we haven't heard any of those reaffirmations from the government. I would say from the people on the community side who have been negatively impacted by the government's actions over the last three and a half years that the evidence to show that everything is fine is lacking.

We're looking for substantive content to ensure that things have stabilized. I hate to say it, Mr. Chair. The answer that the minister has given has not provided the kind of reassurances that one would hope for. But maybe the answer is going to be: "Don't worry; be happy." Maybe the answer is going to be the same and this minister is going to tell the same line as the first minister on this file who — when everything was off track, when everything was actually in chaos and a fowl — said: "Don't worry. Things are just fine." Maybe we will see a repeat of the first minister's pattern here.

But how will the minister ensure that there are sufficient budgetary resources to allow a responsible devolution to the new authority to actually take place?

**Hon. S. Hagen:** We have a new assistant deputy minister in place whose responsibility it is to be the CEO of the new board, and I'm confident that the resources we will provide through the transfer of funds will do what needs to be done.

**J. Kwan:** But at a time that the people.... You know, it is not the deputy or any of the senior bureaucrats in terms of the issues I'm raising here. It's a budgetary issue, which is a government decision. The government's decision to cut some \$50 million in the adult community living services area over the last three years, \$145 million to children and family services for people with developmental disabilities and their fami-

lies.... They continue to face reduced services, increasing wait-lists and so on.

The advocates themselves say that the cuts to the services have been too deep and that they're faced with a problem with the impacts of the government's decision. So I raise the question to the minister that it's a government decision — not the handling of the bureaucrats on the issue, but a government political decision — to make these cuts, and it would be a government political decision as to whether or not to reinstate the dollars that have been cut from this sector. In that context, I'm asking the question: will the minister commit today to ensure the necessary funding to provide for a successful devolution?

**Hon. S. Hagen:** As I'm sure the member opposite understands, that's a question for estimates, not for this bill. What we're debating today is the bill for community services to establish community services British Columbia. I'm confident that we have the resources. I don't have any way of increasing those resources at this particular time, but I am confident we do have the resources that will carry out the programs that need to be carried out.

**J. Kwan:** The bill before us deals with community living support and the services which it provides. It deals with administrative services which the new authority will provide under the budgets that the minister has just put on record — about \$600 million. Within that context, these services will be provided for.

[1630]

Of course, I raised the issue around budgetary constraints because it is tied to the new governance model. It is tied. Why is it tied? Because the new authority will have to deliver services to the people who are in need of the services. But without the budget to deliver the services, they would be faced with great difficulties in trying to ensure a successful devolution process and a successful process of ensuring that the services that are being delivered under this act would be met by members of the community.

I appreciate that we're not dealing with estimates issues. I appreciate that. However, the bill is dealing with services being provided to the community, and at the end of the day, those services are tied to the dollars that come with them. Without the dollars the services can't be delivered. There's an intrinsic link here in terms of the money matter.

The minister, just a moment ago, said: "Don't worry. The services will be delivered by the new authority, and we have the budget to do so." But I'm asking a critical question of the minister, and that is: how is this minister going to resolve the biggest problems faced by families — increased wait-lists and service reduction — that are caused by the government's budget cuts?

The new authority will have to deal with that. Make no mistake about it. The new authority will have to deal with those kinds of constraints. The new authority, with the budget constraints they are faced

with, may not be able — I assume they would not be able — to deliver the service.

All that I'm looking for, then, is this commitment from the minister. That is, will the minister commit today to ensuring that the necessary funding will be provided to the authority for a successful devolution?

**Hon. S. Hagen:** I would like to point out to the member opposite that \$600 million is not an insignificant number. I don't think anybody in British Columbia would think that's an insignificant number.

The challenge that we've had is delivering the services as effectively and efficiently as we can. We are convinced, as I think the providers and the recipients out there are convinced, that we can do a better, more efficient, more flexible job through the board than we have done through government.

As I said previously, I'm confident that the \$600 million-plus will do the job.

**J. Kwan:** The minister's words are now on record. He thinks that \$600 million-plus would actually do the job. I have with me two very recent press releases from the British Columbia Association for Community Living dated September 28, 2004, and October 3, 2004. Both are tied to the legislation before us. Let me just put on record some of the language here — not my language but the language from the British Columbia Association for Community Living.

"On Monday, October 4, 2004, the B.C. government introduces legislation to create community living B.C., a community-based governing board that will oversee the services that support families raising children with special needs and adults with developmental disabilities to live and participate in their communities. Bill 45, Community Living Authority Act, second reading."

That's the bill that we're now debating in committee stage. It goes on to say:

"With the legislation in place the community can finally get on with the project of creating a service system that reflects the vision of those who use the services, that offers more flexibility and responds to the needs of individuals and families more creatively," says Laney Bryenton, executive director of the British Columbia Association for Community Living, BCACL.

"BCACL — whose members include adults with developmental disabilities, family members, service providers, volunteers and advocates — has worked with other community partners over the last three years to bring about the changes that will be formalized with the legislation.

"We are pleased that this legislation is finally coming forward, but we are concerned about the lack of consultation on its content and about some of its shortcomings," says Bryenton. "For example, while it creates a provincial board and enables family members to be represented, it does not specifically require any representation by people with developmental disabilities. This has always been one of the pillars of our vision, and we will continue to work towards getting that representation."

