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THE HONOURABLE BILL BARISOFF, SPEAKER

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LIEUTENANT-GOVERNOR
His Honour the Honourable Steven L. Point, OBC

THIRD SESSION, 38TH PARLIAMENT

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Honourable Bill Barisoff

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TUESDAY, NOVEMBER 6, 2007

The House met at 1:33 p.m.

[Mr. Speaker in the chair.]

Introductions by Members

R. Chouhan: I would like to introduce a long-term friend, Deepak Binning's father Paul Binning, the founder of the Deepak Binning Foundation. He's in the gallery. Please join me to welcome him.

R. Sultan: In the manner of a delayed acknowledgment, yesterday afternoon we had in the precinct four organizations devoted to the perpetuation and health of our outdoor environment — namely, the B.C. Wildlife Federation, Ducks Unlimited, the Guide Outfitters of B.C. and the B.C. Trappers Association.

In coming here, they presented the member for East Kootenay with the Canadian Outdoor Heritage Alliance Award for initiatives that benefit all Canadians in creating the B.C. outdoor caucus and for his private member's bill on the heritage right to hunt and fish, passed by this Legislature in 2003.

Would the House please acknowledge these four organizations.

D. Hayer: Today I have the pleasure of introducing over 70 grade 5 students from Surrey Christian School, from my riding of Surrey-Tynehead. They're joining with their teachers, Kara Bisschop, Miss Jackie Hofstede and Miss Janice MacDonald. Also, they have many volunteer parents who have helped them to come over to Victoria to learn about how the government works. Would the House please make them very welcome.

[1335]

Statements

MESSAGE OF APPRECIATION

Mr. Speaker: Hon. Members, I have a note from our colleague Sindi Hawkins.

"Dear colleagues and friends,

"It would be hard to find a better group of people to work with. Both my colleagues in the chamber and the staff have been supportive and encouraging. I've received calls, notes, voice mail messages, etc., which have truly lifted my spirits.

"Knowing that so many of you are keeping me in your thoughts and prayers helps me understand that I am not alone and that there are many of you who are walking beside me as I go down this road once more.

"Many thanks to each and every one of you."

From our colleague Sindi Hawkins. [Applause.]

I hope Sindi was watching.

Introduction and First Reading of Bills

BRITISH COLUMBIA RAIL CORRIDOR SAFETY ACT, 2007

C. Wyse presented a bill intituled British Columbia Rail Corridor Safety Act, 2007.

C. Wyse: I move the introduction of the British Columbia Rail Corridor Safety Act for first reading.

Motion approved.

C. Wyse: It is indeed my pleasure to rise today to introduce a bill that protects the safety and economic security of livestock owners in British Columbia whose grazing land runs adjacent to publicly owned rail corridors, by placing several obligations on any railway operating on those corridors.

First, a railway must ensure that there is adequate fencing that would prevent livestock from entering rail corridors. Second, a railway has to construct adequate farm crossings for farm purposes. Third, a railway must contact landowners when their livestock has been hit by a train.

The bill also mandates that rail operators manage the spread of invasive weeds. This bill will ensure the same level of safety and economic security for livestock owners in B.C. that existed before the Liberal government sold the operation rights of the former B.C. Rail.

I move the motion.

Bill M225, British Columbia Rail Corridor Safety Act, 2007, 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)

SURREY BUSINESS EXCELLENCE AWARDS

D. Hayer: Each year I rise with pride to speak of the success of businesses, business people, not-for-profit organizations, their employees and volunteers and the recognition their successes receive in my city of Surrey. Last week I attended the annual Surrey Board of Trade Business Excellence Awards. Because there are so many businesses and not-for-profit organizations within the city of Surrey, just to achieve nomination status is a victory.

I served on the board of directors of the Surrey Chamber of Commerce for many years and was its president from '96-97, so I know how important it is to recognize the contributions of all those organizations, their employees and their volunteers.

With that, the 2007 Surrey Business Excellence Award winners and nominees are: first, the business person of the year was my constituent, Tom Sundher of Coast Clear Wood Ltd.; runners-up, Bruce Hayne

of Thornley Hayne Creative Communications and Paul Wheeler of the Semiahmoo House Society. Not-for-profit association of the year, Phoenix Drug and Alcohol Recovery and Education Society; runners-up, Art Council of Surrey and DiverseCity Community Resources Society. Student entrepreneur, Plaxin Productions; the runners-up were two of the students from my high school, North Surrey Secondary in my constituency, Dandee Bags, Bonker the Clown, LeedyLawns, Lesley Ann Wilson and Brandon Krueger, a 13-year-old.

The business with one to five employees, Notti Biscotti; runners-up, 5-Star Catering at Sunrise Banquet Centre and Façade Catering. A business with six to 20 employees, Common Exchange; and runners-up, Honeybee Centre and Organic Grocer. The business with more than 21 employees, Patton and Cooke Co.; runners-up, Ram Construction and Zinetti Foods.

New business of the year, Jobrox Solutions; runner-up, Peekaboo Beans and the Uptown Box Co.

I ask everybody in the House to join me in congratulating all these businesses, their staff and their customers and the volunteers.

[1340]

B.C. ELECTRIC RAILWAY

S. Hammell: In Surrey, on the corner of the busy intersection of 152nd and 64th Avenue, there is a new green barn. Geographically, this new green barn is right in the middle of the city — a strange place for a barn. But if you look closely, you will realize that this is no ordinary barn. If you look inside, you will see the original B.C. Electric Railway car 1225, one of the old interurban trams — part of the first transit system operating in the lower mainland.

In this railway barn a group of railway enthusiasts are restoring car 1225 and hope to run her from Newton to Sullivan station during the Olympics. The Fraser Valley Railway Heritage Society is painstakingly refurbishing each component of the tram, from the nuts and bolts on the wheels to the slats of wood on the seats.

There were originally 80 cars running on six lines in the lower mainland: the Burnaby Line; the Central Line ran from Vancouver to New Westminster; lines ran from Vancouver to Marpole, from Marpole to Steveston and from Marpole to New Westminster. The longest line ran from New Westminster to Chilliwack.

These lines were shut down in the '50s, as people discovered the freedom of the car but had yet to discover road rage and gridlock. All but seven of these cars were burned under the Burrard Street Bridge.

The railway beds of this former transit system still exist, and one of the legs that is in use by the Southern Railway of B.C. runs past Scott Road SkyTrain station out the valley to Chilliwack.

There is a movement around the world to reclaim old railway beds and create new community railway systems. Perhaps future light rail can be reconstructed from the past. They see this as a new hydrogen railway.

Could you all encourage these railway enthusiasts.

WEST VANCOUVER SPIRIT SQUARE

J. McIntyre: Spirit squares. What exactly is a spirit square, you may well ask. Most every town and city has a park, a centre, a common public place that people traditionally enjoy, either on their own or with loved ones or friends and neighbours.

Our notion of spirit squares, however, goes beyond a place for people to meet and spend leisure time. It focuses on uniting communities together, enabling people to explore, reflect and learn more about the various cultures and diversity within their own communities. It also emphasizes developing greener, healthier living spaces.

As the concept both underscores the importance of community gatherings and promotes a healthy lifestyle, it's my pleasure as the MLA for West Vancouver-Garibaldi to encourage and salute West Vancouver's interest in building a spirit square, which when completed will stand as a proud legacy of our province's upcoming 150th anniversary.

This spirit square will be formed by creating a 325-square-metre atrium connecting the new community centre with the aquatic centre. It will adjoin the south plaza containing a dramatic rock fountain, the great lawn and informal seating areas. Fully retractable walls will seamlessly connect the atrium, the heart of this new civic site, to surrounding outdoor gathering spaces that, combined, will hold 9,000 people.

Plans for the north plaza, also part of this larger civic centre project, will include a musical garden with seating, chimes, wind gongs and talking tubes. This intriguing site will be further enhanced by displaying public art to be commissioned in partnership with the Squamish Nation.

I'd like members of the House to join me in applauding and congratulating the efforts of the district of West Vancouver and extending a sincere thanks to all the workers involved in making this project, which for some is a dream, become a reality in our community.

It's an outstanding example of community partnership and innovative efforts. The creation of West Vancouver spirit square in the new civic atrium will be a place to bring people together.

DEEPAK BINNING FOUNDATION

R. Chouhan: Deepak Binning Foundation is a B.C.-based, non-profit society committed to the advancement of cancer research. This foundation was established in April 2000 by Paul and Jas Binning after the untimely death of their son at the age of 19.

[1345]

Deepak was not an ordinary young man. Even as young as two years, Deepak began to show that his life would be far from ordinary, embracing his Punjabi roots and teaching himself to play the dhol, a traditional Indian drum. Following in his father's footsteps, Deepak at the age of 14 played dhol with many big-name artists from India. He played all over North America and helped many organizations, including the Canadian Farmworkers Union.

During the three years of his battle with cancer, whenever he felt strong enough, the first thing he would do was pick up his dhol and play it. Despite the challenges imposed by his illness, Deepak graduated in 1999 from H.J. Cambie Secondary School in Richmond. After a long battle with cancer, Deepak passed away on December 7, 1999.

Since its establishment, the Deepak Binning Foundation has raised more than \$300,000. The money has been distributed to various charitable organizations such as the Cancer Society, Children's Hospital and Canuck Place in Vancouver. A couple of weeks ago the foundation committed to donate \$250,000 to the Kelowna campus of UBC for community development scholarships. On behalf of this House, I would like to thank Paul and Jas for their hard work to keep Deepak's memory alive.

HEALTHY EATING PROGRAMS FOR CHILDREN

V. Roddick: Another first for British Columbia. The B.C. school fruit and vegetable program, coordinated by Ann Britton, has won the Canadian Agri-Food Award of Excellence for education and awareness.

It is the first of a kind in Canada. It brings B.C.-grown produce to B.C. children in a classroom setting, where they gain awareness of health benefits and learn about the fruits and vegetables that are actually grown in B.C. Administered by Lindsay Babineau and the B.C. agriculture in the classroom foundation, partnerships have been formed with the Overwaitea Foods group and the B.C. Dairy Foundation to showcase B.C. produce.

This program also goes hand in hand with the ActNow B.C. strategy. The World Health Organization states that our government commitment to supporting the goal of making B.C. the North American lead in healthy living and physical fitness is innovative and forward-thinking. In fact, the minister of state for ActNow and MLA for Surrey-White Rock was a keynote speaker at the third IUHPE World Conference on Health Promotion and Health Education just last week.

Our province has a bold approach that is certainly being seen abroad as a vanguard in developing and delivery of successful programming. By working with educators throughout the province, these programs have managed to capture the most important audience of all — our children. Healthy eating is imperative, because we still all have to eat to live.

COWICHAN SWEATER

D. Routley: What makes us proud of our community? Who is it in our experience that defines grace? What icon of culture can make us well up with the emotion of attachment, loyalty, even identity? In the Cowichan Valley, one famous sweater fills all those roles. The Cowichan sweater has been worn by prime ministers, presidents and the Queen.

Now, we in Cowichan suggest there could be no better vehicle for the expression of reconciliation than

to integrate the Cowichan sweater into the opening ceremonies of the 2010 Olympics.

A little more background. They were traditionally made of local wools from sheep introduced by European settlers in the mid-1800s. This early economic partnership is, I believe, at the root of the loyal attachment to the sweater today. The raw wool was processed without chemicals, which allowed the fleece to retain much of its natural lanolin. Rain just rolls off a Cowichan sweater, and that's a good thing here in B.C. Recently, with less local production of sheep and therefore wool, the Cowichan knitters have had to resort to imported wools but still seek the most lanolin-rich supply.

[1350]

As a boy growing up in Cowichan Valley, the sweaters were, to me, an ever-present reminder of our shared heritage. With their beautiful first nations designs and soft texture, they are embedded in and with the character of Cowichan. In the words of the local newspaper, the *News Leader and Pictorial*, which put this excellent idea forward: "Each hand-crafted piece is as different as a snowflake."

Queen Elizabeth II has one and so did Pierre Elliott Trudeau, John Diefenbaker and even Bing Crosby. Our Premier and current International Olympic Committee President Jacques Rogge both have them. Emily Sawyer-Smith, a Cowichan knitter who has been making the sweaters for over 40 years with designs handed down from generation to generation within her family, knitted the Premier's sweater, which sports the Olympic rings flanked by maple leaves.

I think it would be a fitting tribute to our shared heritage and a worthy commitment to our shared future for the Cowichan sweater to be part of the Canadian Olympic team. They will march proudly into a west coast Olympics in an icon of Coast Salish culture, the Cowichan sweater.

Oral Questions

GOVERNMENT RESPONSE TO GANG VIOLENCE

C. James: West Vancouver Police Chief Kash Heed, a well-respected veteran, says it's time to have a serious public debate about a regional police force to fight gangs. But the Solicitor General says that Chief Heed was out of line, that his comments were unhelpful. Now we learn that even Vancouver Mayor Sam Sullivan thinks it's an important debate.

With gangland killings on the rise, why is the Solicitor General, who has no policing experience, attacking people like Chief Constable Heed without even listening to them?

Hon. J. Les: I want all members of the House to know that I am actually very proud of the initiatives that we've taken over the last several years to integrate police resources around the lower mainland. As well, I am very proud of the additional investments that we've been able to make in policing across British

Columbia. Today we have 900 more police officers on the streets of British Columbia.

Hon. K. Krueger: How many?

Hon. J. Les: An additional 900. As well, we have approximately 600 officers in British Columbia who are involved in integrated policing so that we can have seamless law enforcement in our province.

Mr. Speaker: The Leader of the Opposition has a supplemental.

C. James: I think the people living on the lower mainland would say right now to the Solicitor General that there's room for improvement. Chief Constable Heed is simply saying that the fight against organized crime and gangland killings requires a public debate about regional policing.

What is wrong with having a public debate and a discussion on the issue? It's a fair point, coming from a longtime veteran, but the Solicitor General said that he's simply out of line. What with gangland killings taking place daily, why is it out of line for a respected police chief to call for a debate and call for a discussion?

My question, again, to the Solicitor General: who should British Columbians trust — a police veteran who has experience in the field or a do-nothing Solicitor General?

Hon. J. Les: Well, the member opposite talks about regionalization. I guess that's amalgamation by any other name.

So I would like the member opposite to suggest.... Is she actually in favour...? Is she advocating for the police force from Burnaby being amalgamated with the city of Vancouver? Is she advocating that the West Vancouver police department should be amalgamated with that of the city of Vancouver? Are those the things that she's advocating? Is she advocating that the police force in Saanich should be amalgamated with the police force from Victoria?

That's what she's talking about. If that's what she's advocating, I'd like her to let this House know.

[1355]

Interjections.

Mr. Speaker: Members. Members.
Leader of the Opposition has a further supplemental.

C. James: I'd like to tell the Solicitor General that this side of the House is in favour of having a discussion about how to actually address gangland issues today in British Columbia.

Interjections.

Mr. Speaker: Members.
Just take your seat for a second.
Continue.

C. James: A gangster from Richmond known to police was gunned down in a restaurant last week. A crime boss and major player in the national drug trade was shot on a quiet street in Shaughnessy. Now two gang members were shot dead in a drive-by shooting in the middle of Granville Street. The police are calling it "absolute madness," and that's a quote from the police.

Will the Solicitor General finally admit that this government's strategy to fight gangs has to change? When will he start listening to people in the field, like Constable Heed, instead of attacking them and dismissing their advice?

Hon. J. Les: We have here another case of where the members opposite talk one tune on the one hand and actually talk about something else on the other hand.

For example, several years ago when we invested another \$122 million a year in policing, what did the opposition do? They voted against.

Interjections.

Mr. Speaker: Solicitor General, just take your seat.
Continue.

Hon. J. Les: We have in British Columbia one of the most advanced police information-sharing systems on the continent. We invested \$40 million in that program. What did the opposition do? They voted against that innovation. Every step of the way when we've taken progressive steps in British Columbia to lead the country in integrated policing, the NDP has been opposed.

L. Krog: I would have thought that with the number of people murdered in the streets of our province in the last few days, the Solicitor General might have taken a more serious approach to what the public actually sees as a serious issue. It's clear to the opposition that the government wants to make political points here today instead of talking seriously about something that is actually important.

Seeing as how the Solicitor General doesn't seem to care to take advice on this issue, perhaps he'd like to take the advice of a former well-known jurist in this province, who in 1994 said he believed it to be "imperative that a major crime unit be established for the lower mainland and for Greater Victoria so that intelligence and investigating information be shared."

That would be the present Attorney General.

It's very clear from Chief Heed's remarks and from Mayor Sullivan's remarks that it isn't working. So I simply ask the Attorney General today: will he step up to the plate and tell this House what he's going to do today to stop the gangland violence in the streets of the lower mainland?

Hon. J. Les: Well, I'm interested that the member opposite refers to the report from 1994. If my math is correct, I believe the NDP was in power for seven years

after that fact. What did the NDP do with that report? Nothing. Zero.

[1400]

When we came into office in 2001, we started putting in place the essence of that report, which was an integration of police resources. That is in place today.

Once again, they talk a tough line, but they did nothing.

Interjections.

Mr. Speaker: Members.

The member has a supplemental.

L. Krog: Well, I might remind the Solicitor General that it's not 1994. It's 2007.

The face of crime in this province has changed substantially since then. It requires a different response. It requires a real response. The fact of all these killings in the last few days proves that the government's response is not working.

Instead of turning our streets into real-life gangster movie sets with real blood and real bullets, I want to again ask the Attorney General what he's going to do today. Since the Solicitor General doesn't appear to be interested in doing anything, what is he going to do today to stop the crime on our streets?

Hon. J. Les: Well, once again, the hypocrisy of the members opposite is rather disappointing. Those members are all members of the federal NDP — every one of them.

In November of 2006 there was a serious bill in the House of Commons in Ottawa, which took away the option of conditional sentencing for serious crimes.

Interjections.

Mr. Speaker: He hasn't finished yet. Members.

Continue, Solicitor General.

Hon. J. Les: And what did the federal NDP members of the House of Commons do, Mr. Speaker? They gutted the bill. Members here today are again talking tough, but their federal cousins in Ottawa are gutting the very legislation that would help us and give us the tools that we need to fight this crime.

Interjections.

Mr. Speaker: Members.

M. Farnworth: I'd like to remind that former Liberal candidate — federal Liberal candidate — that the federal Liberal Party also voted against that. So he might want to talk to his federal cousins.

But let's get back to the issue at hand, hon. Speaker. The fact is that this minister seems to say, "Business as usual" — that we're doing all the right things. Well, tell that to the families of the victims who were killed in Surrey. Tell that to the parents who are concerned about their kids being sucked into gangland violence.

Tell that to the deputy chief of police of Vancouver, who this morning said: "We are overwhelmed with the number of people out there that are involved in drug trafficking and are involved in gun violence, and we probably need a look at the scale of what we've got in order to deal with the problem the way we've got, as they did in Ontario."

The need for more resources, hon. Speaker. Will the Solicitor General commit to this House and the people of this province that, while this government is sitting on a \$4.1 billion surplus, they will make the fight against organized crime and gangland violence a priority and get more resources on the street to fight this scourge and these thugs?

[1405]

Hon. J. Les: Well, Mr. Speaker, we don't need to make this a priority. We already have.

If the members would care to become informed on the issue, I'll just name a few examples of what we have done over the last several years. We have turned over all traffic fine revenue to the municipalities of British Columbia. That is \$58 million a year going to municipalities across the province.

We have invested, on top of that, another \$122 million a year in policing and hiring extra police resources across the province. As I said earlier, we've invested \$40 million in a world-class police information management system across the province.

It's not because we haven't invested. We have invested a lot of resources over the last several years, and the member opposite should know that.

Mr. Speaker: The member has a supplemental.

M. Farnworth: The minister says it's a priority. Well, it's so much of a priority that neither he nor any other minister in this government could be bothered to pick up the phone to call the federal Immigration Minister and have a deportation order on a known organized gangland criminal who is walking the streets of Vancouver on \$1,000 bail enforced.

In fact, the Attorney General refused to intervene. Is that an example of this government's commitment to fighting organized crime and gangland crime?

Hon. J. Les: Well, let me say that these are serious issues. The Legislature is probably a poor place to start making decisions as to what should happen with an investigation. I think we have police on the streets of the lower mainland and around British Columbia to do that. For a change, I would like to see that member opposite express some confidence in the efforts of the police.

POPE AND TALBOT BANKRUPTCY PROCEEDINGS

B. Simpson: The Minister of Forests has stated categorically that he's had no discussions with Pope and Talbot about the release of private lands from the tree farm licences. Last week in this House he stated:

"There has been no release of private lands from tree farm licence 23." No discussions, no releases — pretty clear.

I'd like the minister to explain to me, then, why his signature is on a private land release from tree farm licence 23, dated February 26, 2007, of this year. If there have been no discussions and no releases, why did he sign a release in February of this year?

Hon. R. Coleman: The member asked some questions in the Legislature with regards to some information that was inside a filing of the courts. I told the member I had had no discussions with Pope and Talbot with regards to that, and I had not.

Mr. Speaker: The member has a supplemental.

B. Simpson: My response to the first answer is: huh?

In the 2006 annual report Pope and Talbot indicated to their shareholders they were in financial trouble. They were planning on selling off some assets. On February 26 the minister released private lands from tree farm licence 23 so that they could sell some private assets. There must have been some kind of discussion go on there.

On April 19 the minister admitted in estimates debate with me that he had had a discussion with a senior VP of Pope and Talbot about the state of their business. In September, Pope and Talbot listed their private lands for sale. In October the CEO told a court in Ontario they were sold.

My question to this minister.... The facts are clear. The chronology is clear. If he is crystal-clear that they do not have the right to sell those lands, will he commit today to write to the court in Ontario and state, on behalf of British Columbia, that they do not have that right and that they're to withdraw those lands from their affidavit?

Hon. R. Coleman: First of all, we intervened on Thursday in the courts in Ontario to have those proceedings moved to British Columbia to protect the interests of British Columbia. The member doesn't like to hear this.

[1410]

Interjections.

Mr. Speaker: Members.

Hon. R. Coleman: Because I said in estimates I had a discussion with a company with regards to the state of their business, you think I actually had a conversation with something you want to draw a parallel to, which is contained in some court filings with regards to an application that hasn't reached my desk. You can go ahead and draw whatever parallels you want, hon. Member.

The fact is — to the member — that's not related to the same conversation, and you know it. You know that, hon. Member, but you always want to twist something, because that's the only way you can get to somewhere to find out the actual facts, and the fact is this.

The facts are clear. This is clear. They are allowed to make an application. They've made an application. Nothing has come to my desk with regards to the ones the member has brought up in this House in the last week or ten days.

K. Conroy: It's interesting, because as of this morning there's absolutely no sign on the website for the bankruptcy that the minister or the ministry has put any documentation forward. So that's very interesting.

Pope and Talbot have sought bankruptcy protection. We are talking about what's at stake here — over 1,800 employees, hundreds of contractors and local businesses, the future of dozens of communities and 2.7 million acres of public land.

To the minister: what permission did Pope and Talbot have from the Minister of Forests to put their public forest lands up on an auction block in the court of Ontario?

Hon. R. Coleman: Maybe I'll just clarify for the member opposite from Cariboo North, first of all, that there was a request for 65 hectares removed, the removal to deal with some tailing ponds with regards to a tree farm licence by Pope and Talbot — nothing to do with what this member here is asking about...

Mr. Speaker: Through the Chair, please.

Hon. R. Coleman: ...with regards to the filings in Ontario. The fact of the matter, Mr. Speaker, is this. There has been nothing come to the desk of the minister making any recommendation whatsoever with regards to the lands that the member refers to in the filings by Pope and Talbot in the courts of Ontario. The fact of the matter is that they can't sell those lands unless they come out of the TFL. They're not out of the TFL. There's nothing on my desk with regards to it, and no recommendations today.

C. Evans: You know, hon. Speaker, I have known or met and often argued with Ministers of Forests all the way back to Ray Williston, and we used to argue about what the public interest is.

This minister has performed a miracle. He's made me nostalgic for Social Credit. Even the ones I argued with understood public land and public interest, and they got that job to defend the public interest.

I went to a meeting a couple of nights ago in Nakusp — 150 loggers, every single person in the room or a member of their family a logger. The mayor called the meeting. She said to them: "How much do you think you're owed?" It looks like it could be \$5 million just for the people in the room in the arena that night.

They asked me, through you, hon. Speaker, to ask the "Minister of forest dissolution" whether or not he would agree that the wood in the water and on the landings, which they produced by their labour, will be frozen and put at auction to pay their wages and that Pope and Talbot doesn't haul a single stick to the saw-mill until they get paid.

Hon. R. Coleman: I had a conversation with the mayor of Nakusp today, at length, and went through some of the processes with regards to that municipality and gave her a connection back to community services. I should also tell the member this.

Member, when they go into CCAA, the assets are frozen with whoever owns them at the time. The fact of the matter is: it's not that somebody can walk up and say that that piece of log can't go somewhere if it's already an asset of that company. It is under federal legislation with regards to that. It will go through the process it has to go through with the courts, and we actually don't have the power to step in and do what the member just described.

Mr. Speaker: The member has a supplemental.
[1415]

C. Evans: Yeah, hon. Speaker. Is "nonsense" parliamentary? Can I say "nonsense"?

According to the March 1, 2000, tree farm licence between the minister and Pope and Talbot, it says that if Pope and Talbot breaks the terms of the licence, then all the wood belongs to the Crown. They can't haul a thing.

Section 18.03 says: "If the licensee" — that would be Pope and Talbot — "commits an act of bankruptcy, makes a general assignment of its creditors or otherwise acknowledges its insolvency, the licensee is deemed to have failed to perform an obligation under this licence."

So my question to the minister is.... Now that they have done all three of those things, you have the right to claim that they are out of contravention and take back the licence, take back the logs and auction them off.

Has the minister informed Pope and Talbot that they are in contravention of the TFL, which is a right to harvest public land in the public interest, and to pay the loggers back?

Hon. R. Coleman: You're right. The section in the act does exist. They are in CCAA. They are not in bankruptcy. They are not in receivership. So they have not yet stepped over that line to where I could act under the act.

REORGANIZATION OF CHILDREN AND FAMILY DEVELOPMENT MINISTRY

N. Simons: In 2001 the Premier promised. He said that he would stop the endless bureaucratic restructuring that's drained resources from the Ministry of Children and Families. But the very next year he cut 23 percent of their budget and announced the creation of regional authorities. Then if that wasn't enough, the Premier imported a new deputy minister to undertake a so-called transformation of the ministry's services.

Will the Minister of Children and Family Development confirm that, in fact, regional authorities have now been dumped after six years of wasted money, wasted resources and wasted staffing time?

Hon. T. Christensen: I'm not sure where the critic for the opposition has been, but if he'd been watching over the course of this last year, he would note that we have actually created an interim authority here on Vancouver Island. He would also be able to note that we've created an interim aboriginal authority for the Fraser Valley.

Both of those steps forward are part of a very collaborative relationship with aboriginal people in this province, with aboriginal service providers, to find a means to reverse the historic trend of far too many aboriginal children in this province being in care.

Mr. Speaker: Member has a supplemental.

N. Simons: At no point in my question did I mention the regional aboriginal authorities. I'm talking about the regional authorities that were the original plan of this government, which have failed after six years and after millions of dollars.

I'm asking the minister again. If he wants to talk about regional aboriginal authorities, let's save that for another day. But for now, what about the regional authorities that have obviously failed from the start to the end? What is the minister going to do about that, to explain that to the people of British Columbia?

Hon. T. Christensen: We are committed to regionalizing the delivery of services by the Ministry of Children and Family Development. We have established regional directors of child protection in all five regions of the province. We're in the process of continuing to consult with communities to determine how we can ensure they have an effective engagement with our ministry offices so that we can have a community approach to better serving children and families.

Let's look at the progress that we've made over the course of the last seven years. Let's look at the fact that in the Prince George area, for example, we have 38 percent more front-line child protection workers than we did at the end of the 1990s.

Let's look at the fact that in the last two and a half years alone, we've doubled the number of family group conferences occurring. We've doubled the amount of mediation occurring. We've increased the amount of family development response, all in an effort to be working better with families to ensure the children are protected.

[1420]

M. Karagianis: Mr. Speaker, the chaos in the Ministry of Children and Families continues on and on. The deputy minister was brought in on a special assignment here to reorganize, transform the ministry. One of the major parts of this was going to be regional authorities to be created. This was the Premier's big plan.

Leaked documents have now shown that in fact, that whole plan has been scrapped — another one of the flavours of the day of the Premier now on the dustbin. The documents we have read also say that the potential costs of this reorganization, which has been going on for five years, were never established.

My question is.... After five years, the B.C. Liberals have poured time, money and staff into a reorganization plan that's now being scrapped. Who is responsible, and what is the government going to do about this waste of money?

Hon. T. Christensen: Let's look at what we've done over the last five years. We've doubled funding to children and youth with mental health issues in the province, something that was ignored for a decade under the NDP in this province. We've more than doubled the funding to support children and youth with special needs. Over the last two years, the budget to provide services to children in need of protection and other family supports has gone up by over \$164 million.

This government remains committed to working with our community partners, to working with our service providers, to working with all British Columbians who are interested in improving services to children and families.

[End of question period.]

B. Simpson: I reserve the right to raise a matter of privilege.

D. Hayer: I seek leave to make an introduction.

Mr. Speaker: Proceed.

Introductions by Members

D. Hayer: We have a second set of students from my constituency, grade 5 students from Surrey Christian elementary school. They are from the riding of Surrey-Tynehead. Along with them are their teachers Ms. Jackie Hofstede, Ms. Janice MacDonald and Kara Bisschop. Would the House please make all the students, their parents and volunteers very welcome. They're here to learn about the government.

Tabling Documents

Hon. W. Oppal: I have the honour to present the Public Guardian and Trustee of British Columbia's annual report for 2006-07.

C. Evans: I'd like to present a petition.

Mr. Speaker: Proceed.

Petitions

C. Evans: I'd like to present a petition from 150 logging families in Nakusp asking that they be paid before their tree farm licence is sold.

Hon. R. Thorpe: I'd ask all members of this House to join me in celebrating the 63rd birthday of the member for Peace River North today.

Orders of the Day

Hon. M. de Jong: I call continued second reading debate on Bill 43.

Second Reading of Bills

GREATER VANCOUVER TRANSPORTATION
AUTHORITY AMENDMENT ACT, 2007
(continued)

On the amendment (continued).

M. Karagianis: I stand here today to actually speak in favour of the hoist motion that was placed before the House just before the break. I would like to speak to that. [1425]

To begin with, I'd like to talk a bit about chronology in support of this hoist motion, because I think it's important for us to look at all of the foundation that takes us today to a place where the opposition is compelled to ask for a hoist on this bill.

[H. Bloy in the chair.]

If we look back several years to June 1998.... At that time the NDP Transportation Minister, Ms. Joy MacPhail, introduced legislation to create the Greater Vancouver transit authority, more commonly known as TransLink. That was back in 1998.

Interestingly enough, in the debate on the introduction of that legislation, the then Leader of the Opposition, who is now Premier of the province, said that he in fact supported the creation of TransLink. He called for legislation that would protect the autonomy and independence of TransLink from provincial interference.

I think this is an important piece of information because it speaks to the incredible transition we have seen since 1998 until we stand here today debating Bill 43. If we look at what the now Premier, then opposition leader, had to say here, he was very specific about the need to protect the autonomy and independence of TransLink from provincial interference.

Here we are a decade later, and we see that the Premier and the province are doing the absolute opposite of that. Everything within this bill speaks to taking away the autonomy and independence of TransLink and imposing upon it enormous provincial interference.

If we look at 1999, TransLink was launched then. We move forward now to January of 2004. The now Minister of Transportation actually began to foreshadow the bill we see before us as early as January of 2004.

He said in those early days when he was appointed Minister of Transportation.... He promised to direct major transportation investments towards his own community of Surrey. So already, in the very earliest days of this minister's term as the Transportation Minister, we immediately see the inklings of the change in policy towards TransLink.

Even in those early days back in 2004, the minister began to foreshadow the need for the twinning of the

Port Mann Bridge. A few months later on May 7, 2004 TransLink — the duly elected and democratically represented TransLink board that had been put in place in 1998 — votes, in a debate, against the construction of the Richmond-Airport-Vancouver transit line, commonly known as RAV, which has since been called the Canada line.

Very interestingly, back in 2004 TransLink votes against this. I think it's really important for us to follow the chronology of this because what we'll see through this is the demise — the slow dismantling by this government — of the very foundations of TransLink, which leads us to the inevitable conclusion that a hoist is the only possible outcome for this bill at this time.

If we look back, TransLink votes against the construction of this line. Their reasons for the opposition included the project's high cost, the fact that the regional priority for rapid transit was the northeast sector and, interestingly, the Minister of Transportation's insistence that it proceed as a public-private partnership.

The duly elected, democratically represented TransLink board decided in 2004 that a number of criteria were not being met in their strategic plan for TransLink, and so they voted against it. It's very interesting because from this we begin the genesis of the series of events that followed with this particular Minister of Transportation.

[1430]

On June 18, 2004, TransLink, again in debate, votes against the construction of the Canada line. Very interesting. We see TransLink, this duly elected and democratically represented board, making decisions for their communities based on their understanding and knowledge of their own livable region strategy and municipal planning process, and they vote against the Canada line.

Four days later the Minister of Transportation announces a plan to twin the Port Mann Bridge, with the declaration of a \$600 million expenditure — which, coincidentally, has now ballooned to \$1.5 billion, of course. But I guess that will be a discussion for another day, because in fact, that had nothing to do at that time with the dismantling of the TransLink board. Or maybe we'll find out later that it may have.

The following day, following TransLink's decision to vote against the Canada line a second time, the Minister of Transportation states, and here I want to quote: "I would be dishonest if I didn't tell you that my confidence in TransLink's ability to make regional transit decision has been severely shaken."

Isn't that interesting. This is a duly elected, democratically represented TransLink organization representing municipalities across the Greater Vancouver regional district, and the minister has lost confidence in their abilities because they don't like the project that the minister has proposed.

Is this the inkling of a bit of a grudge match that we're going to see? One would have to speculate that that's possible. Interestingly enough, even at that discussion on June 23, 2004, the minister suggests that he would support a governance model with unelected officials.

Well, bulletin. There we have it. Back in June 2004 the minister foreshadows the process that he is going to pursue of slowly taking apart TransLink, discrediting TransLink and then following the model that he prefers, which is unelected officials.

I think that chronology alone, in 2004, speaks to the need for us to hoist this bill and to have a closer look at both the history that's led us here and, certainly, the components of the bill, which I will get to shortly.

It's very interesting that not too long after the minister speculates on the idea of a governance model that's represented with unelected officials, we have the B.C. Chamber of Commerce — and I don't think any of us are under any illusion about the close, friendly, chummy relationship that the B.C. Chamber of Commerce and the government have — beginning to mirror exactly the same comments as the minister.

I don't know who planted the idea in whose head, but certainly, we then see the Chamber of Commerce coming out and talking about the parochial interests of the duly elected and democratically appointed board of TransLink, and we have now some speculation.

We have a number of speculative comments beginning to drift out there — beginning to pour a little rumour into the public ear, shall we say. Governance model that doesn't work. Parochialism. Immediately we begin to see where this is going to take us. All of the basic structure and skeleton of this bill were apparent years ago.

We move forward. In June 2004 TransLink, for a third time, votes on the Canada line, but this time, under great pressure, they begin to tentatively give approval for the project. And why not? The minister has speculated out loud about their competence. They've got their friends at the Chamber of Commerce now talking about what a parochial board this is, and they are being subtly forced to shift their opinion.

That's fine. It's up to the government to try and get their pet project on the table, and we can see how aggressive this government often is on getting their pet projects up and running. So it's no surprise that they force-fed this to TransLink.

In July 2004 the GVRD board — which is, of course, very closely linked to the pre-existing TransLink board — asked the province to hold off proceeding with the Port Mann Bridge until environmental assessments could be performed. One of those pesky environmental assessments popping its head up again. I'm sure the minister couldn't have been any too happy about that.

On December 1, 2004, TransLink finally officially capitulates and approves the Canada line. I'm sure we'll have lots of time in the future to talk about the Canada line. Of course, we know that it has gone over budget, over time, closing businesses down, and there's lots of evidence here about the political shambles that this has created for the government.

[1435]

Let's go back, though, to the dismantling of TransLink. On December 3, 2004, the minister calls TransLink parochial. Now here again we have this coincidental use of language, using similar language to his friends over at the B.C. Chamber of Commerce. He

calls TransLink parochial and the Canada line debate disturbing and circuitous.

How could we ever stand for that? The democratic process is a bit circuitous. It is often a debate, it is often raw, and it is often a conflict of mutual interests around municipal representation, around a board like TransLink. You bet. It is probably a very disturbing process for the minister to watch, because he's already said he'd lost faith in their ability. They voted against his pet project, and he'd lost faith. Now he's suggesting that somehow the natural debate process....

We go through it here all the time. We debate very strongly, very aggressively, very energetically in this House every single day. That is disturbing. That is certainly a disturbing part of the democratic process. If everybody could just knuckle under to what's being presented to them, I guess we wouldn't have any disturbing and pesky debate. But it is a process, and you bet. It is lively.

Very interestingly, the Transportation Minister.... He doesn't like it. This whole debate on the Canada line, his pet project.... They turned it down a couple of times. They finally capitulated under pressure, and he was not happy with the process because it didn't happen at his first request.

He suggests the province may take over the TransLink board — December 2004. In fact, we already see the intent very clearly. This government intended then to take over the TransLink board, to dismantle it, to run it according to their own desires and policies.

For that very reason, this bill needs to not only be hoisted. This bill needs to be thrown out. Let's hoist it forever.

Then we go on to talk for the next couple of months, and the minister continues to move us towards this new model. In March 2006 the minister announces the creation of an independent governance review board. Now he has taken it upon himself to not only discard the rights of the democratically elected TransLink board that was in place. In fact, now he's calling for a governance review panel. He's so angry that they dared to twice turn down his Canada line project that he now has to have some independent governance panel.

No doubt there was a certain amount of support around the region for that. You bet. Always, at the municipal level, municipal government is prepared to say: "We are open. We are transparent. We are prepared to have you examine our governance."

Absolutely. I don't doubt that there was all kinds of compliance at that point. But the minister states very openly that after eight years, it's time to examine the current governance structure to determine whether this is the right model to maintain public confidence.

These are duly elected municipal representatives that sit around this board, yet the minister is questioning the right of this board to govern and whether it's the right model. Of course, we've already seen....

The minister has been foreshadowing for years the kind of model that he wants — a new governance model that does not have elected officials, that's not so parochial, that doesn't spend so much time debating

issues and that doesn't vote against the government's pet projects.

We see the minister then begin to put this together. So he puts together a panel made up of.... I'm sure it wouldn't take very much to look at the credentials of those original panel members — all very government-friendly people. No doubt in my mind whatsoever. In fact, one of the members of that original panel was even a huge contributor to the B.C. Liberal Party.

You know, those things happen, don't they, hon. Chair? They happen when you're in the world of governance, when you're starting to look at how you take apart a duly elected, democratically represented board and put in place something new, something profoundly different, something profoundly disturbing. Then you absolutely need to have some friends and comrades carry that out.

[1440]

I see very clearly here the path of destruction. On March 9, 2006, the minister said the governance review was necessary because TransLink has become parochial — again this word "parochial." That's what we call representation by municipal leaders standing up for their community, representing them in a collective body like the GVRD or TransLink. We call that parochialism in this House, rather than democratic representation — fair and just democratic representation.