[1635]

Let me just stop there for a moment. I know that doesn't deal with section 1, and I know that an amendment will be forthcoming to address this con-

cern, which I raised yesterday in my second reading debate and about which I had a discussion with the minister prior to coming to the House. I'm glad to see the amendment forthcoming to address this concern.

Let me go on. I'm not selecting portions of the press release to put on record. I'm putting the entire press release on record. Then it goes on to say:

"The B.C. Association for Community Living also remains concerned about the much reduced budget for the services that will come under the new community living B.C. We welcome the legislation but remind the government that there are growing numbers of people on wait-lists for services and increasing numbers of children, youth, adults and families who are experiencing crisis as a result of being unable to access services when they need them. It's not much help to have your child on a wait-list for early childhood intervention if it takes three years to get the service," said Bryenton."

That's a direct quote. Then it goes on to say:

"It is time for this government to reinvest so that individuals and families can get the supports they need when they're needed."

I won't put the entire press release on the record, but in a separate release it actually states that the government has cut community living services for adults with developmental disabilities by \$50 million over the last three years and services to children and families, including children with special needs and their families, by \$145 million. Then in bold it says, "Give it back," calling on the government to give back the dollars that were taken away in this community for the services they need.

When you combine the two press releases together and the message embedded within it, I think it's very clear to say that, yes, people wanted this piece of legislation, and they support it with some amendments. I have some other amendments that I'll put forward at a later time. They are also saying, though, that they need the budgetary support for those services to be materialized. That's the point I want to raise with this minister.

Actually, from the answers that I got from the minister so far.... It gives me no reassurance — and I don't think it gives the community any reassurance — that the budget that is required to ensure that a successful devolution process is going to be fulfilled is actually in place. I think it gives no confidence that the services that are required most importantly for the community in order to meet the needs of the community....

Maybe things will change. Maybe there will be new announcements down the road. I don't know. But I want to put on the record now that I'm calling on the government, urging the government to ensure that sufficient funds are in place to meet the needs of the community and many of the advocates, the family members and the people in the profession who have been working day in and day out in this very challenging sector and to provide the support that is required by them.

Now, let me ask another definition question. The definition of "capital project" in this bill. Under this bill, could the minister please advise: how does that differ from the current situation with the definition of capital project? Or does it differ?

**Hon. S. Hagen:** There is no difference in the description or definition of a capital project. We just want to give them the flexibility to be able to do them.

**J. Kwan:** Could the minister please outline the process that the new authority will undergo for capital projects? What is the process that the new authority will engage in with respect to capital projects?

**Hon. S. Hagen:** It'll be very similar to the process under government. They will have to make a presentation to Treasury Board, and Treasury Board will allocate them a dollar amount for their capital budget.

**J. Kwan:** Would that be approved by the minister for them to make the presentation and what's in the presentation?

[1640]

**Hon. S. Hagen:** Good question. The answer is yes, because the budget would be brought together in conjunction with the ministry. Obviously, if it goes to Treasury Board, it would need my support when it gets to Treasury Board.

**J. Kwan:** Is the presentation made to Treasury Board by the new authority, or is the presentation made to Treasury Board by the minister with the authority in support of the minister at the Treasury Board table?

**Hon. S. Hagen:** Yes, the minister would take it to Treasury Board.

**J. Kwan:** Who then sets the priorities of the capital projects? Is it the minister, or is it the new authority?

**Hon. S. Hagen:** That would be laid out in the service plan that would be worked on and presented by the board.

**J. Kwan:** But the service plan.... I don't know the section of the bill. I'm sorry. Off the top of my head, section 12 of the bill refers to the "proposed budget plan and capital plan related to the provision of community living support and administrative services by the authority under the service plan referred to in paragraph (a)." Paragraph (a) states: "a proposed service plan respecting the provision of community living support and administrative services for the period specified by the minister."

Now, the service plan is actually done by the government. Then I read in the bill, in the sections related to that, that the authority would have to.... Well, the government will have the ultimate say, basically, in what the service plan would look like. It's not the authority who would actually devise what their service plan would look like. In that context, the budget is set by the government, the service plan is set by the government, and the capital project is set by the government.

Well, I see the minister is shaking his head, so maybe I will just stop there. Maybe the minister can correct me in terms of what the process would be in relation to these issues.

**Hon. S. Hagen:** I would love to ask the question if we have now approved sections 1 to 11, but I won't.

Section 12 says:

"The authority must submit to the minister for approval, by a date specified by the minister, (a) a proposed service plan respecting the provision of community living support and administrative services for the period specified by the minister, and (b) a proposed budget plan and capital plan related to the provision of community living support and administrative services by the authority under the service plan referred to in paragraph (a)."

The authority actually prepares and submits both of those.

[1645]

**J. Kwan:** I will save those questions for section 12. The minister sort of gave a comment about sections 1 to 11. I only jumped to section 12 because it is tied to the budgetary issues and the authority of the new governance board, which is under the definitions section. As is always the case with legislation oftentimes one section is related to another, and sometimes those conversations and discussions have to criss-cross. But hey, you know, I wouldn't want to annoy this process here by asking questions under section 12. I will save those, then, for section 12.