However, the minister says that the board has become parochial. It was responsible for the political fiasco that nearly stopped the Canada line. Yes, you're right, hon. Speaker. They voted against the Canada line — not once, not twice. Only on the third time did they begin to capitulate. Yeah, absolutely.

We see the minister categorizing this as a political fiasco. "That darn representation of the public by elected officials is a political fiasco." Again, he says that the organization lacked expertise — a group of mayors, many of whom are running huge multi-billion-dollar municipalities very effectively, very efficiently. Many of them have been elected over and over again because the public had great confidence in their skills and abilities to run a municipality.

But the minister is saying: "They voted out my favourite project a couple of times. I'm really tired of the pesky debate that has to occur in the democratic arena. It's parochial, it's getting on my nerves, and — darn it — it lacks expertise."

They've only been running communities all over the lower mainland for years and years, Somehow, for the minister, he wants more. He wants something different.

Let's go back to what he said in June 2004. "We should have a governance model without unelected representatives." So there we have it. The minister has still got blood in his eye for this pesky democratic process that is too parochial in representing the constituents of the lower mainland and their transportation and transit needs.

April 2006. As we move closer to the date, the minister says that the debate over the Canada line has been conducted in a circus sort of atmosphere and that you've got people opposing it for reasons that are not even remotely connected to the merits of the project.

Well, that would be in the eyes and views of the minister, not necessarily the mayors — the duly elected municipal representatives who sat around that table and discussed at great length, as they should, the pros and cons of investing in the Canada line. They debated it hard, they debated it long, they debated it thoroughly, and they did their duty to their constituents, as they should when spending the taxpayers' dollars.

We have the minister here saying that it was a circus, that they were not looking at reasons that were remotely connected to the merits of the project. Well, I don't know what those would have been.

You know what? I sat at the municipal table. I sat there for nine years, and I know that when major projects came forward, you debated them thoroughly because it was the taxpayers' dollar out of the taxpayers' pocket that you were spending, not some endless, bottomless Treasury Board pit of money that will just keep flowing — taxpayers' hard-earned money, property taxes scraped together every single year to pay into the coffers of municipalities.

That's what you are doing. You are taking money out of people's pockets, and all of those discussions on how it's spent should be long and arduous and thoughtful and respectful. I don't see that happening here. As the minister says, it's all a circus — people opposing it for issues that are entirely parochial and backyard politics in nature.

Let's examine what that could have been. Oh yes. "Is my community, my municipality going to get good value for the tax dollars that we are taking from their properties every single year, out of their pockets? Is my community going to get good value?" That's what municipal representatives at that table were arguing, as they rightly should.

As the minister, unfortunately, couldn't sell his project right off the top, they voted against it a couple of times. "You don't like my project? Well, aren't you parochial? Aren't you just wasting our time here, defending your constituents and their tax dollars, when I've got this pet project that I want to move forward?" The minister undermines the nature of that very legitimate debate that took place.

[1445]

I know we've had some laughs in the House over the minister's comments on May 12, 2006, where he ruminated on the Chinese governance model. I know there was a lot of laughter here in the House about it, but in the grains of humour is always, of course, truth. Is there something Freudian in this? It was clever off the top, but where did that come from?

Interjection.

M. Karagianis: No conspiracy theory, as the minister is calling out — nothing of that nature. I'm saying that this is a completely Freudian statement that popped out of the minister's mouth in a moment of jest, which we are seeing play out here. We are taking away all democratic rights in Bill 43 — all democratic rights for the constituents of the lower mainland to have their elected officials sit at a table and make the decisions

about how their tax dollars are going to be spent on their transit system.

We are actually moving to this great Chinese model that the minister so wittily and Freudianly slid into his comments. On that basis, we are here supporting this hoist motion because, in fact, this model of governance shouldn't be a Chinese model. This governance model here needs to be about a more democratic, more fairly represented, more open and accountable representation to the taxpayers of the lower mainland.

Let's get past the minister's jest about the Chinese governance model that he has insidiously planted in many parts of this bill, and let's get on to September 22, 2006. As we move closer and closer to the current date, the GVRD board votes against twinning the Port Mann Bridge on the basis that it is inconsistent with their livable region strategy.

This is the second pet project the minister has taken before TransLink. I can only imagine how annoyed he must have been to have his second pet project voted out by this group. So what happens? The minister dismisses the vote as inconsequential.

We have all of the groundwork here for what we've seen. We have a minister speculating out loud for a number of years on how annoying and irritating the democratic elected process is in getting in the way of his pet projects. We have him talking about how governance should be run by a bunch of unelected people, because then you wouldn't have all those pesky debates where they represent their constituents. Now we have him dismissing outright the vote of the GVRD board against his second pet project.

On March 8, 2007, the governance review panel that has been put in place, this handpicked group of individuals, one of whom contributed \$32,300 to the Liberal Party in 2001 — a close, good, inside pal, one of the many people on this governance review panel.... They released their report called the TransLink governance review. It proposes — and wait for this; this will be just a shock to everybody, I'm sure — eliminating the elected board and replacing it with a board of appointed professionals.

Does that surprise us? Absolutely not. We have seen the government for three years speculating about how they can get rid of the municipal representatives on this board so that they can move ahead. Now they have a governance board which has fulfilled exactly that.

Interestingly enough, the minister then promises that the province will not be appointing these professionals. Remember that as well, hon. Speaker. The province will not be appointing these. Yet you know what? We see the province's fingerprints all over every bit of the next piece of this work.

We move on, then. In April 2007, Bill 36 is introduced. The Greater Vancouver Transportation Authority Amendment Act is introduced in the Legislature. I will have to give some breadth here for a bit more discussion, because I'm sure that anybody reading the debate right now or listening to the debate says: "Well, you're debating Bill 43. What is this Bill 36?"

It's again one of these interesting little conundrums, because in fact the original legislation, Bill 36, was

introduced. But that's not what we're debating here. That sat on the order paper for the spring session, in limbo through the summer, but was yanked in this fall session and replaced with another bill. I have some theories on some of that, which I'm sure we'll discuss as we move through this debate.

[1450]

We have the bill introduced. Of course, it's got all the things that we've had the minister speculating, hinting and promising for years. They're all in there. It reflects the governance panel's report but goes further in creating a new screening panel that will effectively appoint the new professional board.

Screening panel. That would be doublespeak for "The government's hands will be all over this thing," despite the fact that the minister said that government will not be appointing these professionals. The screening panel — that's the code for "The government will have control over this."

We know, as we've had the debate here for some days now, that the screening panel would consist of the board of trade, the Gateway Council, the chartered accountants — we needed them just to try and weed our way through the unbelievable intricacies of the funding formula; I think we needed all the chartered accountants in order to do that — and the Minister of Transportation.

Oh, wait. Didn't the Minister of Transportation say here earlier, in March of 2007, that the minister promises the province will not be appointing these professionals? Oops, there we are. We're there in the screening panel. The minister is going to have some considerable sway over who's appointed.

It's very interesting that in April of 2007 legislative reporter Vaughn Palmer, on his show, actually said: "Okay, replacing the elected board with a corporately appointed board might be a good idea." He speculated that. "It might be a good idea." I personally don't think so, and I'm happy to have that debate with him anytime.

The next day a GVRD staff report argues that in fact, it's not a good idea. Staff comes forward from the GVRD.

Let's get back to the facts and the reality here. It is their duty to represent their constituents, whose tax dollars are paying for this, whose hard-earned money is coming out of their pocket and out of their household to pay their taxes.

It is the right of those mayors, councillors and people appointed to that board to fight long and hard and to debate thoroughly, thoughtfully and intelligently on how that money is spent. It is their right. It is, in fact, their duty as elected officials to protect the taxpayers' dollars and — certainly, in the setting of the GVRD or any other collective that's been built out of elected representatives — to argue long and hard.

Staff comes forward and says that in fact, this model is not a good idea. It points out that there's no evidence of parochialism at TransLink, contrary to the minister's claims, and that the governance makeover proposed by the government will result in less, not more, accountability — less accountability, not more.

It also raises the questions about corporatism. It states: "The whole concept of what is considered to be

politics and democracy versus what is considered to be business may be under reconstruction."

Those particular words are the most prophetic of all. In fact, that is what this bill and this debate are about, and that is what this hoist motion is about. The whole concept of what is politics and democracy versus what is business is being reconstructed, because we are in a position of seeing a government remove the politically, democratically elected representatives right out of the picture and supplant that with business interests, business professionals and business expertise.

You can dress it up any way you want, but they are not elected. They are not responsible to constituents. They have no accountability whatsoever to anyone. They only need to speak with themselves. They don't need to consult. They can't be elected. More importantly, they cannot be unelected if people do not like the way they are running this.

That is at the heart of what is going on here. In fact, we are seeing a reconstruction here that is so significant that I urge this House to support this hoist motion, because I believe that a larger discussion needs to take place in this province about this shift of allowing business interests and non-elected boards to do the business of government.

In fact, if we allow this to happen here, we are not only on the slippery slope. We are over the edge and flying down the slope of losing governance and democracy here in the province. I know that the government laughs about this. They think this is really hilarious.

[1455]

Deputy Speaker: Thank you, Member.

M. Karagianis: I am the designated speaker, hon. Chair.

I know that the government thinks this is quite humorous — all this talk of democracy and all this talk about how disturbing it is as we move towards this new model. But in fact, this is a very serious discussion.

Interjections.

Deputy Speaker: Members, will you please allow the member for Esquimalt-Metchosin to have the floor.

M. Karagianis: I think that this is the most important discussion we may be having in this House at this time and maybe in this entire session. What is happening here is a monumental shift in thinking that will allow us, then, to use this new model, this proposed model of unelected representatives, to actually run the business of allocating taxpayers' dollars to projects for transportation and transit.

If we allow this shift of taking it out of the hands of elected officials and putting it into the hands of business experts, this will be a model that I think is a prototype for everything across government. You could make an excuse and an argument that everything in government could be run that way.

Why would you need to have a Legislature? You could just have a bunch of business experts run the province — right? Let's do that. Let's not have....

D. Chudnovsky: Directly, rather than indirectly, the way it is now.

M. Karagianis: Directly, rather than indirectly.

Deputy Speaker: Member, please direct your comments through the Chair.

M. Karagianis: Yes, thank you very much, hon. Chair.

When we look at the history of what has brought us here, I think it's important for us to say that we are going to take a strong position now, that we will hoist this bill and have a broader discussion about whether or not it is appropriate for us to remove democratic representation from the taxpayer and instead supplant that with a new business model — a group of business experts that could be appointed by anybody, anywhere, anytime, for any purpose, or that government certainly has a huge, huge play in.

I will go back again to the minister's comments on March 8, 2007, where he promised that the province would not be appointing these professionals. Their hands are all over how they are being appointed.

Not only that. They have then gone even further, because the structure of this Bill 43 — the entire structure of it — is so insidiously undemocratic that it occurs to me that this, in fact, may not even be legal. Bill 43, in reality, may not be legal. I would question whether or not we can actually pass a legislative bill that is illegal in its essence, that creates illegal acts.

I turn to a story that ran here in *The Province* just recently that speaks very strongly to exactly what I'm saying. This appeared here under the title "New TransLink Board Seen as an Erosion of Democracy."

We have Prof. Patrick Smith at Simon Fraser University, who says, "Democracy will be the loser when the province changes how TransLink is run. Legislative... Bill 43, which turns the Greater Vancouver Transportation Authority into the South Coast British Columbia Transportation Authority, resumes next week" in the House. This was last week. "Smith objects to the 'erosion of local democracy' represented by the proposed nine-member board of industry professionals that will run TransLink."

He goes on to say: "The new appointed board will be able to raise property taxes, change taxation classifications, accumulate property and run its own police force."

If that doesn't sound like the beginning of a banana republic, for one thing.... Spooky enough. But without wanting to be too facetious about this, I am very concerned about the legality of these actions.

Interestingly enough, in the further comments in here Patrick Smith says that the new board fails the democracy test — right? It is designed to have the Transportation Minister's agenda move ahead with the fewest hiccups.

[1500]

We know from the history going back here that the minister himself was very disturbed when that pesky

old democratically elected board on TransLink — representing their taxpayers and their taxpayers' dollars fairly, ethically, thoroughly, thoughtfully, intelligently — deemed that they wanted to reject a couple of the minister's pet projects. He then began to plan to dismantle this and supplant it with a business model that would be handpicked.

Further in this article we have municipal legal expertise in the form of Jonathan Baker, who's also very critical of this. "I think it fails the administrative test," said Baker, a lawyer and former Vancouver city councillor." So he has both legal....

D. Chudnovsky: And no friend of the NDP.

M. Karagianis: And no friend of the New Democrats, absolutely.

This is an individual who's a lawyer, a former municipal councillor, and says: "I think it fails the administrative test. It seems outrageous that you have an appointed body doing that sort of thing. It seems to me the public should have the right to vote out of power someone who levies a property tax if they don't like it. Didn't someone once say that taxation without representation is tyranny?" That's from the *Vancouver Sun*.

I would say that in this hoist motion, one of the serious considerations that we should be discussing and thinking about here and that should affect a vote in favour of this hoist motion is whether or not these actions in this bill are legal. I would have to say that they are probably not morally and ethically supportable, and I also believe that they are not legally supportable.

We've talked here about the minister's and the government's systematic pursuit of the dismantling of the TransLink board. It happened over a number of years. It was foreshadowed for a very, very long time.

Despite the fact that the Premier himself, when in opposition, said that you should not ever allow the autonomy and independence of TransLink to suffer from provincial interference, we have the government doing exactly that. You have to wonder about the saliency of what the Premier said in opposition versus what he is doing now. That in itself is quite disturbing.

We have here a group of communities who have gone through decades of work in planning their own livable region strategy, planning how transportation infrastructure would be expanded, where the priorities were for the next leg of expansion — for SkyTrain, for bus routes, for growth into their communities, all of that carefully planned.

Having sat at the municipal table, I know that when you do these regional growth plans, they're immensely important. Based on that plan is how communities go forward and do their land use planning, because one aspect cannot be done without the other. You cannot have your transportation infrastructure and your transit being planned without an understanding of your land use. In fact, those are two pieces of a very, very intricate puzzle, which need to be balanced at all times, because where you propose to put your transit expansion

sion and your transportation infrastructure, there will be growth of your community.

Those things are very carefully discussed around a regional district table. I know that the regional growth strategy done in the lower Island here has been for many years the genesis of the growth that's occurred in the Western Communities. We are now grappling with the lack of infrastructure planning around that growth and trying to stay ahead of it. Certainly in the GVRD, it is even more imperative that the regional plan that's been laid out for ten years or longer be a very specific and important component in the discussion on transit expansion.

In fact, now what we have is the livable region strategy thrown to the side. This document has been kicked to the side and is no longer a part of the consultation process proposed for this non-elected, non-democratic, appointed board of business leaders.

Nowhere in there is there any expectation that that board will have to use the livable region strategy and the municipal framework that's been established for over a decade as the very basis for their planning — nowhere in here at all. In fact, much of the language that we see in this bill moves away from that completely.

There is a continued reference to some kind of superficial consultation, but absolutely no directive anywhere in this bill that says any of the work that's gone previously, any of the work done by the municipal leaders, any of the work that's been done by TransLink in their own planning up to this point needs to be adhered to, needs to be respected, needs to be the backbone of this new body.

[1505]

That in itself is disturbing enough. It means that all of the work that communities have done in planning their own future has now been relegated to the back burner.

What is going to replace it? Well, we don't know. There is no clarity here whatsoever on what the intentions, the plans or the long-range vision is of this new, non-elected, non-democratic, appointed board.

What are their goals going to be? Well, if you look at the membership of this board, I think first of all you will see very clearly that on this board.... We have recommendations that have come from the board of trade, recommendations that have come from the province, recommendations that have come from chartered accountants, recommendations from the gateway and one lone token representative from the mayors' council.

They will sit there, and they will develop the recommendations — 15 members, nine of whom will ultimately be chosen to run this new body. Based on those recommendations, do we see the kind of expertise that we were promised?

Let's look back. The minister has said all along that we need more expertise. All of these municipal leaders, despite their capacity to run very efficient and effective huge multi-billion-dollar communities.... Somehow their expertise is just not of a depth that's required for this new TransLink model, but the expertise that these business-centric appointees will bring is all that's needed.

I would say there is a complete lack of expertise at this table. Again, that is one more reason to support this hoist motion.

In a time of climate change, in a time of immense complications in how municipal planning is going to be in the future — based on directives that we have from the provincial government and some moral directives that many of us have in our own lives about creating a smaller footprint, living a smaller life, getting out of our cars more often.... A whole shift, a whole paradigm shift in thinking, a social shift is occurring here. I don't see any of that reflected in what is basically an old-school model of a board.

This really harkens back to the old models, where you get a few prominent business leaders and because they're chartered accountants or they're on the board of trade, that gives them all the expertise they need. That makes them suddenly experts in transit, climate change, land use planning — all of the very complex things that go on every single day in the social hub of a metropolitan city. Suddenly a business leader has that expertise.

Frankly, I've met a lot of business leaders in my life. Often they have great skill and acumen in their own area of interest and expertise. But I've rarely met many business people who are complete Rhodes scholars, where they know all things about all complex projects, everything about running a metropolitan centre.

I think that is why you have planners, administrators and engineers in municipalities — lifelong, career-based expertise. That's where you get true expertise. You can tap into experts like that, but you will not get those from a handpicked board whose goal is completely different than what elected officials would be.

First of all, the membership and this reliance on some evasive expertise from this board do not give me any comfort whatsoever.

Now, let's look at what this group is going to be tasked with. As soon as they're appointed, regardless of any expertise they might have in transit and transportation, they are immediately going to embark on a 30-year strategy.

They are going to develop a 30-year strategy without considering in any way, without the reliance, without the backbone of even the livable region strategy and all the other work that municipalities have been doing for decades to get to the place where they are now determining their own future for transportation infrastructure expansion.

[1510]

That's all being taken away from them. Instead, this brand-new board of business leaders is going to put together a 30-year plan. That is an extreme move. That is the kind of move that would take even the mayors sitting around doing a strategy an enormous amount of time to come up with a 30-year long-range plan.

I would bet that in their livable region strategy, there are probably all the seeds of a long-term plan. However, we are going to see this new governance model put in place a board that immediately embarks upon a 30-year plan that will commit the lower mainland to the vision of this group of individuals —

non-elected, non-representative, not accountable to the public.

Nobody can unelect them for doing a bad job. They have now got the sole responsibility for drawing up a 30-year plan that will set the course for the future of transportation in the lower mainland and, I will add, not just the lower mainland. In fact, this group of individuals is being given broad powers.

I'd like to talk a little bit about those powers in just a moment, but I want to really focus on the fact that this is a group of individuals that as soon as they get put into the authority positions, appointed to the board, their first job is to enact a 30-year plan. That is a daunting task for anybody who has been in municipal government for years, let alone a group of people who have never sat around planning the transit system and the transportation infrastructure of the entire metropolitan hub of the lower mainland — out of the blue.

They're going to sit down and do this monumental job, unelected, inexperienced in the whole world of transportation or transit. It's very, very peculiar that the government would have so much faith that they would immediately charge this group with coming up with a 30-year plan.

Let's talk a little bit about the powers that this group of unelected, undemocratically represented board of members is going to have. What kind of powers are they going to have? They're going to immediately embark on a 30-year strategic plan, and they're going to be given some powers.

One of the things the bill says is that they are going to be given powers equal to a municipality. I'd like to go back to the Premier's comments when in opposition, on July 29, 1998, where he said he supports the creation of TransLink and calls for more legislation that will protect the autonomy and independence of TransLink from provincial interference.