Getting back to the process on capital project approvals, the minister advises that one would have to go through Treasury Board, but that would be under the leadership of the minister, who will make the presentation to Treasury Board. Treasury Board and the government will then make a decision on what would be approved and what the budget would look like.

At the same time, though, the minister also said that in terms of priorities for the capital projects, it is under section 12 — and what those priorities would look like and that the board, the authority, would actually put forward those priorities. We have a system, though, where the request for the funding and the process are actually under the leadership of the minister. I'm confused with respect to that answer versus section 12's authority given to the board. Which overrides?

**Hon. S. Hagen:** The ministry will be giving the board an envelope of money, whether it is capital or operating. That is according to the service plan developed by the board and approved by the minister. They'll have an envelope of money to operate under. They don't have an unlimited chequing account to operate under. They'll have an envelope. These are taxpayers' dollars we're talking about. There has to be accountability. That's the accountability.

**J. Kwan:** I'm just trying to get a clear sense of the authority given to the new board — the new authority, the governance authority. I'm not raising issues around

accountability. I could in this debate about the government's record so far on accountability, but I won't do that. I'm tempted, but I won't do that.

On the question around the governance authority of this new board, the minister on the one hand says they have the authority to decide how the dollars will be spent within the budget given to them and the authority to decide what capital projects they could expend their budget on. They would have the authority to decide that. On the other hand, the minister also said that the capital project process would be such that they would have to, under the leadership of the minister, go before Treasury Board and ask for Treasury Board approval. It's not the authority who goes to ask for Treasury Board approval; it is the minister who asks for that Treasury Board approval.

If that's the case, then, and if I'm hearing the minister correctly, the priorities of the capital projects will be solely decided by the authority and would not be interfered with by the government. It is just the overall dollar figure that would be decided by the government. Am I right in understanding that? There would be no contradictions with the process and the authority given to the new board.

**Hon. S. Hagen:** The vote for the budget is in the ministry budget. It's voted in the House. You'll know exactly what the amount is that's going to be transferred to the board. The board has the flexibility to determine the expenditure of the funds according to their service plan, just like every other aspect of government. They will have a service plan for their operating, and they will also have a service plan for their capital. On the capital part of it, when they bring that to me — and they will have worked with the ministry to make sure that we're on the same page — I will take that to Treasury Board to get approval for the capital budget.

[1650]

**J. Kwan:** Will the minister at any point interfere with the priorities of the capital projects as put forward by the authority?

**Hon. S. Hagen:** I'll say to the member opposite that it is designed to be a collaborative process. I expect there will be a lot of interaction and a lot of work done between the board and their staff and the ministry to make sure that the service plan is being adhered to and to make sure that the needs are being met.

**J. Kwan:** In other words, yes. The minister will be in that process.

Okay. I just want to be clear in terms of what is really given to the authority in terms of their decision-making powers, so we know that for the capital project in terms of their ability to prioritize projects and so on.

Now, the definition of "board" in this bill. It states that "'board' means the board of directors of the authority appointed under section 5." We'll talk about the composition of the board when we get there. Tying into this, though, are issues around consultation. Part

of the consultation process, as I mentioned earlier, is that the B.C. Association for Community Living had requested that the composition of the board be different, for which there will be an amendment. We will get to that. There are also other consultation requests to the government and input to the government.

The minister in his second reading debate purported that there was wide consultation on this bill. But we, of course, learned that the consultation process this summer was purely a website-based process and that the stakeholder groups were not given even the information that the website existed. We've been told by other community living advocates that they had been promised a forum on the fragmentation of children's services before the government moved ahead with this legislation. The government never actually made good on this commitment. While there was widespread support for the initial vision of devolution in general, the opposition has learned repeatedly from families across the province that they've never felt listened to by the government in the drafting of this specific governance model.

The initial consultation process was done under the dominating influence of the B.C. Liberal insider Doug Walls after he and the Premier's deputy had consented on a deal to sell individualized funding not just as one option amongst others, which we support, but as a cost-saving measure above all. Doug Walls, it turns out, was authorizing position papers for several of the key stakeholder groups in the government's consultations, so it is no wonder that the families felt their views were not listened to and felt it was a sham consultation process.

I mentioned that experts warned the government as far back as 2002 that widespread community buy-in would be critical for the success of this plan. I would like to ask the minister if he can point to the evidence of the widespread community endorsement of this plan for the new authority. Maybe he could actually provide a list of people who have endorsed this.

[1655]

**Hon. S. Hagen:** I'm told that there has been widespread consultation, particularly with BCACL. As the member well knows, having been in government, sometimes you can never satisfy all of the requests of advocacy groups. Having said that, we appreciate, and I appreciate, the advocacy groups. In my last ministry I made a point of meeting with the advocacy groups because I'm interested in what they have to say, and I plan on doing the same thing in this ministry.

I'm told there has been broad-based consultation. You always learn something from these meetings. You're not always able to say: "Yes, we'll do everything you want." I think that's evident in the letter that the member opposite read out. They say that generally speaking, they're in support of the legislation. They have some questions about budget, and they're certainly entitled to raise those questions.