We also know that the Premier for a great number of years continued to push the whole concept of autonomy of municipalities through the Community Charter. It was the great promise made to communities. I actually sat around many round tables in this province through UBCM, though AVICC, when I was a municipal councillor, and talked about the Community Charter in the process of creating the Community Charter and giving municipalities more authority over their own affairs, more authority over managing directly the tax dollars that were taken out of their taxpayers' pockets to build infrastructure, to keep their communities operating, to go to schools and hospitals and all of those important services that we enjoy around the province.

At the Community Charter table we were promised over and over again that there would be authority and autonomy given to us to manage our affairs and that the province would not overstep the boundaries, that they would honour that autonomy. The Premier is quoted many, many times throughout the course of the last number of years on his belief in the Community Charter.

Of course, the government, almost immediately after instituting the Community Charter, did bring in

Bill 75, which allowed them to steamroll over any decision that municipalities had made in order to endeavour to fulfil their own agenda. So even as early as Bill 75, we were seeing that this government did not hesitate to kick the municipal authority to the curb in favour of their own agenda. And there you go. It's not a secret, I don't think, after you see what was done with Bill 75. In some ways, maybe we shouldn't be surprised that Bill 43 is kind of the next piece of dismantling local government authority.

[1515]

While the government, on the one hand, is saying, "We recognize in the Community Charter your autonomy, your authority," on the other hand: "Your representation around TransLink, all that pesky democratic debate, has been annoying. So we're going to take that apart and get ourselves a board that doesn't give us all that pesky flak from your constituents, all that pesky accountability around how tax dollars are spent or raised or lowered" — which leads me, then, to the powers that this board is going to be given.

We have a group of business leaders now appointed to run all of the transportation authority in the lower mainland and beyond. They're not elected; they can't be unelected. They're handpicked by the government and friends of the government, and they're going to put together a 30-year plan.

How are they going to pay for this? In fact, one of the main fights that happened in this parochial TransLink board for so many years, as the minister was discrediting it, was that they were fighting over far too few funds to fulfil the transportation expansion that was necessary in their communities. That's why they sat and debated long and hard — too few dollars, too many places to put it. You have to have a hard debate on how you spend that money.

Now we see, very interestingly, that the government, in Bill 43, is giving the powers to tax to this group of unelected, undemocratic, business board representatives — the power to tax. A 30-year plan, the power to tax, an authority equal to a municipality.

I don't understand why we are seeing the government hesitate whatsoever to come out and just say it blatantly: "No more municipal government. We do not recognize you as a level of government. We do not recognize your autonomy. The Community Charter is a complete joke. It's not worth the paper it's written on because we can invoke bills all day long that override your authority."

Bill 75 means we can streamline projects into your community without any hesitation. Never mind what your regulations are, and never mind what your land use restrictions are. We can go in there on behalf of developers, our friends, major projects, and steamroll over your land use decisions.

Here in Bill 43 we can actually give the power and authority to a group of appointed individuals who are not elected and who cannot be unelected. We're going to give them powers equal to municipality and the power to raise your property taxes.

That in itself is bad enough. Again, I speak back to my earlier comments about the legality of this act. I

cannot for one moment imagine that that is going to be left unchallenged in the courts, that you could take away municipal authority and give to a board of directors — a handpicked board of business leaders — the right to tax, to reach into the taxpayers' pockets with no authority, no electability and no unelectability, and take money out of the taxpayers' pockets at will.

I cannot imagine that that is legal. I sure know it's not ethical, but I can't believe that it is legal.

Then not only do we see them with the power to tax. We also see that this unelected board has the power to alter classifications for business tax, so they can tax property taxes. They can raise property taxes for the citizens of the lower mainland, and they can also change classifications.

Why would you want to do that? Well, because the business community for years has fought with municipalities around the classifications for property taxes for business. Now if you can have a board of business leaders get in, they can raise property taxes and can alter classifications.

What do you think is going to happen there? They have powers equal to a municipality, they can raise property taxes, and they can change classifications. I would say that on that basis alone, we have got to support this hoist motion because this cannot go unchallenged.

Since when in the province of British Columbia can you take taxpayers' money out of their pockets without any accountability? Since when? The very foundation of taxation is that you only get to do it if you can elect and unelect your representatives, if you can look them in the eye and hold them accountable. Since when in this province would we allow an unelected board of individuals to have sway over taxation and tax classifications?

[1520]

Boy, if that's not letting the mice into the cheese factory, I don't know what is. But the government is throwing open the doors and saying: "Come in. Have at her." When this happens in one community, it is the prototype for the same kind of action in every other aspect of governance across British Columbia.

I go back to whether or not this is even a legal act, whether this can legally happen. We'll have discussions here at the committee stage, because I know the minister continues to rail away: "Oh, you're not reading the act." I've read the act. In fact, I've read it so many times that I couldn't believe when I saw emerging from this the language that allows a group of business leaders to tamper with classifications of taxation.

Interjections.

M. Karagianis: I understand it thoroughly. I understand it too well. I understand the bill very well. I have read it thoroughly and completely numerous times. In fact, I had to go back and read it again. When I realized that the government was going to give this kind of authority to an unelected group of people, I was astounded that that could happen.

It was imperative for the opposition to put a hoist motion in place on this because we cannot allow this

legislation to be put into place. I certainly believe it is going to be subject to a legal challenge. I would be astounded if mayors across this province would allow the government to take away all of their rights and autonomy and authority and give it to a bunch of business leaders.

If it can happen here, it can happen everywhere. Next you will see this kind of model used elsewhere. We'll get to that soon, because I know this is a government that's not really interested in governing. They love to have this business model put onto everything because this pesky accountability to the taxpayer does get in the way of your own agenda.

Certainly, we have seen the minister foreshadowing his own agenda, his pet projects, over and over again. When the board voted against them, he dismantled the board. We can see this blind ambition evident here in the government's moves to dismantle the elected body of TransLink.

Let's talk a little bit more about some of the other powers this board is being given. In addition to the ability to tax and to change tax classifications and powers equal to a municipality — and the language says that right in the bill — this is a body that's also being given the power to land-bank.

I know it's one of those terms that people say: "What's wrong with land banking?" Well, let me talk about what's wrong with land banking, because hand in hand with this, the minister himself has said to communities in the lower mainland that he wouldn't be afraid to expropriate land either.

This board will be able.... They're doing a 30-year plan. They're going to sit and do a 30-year plan, and they're going to say: "This is where we are going to expand, and this is where we are not going to expand. This is where bus lines will run. This is where the SkyTrain will be built or not built."

We saw them throw aside the Evergreen line for the Canada line, and they've continued to use that as a political puppet. The Evergreen line gets dangled out like a carrot to communities every time they begin to show concern about the effectiveness of the government's plan.

When they complain about the destruction to businesses because of the Canada line and the Cambie Street fallout, the government swings out the old Evergreen line: "We're going to build it. We're going to build it."

But we don't know that. We know that a 30-year plan is going to be put together by a group of business leaders, and they're going to get to land-bank.

Let's just think about how that might work. Let's think about how land use planning is done around transit expansion. If you knew ahead of time where you were going to build the line, you could go and acquire land there. Then you could push through your transit corridor. And guess what. The land value around that corridor, and certainly around hubs, would go sky-high. Then you could divest that as you wished. You could bank it. You could acquire that land and save it, or you could let it go on the market to your friends.

[1525]

Insider trading. That's what insider trading is about — exactly that. Land banking is the essence of insider trading. A group of business leaders, well connected to the board of trade and other corporate interests, now has the ability to do a 30-year plan on where transportation is going to expand. They can raise your property taxes, they can change the classifications for business, and they can land-bank and begin to plan far in advance where expansion is going to go and make sure that those who capitalize on that plan will be people they know and trust and like. Anybody who thinks that's not true is fooling themselves.

Beyond that, we also have kind of the last little piece to fall into place here in that the authority of the new board is going to be expanded beyond the lower mainland. So now they're not even going to be confined to the regional geographic areas that gave birth to TransLink. Now their authority is going to expand beyond the GVRD — it says in the bill — as far north as Pemberton, up to Hope and, as the language says, more and beyond.

They can embark into this expansion without any kind of barriers, without any accountability, without any agreements, and I'll bet they can evoke Bill 75, the Streamlining Act. Whenever the pesky old governments and communities get in the way, they'll steamroll through it with Bill 75. What an insidious set of bills. What an insidious set of partners, bookends for the corporatization — I think we saw that term here — of transportation infrastructure.

This is not just about SkyTrain. This is not just about the buses. This is about every transportation decision that will be made in the lower mainland for the next 30 years. This is like Gateway on steroids. This is a group of individuals who will now begin to map all of the major expansion for the next 30 years, and not one environmental interest sits at that board. Not one rider or user of the transit system sits at that board. Frankly, I don't see anything in the language here that says climate change will be a lens that has to be included in this.

You know, we've got a Premier who's had the green epiphany, who shook hands with Al Gore, and now he is the new green guru of British Columbia. We've yet to see anything tangible come out of this, but there is a declaration that we will reduce greenhouse gases by 30 percent by 2020. That is good because for the longest time, everything in this House seemed to stop at 2010. I'm glad to hear that the world does not cease to exist the day after the Olympics and that there are plans beyond 2010.

The only one we have, of course, is reducing greenhouse gases. There's not another plan in government that goes beyond 2010. But we have a huge expectation here that we are going to get people out of their cars, into public transit and reducing their greenhouse gas emissions. Now we have the body that's going to do that for us. Isn't that interesting? We have the body that's going to do that for us.

Yet again I go back to: what is it made up of? Business leaders. They can tax you. They can shift the tax classifications for their business pals. They can land-

bank. They have powers equal to a municipality. They can expand beyond the GVRD, and in their hands are the decisions for transportation infrastructure for the next 30 years.

No one in this House — with the exception of maybe a couple of really young MLAs — will be around to debate this in 30 years. Most of us will be in our late 90s and, hopefully, not in a seniors care home that's run by one of the privatized companies that the government has put in place.

However, when we look at the nature of the power being given to this group of individuals and the lack of expertise around there.... In fact, all the way through the lead-in, the chronology of time that led us to create Bill 43, everything we saw there was about discrediting the municipal leaders around the table and saying that somehow this new expertise and skilled professional board needed to come in.

[1530]

Yet we see a group who are taxed with enormous powers in an extraordinary time in our province where the challenges to reduce greenhouse gases, to change our way of life, are being given to a group of individuals. There's not any expertise at that table that speaks to the biggest imperative that we have right now in our community, our province and our world, which is around climate change.

Parts of that can't be changed. We know that. But how we deal with it, how we change our behaviour, is going to be a huge part of the future for us, our children and our grandchildren. Let's be honest. A 30-year plan under Bill 43 is going to be for our grandchildren. It is going to be what's left for our children and grandchildren, not for us.

This group has been given unbelievable power and no accountability — none whatsoever. I'm sure there will be lots of discussion from the other side of the House about the mayors council that's being put in place.

The mayors council has only the most superficial powers conceivable. In fact, it's shameful how shallow, narrow and completely insignificant the powers of the mayors council are going to be. They are not even going to be given the authority to approve the 30-year plan.

This board of business leaders, when they're put in place, will develop a 30-year plan, will figure out how they're going to raise taxes, change business classification, jump up the fares for transit users and look at land banking for longtime zoning implications. They are going to have all of these powers and no accountability whatsoever — none. No one will be able to unelect them. No one will be able to demand accountability from them.

The only ones they can talk to are the mayors council, who cannot approve or negate the 30-year plan. They're not even being asked for their input. There is no endorsement required on the 30-year plan by the mayors council. What they will be given as a responsibility is that if there are any amendments in the future, the mayors have to give it a say-so.

This group of individuals — this unelected, undemocratically represented, appointed board — is going to turn to the mayors and say: "We're putting in

a 30-year plan, but hey, if we amend any of it, that's yours. You can make comments galore. We'll listen to you. We'll listen to your recommendations on the 30-year plan. We're going to stuff the 30-year plan down your throat, but if we make any amendments, you're welcome to comment on that." Now, there's a lot of representation.

[S. Hammell in the chair.]

There's a mayors council that has been stripped of all responsibility for the actions that this business board will take. I can't imagine how those mayors and councils will sit still and accept that as being equitable, autonomous and democratic in any way. Why would a group of mayors endorse amendments to a 30-year plan that they have no authority over, that they have no input into?

The language in the bill says that if the business board doesn't like what the mayors say, they can go ahead and do what they want anyway. At the end of the day, the bottom line says that they will go ahead and do whatever they want.

You have to ask yourself: what would be compelling government to make this very profound change in how a board of the importance and scope of TransLink is going to operate? Why would the government be doing this?

I've talked a little bit here about.... Obviously, the government had some pet projects, and TransLink — the democratically elected board of TransLink — didn't support those. That's possibly one key, but there's got to be more to it than that. We talked a little bit earlier about whether this is the future model. I think that's part of it. This is the beginning of a prototype model that we are going to see played out elsewhere.

[1535]

If you take this model and apply it in its broader sense, a group of business leaders get to plan all of the transportation infrastructure expansion in the lower mainland for the next 30 years. They get to raise taxes to do it. They get to change business classifications to ease up on their corporate pals. They get to land-bank so that they can control growth and make lots of profit off it, or their friends can, when they divest that land.

At no point do they need to be open, accountable or answerable to the taxpayer. They can literally take the money out of the taxpayer's pocket at will, spend it how they see fit and nobody can stop them or complain.

What we see is there a model that could be applied elsewhere. If you didn't have to worry about the elected representatives of the world counterbalancing your right to take taxpayers' dollars and invest them where you wished, if you were a business leader and you didn't have to go through that process with municipalities.... That would be a very interesting model to apply to everything. If we had a group of business leaders that ran all the schools and all the hospitals.... They're going to run all the infrastructure in British Columbia.

They don't stop at the lower mainland. In fact, we know they're going to go as far north as Pemberton and

Hope. I expect they may be going further than that. Let's take that model and say that it's the model for all transportation infrastructure everywhere. You have a board that does all the infrastructure expansion in the north, everything on the Island. It's all planned around what they have as priorities, and nobody can make them accountable. Nobody can unelect them.

We don't even know in this board.... There's nothing in the bill here that makes it clear whether this group is even FOIable. We've already seen that the government has created authorities here elsewhere — airport authorities, and moved our B.C. Ferries into an authority — and they are not accountable any longer to us. We can't FOI. We can't see how they're spending our money. We can't see how they are conducting their business, the public business, and the public highways and byways.

If we were to do that to every single organism within government, would that be a more successful model from the perspective of this government? Well, it would seem to me that that's one of the things I have surmised here.

The other missing piece of this scenario is the whole concept of privatization. We know that one of the biggest debates taking place right now in the public arena is the issue of privatization of our services. Certainly, we know that the minister himself, the Minister of Transportation, was purporting a P3 model early on as part of the pet project list that he had.

We know that the Premier has declared that any project built in the future over \$20 million has got to be subjected to Partnerships B.C., who purport public-private partnerships. I would say, frankly, given the current economy, there's very little in the way of a project that doesn't go \$20 million. So all of them are subjected to this P3 model.

Frankly, that doesn't work for all projects. That's been proven time and time again. Municipalities will tell you about failed P3s all over this province. It was a bit of a flavour about ten years ago to try the concept of P3s as a way to alleviate tax burden, and they failed. None of them that were tried by municipalities has been successful.

I would say that the whole concept of how P3s have worked for municipalities puts in question this government's endeavour to put that as a lens on top of all of the projects over \$20 million in the future. I would say that given this government's propensity for privatization, whether it be the hospitals — dirty hospitals and bad food as a result of that — privatization has cost us more. Privatization has continued to be the huge debate we have in the public arena.

I would say that it is one other aspect of this. Certainly, a board that is non-accountable to the taxpayers can go ahead and privatize anything it wants. In looking at some of the actions of this new TransLink board.... This new non-elected, non-democratic, non-accountable board that the government is going to put in place can go ahead and start looking at privatization.

[1540]

If we cast our eyes out to the 30-year plan, what are we going to see privatized? The government has been

very clear that they plan on privatizing the twinned Port Mann Bridge. We will have a private owner now in possession of that bridge, now in possession of those tolls forever. Those tolls will go to the private partner. Not back into British Columbia infrastructure. Not to create more transit, more SkyTrain, more infrastructure. It will go into the private partner's hands.

Let's be clear: a private toll company is not looking to get people out of their cars and onto buses. It is looking at getting as many cars through its toll — ka-ching, ka-ching, ka-ching. Every time a car goes through that toll, that private partner who now owns that bridge makes money.

We have a climate change directive. We know we need to move more people and fewer cars. We have a board put in place that is not accountable, and "privatization" is certainly in their conversation. It's certainly in their vocabulary and vernacular. I can tell you that right now.

If we've already seen the shadow of privatization here, what's next? SkyTrain? Do we see SkyTrain privatized? Do we see more bridges? Do we see more highways? We didn't see this on the Sea to Sky, interestingly — right? This is a road to a destination for — let's face it — the wealthy. Did we see privatization there? Do we see private tolls there? No.

We are going to toll people on the Port Mann Bridge who need to get back and forth to work every day. That money is going to go into a private partner's hands and not into re-investing in British Columbia, but we're not going to toll the Sea to Sky Highway. We're going to spend the billions of dollars on that out of taxpayers' pockets with no qualms, but we are not going to toll them.

It's very interesting that we see this continual dichotomy on the values that government has for public transportation infrastructure on the lower mainland. We see the dismantling of the democratically-elected board. We see powers given to a group of business people. We see their authority expanding and probably limitless, given the language of this bill, and we see that this could be used as a future model for everything else in the province.

I would have to say that there is enormous and mounting rationale to support this hoist motion. In fact, it's an imperative for us to support this hoist motion, because we have got to take a look at the implications here. I talked early on about whether this was legal. The fact that a group of business leaders have the authority to tax, to change classifications and to get powers equal to a municipality, that they can land-bank and can expand their authority anywhere is, in itself, a bit of a moral imperative for us to look more closely at this bill.

Frankly, as a representative of my constituents I do not want this model imposed here in my community for transportation infrastructure in the future. We need transit expansion here in the lower Island. We need some kind of light rail. We need solutions here that are green and sustainable and that still support communities and the needs to commute, to go to work and to ship goods. We need all of those, and they need to be treated in a holistic way.

They need to be thoughtful, and everything I see in this Bill 43 says that we are going backwards. We are going back to a time when business leaders did the business of government and were self-serving in how they carried out the people's business.

If we are going to allow the transportation infrastructure of the lower mainland and beyond to be given over to a group of business leaders that we cannot unelect, that will plan a 30-year plan that we all have to live with, that may or may not come anywhere close to serving the needs of our own constituents, then I would have to say that every member of this House should be concerned about it.

When I've heard members from the other side stand up and talk about how great this is going to be, I'm astounded. I'm astounded that they could not be concerned for their own constituents' well-being here.

[1545]

This is a group of business leaders who can literally raise your property taxes. As I said earlier, since when has that been allowed? Since when has that been legal or ethical?

They can change classifications. They can land-bank. They have unlimited powers here, powers equal to a municipality, powers to expand. It is astounding to me, Madam Speaker, that everyone in the House is not immediately applauding the hoist motion here. There is no other way to treat this, other than throwing the bill out wholesale.

I have no doubt that we will hear some extremely compelling debate from other members of this House on this bill. I don't know. I'm a bit concerned that we'll probably get to committee stage and then have to dismantle it clause by clause, because in looking at the details, it's even more insidious and more scary and more compelling than it is just when you do an overview of it.

I look forward to hearing what my fellow members have to say. I know that many of them have got even more vested interest in this because they live in those communities that will be the most affected. It will be their constituents whose tax dollars are used for this 30-year plan. The results of this will be theirs to deal with every single day. I'll tell you that when this model comes here to the lower Island, we'll fight it to the death.

With that, I would have to say that I urge all members to support the hoist bill, and I look forward to hearing from my colleagues.

D. Chudnovsky: I take my turn to speak on this motion with a feeling of responsibility about how critical it is that we pass what is known as a hoist motion, which would have the effect, Madam Speaker, of postponing consideration of Bill 43 for at least six months. I think that that's an important task before us today and in the coming days.

I have to confess that it had been my intention to begin my remarks by referring to the financing sections of the bill, which in and of themselves present us with a whole number of reasons to support postponement of consideration.

But sometimes in the House there's a moment that maybe happens accidentally which, in itself, illustrates for us more clearly than anything else the differences that we have in the debates that are before us. While my colleague the member for Esquimalt-Metchosin was speaking to open debate on the postponement, there was such a moment.

The member for Esquimalt-Metchosin was referring to the unelected, unaccountable, so-called professional board which will, as we all know, have the power under Bill 43, if it were to be passed, to make all the fundamental decisions with respect to transportation policy in the lower mainland. My colleague the member for Esquimalt-Metchosin referred to the unelected, unaccountable, so-called professional board, and in the way that it happens in this House from time to time, the minister from across the way said, "Imagine that," and I quote him. He said: "Imagine that."

The member for Esquimalt-Metchosin was referring to the unelected, unaccountable, so-called professional board which will make all the fundamental decisions with respect to transportation policy in the lower mainland, and the minister said: "Imagine that."

Madam Speaker, nothing could be more illustrative of the difference between this side and that side on this issue than that minister's informal remark. The minister has a penchant for informal remarks that come back to bite him in the behind from time to time. Am I allowed to say that? I think so.

[1550]

There's another one. The member referred to the unelected, unaccountable board having the right to make all the fundamental decisions, and the minister said: "Imagine that."

Here it is in stark contrast before us. We on this side of the House support a system in which those who make the fundamental decisions with respect to transportation policy in the lower mainland — or anywhere else in the province, for that matter — should be elected representatives. Imagine that.

The minister believes — and it's very clear in the bill; it's unashamedly clear in the bill — that these kinds of decisions, which affect every resident of the lower mainland every day, should be made by an unelected, unaccountable group.

You might ask the question: why? Why does it matter? Why does it matter if the people who make such policy are elected or unelected? One would hope that those members opposite would understand that it goes to the very root of what we call democracy.

You might ask the question: why is it a better idea for the members of the Legislature to be elected, as opposed to some unelected, unaccountable group? It's the same question.

The answer is.... [Applause.] I hear — another moment of clarity — those on the other side clapping for that question.

What does that tell us? It tells us that there's a fundamental misunderstanding of the nature of what democracy means, because however bad the decisions made by elected, accountable governments may be

from time to time, people get to vote them out. People get to vote those people out, and that will happen as sure as night follows day to those on the opposite side. But they seem not to understand that fundamental premise of democracy.

There are examples that aren't so far away in the area of transportation that should give us some pause. For instance, there was an elected councillor from Vancouver by the name of George Puil, who was elected by the people of Vancouver many, many times. He's not somebody who I ever voted for, but the people, in their wisdom, elected Mr. Puil.

Mr. Puil was a senior decision-maker at TransLink for a number of years. There came a time when the people of Vancouver decided, in their wisdom again, that it wasn't a good idea for Mr. Puil to represent them, and they got to unelect him.

That's what democracy is about, and that's what the minister and his friends on the other side don't understand about the TransLink bill. They don't understand that at the very heart of the debate is our understanding of democracy.

You can get a bunch of business people together, and they can choose the government — municipal, transportation, provincial, federal. I suppose the Minister of Transportation would say, "Imagine that" — sarcastically. He's a pretty sarcastic guy. We all know him. "Imagine that," he'd say. "What's the big deal?" It's not democratic. It's not accountable.

Madam Speaker, that moment an hour or so ago crystallized within it the difference here. There's always a moment.

Then the minister said, in his casual comment across the way as my colleague from Esquimalt-Metchosin was speaking: "The problem is that you don't understand the bill. You don't understand." He repeated it a number of times.

You don't understand that this government has a tendency to say to us on this side that we don't understand, when what's really going on is that we don't agree. There's a difference. We understand very well what this government is doing with Bill 43, the TransLink bill. We understand very well what its underpinnings are. We understand very well what its principles are. We understand very well what its elements are.

[1555]

We disagree with it, and we disagree with it fundamentally. The minister and his friends on the other side need to understand that the problem here is not a failure to communicate. They've communicated their intentions very well, and we've understood them. We disagree. We disagree fundamentally, and this bill needs to be postponed.

I said earlier that I wanted to begin with a discussion in the context of the need for postponement. I wanted to begin with a discussion of the financing formula that's contained within the bill. The reason I want to begin with that is because there are critical transportation needs in the lower mainland right now, today, which have been ignored for many years by this

government, which cannot be met and which will not be met if we let Bill 43 go through.

My reason, among many others, for speaking in opposition to Bill 43 is that it has to be postponed. If it were not to be postponed, we would have a situation in which a bill was passed having within it a funding formula which will not deal with the problems that already exist in the lower mainland.

I wanted to talk about that funding formula and remind us of what it is. It's not only inadequate. I'll speak to that in a minute. Not only is it an inadequate formula which will guarantee that the existing transportation needs of the lower mainland aren't met, but it's a dumb formula as well.

It's a dumb formula because what it says is that the lower mainland transportation authority, the new TransLink that's envisioned in Bill 43, will have the right to take an additional three cents a litre of gasoline tax if, and only if, they raise property taxes and transit fares an equal amount. It's a precondition of taking additional gas tax money that they raise transit fares and raise property taxes.

I'll speak in a minute about those public transportation necessities that will not be met because of this inadequate formula. That ties directly to the question of postponement of the bill because, of course, we can't let that happen. We together — all of us on both sides of the House — can't let a situation proceed that would put us in jeopardy of not being able to deal with the existing public transportation needs in the lower mainland.

I wanted to talk about just how dumb this formula is for a few minutes. If we're serious about changing behaviours and about the need to reduce greenhouse gas emissions and about reducing particulate emissions — which in the Fraser Valley create the worst air quality in the country, second only to the golden horseshoe in Ontario.... If we're serious about that....

Interjection.

D. Chudnovsky: I note that there's a minister of the Crown on the other side who thinks that I don't know what I'm talking about.

Well, here we have it again that those on the opposite side believe we don't understand, or they want to convince themselves that they believe we don't understand, when the fact is that we understand very well what their plans are. We understand very well what the contradictions are, and we disagree with them.

[1600]

It's difficult, I know, for those who have become accustomed to the lofty heights of cabinet prestige, to believe that there's anybody in the universe who for one minute disagrees with them. But there are tens of thousands of people, hundreds of thousands of people, millions of people in this province who disagree with them.

It isn't a failure to communicate. It isn't a question of not understanding. It's a question of a disagreement. The minister better get used to it, because it's happening a lot, and it's going to happen a lot more.

If you're serious and not just pretending that you want to improve public transit, and you want to expand public transit and support public transit, who thought up the notion that you have to increase the fares? It's the dumbest thing you could ever do, because if you really want to expand public transit, what you have to do is reduce the fares — don't you, Madam Speaker?

The folks on the other side are caught in that contradiction. I'll speak of the contradiction a little bit more in a minute.

There is a whole litany of transportation needs in the lower mainland which cannot be sustained with the formula that's inside of Bill 43. It can't be done. It can't be done because the resources generated are inadequate.

What are some of those projects? What are some of those needs? For one thing, in Vancouver the folks who live in that city need very, very quickly an expansion of rapid transit west on Broadway from the Broadway-Commercial station. Hundreds of times people waiting for the bus on Broadway are passed up and left at the stop. Hundreds and thousands of students, who we want to encourage to use public transit and who have to get to UBC on Broadway west, need the expansion of public transit.

Again, think of the public policy implications of this. We need to teach and encourage young people to use public transit if we're going to be successful in changing our behaviour. The older folks, the more mature types, those who are getting on in years — especially those with a lack of creativity and foresight, as those on the other side — have a tough time changing their behaviour. But if we get to young people early, we have a hope of them learning new behaviours.

In the modelling that's been done by the TransLink review panel of their own suggested finance formula that is replicated in the bill, expansion of rapid transit west on Broadway in Vancouver from the Broadway-Commercial station would not take place before 2019 or 2020. That's what it says in the review in support of the formula that was replicated in the bill.

I don't know about the rest of the members of this House, but I can tell you that as a member representing the people of Vancouver, the notion that we would expand rapid transit west on Broadway from the Sky-Train station in 2019 or 2020 is a tragic joke.

It's a joke. Nobody could take that seriously, and those on the other side.... I see some open-mouthed in shock. Perhaps they should read the review. It says 2019 or 2020 for expansion of rapid transit west on Broadway.

Interjection.

D. Chudnovsky: There we go. Another example, another moment of clarity in the House, where those on the other side show their deep caring for the students and the working people of Vancouver who have to use transit and choose to use public transit west from the Broadway station.

They don't really care, do they? That's why they're accepting a funding formula that doesn't provide for that.

[1605]

Buses for Surrey. Well, you'd think that this minister, who purports to represent the people of Surrey-Cloverdale, would care about the fact that by most people's estimates, including the mayor of Surrey, we need 500 additional buses right away to deal with the current public transportation needs in Surrey. This formula doesn't provide the resources to do that. But hey, what the heck. It's there. The minister says: "Imagine that." The minister says that we don't understand.

New SkyTrain cars. You know, Madam Speaker, the SkyTrain is working at about one-third capacity. You could put triple the number of SkyTrains on the route, and you could provide much better service and much faster service that was more convenient for the people of Vancouver, Burnaby, Coquitlam, New Westminster, Surrey and Langley who use the existing service. You could make it much better for them, but this formula that's embedded in Bill 43 doesn't provide the resources to do that, and the minister says: "Imagine that. You don't understand." We do understand, Madam Speaker.

What about northeast rapid transit? That was the one, if you recall, that was promised to the people of the Tri-Cities when their representatives were bullied into finally accepting the RAV line. We'll talk a little bit more about that in a few minutes. That was the rapid transit line, you'll recall, that was going to be done contemporaneously with the RAV line — northeast rapid transit. That was going to be provided for them at the same time, when it should have been finished in 2009. That's what they were promised. That was the deal. That was the deal that was done around the RAV.

Of course, it's still not there. They're still hundreds of millions of dollars short in terms of the resources necessary to do that rapid transit line. The formula that's embedded in Bill 43 doesn't provide the money that's needed, and the minister says: "Imagine that. You just don't understand."

And what about rapid transit to the Fraser Valley? If we're serious about changing behaviours — and we need to ask the question of whether the government is really serious; we'll ask it again in a minute — we need to look at rapid transit, rapid bus and maybe LRT, light rail, certainly down the Fraser Highway where there's plenty of density of population for use of such rapid transit. We need to look at rapid transit on the King George Highway. We need to look at the interurban, which I recall a member spoke about so articulately earlier today in the House.

We need to look at all those things, but you know what? The resources needed to do that aren't embedded in Bill 43, but the minister says: "Imagine that. You just don't understand." Well, we do understand, but we take rapid transit and public transit seriously, and they don't.

What about the Pattullo Bridge, which the minister presents as an alternative to the proposed twinning of the Port Mann Bridge which he supports so enthusias-

tically? The alternative free route is going to be the Pattullo Bridge. Right. The Pattullo Bridge. The killer bridge that runs from Surrey to New Westminster, which the government has no plans — none, zero, nothing — for dealing with. But I suppose the minister would say: "Imagine that. You just don't understand."

Those are just some of the projects that need to be done if we are going to at least double the ridership — that is, double the percentage of trips made in the lower mainland which are done on public transit as opposed to in private automobiles.

[1610]

And we have a bit of a conflict. We have the minister in charge of browning the province.... That would be the Minister of Transportation, whose strategy has nothing much to do with public transit and nothing much to do with increasing the amount of public transit ridership — nothing much to do with public transit at all. It's all about roads and highways and bridges. That's his strategy for browning the province. And then there's a Premier who has had an epiphany and thinks or dreams about changing the situation such that we reduce greenhouse gas emissions. He's got this vague and unresourced not-much-of-a-plan for reducing greenhouse gases in the province by 2020, and then he's got the minister in charge of browning the province, the Minister of Transportation.

It's a contradiction, and we will continue to monitor that contradiction to see how things come out. It looks very much as if the "minister for browning the province" is winning at the moment, but we'll continue to monitor that.

The problem we face and one of the fundamental reasons why we need to vote for this motion to postpone Bill 43 is that the funding mechanism inside Bill 43 cannot and will not provide the resources necessary to do the job that needs to be done, and it's a dumb plan at that.

The new TransLink will have two characteristics if it's allowed to go ahead. Those two characteristics are that (1) it will be sycophantic to the government and will do the bidding of the government, and (2) it will limp along without having the resources necessary to do the real job that needs to be done for public transit. The result will be, I predict — if we aren't able to postpone this bill and aren't able to defeat this bill — that government will continue to intervene with its plans as opposed to the plans that are drawn up by the unelected, unaccountable board for the people of the region.

We have a situation where the government brings us a bill which would put into place on all the fundamental decisions — on all the important decisions that need to be made for public transit in the lower mainland — an unelected, unaccountable board. It's worthwhile looking for a minute at that unelected, unaccountable board because, again, if it weren't so tragic, it would be hysterically funny.

The government has this problem. They need a board that they can depend on, that doesn't have any ideas they don't have, that's going in the same direction and that's happy with the kind of browning of the

province, which is the policy of the Minister of Transportation. I mean, it's bad enough that it's unelected and unaccountable. They've got a problem with that.

It's a bit of a stretch to get people to buy that, but they've got to make it look like it's not them choosing the unelected, unaccountable board. So they come up with this wacky proposal for a screening panel. The screening panel is going to nominate the members of the unaccountable, unelected board.

Who's going to be the screening panel? You can just imagine there is a meeting somewhere among the brainiacs in the Ministry of Transportation, and they say to themselves: "Well, how can we make it look like it's sort of not as undemocratic as it really is? What are we going to do? I mean, what can we do?"

Somebody says: "Well, let's have somebody else choose them." Probably the minister or somebody else said: "Oh jeez, that's dangerous. If somebody else chooses them, how would that work?"

So they make a list of all the people they can trust to put on this screening panel to make sure that the people who are chosen are acceptable, and they say: "Okay, who can we put on there? Let's put the board of trade on there. You can trust them. You know what they're going to do. They're going to nominate people who we can be sure of and we can trust." They say: "Good idea. Who else should we put on the screening panel?"

[1615]

Everybody is drinking their coffee and trying to figure out what to do. "How about the chartered accountants? We can trust them. We can trust the chartered accountants." Everybody looks around and says: "Well, yeah, I guess we can trust the chartered accountants. They think like us. They'll help us choose this unelected, unaccountable board."

Then somebody scratches their head and says: "How about us? How about we get to choose somebody?" They probably said to themselves: "Well, we can trust us. We can trust somebody that we put on the panel. Jeez, who else will we put on there? How about the Gateway Council? They're on our side. We know them. We can trust them."

The fact that the board of trade is already on the Gateway Council is a little small detail to get double un-democracy for the board of trade — double influence on a lack of democracy.

We need to postpone consideration of this bill. It is for many, many reasons unacceptable. It is a travesty of democracy. The minister in his informal, off-the-cuff comments, in response to the presentation made by my colleague the member for Esquimalt-Metchosin, showed just how different his attitude towards democracy is from ours. When she questioned the fact that these will be unelected, unaccountable members of this professional board, he said: "Imagine that."

Imagine that a minister of the Crown doesn't understand the fundamentals of democracy. Imagine a minister of the Crown who, when asked month after month for the submissions that were made to the review, doesn't make them available. Imagine a minister who puts forward a governance plan for transportation

in the lower mainland that isn't supported by any municipality.

I support the hoist motion.

C. Puchmayr: It's good to be back. To my colleague from Kelowna-Mission: if she's watching, as I did when I was off last week, I wish her well in her recovery.

This is a very, very serious breach of our democratic rights here in the lower mainland, in the transit region — the impacts that it may have overall, as this type of policy starts to affect other forms of democratic governance.

I have to speak in favour of the hoist motion. For those who have just tuned in, a hoist motion is one where a bill is removed, sent back to the drawing board and, hopefully, sent to the shredder, never to be seen again in this form whatsoever.

There are some extreme concerns from this side with respect to taking away the democratic rights of elected people. Even though they are mayors that represent different communities that sit on the regional districts, they're still represented.

As my colleague from Vancouver-Kensington said earlier — and it's an example that I gave before — some members that end up being elected as heads of TransLink or heads of the transportation boards pay the political price sometimes. They pay the political price because people aren't happy directly with the decisions they've made, and they can always go to the polls and unelect them.

As that great saying goes, democracy is the worst political system in the world besides all others. You have to really think of that. Without democracy, we have no ability to control our growth or to control even our health and the health of our children and grandchildren.

One of the greatest risks in this governance structure and the direction that it is going is the risk to the livable region strategic plan. The livable region strategic plan was a document that had some very intense work go into it.

[1620]

It was a document that was born out of input from transit users and from cyclists. It had inputs from the different municipalities, from the business community and from the provincial government. They got together and looked at the region that we need to plan growth for in the future.

The region is what's called the Cascadia airshed, and it's an airshed that is unique. I haven't been able to find a very close match to this type of airshed. What comes close is Los Angeles maybe, where you have mountains east of an airshed. Those mountains, more often than not, will affect the particulates that end up for hours and sometimes for days and weeks in an area because of the geographic nature of the airshed.

The Cascadia airshed goes all the way down into Bellingham in the Pacific Northwest area, but on the north of us we have mountains, and the airshed blocks there. On the south of us we have a border, and then we have a very narrow strip of land that is available forever in the lower mainland. We don't have the same luxury, for instance, as Houston in Texas, where they

have some lands where they can build different road infrastructures and put different roads in.

We don't have the luxury as they do in Ontario, for instance, in the greater Toronto area, where you see roads that can actually carry on for miles and miles. I think Yonge Street is one of the longest streets in the world. It's because there is an ability to have those roads, to build those roads. There aren't obstructions with mountainous regions. Even in Alberta around the Calgary area and the Edmonton area, there is a certain amount of growth potential by virtue of the geography that we're exposed to.

We can't put a feasible road network over the northern mountains to come back into Vancouver again. So we're left with this very, very narrow strip. If you flew along the 401 in a small plane, you would be amazed at what you'd see when you looked to the south and to the north. You'd see how restricted the development and growth potential is in that very limited sliver that is available to us — which is our home, where our children and grandchildren live.

I know a lot of us have friends that live out in the Fraser Valley, and some of us do live out in the Fraser Valley. There are some real issues with respect to preserving the quality of the air that we breathe. Therefore, when the livable region strategic plan was put together, it was done taking into consideration the fact that it was such a limited airspace.

The growth potential was very limited. It had to look at preserving the greenspace. It had to look at the green zones. It had to look at the agricultural land issues. We need to provide, to create the food that we and our children are going to eat in the future.

So it set up some very interesting growth strategies. It looked at land that wasn't farmable versus land that was extremely farmable. It looked at river systems and systems that needed to be protected. It looked at flyways. There was a lot of effort that went into it, enough so that the United Nations awarded the plan with an award for growth.

There are many countries that can build around growth. I don't support the building around growth. I don't support the sprawl. I think we can do without the sprawl by building town centres and having communities where people live, work and play.

[1625]

Now, why would someone be concerned about this type of governance structure? Well, other than the fact that we have a very fragile airshed that is going to be affected, there are other things that concern us. The governance structure of it is extremely unaccountable. It has an appointment process where there's a council of mayors.

I think they used to be called vice-presidents, but the acronym was the same as voiceless puppets, because they really don't have a say. They virtually don't have a say. They're given a group of 15 people, and they're told: "Out of these 15 people you get to make some selections." Then there are some selections that are done by the government.