**J. Kwan:** That's interesting, because BCACL states, and I quote again: "We're pleased that this legislation is

finally coming forward, but we're concerned about the lack of consultation on its content and about some of its shortcomings." This is a direct quote and is as recent as a press release dated October 3, 2004, from the BCACL themselves, who said there was lack of consultation. We've heard this amongst other groups, too, by the way — not just to single out one group.

The minister says there was widespread consultation. Is it possible, then, for the minister to point to any statistics, for example, that this specific community governance plan was backed by families? Or was there a survey conducted? What work did the ministry actually undertake for this widespread consultation to take place so that there was clear support for this plan that's before us?

**Hon. S. Hagen:** I'm informed that the interim board did travel around the province meeting with groups and getting input. I understand the criticism of advocacy groups who say: "We didn't get everything we wanted." I get that. That doesn't mean we didn't listen to them. It doesn't mean we didn't try to, you know, change things or to come to some agreement, but at some point you have to say: "No, we disagree with you. We're not going to do that." I understand that the only two hits on the website while it was on were hits with regard to the inclusion of self-advocates on the board, which we're going to deal with in section 5.

**J. Kwan:** The problem, of course, is that even in the government's own website consultation process, from the advocates themselves.... They have advised the opposition that they weren't even informed that that's the process they can engage in for providing input to the government.

[K. Stewart in the chair.]

The consultation process, I would say, is not just an issue that.... I know that perhaps the minister will just sort of put it off and say: "Well, you know, you don't get everything you want, and just because you don't, that doesn't mean we haven't consulted." That's not the only issue in terms of the content of the bill, but the process itself was raised in terms of questions.

Now, the minister says that there was widespread consultation, that the interim authority did all of that work and that there was lots of feedback and so on and so forth — lots of support. Give me some indication of what support there is?

I don't know. I'm just pulling this number out of the top of my head, you know. Maybe the website process was so successful that maybe the minister received — I don't know — 500 indications of support through the web consultation process. I'm just making this up. I don't know what the process has been like and what kind of feedback the minister actually got. That's what I'm trying to get some information on.

[1700]

**Hon. S. Hagen:** I say again that I'm told that generally there was support there from the groups. The issue

they had that they disagreed with us on, the primary issue, was in self-advocates being on the board or not being on the board.

**J. Kwan:** Could the minister please give me the list of the groups that the minister consulted with that said they support this legislation, with the exception of the self-advocate issue? Who are these groups?

**Hon. S. Hagen:** I don't have a list with me, but I'll be pleased to provide you with that list.

**J. Kwan:** I would appreciate that. I just want to see, for the record, who actually came forward to support this piece of legislation. Along with that, perhaps the minister could also provide me with the information with respect to what piece they had concerns with. We've heard some of them, and I'm going to be raising them in this discussion today. If the minister could provide that information, I would appreciate it as well.

**Hon. S. Hagen:** Yes, I'll provide that information.

**J. Kwan:** Thank you to the minister. Could the minister please also advise what changes were made to the draft legislation as a result of the consultation process? We know that coming up, there will be the self-advocacy change, under section 5 of the bill, with the makeup of the board. Were there other changes as well? Could the minister please advise?

**Hon. S. Hagen:** The general vision of the legislation came out of the consultation. I'm told by the drafters that there was a lot of work done in the drafting to try and accommodate that. But we believe that the legislation, with the amendment that I'm proposing in sections 5 and 6, will reflect, generally speaking, what we heard from the advocacy groups and from the community at large out there.

**J. Kwan:** So the amendment to the composition of the board is the only change arising from the exposure bill — I guess I'll call it that — when it was first introduced in the spring session. Then that's the only amendment that we will have in terms of changes under Bill 45.

**Hon. S. Hagen:** Yes, that's correct.

**J. Kwan:** Okay. Then I would assume that in the minister's opinion, that is an accurate reflection of the consultation process and the input provided from the community with respect to concerns that they have with this bill.

**Hon. S. Hagen:** Yes.

**J. Kwan:** Well, as we get to the other sections of the bill, I will raise other concerns that community members have raised, because I beg to differ with the minis-

ter's opinion on that. But I'll leave that for now, because that's the minister's point of view.

Now, the definition of "community living support" — is this the same definition that has been used in the previous legislation?

[1705]

**Hon. S. Hagen:** I'm instructed that this is new legislation. This is the first time that the definition of community living support has been used. The other bill was an interim bill to get us to this point.

**J. Kwan:** But no changes.

**Hon. S. Hagen:** The definition of "community living support" was not in the previous bill.

**J. Kwan:** I know that in this bill, the authority's responsibility would be in the areas of administrative services, which would also include the.... Community living support would be the services provided to the community in this sector.

I note that there's also a definition of "service provider," meaning "a person or an organization delivering community living support under an agreement with the authority or a person authorized by the authority." With all these different definitions, service provider.... Is it the authority's responsibility to contract service providers, with the understanding that the service providers would provide community living support? That would be the definition and the services listed under the definition of "community living support." Am I right in making these linkages?

**Hon. S. Hagen:** Yes. I think 90 percent of our services now in the ministry are delivered by service providers, so that will roll over to the new board.

**J. Kwan:** Is the definition of "developmental disability" the same definition that has been used in the interim bill — developmental disability?

**Hon. S. Hagen:** The definition of "developmental disability" is in the new act, but it is not in the previous interim act.

**J. Kwan:** In both of the definitions, "community living support" and "developmental disability," because both these terms are new and are being introduced for the first time in legislation, what kind of public input was provided for the definitions of these two terms?

**Hon. S. Hagen:** These are definitions that have been used for the first time in legislation. The member is right, but these are definitions that have been used since the services started to be delivered, probably in the seventies. I'm told, also, that these are the international descriptions of these particular items.

**J. Kwan:** Could the minister please advise, then, through the consultation process the minister engaged

in...? Were these two definitions supported by those the minister consulted?

**Hon. S. Hagen:** Yes. I'm told by my staff that they were supported.

[1710]

**J. Kwan:** The definition of "unearned revenue." Let me just put on record the language in the bill here for "unearned revenue." It states: "...means money that was received by the authority from the government for a purpose and that has not been applied to that purpose within the time or in the way required." What does this refer to? Is this the restructuring fund? I don't understand the definition under "unearned revenue." Could the minister please explain?

**Hon. S. Hagen:** I'm told that this is standard Treasury Board jargon for making sure they don't build up big bank accounts and don't do the work that needs to be done.

**J. Kwan:** Who builds up big bank accounts and doesn't use the money? You mean the authority?

**Hon. S. Hagen:** Yes, and at the risk of offending the member, it's discussed quite thoroughly in section 16.

**J. Kwan:** No offence taken.

As I mentioned, these things tend to fly all over the place, and oftentimes, we do have to jump. I don't take any offence when I raise these issues that tie to other sections. I was actually worried that the minister was taking offence because I was asking these questions that are related to different sections. It has nothing to do, then, with the restructuring fund. Am I correct in understanding that?

**Hon. S. Hagen:** That's correct.

**J. Kwan:** How much would it cost to proceed with this model of authority, the governance model?

**Hon. S. Hagen:** The current assessment of the devolution or transition is about \$3 million, which is in our budget.

**J. Kwan:** The minister says, "is in our budget," the \$3 million for the devolution process. Does the \$3 million come out of the budget given to the authority, or is that a separate account?

**Hon. S. Hagen:** The \$3 million for the transition or the devolution is money that we have in our budget that we think will meet the cost of the devolution process.

**J. Kwan:** Yes, and I got that answer from the minister when I first asked the question about the cost to proceed with the model of authority. But the question is: is that money, the \$3 million to be expended for the

model, coming out of the dollars given to the authority — the \$600 million-plus — or is that from a separate account within the government?

I'm trying to get at where the cost of the process is going to come from. Is it going to come from resources from the authority, or is it coming from elsewhere within the government that they have already budgeted for?

**Hon. S. Hagen:** No, it's coming out of a separate account. It won't come out of the money that's being transferred to the authority.

**J. Kwan:** When the legislation is passed, the new authority will be set up, and then the new authority will get its budget, and so on. But the process of the new governance model would not be completed just quite yet. There's still some work to be done to get everything up and running, and so on and so forth. Is the cost of doing that work within the \$3 million budget?

**Hon. S. Hagen:** Yes.

[1715]

**J. Kwan:** Is it anticipated...? I presume that the minister would have this information somewhere in the system, and that is: will it cost less to run the community living authority model we're now debating in Bill 45 than the current model of governance?

**Hon. S. Hagen:** Yes, the whole idea of doing this is that we want to make the delivery of those services more effective and more efficient.

**J. Kwan:** What is the difference in terms of the cost with the two models?

**Hon. S. Hagen:** The ministry is still working that out.

**J. Kwan:** Okay. Now, that is to say we don't know the specific amount, I assume, but one would assume that we have a ballpark amount, because the minister just gave the answer definitively that the new model would cost less. Presumably, we're not stabbing in the dark here, sort of guessing at what kind of cost savings we're looking at. Presumably, the minister has some sort of figure around that, so maybe the minister could give us the ballpark figure with respect to differences with the models in terms of cost.

**Hon. S. Hagen:** I just don't want the member opposite to forget that one of the main reasons we're doing this is actually to deliver services better to the people who need those services the most. Having said that, if there are savings, and as we develop those numbers, I'll be happy to share them with the member.

**J. Kwan:** Is that to say the minister doesn't know at this point in time what the ballpark figure is? I'd be happy to receive the detailed information once the

minister receives it, and I look forward to it, but for the purposes of debate at the moment, does the minister have a ballpark figure?

**Hon. S. Hagen:** No, I don't.

**J. Kwan:** Okay. The minister said he will share the information with the opposition once he receives that information. When can we expect that information?

**Hon. S. Hagen:** We'll be able to give her the information that we have next week.

**J. Kwan:** I'm tempted to ask for the bill to be stood.... No, I won't. We'll wait for that information — I'll look forward to it next week — from the minister around the details of the different costs of the models and the savings yielding from this change.

Now, devolution in other areas of the ministry has meant regionalization. Generally within government, it comes with that kind of connotation. Certainly, within this ministry, devolution has meant regionalization, but this particular model creates a centralized authority that is presumably based in Vancouver, although I could be wrong on that. Let me first ask that question. Is it expected for the authority to be based in Vancouver?

**Hon. S. Hagen:** Yes, that's correct.

[1720]

**J. Kwan:** Could the minister please advise why this centralized model has been chosen and why the location has been chosen, for it to be in Vancouver?