The entire process limits hundreds of thousands of people that live in the lower mainland. They don't have

a right to even get active and come forward and say: "Jeez, you know, I have a real passion for the airshed," or "I have a real passion for getting people out of cars. I think I'm going to put my name forward. I'm going to run for city council, and my goal is going to be to sit on TransLink and be part of that decision-making process."

With this legislation, that's gone. None of that will exist whatsoever — even the ability for people to come forward and address a panel and say: "Your transit decisions that you're making under this new governance are affecting bus users, cyclists, the quality of life in specific communities where roads may be rammed through." There is no ability for even that process.

The bill itself has a provision for a 30-year plan, and the initial 30-year plan is done without any consultation. That 30-year plan is going to just come forward one day from this selected elitist panel, and it's going to say: "These are our new goals, so you may as well take the livable region strategic plan and tear it up. It no longer exists. The new goals will override that plan." That is really sad.

I don't think people understand that the growth potential now.... The livable region plan warns about the growth potential in the next 60 years. Under this plan, that plan has challenges. The livable region strategic plan has challenges that need to be addressed. The new structure, the new governance is going to make it extremely difficult for public input and for people to come forward with credible ideas and solutions that have some effect.

[K. Whittred in the chair.]

I have some concern with the structure and the screening panel of this board. The Gateway Council certainly has some concerns with respect to transportation, and we share some of those concerns, especially when it comes to the issue of goods movement. We feel there needs to be a smooth, certainly better way of moving goods through the region. That's our economy. That's an economic driver, and we need to be able to move goods at a cheap cost and not have trucks idling on the highways. This plan doesn't create a fix for this. It actually creates a different potential.

One of the other groups that's on there is accountants. The other one is the board of trade. The other one is the government of British Columbia — the very government that has brought in this draconian potential legislation that will strip the last bit of what little democracy was left on the TransLink board.

I spoke last time on this with respect to some of the stakeholders and why these stakeholders. I thought that out of fairness, I'd go on the Internet and try to find out: who are the members of the Vancouver Board of Trade? I think that's a fair question. I googled the Vancouver Board of Trade and found all sorts of different links to it, but I couldn't find a link to who the actual members were. I thought: better yet, when in doubt, pick up the phone.

[1630]

I phoned the Vancouver Board of Trade and got someone at the switchboard. I said: "Yeah, I would just like to know who the members are. Is there a web link so that I can find out who the members of the Vancouver Board of Trade are?" The answer was: "I'm sorry; that's for members only."

Here's an organization that is going to be making some very serious recommendations on who sits on this new structure for the governance of transportation in our region, and the average citizen can't even find out who may be some of the representatives that may be making some of the decisions. That troubles me. That troubles me a lot.

That's not disclosure. That's not open and transparent government. I think I heard that in the last provincial election numerous times. The most open and transparent government in the history of British Columbia. Where is that going? [Applause.]

There's a member that applauds that. They absolutely mock the fact that they're sitting there. Not one of them is getting up and speaking against this bill.

There is the member for West Vancouver—Capilano, who spoke in favour of the bill earlier — in favour of the actual bill, not the hoist motion. Other than that, they sit there quietly while they have legislation coming forward that is going to make them less open and less transparent, and they're going to take the democratic rights away from municipalities. That troubles me. That really troubles me.

Should people not have community interests? That's how some of these plans are formed. People have varied community interests, especially when it comes to transportation. My community has some significant interests, which I will touch on in a minute. First, I want to get back to the issue of the structure that is going to form this panel.

Okay, the Vancouver Board of Trade: we can't tell who's on there. Accountants. Why accountants? I mean, I know accountants. They're good people. They're good at doing our income taxes. They're good at running our small businesses. But does that mean that they're good at deciding who should be making decisions — undemocratic decisions — on our tax dollars? I absolutely don't agree with that.

The government of British Columbia is certainly on record with where they are going with this new governance structure, and it's not healthy at all. It's not good at all. It casts a fear into many of us on this side when you take away the last bit of democracy that we have. There has to be some concern.

Now, I think "parochial" was one of the words used by the Transportation Minister. He had to get rid of this type of philosophy in exchange for a different type of philosophy. Well, my community's a really good example of why you have to have open dialogue, and not only open dialogue but dialogue that you can share, dialogue that you can develop plans in the future with, dialogue where you have some give and take.

It's no different than when you're negotiating treaties. You sit down.... New Westminster is not going to get everything that it wants when it comes to transpor-

tation, but they're going to have the ability to vote on it as a city council. They're going to get an ability to have input on taxation. They're going to have an ability to appoint a person that represents them on the board of TransLink. To me, that is certainly a lot better than this direction they're going.

My city has over 300,000 cars a day, Monday to Friday, that run through it, yet fewer than 20,000 of our citizens use their vehicles. We have a city of around 60,000 people. What that shows me is that five transit stations is certainly a good way of getting people out of cars. Yet even though we're doing our part as citizens in my community and taking transit, other people are using our community as a shortcut to get to work. I'm not begrudging them that.

[1635]

My concerns are that when we do mitigation for that, when we try to preserve our communities, when we try to keep people from speeding through our schools and our parks.... When we need mitigation for that, we've now lost control. It's just another off-load to the city, and the city has to deal with it.

Before what you would do is you would sit down with the province. The north-south border infrastructure program is a good example of that — the 91 and 91A infrastructure program. They just wanted to run the thing through. As a matter of fact, they even threatened to use Bill 75, saying that they had the ability to do it. The provincial government wasn't prepared at that time to go that route. They needed a few more pieces of the puzzle before they went that route, and these pieces of the puzzle are here now.

When they do now start ramming traffic through your communities using the streamlining act, they'll say: "Hey, we're just doing it because the new governance of transportation has asked us to do it. We've appointed them, and they're asking us to do this, so therefore we're doing it."

Again, there isn't the ability for a city that is besieged by traffic on a daily basis, Monday to Friday, to in the future have a say if somebody from the Vancouver Board of Trade decides that it's better off to put another line of traffic through that city or if, as the minister I think mentioned, the Pattullo Bridge was going to be the toll-free alternative to any twinning of the Port Mann.

We're impacted by that. We're impacted by traffic, by pollution. We're impacted by emergency vehicle rollouts, with accidents that happen in our community on a daily basis because of the transportation of the region that we're sharing right now, that we're burdened with.

We pay the price for living in the area that we live in, but at least we always had the ability to send someone to the board, to put someone on the board and to have our voices heard, or to get out and go to the meetings and get on the agenda and have our voices heard.

Now the first 30-year plan we're not going to have any input into whatsoever. This isn't like, you know, the United Nations Dubai award, which had the intense input from all the different stakeholders. This is the Minister of Transportation consultation, and it's just: go forward with it at all costs and not have

consideration for the impacts to the community. That is extremely troubling.

I know the minister likes to have a few laughs about the fact that he's taking away democracy. He made some comments earlier — in jest, I'm sure. I know that deep down inside he feels that. I'm going to read a quote from him speaking recently on a trip to China. "No one there ever questions the need to build infrastructure like this. Now granted, China has a bit of a different governance structure, but in many ways it's the ideal governance structure."

I guess that is ideal, if you want to take the democracy out of it. I guess it is ideal, if you just want to ram a new road through somebody's community without them having an input whatsoever. But it's not ideal when it comes to the give-and-take that's required to live on such a small sliver of land that's north of the American border, south of the North Shore mountains and west of Hope.

Then he goes on to say, as the room broke out in laughter: "China really has the ultimate" — then he uses his name — "governance structure." He then wryly noted that the Chinese "don't have the labour or environmental restrictions we do. It's not like they have to do community consultations. They just say, 'We're building a bridge,' and they move everyone out of there...within two weeks. Could you imagine if we could build like that?"

[1640]

I think he said "could you imagine that" earlier too, when somebody made a comment about their concerns about handing over the governance and the democracy of transportation to a faceless, could be a heartless, group of people that are motivated.... Not to take anything away from the group that's going to be sitting there, but I have to think about some of the decisions they make.

Let's say one's a developer, and he or she sits on the Vancouver Board of Trade, Madam Speaker. Are they going to err on the side of the environment and the air quality when making a decision? Or if the developer has friends that are developers, as well, and they have landholdings in the region, where they want to expand those landholdings or develop those landholdings, where are they going to err? Where are they going to decide?

If they're a good business person, I guess the prudent move would be to make the move that makes more money for that business, but that's not what democracy is. As a matter of fact, we have to put our businesses in a blind trust when we're elected here. We have a conflict-of-interest commissioner that we have to see once a year to make sure that we're squeaky clean. Municipalities have rules with respect to land issues and land dealings so that a member of council doesn't reveal information that someone could use to profit from.

It really concerns me when these people, who we don't know — at least we don't know on this side — and who we can't see, are making decisions that can impact the quality of life in my community and the quality of health in my community. Who do you answer to?

I remember times riding on the B.C. Ferries, and every time the price of the clam chowder went up ten cents, boy, you would hear people grumbling. You would hear them in the lineup: "The government just wants your money." Now that they've privatized the food service and the whopper of a price you pay for a hamburger.... Nobody complains because it's this private entity. No one's complaining. They don't link it back to the government.

I think the brilliance of this legislation on the government side is that they isolate themselves from the real decisions, and they can always just blame somebody else that's sitting on this board. "Don't look at us; it's this board." It is extremely troubling to me that we're heading in that direction of no democracy.

There was mention earlier in the debate about the bill being illegal. Being able to impose taxes in the manner that they are going to be able to is something that is extremely controversial to me — to be able to sit there as a group and say: "Okay, we're going to raise taxes, but we're only going to raise them on homeowners. We're not going to raise them on industrial lands. Even though workers need to take transit, and you need to build roads and put services in to deal with industrial lands, they can be exempt."

Will a member of this panel that is representing business interests err on the side of the small homeowner or the senior that is already struggling to maintain a home and to pay the high costs of everything associated with owning a home? Where will that senior be able to say: "Something is unfair here"? How can a company that is making so much money get out of paying their fair share of transit taxes? Who made that decision? Oh well, it's this unelected, quasi-appointed, hand-selected board that the government put together.

[1645]

You know, the senior is going to be puzzled. "How can that be? Am I not still in Canada? Why wasn't I allowed to come and speak out against this taxation? Why wasn't there a forum for me to go to and say that this is wrong? This is not a fair way of taxing homeowners in British Columbia." There's no ability for that here. There's an ability for that now.

I remember sitting on council when the vehicle levy issue came through. There were many delegations coming and speaking at the council of the city that I represented, and they all spoke passionately about the issues of taxation on homes. I remember going to a TransLink meeting when some people even chartered a bus to come out there and speak to the TransLink board against the vehicle levy.

You know, those abilities are gone with this legislation. I'm extremely concerned that, other than the member for West Vancouver-Capilano, nobody on the other side is even getting up and defending it. I'm encouraging them, challenging them, to please defend what you're doing. Tell us why you believe that democracy should be stripped from the people of British Columbia.

I respect the member for West Vancouver-Capilano. I'm sure he must have an accounting background. He did tell some interesting stories about

banking, scotch and cigars, I think it was, so it's a little more than accounting. I respect the member for his comments. His comments, though, were: "The houses in my community are so highly taxed already because of their value, and we don't have a decent transportation system in my area." Well, this is going to create a higher tax.

I submit to this House that possibly a lot of these new governance people on that board may very well live in his community or will have an ability to live in his community. They'll be able to....

I see my time is up. I want to say that I strongly support our motion to hoist this bill. Send it back to the shredder, and let's start all over again.

H. Lali: I, too, rise to support the hoist motion on Bill 43 that is in front of you. I know my friends from Chilliwack and the member for Peace River North will take their turns in terms of hoisting this. They should be concerned as much as the folks are on this side of the House and the people out there in British Columbia.

You know, when the Greater Vancouver Transportation Authority was instituted way back in the 1990s, I was the Minister of Transportation at the time. This was not the vision that was put forward at that time — so that a Liberal government could come around a while later and take all of the democratic rights that were afforded TransLink at that time and then make it as undemocratic as possible. That's what the Liberals are doing.

Perhaps the member for Peace River North might want to actually get up and take his place in the Legislature, stand up on behalf of British Columbians and shoot this down, or stand up and defend this, if he so desires.

Anyway, this is another example of the kind of approach that this Liberal Premier and this Liberal cabinet and government have had for almost seven years now, since 2001. It's not about putting people first. It's not about actually doing what the people at the local level want. It's not about inclusion. It's a different way of doing things. It's not actually about consultation, inclusion or proper governance. It's about the undemocratic way in which the Premier has operated. This is such a dictatorial way that this is coming forward.

[1650]

When you talk to the people who are at the ground level, the people who have been a part of the GVRD and who have been on the TransLink board for many, many years now, they're not happy with the way the Premier and this cabinet and this Transportation Minister are approaching this. They're not happy with the total dictatorship that is being exemplified by Bill 43.

That's why I'm standing here and supporting my colleagues on this side of the House to hoist this bill that is before us for a period of time so that government could actually go out after the session is over, have a sober second thought, listen to the people on the ground, listen to the people who use the TransLink system, listen to the people who are now the governance there, listen to the taxpayers and what they have to say and what they want, and come back in a

few months' time, in the springtime, and change their minds, withdraw this bill and put in something more appropriate that is going to be reflective of the democratic rights of the people who pay the taxes that make TransLink work, because that's what it's about.

I talked about the dictatorial way in which the Premier has gone about doing this. What the Transportation Minister is now saying is that in place of elected officials, politicians who are accountable to the electorate every three years when there is an election, in terms of the decisions they make.... That is not going to be the case anymore, because the governing body is now going to be appointed by the Premier and the cabinet, by this Liberal Premier and the cabinet. Who are going to be those people? They're going to be friends and insiders. They're going to be top-notch Liberals. That's what they're going to do.

The way they're going to do that is that the minister says that the day-to-day administration and the long-term planning are now going to be done by a nine-member board of directors. They're going to be an unelected group of experts, he calls them. They're going to be experts. In terms of the vestigial democratic oversight, that's going to now be with a council of mayors consisting of every mayor in the service region, but they're not going to have any power.

What the minister is also putting forward in this bill, which we want to hoist, is that he's also going to appoint a transit commissioner whose job is going to be to advise the council of mayors. You know, the council of mayors is only required now to meet — what is it? — once every quarter. That's right — four times a year. That's it. They're going to meet four times a year to sit there and rubber-stamp the decisions that are going to be made by the unelected, appointed board of directors, nine members who are going to be Liberal political hacks.

Also, the board of directors is going to be selected through a complex procedure. They're not elected, as you know, but they're going to be selected. There's a screening panel, which is set up to choose five candidates every year, and the council of mayors selects three from among them. That's how they're going to do this.

And, really, who is the screening panel, hon. Speaker? Well, the screening panel is composed of a representative from each of these groups: the Vancouver Board of Trade, the Institute of Chartered Accountants, the Greater Vancouver Gateway Council, the Ministry of Transportation and a council of mayors. When you look at that, they're setting it up as a business model. That's what they're calling it: a business model.

These experts all have business experience. There's much more to TransLink in terms of their day-to-day dealings, their month-to-month and year-to-year operations and the future planning that they do on a five-, ten-, 15- or 20-year basis than to just have experts from one class of people, one group of people from business.

What about the environment? What about growth planning? What about all the different types of needs in terms of transportation rather than just megaprojects — transit, in terms of commuter rail, bicycle paths, every one of those? Where are the experts from all of

these groups and more that ought to be there? But they're not there.

At least when you have politicians that are elected, they're accountable, but where's the accountability in this? It isn't there. So this undemocratic, unaccountable board of directors is going to be appointed by business interests. That's what's going to happen.

[1655]

I mentioned also that the selection of the.... No, actually, I haven't mentioned that. I'm going to do that now. The selection of the all-important first board of directors is even more undemocratic, because it's going to be done on an ad hoc basis by the Minister of Transportation himself. You know, the first board is really, really important, because they're the ones who are going to write the initial ten-year and 30-year strategic plans that are necessary.

So what's happening now.... These strategic plans will require no approval by the vestigial democratic oversight from the council of mayors. That's what's happening. It's going to be done out of the minister's office. He's free to choose who those first people are going to be, and you can bet they're going to be Liberal insiders, friends of the Premier and friends of the ministers in cabinet on the Liberal side. That's what's going to happen. That is exactly what is going to happen.

One of the other important things to mention is also in terms of the planning. All this day-to-day planning that right now TransLink does is going to be done by these nine so-called experts. If you look at it currently, in terms of the model that is there and in terms of the accountability that is also there.... One of the new board's first acts — this new, unelected board, as I said — is going to be to write the ten-year and 30-year plans. Yet they aren't required to be voted on and approved by the council of mayors.

Really, right now, TransLink has all the experts. They can hire whoever they want from wherever they want and get the best person possible that they can to try to bring forward the recommendations that are needed by the elected body of TransLink that is there right now. That's the model that exists, and that TransLink model is being looked at by nations across the world to try to see how they can emulate that model that has been put forward there for almost a decade now. Here we have a government, a Liberal government, that wants to do away with that democratic process and the democratic entity that is there and bring forward something that is undemocratic and unelected.

There is no diversity in terms of the planning that will take place, because it's all going to be done by this one narrow-focus group — the business interests, the business friends of the Premier. That's what will happen. Really, in terms of making their plan, this unelected board of directors is actually only required to engage in consultations and to consider regional and provincial land use policies, environmental objectives, population and economic growth, etc. But they're not required to actually abide by any of these considerations. That's the catch.

If they don't like it, they don't have to go by it. As long as they've considered it, that's good enough in

terms of meeting the letter of the law that the Premier is now going to put forward. There's nothing binding. There's nothing there that is going to be present in terms of accountability. All they have to do is consider it, and that's just the way they've actually even done it in terms of consultations with first nations right now.

For all of their hoopla about reconciliation and the new relationship they want to have with aboriginal people, there was a process that was put in place in the 1990s in terms of the consultation that was going to take place with first nations. An entity that wants to put in a development on a first nations traditional territory.... When everything, all the processes have been done, send a letter to them. Send a proposal and say: "What are your comments? You have 30 days or 60 days within which to come back with your comments."

As long as they meet the letter of the law, that's exactly what will happen — consideration. All they have to do is just consider it, look at it, have somebody come and talk to them for a few minutes, 15 minutes. That's it. They've considered it. But they're not going to consider it any longer. They're not going to go with it. That's the process they're going to use.

[1700]

In terms of the financing.... Right now TransLink has a more wide approach in terms of how the financing takes place. The elected officials on the TransLink board are able to make those decisions, and taxation is obviously one of them in terms of how they make those decisions.

But Bill 43, which we want to hoist on this side, is now tightly defined and restricts the funding for TransLink. You have tightly controlled property tax increases as well as tightly controlled and limited gas tax hikes and tightly controlled tolling pay, only to pay for P3s, property sales.... Also, fare hikes is the other way to go.

The unelected, appointed board of Liberal friends and insiders, which will now be the order of the day, the law of the land, will have a free hand, however, to increase fares — the one funding source that should be decreasing so we could actually get people out of their cars and onto transit, onto commuter rail, onto SkyTrain, or carpooling or all of those other measures.

But that's not what they're going to do. What they'll end up with is having a free rein in terms of increasing fares for travellers. How does that fit into the new goal of greenhouse gas emission reduction and climate change that is taking place — and all of those targets that the Premier is now going around the world on junkets to try to tell the whole world how great they are? What does that do to it? Does it help it? I don't think so. If anything, it goes contrary to those goals.

When you look at this in terms of the planning, the financing and the tight controls that are there and the governance with the unelected board that is going to be there, what's the real motivation behind all of this? What is the real motivation in terms of what the Premier and the Liberals are doing?

One disagreement in terms of what was going to happen with the RAV line and where it was going to go, and the Premier starts lighting his hair on fire. That's what he's done. He's punishing the folks in the

lower mainland. He's punishing the folks that are on TransLink by getting rid of them, because he doesn't want them in the way. He's upset that he's actually had to do battle and had to sit there and listen to people at the local level in terms of the where and how of certain projects — where they should go and how they should be built.