**Hon. S. Hagen:** It's a question of balancing the needs we have and the ability to deliver those needs and achieve some sort of provincial equity in the service delivery aspect, so it's a really good question. You're only going to have one office in something like this to coordinate all the deliveries, even though the service deliveries are being made throughout the province, but I think it will achieve the balance that we need as far as the location is concerned.

**J. Kwan:** Could the minister please elaborate on the term he used — "the balance that we need" — and on what he means by that?

**Hon. S. Hagen:** The balance is where you have the people, the staff and the office, and then you balance that with where the services are delivered to. A lot of the services — probably the majority — are delivered in the lower mainland. Then you also have to look at how you get the services delivered using service providers outside of the lower mainland.

**J. Kwan:** Has the minister heard any of the concerns regarding the centralization of this governance model from the community? For example, we in the opposition have received concerns from the community about the fragmentation of children's special needs services in

terms of this governance change. Has the minister heard of any concerns? If so, what are they, and what is the minister doing to address those concerns?

**Hon. S. Hagen:** Yes, there have been some concerns expressed. I'm aware of that. But, again, it's achieving that balance of service delivery. We use service delivery agents all around the province, and we'll continue to do that, but you also then balance that with the administration in one location.

**J. Kwan:** I'm not clear from the minister's answer on what the concerns were. I raised one, for example — the fragmentation of service delivery for children with special needs. What concerns has the ministry heard? Maybe I can just ask these questions one by one so that my questions are clearer to the minister.

**Hon. S. Hagen:** There were people who wanted a regional model, as you mentioned, but the bulk of the people the ministry personnel talked to wanted the provincial model we are delivering through this legislation.

**J. Kwan:** Okay, I'm going to have another stab at this. What concerns did the minister hear? Yes, some people wanted a regionalization model. Others wanted this centralized model. Within the different models, you know, different issues would be identified — presumably, as the minister suggested, balancing all of the different things. Most of the services are being delivered in the lower mainland, so the centralization model choosing the Vancouver location makes sense, balancing all of these things.

The question I raised is more specific than the answer that has been given by the minister, and that is: what specific concerns were there from the community around this centralized model? Could the minister be specific about that?

[1725]

**Hon. S. Hagen:** Some of the concerns that were raised, more specifically, were community responsiveness, crisis response.... Of course, issues like these will be managed through board discussions on how they deliver these services to the people in the communities in which they live.

**J. Kwan:** Presumably, those would be some of the examples the minister has raised in terms of concerns that have been identified by the community.

Maybe I can ask the minister to do this. He had earlier agreed to provide a list of the community groups that are in support of this governance model and also the input that the government has received in terms of specific information from the groups. Maybe the minister can also provide the concerns that were highlighted by the different groups and who these different groups are.

That's so I get a better sense of the different comments through the consultation process the govern-

ment has undergone and what those concerns might be, and then, I guess, more importantly, to be working closely in trying to address these concerns — to try and manage these concerns, as the minister says — so that we're clear in making sure the services that are required by the families and the individuals in the communities are actually met. That's why I'm asking these questions.

**Hon. S. Hagen:** Yes, I'll be pleased to provide you any information we have in that regard.

**J. Kwan:** I appreciate that.

What is the ministry doing to explain to the families and to the community members in the community living sector just how Bill 45 works and, most importantly, how it would impact them in terms of the day-to-day services that they require? What work is undertaken by the ministry on that?

**Hon. S. Hagen:** The interim board, the interim authority, will be holding meetings throughout the province to inform the public on the changes that will be brought in by this act.

**J. Kwan:** They'll be holding meetings throughout the province. Meetings with whom? How will one learn about the meetings? Is it open to the public? Is it advertised? What is the process around that to really inform the public? Again, I think it would be critical in terms of the public accessing this information and understanding how Bill 45 would impact their day-to-day lives.

**Hon. S. Hagen:** Well, we certainly want to get the information out there, and we'll be working with service providers around the province and the families they work with. The meetings will be open, and we'll make sure the information gets out there.

**J. Kwan:** The work to get the information out there, as the minister puts it, under Bill 45.... Is that under the \$3 million budget in terms of the transition for the governance model?

[1730]

**Hon. S. Hagen:** Yes.

**J. Kwan:** The term "community living support." Does the minister know how many people will be affected under the services provided in the definition of "community living support"?

**Hon. S. Hagen:** Approximately 9,000 adults.

**J. Kwan:** So 9,000 adults. How about children?

**Hon. S. Hagen:** We don't have that information yet because we're still sorting out which services will be delivered to children by the ministry and which services will be delivered by the authority.

**J. Kwan:** When will the minister have that information?

**Hon. S. Hagen:** I'm told that will take another couple of months.

**J. Kwan:** When will Bill 45 come into force? Another couple of months, or...?

**Hon. S. Hagen:** We're actually going to accept the recommendation of Mr. Boyd in his report. His recommendation is that it come into effect about a year after the appointment of the ADM. He started yesterday, so it would be about a year from now.

**J. Kwan:** So the new board would actually not be in effect until about a year's time. That will be next fall, 2005, after the election. We don't yet know what services we are going to be keeping within the ministry and what services will be devolved to the new authority. That information.... Is it safe to assume that in a couple of months' time the minister will know what those services will be?

**Hon. S. Hagen:** Yes.

**J. Kwan:** I wonder, then, in a couple of months' time, when the minister has this information, if he could then provide the opposition with a list of the services that would still be under the ministry, the list of services that would be under the new authority and the budgets associated with these services.

**Hon. S. Hagen:** Yes, we'll provide that list.

**J. Kwan:** Does the minister know...? I know 9,000 adults. Then I would assume that those 9,000 adults would be specifically for individuals with developmental disabilities. Am I right in assuming that? In that context, how many families are being impacted? I wonder if the minister has that information.

**Hon. S. Hagen:** I'm told approximately 9,000 families.

[1735]

**J. Kwan:** Okay. Now, I see that missing in the definitions would be the term "individualized funding." Why is there no definition of individualized funding in this section of the bill?

**Hon. S. Hagen:** Section 12 deals with developing a proposed plan to offer a range of funding and planning. We worded it this way to give some flexibility to the board so that they would be able to make some determination on their own. Under section 29 we do have the power to do extra definitions if we need to.

**J. Kwan:** Yes, section 12 utilizes the term "individualized funding," but it doesn't define it in terms of what individualized funding means. And yes, I also am

aware that under section 29 there's the ability to define things in regulations. However, it's not in legislation. Regulations, as we know, are very different from legislation, and I don't need to bore the minister about the differences around that.

The community has raised the concerns about the lack of a definition of individualized funding under this section, and people thought it was important to have it in the legislation. Just as information for the purposes of the debate and for members of this House, individualized funding refers to "funding that is allocated to an individual or parents on behalf of his or her or their child, or to a third-party provider where requested, to enable the individual or parent to meet disability support needs." It's fairly broad, in terms of that definition, but also clearly outlines who individualized funding is targeted towards.

To that end, I do think that it is important to actually have this definition in the legislation. There's been much talk about individualized funding, and I think that it is important for the community to understand what individualized funding means and who it would impact and for the families to understand that.

Mr. Chair, I believe the Clerk has a copy of the amendment that I would like to move relating to this section — section 1 — and that is to add the definition of individualized funding under section 1.

I'll move on Bill 45, intituled Community Living Authority Act, to amend section 1 by adding the following definition:

["Individualized funding" means funding that is allocated to a parent or parents on behalf of their child, or to a third party provider where requested, to enable the parent or individual to meet disability support needs.]

**The Chair:** Members, you've heard the amendment to section 1, as put forward by the member for Vancouver–Mount Pleasant. I'll just repeat it for you: "Individualized funding" means funding that is allocated to a parent or parents on behalf of their child, or to a third party provider where requested, to enable the parent or individual to meet disability support needs."

On the amendment.

**J. Kwan:** I'd like to hear the minister's response to my amendment and the rationale — whether or not he's going to support the amendment and whatever rationale that he might be prepared to share with members of this House with respect to my amendment.

[1740]

**Hon. S. Hagen:** Yes, I do oppose the amendment. For one thing, it's too early to put any sort of definition to "individualized funding," and this is too prescriptive. As we develop this in partnership with the authority, we will be developing, I'm sure, definitions that will have a different meaning than they do now. The government doesn't want to be tied into a definition such as this one on individualized funding.

**J. Kwan:** The minister says that he's worried that the definition might be too prescriptive. Maybe the minister could advise the opposition and members of this House and the public which part he is worried about that would be too prescriptive.

**Hon. S. Hagen:** Well, for instance: "...or to a third party provider where requested, to enable the parent or individual to meet disability support needs." We don't think that's necessary to have individualized funding work.

**J. Kwan:** Well, the third-party provider.... The term is put there to actually allow for more flexibility as opposed to restricting flexibility, so I'm at a loss as to what the minister meant when he thought that this might be too prescriptive. In any event, the minister is entitled to his point of view, and he's expressed it, and I did want to get that on record.

However, of course, we know that over time, if it proves to be that the definition is too prescriptive, one could always amend it as well. But for the purpose of this act, much was talked about around individualized funding. Much was talked about on individualized funding and the changes with the government's own governance scheme and restructuring process, yet I find it astounding that under Bill 45 there is no definition to let families, advocates and community members know what individualized funding means. I find that quite shocking, actually, Mr. Chair.

Anyway, we'll vote on the amendment. I'm sure that with the overwhelming force and power of the opposition, we will have the result accordingly reflected in the House on this.

Amendment negated on division.

**J. Kwan:** I have another definition that I would like to ask the minister about. That is that there is no definition in this section relating to independent planning. I wonder why that is.

**Hon. S. Hagen:** Again, this is a very generic sort of term, "independent planning support." It's one that we may look at later on in defining through regulation. But at this point we want to leave some flexibility in place.

**J. Kwan:** Again, for the purposes of debate, let me just put the definition of "independent planning" on the record. Independent planning support refers to the provision of information, advice and practical assistance to eligible individuals and families independent from service providers and service funding decisions to assist them in developing and implementing personal support plans. Once again, I would venture to say that having the definition in legislation versus regulation is fundamentally different and carries with it, I think, different ramifications as well. Again, this omission was pointed out to the opposition by members of the community who feel very strongly and who've worked tirelessly in the creation of this bill. We agree with

them that the definition of "independent planning support" should be in the definitions section.