That's what it was all about. That's the motivation behind it.

What other motivations are there? Well, really, it's about control. We know that the Premier is a control freak. He's always been that way.

One of his first acts when he became leader of the Liberal opposition... I think it was in '93 or '94. He didn't even have enough courage to do it himself. He hired somebody for \$3,500 to go and fire the senior staff that worked for the Liberal caucus of the day so he could bring in his own people who would be able to practise that control.

Deputy Speaker: Order, Member.

H. Lali: But anyway, getting back to Bill 43...

Deputy Speaker: Relevance, please.

H. Lali: Thank you.

In terms of the bill and the hoist motion that is there before us, the hoist motion that I am supporting and NDP colleagues of mine on this side are all supporting, that's what we're talking about. Really, what we're also talking about is to actually take the control away from the Premier, who wants to have control in a big way. That's what it's all about. He's into control. He likes to have his fingers into everything.

Also, the real agenda of this government, this Premier and the Transportation Minister is an agenda to pursue his megaprojects that he wants to build. He wants to build all these megaprojects in the lower mainland, and he cannot stand the opposition that stands in his way — the democratically elected opposition that comes from the GVRD, from the existing board of TransLink and from the mayors in the lower mainland region who want to have their say in how projects should be built.

They want to have all of these other goals that are going to be met in terms of the environment, agricultural land; the strategic planning that goes on in terms of the growth that is taking place — how to curb urban sprawl, how to actually do something positive in terms of eliminating greenhouse gas emissions.

[1705]

All of those are concerns of those elected entities and those elected individuals at the local level within the lower mainland. But the Premier can't stand that. He doesn't want to talk to these people who are democratically elected — all of these mayors, councillors and regional district reps. All of those folks are standing up on behalf of their constituents and putting forward their concerns, and the Premier wants to run roughshod and build his megaprojects, but he doesn't

want anybody standing in the way with a legitimate issue.

What he has done is actually put forward a governing body for the new TransLink with nine members — unelected, handpicked Liberal insiders — to sit there as the board of directors. That's what the Premier wants to do so he can carry on with his massive freeway expansion through the Gateway project, the port expansion and other big projects that he wants to do. That's what it's about, and he doesn't want anybody standing in the way, exercising their democratic rights.

The other thing is that he's already begun the systematic dismantling of the agricultural land reserve. We saw that with the preapproved taking out of the ALR without having to go to the Agricultural Land Commission in terms of the treaty that was before us, the Tsawwassen treaty. But he refuses to say in this House — or the Minister of Agriculture or anybody on the government side — that they're going to red-circle this particular treaty and not have preapproval of land coming out. That's what he wants to do.

What will happen with this new "friends of the Premier" board of directors is that they will allow urban sprawl to continue. If you look at the livable region strategic plan of the 1990s put forward by the GVRD, which is a model for cities around the world to follow... People from other countries come here to study that. In terms of the urban sprawl, it is the buffer around all of those cities in the lower mainland that prevents urban sprawl. But that will be gone, and that's another motivation the Premier has.

That's why we're standing up here on Bill 43 with a hoist motion that is there from our side — so that the Liberals can have sober second thought and actually listen to the people at the grass-roots level and then come forward in the springtime with something a little more real that actually reflects the aspirations and the desires of the people who live in the lower mainland.

Why is the Premier doing this? Well, it's dogma. Right from day one, since he's been elected as Premier, this Premier has had an approach that has been very, very dogmatic, with this dictatorial style of government, and this blends right into it. I want to give you some other examples of the kind of dogma and this agenda of privatization and corporatism that this Premier has put forward in this House in everything he has done.

Let's start with the B.C. Timber Sales, first off. Basically, it's the voice for large companies in this province. It's not the minister who makes the decision anymore in terms of where the wood's going to go. It's B.C. Timber Sales, and the little guys are all being squeezed out. The family-run operations are being squeezed out because of this private kind of a model that the Premier has set up.

Look also at B.C. Ferries. What's happening with B.C. Ferries? Unprecedented rate hikes for users. That's what's happened since he set it up at arm's length from the provincial government. Anything bad happens, he says: "Well, go talk to B.C. Ferries." Anything good happens, the government takes the credit for it. That's what it is. Go talk to them. They're the ones increasing their rates for ferry fares, especially the small routes.

Another privatized example. Look at independent power production. First, create a crisis. Unimaginable. It's not a real crisis that there is a shortage of energy: "Oh God, we need to have the private sector coming in to build these independent power projects all across the province." Privatized our rivers is what he's done. That's what the Premier and the Liberal cabinet have done — privatized our rivers.

We had B.C. Hydro, which was the envy of the world in terms of the planning, the design, the financing, the construction, the ownership and the operation that went on — which kept our rates in this province for hydro at some of the lowest in the world, especially here in North America.

[1710]

They manufacture a crisis first off, so they can start privatizing that part of it and have the rewards go to their friends who finance their election campaigns. That's what it was about.

Then the same thing: "Look, it's the regional health authority. Set it up as a corporate model." Instead of health care professionals who are administrators at the top level, the local level and the regional level, what do they do? They get bean-counters whose only job is to make sure, when it reaches the bottom line, that funding or programs and services will be cut off in local hospitals all throughout the province. The bottom line is all that matters, and that's what the job of these highly paid bean-counters is. That's another model that has been set up.

Now the Premier wants to do it with TransLink. He wants to do it with TransLink again. The people sitting on the board of directors — who are they? Look at that. Miraculously, they're all with business backgrounds. That's it. They're experts in business, nothing else.

What about the environment, as I mentioned, and agriculture? What about greenhouse gas emissions? What about all of those things in terms of curbing urban sprawl, of planned growth or of providing proper transit? It's not there because that's not what the Premier is all about. That's not his way of doing things. It's all about rewarding his friends and his buddies, and he's done that consistently.

That's why this side of the House is standing up for the people of the lower mainland, and we're saying: "We're with you. We're with the people of the lower mainland." There ought to be accountability in all of this. There ought to be democratically elected people who form the upper echelons of decision-making at TransLink — not the Premier's friends or appointees of this Liberal Transportation Minister or this cabinet. That's not the way it should be.

We're looking at 50 percent of the population of this province, and now there's going to be a nine-member, Liberal-appointed board of directors who are going to look after the concerns of those people living there in the lower mainland. What a shame in terms of how the Premier does things in his dictatorial way in this province, and it's just continuing. It just doesn't end.

That's why, before I sit down, I want to say again that on this side of the House we know whose side

we're on. We're on the side of the people. We're on the side of democracy. We're on the side of the public purse. Not to just be arbitrarily handing it over to the friends of the Premier who are now going to control the nine members who will control all the decision-making that'll take place in terms of the new TransLink.

I support this hoist motion, and I urge my colleagues across the way to have the courage to stand up for the people of the lower mainland who don't want to see this model come through. For those cabinet ministers, if you like it so much: have the courage to stand up and defend it. None of them has done that.

I stand here in favour of the hoist motion.

B. Ralston: I rise to support the amendment — or, as it's sometimes called, the hoist motion — that's proposed to delay the debate for six months. I think I'd like to begin by looking at the context of this bill and examine what problem it is that this bill seeks to solve. Many of the people who are the most knowledgeable about the operation of TransLink, the Greater Vancouver Transportation Authority, are quite proud of its accomplishments and were strongly of the view that no changes were necessary.

On April 20, 2006, I attended a speech by the TransLink chair, Malcolm Brodie, who's also the mayor of Richmond. He set some context in that speech about the accomplishments of TransLink. He said this piece of legislation was created in the late 1990s because there was, basically, a disparate planning process where roads and transportation planning at the provincial level were at one level, and transportation services were operated by the municipality.

"TransLink" — I'm quoting here from his speech — "was formed because the regional strategic management of the lower mainland's transportation system was seen as key to creating a robust economy and a high quality of life that would make people want to live and work here."

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He went on to say, talking about the accomplishments of this agency: "While much needs to be done, TransLink has achieved many accomplishments in its first seven years. Currently we're moving forward with a \$4 billion capital expansion plan that includes many transportation projects that will support businesses here in Surrey and Langley."

This is a person who's the chair, a mayor of a municipality in the lower mainland, knowledgeable about TransLink and very proud of the accomplishments of this agency.

Was there a burning need to change the legislation? Back on August 8, 2005, the then chair of the Greater Vancouver regional district board, Marvin Hunt, who is a councillor in the city of Surrey, addressed a letter to the Premier. I'm going to quote from that letter, as well, in terms of just setting a context for the lack of any real urgency or any real problem to be solved in the view of those people knowledgeable about what the authority was doing.

"The results of the GVRD board's extensive review of the GVTA governance" — that's the Greater Vancouver Transportation Authority, or TransLink — "have affirmed that the legislation is robust and that only minor modifications are appropriate to broaden municipal representation, clarify features of the act and improve communications. No radical changes are required.

"There has been remarkable progress on development of Greater Vancouver's transportation system in the few short years since the establishment of the GVTA. New rapid transit lines have been initiated, the bus system has been refined and improved, new revenue sources have been established, the major road network has been improved and innovations such as U-pass have been launched.

"Now is not the time for major governance changes, but it is the time to get on with actions that will support livable communities, economic growth and the 2010 Olympics."

That's the chair of the Greater Vancouver regional district, a very experienced councillor in the city of Surrey. Certainly — although I know him well, having sat on city council in Surrey at one point — not a New Democrat, but a thoughtful and experienced municipal leader in the lower mainland, and that's what he said: "It's not the time for major governance changes."

Malcolm Brodie, mayor of Richmond, very knowledgeable about the governance of transportation in the lower mainland, very understandably proud of the accomplishments and looking forward under the legislation that existed.

I would say that one of the reasons why this motion should be adopted is the government, particularly this minister, needs more time to reflect upon the apparent and, I would say, real lack of support not only on this side of the House but throughout the region and indeed throughout the province. There are some really serious concerns with the structure that's being proposed and the manner in which it's being advanced by the minister.

Let me go on to other concerns that have been raised. The city of Surrey, the council of Surrey, wrote to the TransLink governance review panel. These were the submissions that were embargoed by the minister despite freedom-of-information requests and only released just recently — last week, I believe. I've had a chance to review some of them. This is a corporate report prepared by the then acting city manager, now the manager, Murray Dinwoodie, which was adopted by the council and forwarded to the TransLink governance review.

He says in his discussion of governance.... Again, this is a senior public servant of the second-largest city in the province, very much affected by the decisions that are to be made about the transportation system — road network, buses, SkyTrain — and the development pattern that results from bad decisions or from good decisions.

This is a major participant, a major player in the governance structure, and here's what they had to say. This is the view that they advanced to the governance review.

[1720]

"A particular concern would be the replacement of local government elected representation with a mainly

appointed, non-elected board — i.e., airport authority model. While this may work well for airports or Crown corporations, these entities do not provide direct services at the municipal level. There is concern that if the TransLink board is structured to have fewer or no municipal representatives, the level of cooperation between the member municipalities and TransLink would be adversely affected.

"Likewise, an appointed board would not address the issue of taxation without representation nor public accountability."

Once again, this is not from this side of the House. This is from the manager of the city of Surrey — the second largest city in the province — in a considered opinion about the kind of governance structure that should be adopted.

Concerns about what's being proposed here are very widespread. He goes on to say — and I'm going to quote again because I think it's helpful in understanding the breadth of the opinion that he's offering here:

"Some other boards of transportation authorities, where funding from other levels of government is provided, have more technical or transportation-experienced people as representatives, while others provide for representation on the boards of specific sectors of the transportation industry — i.e., ports, airports and the trucking industry. The need for technical expertise on the TransLink board is not critical, as this should be the responsibility of the TransLink administration.

"However, the need for specific stakeholder input at the board level could be beneficial and could be addressed through the province appointing such stakeholders as its representatives on the board rather than MLAs, as currently contained in the legislation related to TransLink. Additionally, if federal government funding is made available on a long-term, sustainable basis, there would be justification to include a federally appointed representative on the board as well."

I want to repeat: "The need for technical expertise on the TransLink board is not critical."

Yet this is the very justification, the major linchpin, of the case that's advanced for the government by the Minister of Transportation in developing the governance model that he's put forward. You have this — I would say — very thoughtful, neutral presentation from a senior public servant in the second-largest city in the province, and that's just being sloughed off. That's not being agreed with.

But the concern is more widespread still. Patrick Smith, a professor of political science at SFU, just recently in the Vancouver *Province* objected to what he called "the erosion of local democracy." He stated that since the board raises property taxes, has the power to change taxation classifications, can accumulate property and run its own police agency, "it fails the democracy test."

I think perhaps the member for Peace River South might want to be concerned about this, because I think there's an argument here about it really being a separate level of government. I know that he spoke in other debates about his concern on that in relation to other legislation before this House.

I'll go on with other commentary. Again, these are not New Democrats. Jonathan Baker — a lawyer, a former city councillor, a specialist in administrative and municipal law — said: "I think it fails the adminis-

trative test." He goes on to say: "It seems outrageous that you have an appointed body doing that sort of a thing."

This is someone who sat on the city council in Vancouver — a very experienced lawyer in dealing with municipal and administrative law in the province, a well-recognized authority. That's his opinion of this legislation. He goes on to say: "Didn't someone once say that taxation without representation is tyranny?" That's Jonathan Baker. That's a former NPA councillor, a senior lawyer in the province.

What problem is this Minister of Transportation seeking to solve here that's eliciting this kind of reaction?

The democratic structure of the present board is looked on favourably — not necessarily by this Minister of Transportation, obviously — by Ontario. Not too long ago Ontario created its own transportation agency. One of the models for creating that agency.... I'm quoting from the news release of the McGuinty government back in 2006: "Other jurisdictions have successfully created regional transportation authorities including the Greater Vancouver Transportation Authority, the Regional Transportation Authority of Chicago and the Dallas Area Rapid Transit — DART."

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The structure that the legislation in Ontario puts forward has representation by municipal-elected representatives and by those from the province. So there's no attempt.... Given that Ontario has a population of 10 million, and the budget is much bigger, obviously the argument that the budget or the administrative demands or the managerial scope is too complicated for municipal representatives to handle was completely rejected.

They have a very, very ambitious plan to create a Greater Toronto transportation authority and to develop, with municipal participation and representation, a huge transportation network. They're talking about new investments in the range of \$1.2 billion.

So concern expressed by senior public servants, concern expressed by political leaders, not necessarily of the opposition stripe, professors.... The present model — not the new model — is followed in other provinces of the country.

One wonders why this legislation is being brought forward. Is it simply the whim of the Minister of Transportation to resolve a minor debate that took place within the region about one particular project? I would be deeply troubled, and I'm sure the members of the public would be deeply troubled, if that were the motivation for this legislation.

Let's look at the present structure of TransLink. Members of city councils and mayors sit on.... There are 12 of them. The provincial government has the legislative authority under the present act to appoint three members to the board. The provincial government, under the tenure of this government, has never done that. They've left those appointments empty.

Those representatives run that board, and they're paid modest per diems. In other words, they're paid per meeting. So it's a relatively economical structure, in

the sense that you have elected officials who have other duties, who understand and are responsible for their own municipalities and cities, and who have some understanding of the transportation objectives of the region. They do that job, and they do it at a very modest fee.

[H. Bloy in the chair.]

The professional board that's being recruited, I predict, will send the costs of this bureaucracy soaring. With the kind of directors that the minister says he's looking for.... If you look at the act, section 171 will create a board of nine members. I predict that the remuneration, the fee — that is, the money these people are paid for sitting as directors — will vastly increase the costs of running this organization.

Reading from subsection 176(3): "Promptly after performing its duties under subsection (1), the 2007 screening panel" — this is the preliminary group that's to select the board of directors — "must, (a) recommend the remuneration to which a director of the authority is entitled and the terms on which it is to be paid...."

They can vary that under subsection 181(1). If there were an objection or a further request or a solicitation for an increase, the screening panel would, I suppose, have some limited authority to raise that.

[1730]

They will be creating a board of directors where I would expect the annual fees for those board of directors will be in the range of \$50,000 to \$75,000 a year, rather than the amount that the municipal officials were receiving of some hundreds of dollars per meeting. Multiply that by nine, and I would say you're up over half a million in those costs as well, to say nothing of their incidental expenses and all the rest of that to run this.

In the pursuit of this creation of this bureaucracy, there is more. Section 215 mandates the creation of a commissioner structure. This is apparently modelled on the B.C. Ferry Commission, and I'll refer to the annual report of that authority as well. But in section 215(1), the mayors' council "...must appoint a qualified individual who is not a director...as the Regional Transportation Commissioner and may appoint not more than 2 qualified individuals as deputy commissioners."

So potentially three people. It's not clear what the necessity is of interposing this particular commissioner structure in this bureaucratic network that's being set up, but it does appear to be modelled on the ferries commissioner.

In 215(3), the mayors' council may "...determine the remuneration and terms and conditions of appointment of the individuals appointed under subsection (1)." So they'll decide on the pay.

We have a commissioner and, potentially, two deputy commissioners. What are they going to be paid? We're over at least half a million — \$500,000 to \$600,000 — in my estimation for directors.

I'm looking at the financial statements of the *Annual Report for the Fiscal Year Ending March 31, 2007* of the

British Columbia ferries commissioner. As near as I can make out, they had a commissioner and a deputy commissioner. The expenditures in fiscal 2006-2007 were \$280,083. "Expenditures were," and I'm quoting from the report, "for commissioners' fees and expenses and for the cost of consultants engaged to assist and advise the commission."

That's only for a commissioner, one deputy commissioner and any consultants that they hired. I would say that we're then looking at that at least, perhaps more. We're probably in the neighbourhood of \$800,000, simply to operate this.

Apparently, the commissioner — and I looked at the report of the ferries commissioner — decides whether to accept or reject fare increases. In order to do that, apparently the commissioner needs to, is permitted to, or felt the need to, in these cases, hire consultants to advise him or her on the process of setting the fares.

One sees that there's a budget not only for the transportation commissioner and possibly two deputy commissioners but for some group of consultants to assist on various aspects of carrying out his or her duties. Undoubtedly, that won't come cheap. Consultants rarely do. One can imagine that there'll be additional costs there.

In addition to those fees, under "Funding for Commissioner," section 236, the commissioner's expenses are to be paid by the authority. So not only do we have the fees for the commissioner, the deputy commissioners and the consulting fees, we have the expenses to be paid by the authority.

On top of that, the authority is given to pay the consultants that I referred to. That is at section 218: "The commissioner may retain staff, consultants and other persons necessary for the commissioner to perform the duties of the commissioner's office, and may establish their remuneration and other terms and conditions of their retainers."

So while the mayors' council sets the remuneration for the commissioner, the commissioner has a free hand to pay consultants, staff and "other persons necessary," whoever that might be, to carry out their duties.

[1735]

One can see that the public expenditure on this structure has grown far beyond the modest fees that were paid per meeting to individual mayors and members of council. It is, I would say, reasonably a million dollars per annum at least, and one understands how these things grow once they're entrenched.

But that's not the end of what the commissioner can hire. The commissioner also is given the authority to hire inspectors. I'm looking at section 227. "The commissioner may appoint a person to conduct an inspection of the authority or any subsidiary...." There are certain conditions about the absence of reports, and it looks like an ability to look for records to carry out a financial audit of some kind. So in addition to consultants and staff, there are now inspectors.

And in subsection 227(8): "The commissioner may establish the remuneration and other terms and conditions of appointment of any inspector appointed under this...." Not only do you have a non-accountable board,

you have a separate bureaucracy which appears to have the legislative authority in this act to expand its operations, to set its own funding and to call upon the authority to pay for it.

I say that that's yet another reason why this motion to hoist the legislation, to suspend the debate and to come back in six months is important. Indeed, I'm not sure that all members of the Legislature — although perhaps they've read the legislation through — and certainly not all members of the public understand the kind of bureaucratic behemoth that's being created here, and it's completely unnecessary.