[1745]

Most important of all, the reason why these definitions, in my view, need to be in the bill itself is just so that families know what the changes are and what the ramifications are and what it means to them. When you don't have that information out there and you have significant changes to the provision of service to these individuals and their families, then I think that it does a disservice to the individuals who rely on these services. This is important for the purposes of clarity.

On that note, Mr. Chair — and I do believe that the Clerk's got a copy of my amendment — I would move the amendment for Bill 45, intituled Community Living Authority Act, to amend section 1 by adding the following definition:

["Independent planning support" means the provision of information, advice and practical assistance to eligible individuals and families, independent from service providers and service funding decisions, to assist them in developing and implementing personal support plans.]

I'd like to hear the minister's response to my amendment, please.

On the amendment.

**Hon. S. Hagen:** Section 12 is where the term "individual planning support" is used. Again, as we move down this road and this parallel path that we're walking down with the authority — whose job it will be to deliver programs to the people and to the families who need those programs — we want to provide some principles, which I think we've done in section 12. We want to provide clear policies. It will take good communication to communicate these changes to the families who need them. You don't do that by, you know, having some term defined in legislation. What we want to do is be flexible as we work through this in the next year, and if we need to define some of these terms by regulation later on, we'll do that. But at this point, the government is not planning on defining that term.

Amendment negated on division.

Section 1 approved.

On section 2.

**J. Kwan:** Sorry. I do have a quick question, I think, on section 2. Section 2(2) states: "The authority is a corporation consisting of the board." This relates to another section down the road that talks about donations, which is section 30. In this section, where it says the authority is a corporation, I wonder if the minister could explain what a corporation is in this context as it relates to the new board.

**Hon. S. Hagen:** I'll read into the record for the member opposite from part 2:

"(1) There is established an authority to be known as Community Living British Columbia to exercise the powers and perform the functions and duties given to it under this Act.

"(2) The authority is a corporation consisting of the board.

"Agent of government.

"(1) The authority is for all purposes an agent of the government.

"(2) The authority, as an agent of the government, is not liable for taxation except as the government is liable for taxation."

It talks about the capital:

"The capital of the authority is one share with a par value of \$10, which share must be issued to, and registered in the name of, the Minister of Finance and must be held by that minister on behalf of the government."

It talks about the composition of the board and the term and appointment of directors and remuneration.

[1750]

**J. Kwan:** Yes, I could read that for myself as well. Perhaps I hadn't been clear with respect to my question to the minister. What I'm really trying to drive at is this. Would the new authority have the power to provide tax receipts for donations to donors, for example? How would that work? There is a donation section that relates to it. In the bill — at least as I read the bill — there's nothing that talks about that, although it does say that the authority is exempted from taxation as if it had been under the governance of a government. I get that part of it. But will there be issuance of tax receipts for donors under this new authority?

**Hon. S. Hagen:** Since this corporation is an agent of the Crown, if a person gives a donation, it would be like giving a donation to the Crown, and they would be issued a tax receipt.

Section 2 approved.

On section 3.

**J. Kwan:** I think these are quick questions. I am noting the time, but if they turn out not to be quick questions, then we'll save them for tomorrow or whenever the bill is called back.

Under section 3, the authority is an agent of government who is responsible.... Is that the minister who is ultimately responsible?

**Hon. S. Hagen:** I'll refer the member to section 10 under division 3, "Powers of Authority." It says:

"(1) Subject to this Act and the regulations, the authority has the powers and capacity of a natural person for the purposes of exercising its powers and performing its functions and duties under this Act. (2) Except with the prior approval of the minister, the authority may not (a) acquire assets and incur liabilities other than in its own name, (b) incur a deficit of any kind, (c) borrow money, (d) spend money for a capital project other than in accordance with a capital plan, or (e) acquire or dispose of real property."

**J. Kwan:** The minister, by reading section 10 on the record, does not answer my question. My question is a rather simple one: who is ultimately responsible? Is it the minister, or is it somebody else?

I'll use another example. A case in point would be with the health authorities. The health authorities are set up as an independent authority of the government. Nonetheless, there was a court decision that deemed that it's the government, the minister, who is ultimately responsible for the decisions of the health authorities.

I'm asking this question of the minister: under this new structure, this new governance model with this new authority, is it the minister who is ultimately responsible?

**Hon. S. Hagen:** Yes, it is the minister that's ultimately responsible.

[1755]

**J. Kwan:** Where does the legal liability lie? Is it with the authority, or is it with the government? I know that there's a section of the bill that deals with legal liability, and I don't need to hear that because I can read for myself what it says. We struggled with this with the Health minister, for example. As I said, there was a court decision, and that laid it out clearly in terms of who is ultimately responsible, and it's in that light that I'm asking this question. So please don't read me the section of the act about liability.

**Hon. S. Hagen:** The authority itself is liable. The individual members of the board aren't. The authority is liable, but at the end of the day, the minister is responsible.

Section 3 approved.

**J. Kwan:** I have more questions for the minister with other sections of the bill, but noting the time, I move the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 5:56 p.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. Bruce moved adjournment of the House.

Motion approved.

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

The House adjourned at 5:57 p.m.