We have Councillor Marvin Hunt saying that no radical change is necessary at the time. We have Jonathan Baker saying: "Taxation without representation is tyranny." We have Patrick Smith, a professor at SFU, saying: "It fails the democracy test." We have Malcolm Brodie speaking very proudly of the accomplishments of the present agency. We have the city manager of Surrey talking about the problems in this kind of unaccountable, non-democratic model. One can see that in the absence of representation and with this kind of structure, the potential for growing, unaccountable officials with open-ended budgets, certainly in the commissioner's office, is very obvious.

Now, the process that's proposed in terms of the financing and the long-term planning here speaks of a 30-year plan. TransLink, perhaps bowing to the inevitable.... Certainly the minister has made it very clear, in his creation of the screening panel in the absence of any legislative authority to do so, that he intends to push through this legislation — somewhat, I suppose, like the people's congress in Beijing.

I was invited by Mayor Brodie, among other elected officials, and I participated on Saturday, October 27, in a TransLink forum on transport 2040, where the 30-year plan in the region for transportation was being discussed. It's clear that that plan is being worked on preparatory to this legislation clearing the Legislature and coming into force. It would, I think, assist in the development of the 30-year plan by the unelected board of professionals. I expect those highly paid professionals will earn \$50,000 to \$75,000 to maybe even \$100,000 a year for sitting on that board.

[1740]

What was clear was that the ten-year base plan that's referred to in section 194, which would define levels of service, capital projects and revenue sources, really is the beginning of the harder decisions. The 30-year plan sets broad objectives, and generally speaking, as we know in the climate change debate, it's always easier to agree upon those objectives which are very distant. The more difficult decisions come when we have to agree on objectives that are closer over the time horizon.

The ten-year base plan that's required in section 194 of the act will be the beginning of the tougher decisions. In particular, in section 194(3)(b) the capital projects are referred to. If I might just turn to section 194(3)(b), because there's a passage I want to refer to. In this section: "...a base plan must do the following for each applicable year...." Among many other things, it

must "estimate the money the authority will be required to pay in that year to fund... (ii) the major capital projects referred to in paragraph (b), and all other capital projects."

In the ten-year plan, the unelected board of so-called professionals would begin to grapple with capital projects. This is where I find the recent statements of the minister somewhat curious. On *The Bill Good Show* on September 8, 2007, he said that he had a personal view that the SkyTrain should be extended through his riding to Langley, and it should be done within ten years. Now, that appears to accord pretty closely with the ten-year plan.

Now, for a person who has professed a distaste for political interference to give such dramatic personal direction to the authority on the eve of its setting its ten-year plan is rather astonishing and, I think, rather revealing as well. Of course, the member for Surrey-Tynehead has a different plan, and maybe it's a two-track strategy over in my part of the world. He wants to build it to Guildford, and the Minister of Transportation wants to build it through his riding to Cloverdale.

There are huge expenditures that are being proposed, and a political signal is clearly being given to the board, notwithstanding the professions that this is a non-political board that wouldn't dare accept political direction. I find the steps that the minister has taken to signal his own political preferences south of the river rather astonishing in light of the professed goal of this particular legislation.

I have much more to say, but I note that according to the rules of the Legislature, my time is almost up. With that, I will close on my part of the debate and say that I support the hoist motion. I hope that the successful passage of this motion will give time to the Minister of Transportation to reflect upon the complete lack of public support that is demonstrated for this piece of legislation.

D. Routley: I rise to speak in support of the hoist motion.

Of course, when we seek to intervene and resist a motion that is seen as dramatic in its consequences but limited, to say the least, in its considerations of public interest or its considerations of impact into people's lives, that is when the opposition feels the need to move such a motion.

We do so in the hopes that there will be a moment for sober second thought from the Premier's government. His government and he are not noted for their preference for sober second thought. They are noted more for railroading and moving ahead without any kind of consideration of issues that cause them any kind of discomfort in implementing their ultimate plan.

[1745]

Their ultimate plan is clearly to remove from our hands as British Columbians levers of democracy that would interfere with the implementation of their over-all planning and would present a voice of opposition, perhaps, to some of the measures that this government would consider and would interfere with their plans. So the Minister of Transportation, who quite regularly

uses the word "interference" in order to avoid his obligation to act in the public interest, now shows us what the real meaning of political interference is. It is when a government moves to take steps to reduce the power of the democracy of British Columbia, and that is exactly what the minister has done.

This motion deserves to be hoisted because it makes such a significant change to the notion of governance, such a significant change to the expectation of local government in determining its own future for its constituents, and indeed, it cuts off access to voters. Offering up 15 choices to a board in order to choose a panel that will govern such an integral and important and crucial public service as public transit can't be seen as anything but a removal of democratic representation and democratic voice.

I can't imagine what possessed the government, other than a thirst for the pragmatism that this offers them. Yes, they can now have much more direct control. The Liberal government does not have to be bothered with what they describe as parochial concerns of local government.

As I said earlier in speaking to this motion, as a former school trustee who had to deal with the drastic underfunding by this government to public education and then the resulting skirmishes between schools, between communities in trying to meet the demands of cutbacks from the Liberal government in education.... Those skirmishes over scarce resources were described by trustees who endorsed the Liberal plan for education as parochial concerns as well. But what is being defined here as parochial concerns are the relevant and legitimate voices of our community expressing their demands as ratepayers, as taxpayers, for service from this government, and that is written off as parochialism by this minister and this government.

The hoist motion is meant to give the government and the Premier an opportunity for sober second thought, which I don't think they're willing to take. But I would encourage them that it won't damage the lustre that they've burnished themselves with to allow for this House and this province to express their concerns with this legislation.

They engaged in a review process, a review panel, which did take submissions from the public but has not made those submissions public, has not made those submissions available to the interest groups, and therefore comes to conclusions based on their own preferences rather than any kind of observance of consultation. That doesn't give me much hope for the consultative components of this bill. In fact, there's nothing in the bill that would require the new governance board to respect any of the considerations or consultations undertaken.

That is another reason that the bill must be hoisted in order for people of this province, for the people of the lower mainland, to have the opportunity to express their concerns when it comes to the drastic changes to democracy and governance.

I would think that there are school trustees and other board members around this province feeling very nervous about this approach to governance.

[1750]

I would think that municipalities are feeling like now they have some more company with other Liberal steps that have been taken to remove their authority — Bill 70, Bill 30, on and on — steps taken by this government to remove the levers of democracy.

What we have in appointing a board of experts is governance by technocrat. Yes, the experts know that the day-to-day operation of this system is complicated and difficult to manage. But the clients of the service, the citizens of the lower mainland, have a pretty good idea about the interests of public transit when it comes to public interests, to community planning, to environmental protection, to land use. All of these issues need to be knitted together in order for us to arrive at a progressive and sustainable future.

But this step will sever transportation planning from the broader land use issues, from the broader urban planning issues, and will leave it marooned, in a sense, to the dictates of the minister down through the appointed boards, down through the community. You can see in the history of this Transportation Minister that he has sought to be that troll under the bridge that would collect tolls from the people of B.C. and would be there to act, to defend us from political interference, as described by the minister.

Well, the troll under the bridge would call anyone who would liberate the bridge for those who would pass over it interference. But those who would pass over the bridge would see that as maybe protecting the public interests of those who would pass over the bridge.

So it all comes down to perspective, and the Minister of Transportation is well known for a very unique perspective on a number of things. But he's also well known for very disrespectful language when it comes to local governance. He's also known for an intemperance and an ease to frustration when it comes to resistance to any of his plans by local government.

Transportation has assumed a position of far greater importance in our lives in recent years. When people are asked in the lower mainland about regional or municipal issues that affect them, they consistently identify transportation as the most important, be that a person who's commuting in their car, a passenger on our SeaBuses or a cyclist. All of them have an interest in the decisions that are going to be made by this board, but none of them will have a voice. What voice they did have has now been stripped from them.

I again would issue a challenge to those groups — cycling groups, bus rider groups, environmentalists, local government. This bill is the rallying point to challenge this government's heavy-handed approach to local autonomy and to local voice, and to challenge this government's preference for a very narrow and special-interested voice. That is the voice of business, which has determined for this government all of its policies, be it Gateway, be it the results of the TFN negotiations. It's all been delivered in a nicely wrapped corporate package, and this government has handed it on to us.

Greater Vancouver has become a major urban centre that faces the same transportation challenges as other cities of its size. It's actually complicated by our

limited space for expansion, which I suppose is a blessing — isn't it? — that we don't have the opportunity for sprawl that so many other communities have had to struggle with. We don't have that easy choice of just building further and further out, except up the valley, and we see some of the negative consequences of that.

So it is more important here, perhaps, than anywhere that the issues of public transportation be closely married with the interests and plans and aspirations of urban development, of environmental planning, of community planning. Unfortunately, this bill goes in completely the other direction.

[1755]

If the Liberal government, our Premier and this Transportation Minister are troubled by the burden of democracy and by having to actually appeal to the people for their voices and for their views, then they should just say so, rather than being so Machiavellian in their obvious plot to remove local control and local autonomy.

We see it in run-of-the-river legislation. We see it in significant projects legislation. This provincial Liberal government is quite prepared to say to local governments: "Your voice doesn't matter unless it agrees with us." That's really courageous. I bet they feel proud of themselves for that, don't they? It's quite pathetic, in fact.

This province deserves to be led by people who will give respect to local voices and who will understand that this province speaks in the many different dialects of the demands of its different communities. This province has needs that are so far-ranging and so different from community to community that the application of one-size-fits-all Liberal policies is an affront. It is in fact grossly inefficient, but it's something that is simple. It is something that is easily grasped by those who would seek simplistic solutions to the very complex problems that we face.

When those simplistic solutions aren't what they're made out to be and people begin to struggle with the outcomes, their voice is cut off. Simply and directly, it's cut off. That is an affront to the people who built this building. That is an affront to the people who upholstered the chair that the Speaker sits in. That is an affront to British Columbia.

The livable region strategic plan sets up specific expectations, and those expectations have been supported by the GVRD and the individual municipalities. Unfortunately, many of those expectations have run counter to the plans of the Transportation Minister.

We have to deal with traffic congestion — an increasing frustration and challenge. But what does this government do? They offer up a Gateway plan that basically ignores public transit, that is meant purely to move goods through and out and to move the benefit of this province through and out of the hands of British Columbians.

We have to struggle with environmental controls that have become increasingly important to residents. We have a Premier who painted himself green. Now the paint is peeling, and we're seeing that underneath it is the true good old brown of Liberal environmental

policies, which really ignore any kind of demand that would challenge them to be met by anything more than lip service.

When those challenges are made, they're simply dismissed as parochial complaints. How disrespectful. Who are the constituents of this government? Are they merely the insiders? Are they merely the donors to the B.C. Liberal Party? Or might they include those cyclists, those bus riders, those fare protection groups that fight and organize? Some of the most significant political displays of organization in this province's recent history have occurred during moments of challenge to public transit systems.

This is an issue that will amalgamate the anger of the people if it is treated in such a blunt and disrespectful fashion as we see here. So I would challenge all of those groups to see this bill as the rallying point to challenge this government's heavy-handed approach to all forms of public policy and to assert the voice of our constituents, who are being underserved and underrepresented.

[1800]

It should serve as a rallying point for groups like the Canadian Taxpayers Federation, who should be absolutely, adamantly opposed to this bill's taxation without representation. I challenge them to rally around this as an opportunity to challenge this government's heavy-handed approach to these issues. The interest of taxpayers is not only in reduced taxation; it's also in not suffering a reduction in public services. That is what this government has delivered plentifully.

We see a desire throughout our communities for increased accountability and democratic participation. How is that answered by the provincial Liberal government? Well, it's answered by the removal of public oversight over tree farm licences. It's seen in the removal of local autonomy through Bill 30 and Bill 75. It's seen in this bill, which would reduce the voice of local government in determining its own future. How can the people of the lower mainland adequately plan for urban and community development and growth? How can regional growth plans be established with any kind of relevance when one of the key pieces is now severed, divorced from all of those interests?

So why? Why, except that those voices become inconvenient from time to time, except that the juggernaut of this Liberal government's plans would be barriered slightly by local voice. We saw it in the debate over the RAV line. We saw this government impose its ideologically driven solutions in the form of a P3 arrangement, which had been rejected by local government.

That wasn't good enough for the B.C. Liberal government. That wasn't good enough for this Premier or this troll under the bridge that we now must deal with, who would rise up and say: "No. No, not as you would choose it, Greater Vancouver. Not as you would choose it, but as I choose it." That's what this minister did. It's sad. It's sad in a province that has always prided itself in being a province of great public wealth.

Now I'm going to impose an inconvenience on the government and on the Speaker, perhaps, because

I want to speak about something fairly personal, and that is my daughter. It's right back to my 20-year-old daughter and her vote and just how diluted this Liberal government and the member from Prince George behind me have made her vote. They have disenfranchised my daughter and myself and my community by increment. They have removed the public oversight over public resources, over public services, and they have attempted to ram through ideologically driven solutions that corporatize all of those decision-making processes.

It's a simple equation: "Deliver to those who deliver to you." The donors deliver the funds; they deliver the policies. We have seen the privatization of the public interest broadly in this province, and this is just one more piece. This is one more degree in the pot that is boiling the frog, but hopefully, this is a little bit of a bigger jump in temperature than the frog is used to. The frog — local government, environmental groups, cycling groups, all those affected by this ridiculous legislation — should see this as a huge opportunity to lock arms in common pursuit against a policy that would penalize them for their interests.

[1805]

I come here with a sense of awe and respect for this building, for this institution and for all that it stands for. I think that the woodwork of these desks and the woodwork behind you, Mr. Speaker, the domes and the marble are all there to elevate the interests of ordinary people to the highest level — not to elevate the powerful to a station of greater power, not to elevate the captains of industry to greater captaincy over our communities but to elevate the interests of ordinary people to the highest place possible and to pursue those interests to the best of the public interest, the best of the interests of my voting daughter.

When my voting daughter no longer votes for control over B.C. Rail, over our tree farm licences, over the future of the forests on Vancouver Island, the rivers, the run of the rivers and now this.... Piece by piece by piece, my daughter is disenfranchised by this Liberal government and that minister, who acts as a troll under the bridge and would toll her into...

An Hon. Member: Bankruptcy.

D. Routley: ...a bankruptcy. That's right.

An Hon. Member: You sound confident that she voted for you.

D. Routley: No, I'm sure she'll vote in her interest. That's what I have confidence in — that she'll vote in her interest. That's really what disturbs this provincial government. This provincial Liberal government is disturbed by those who would pursue their own interests through political process.

In fact, it seeks to liberate all these public assets into private hands, where there won't be all of this bothersome democratic process that actually stands in the way of the interests of people like my daughter and

like those who would be negatively impacted by this legislation but will have no voice to express that. I think that's fairly important.

It's that important when it comes to the core of what we stand for in this building, when it comes to the core of why there's a red carpet here, why we're two and a half sword-lengths apart, why this building was put here in the first place. That is important enough to have a bill hoisted, no matter what that bill seeks to do.

It seems the least that this Liberal government and that Premier could offer. The least they could offer is sober second thought, but we know our Premier isn't very interested in sober second thought. No, he's more interested in railroading through and getting what he needs for his friends, his insiders, his cronies, his donors.

When we look at any kind of issue that is so vital and so crucial to the future of our communities, oughtn't there be an independence and accountability? Oughtn't there be an opportunity for my daughter and all those disaffected by this to express their outrage when policies go wrong, as they could before?

No, this government sees that as an interference in their planning and will take steps like this bill in order to steer their way around the obstacles in the road. The obstacles in the road are the interests of ordinary British Columbians that get in the way of the ideological pursuit of a P3 privatizing agenda that has stripped this province of wealth, that has liquidated this province of its interest and that has left us with a ballot that is made vacant more and more by the hollowing out of democracy undertaken by this Liberal government.

It's really quite despicable. I come here with all that respect for this place, and I'm met with legislation time and time again that does nothing more than tread on those interests.

We come here as politicians. We're not supposed to be left speechless, are we? This is astonishing. It is really quite astonishing that a government that waved the flag of openness, of accountability should now take these kinds of underhanded steps to undermine all of the foundations that were built by those who built this building.

[1810]

This isn't just a kind of theoretical discussion we're having here. This isn't a "Well, who's going to pay the bill at the restaurant? Will it be you? Will it be me? Will we share it?" No, this is important. This goes right to the core of why I came here and, I'm sure, why I was sent here — and that is to seek opportunity and to voice the interests of the public who I represent. I can't see any higher purpose for this building, but that purpose has been consistently undermined by the policies of this government.

The idea that non-elected representatives, however expert they may be, should take the reins of determination for our communities is a despicable concept, and it needs to be challenged. So I offer a challenge to those groups who hopefully will read this and realize that what this government has set out to do is to remove those levers that this place offers them to determine their own future.

You know, it's also funny to hear the other side on the one hand warn us that we ought to be serious, and on the other hand compare what we're saying to the drama of a movie. You know: "On the one hand, well, I want it this way, and then I want it that way." Maybe that informs why they have to take these steps. It's an inconsistency that reflects an immaturity in dealing with these very, very important and crucial issues of representation. Unless you have a consistency, you are displayed and you are exposed as incredible, as this government lacks credibility.

I guess in that sense, as an opposition member I should welcome this display of arrogance, because at least this offers an opportunity of magnetism to those groups who need to challenge this — not just this opposition but all those community groups that are challenged by this.

I think all of this comes down to an angry, frustrated minister behaving like a troll under a bridge, who would say to the local governments, "No, I want my RAV line where I want my RAV line, no matter what you say. My friends are going to build it, no matter what you say. No matter how many times you say it, we're going to come back until we get what we want, until we take the trophy that we really want" — which are the levers of democracy that this building offers my daughter.

That's the ultimate purpose of all these policies offered up by this government. That, to me, is the saddest thing that could ever occur in this building, because this building has more grace, honour and respect than that could ever have.

I think any government that would seek to remove so many levers of democracy and ignore this legitimate hoist motion, which only asks for sober second thought — something the Premier has difficulty with.... In the end, that points to a government that might come up with the slogan: everything is okay as long as the SkyTrains run on time.

S. Simpson: I'm pleased to follow my friend from Cowichan-Ladysmith, who has expressed in a most passionate way how we feel on this side about this bill. I'm pleased to join this debate around the hoist motion. I speak in favour of the hoist motion, and what I'd like to do at this point is take a little time to talk about why I support that. I suspect I'll be back tomorrow, maybe talking about it a little bit more.

[Mr. Speaker in the chair.]

The first thing I think I would like to do is outline some of the key aspects of this piece of legislation that I believe led us most strongly to make the decision to put this motion on the table and, hopefully, to give the government six months to think more about this piece of legislation and whether it is in fact a wise thing to do.

[1815]

Clearly, it is our view that there is nothing wise about this legislation. It's spiteful and a little vindictive, certainly. I think that's the nature of it. I think it reflects

the minister's view of local government and what I see as a lack of respect for the role of local government and local elected officials and the hard work that they do on behalf of their constituents.

The first thing that this piece of legislation does is gut the democracy around transportation planning. What we know is that currently it is elected officials who are involved in the governance of this. It is mayors and councillors who are elected in their home communities and who come forward through the GVRD and onto the TransLink board. They remain accountable, they are accountable back to their communities, and they can be held accountable in the same way that all of us in this chamber can be held accountable.

What it does is essentially kill off the elected leadership. It hands transportation planning, in a large part, to the private sector. This is a government that has methodically gone through the privatization of British Columbia. It's been an approach where they've attempted and they continue to attempt to privatize public services and privatize everything that's in the public interest in as methodical a way as they can. Now we're seeing the move to the privatization of transportation services in British Columbia, starting with the privatization of TransLink.

So what we do here is now take away the public interest, which is reflected in our elected leadership at the local level, and we hand this over to the private sector. It's handed over in a way that allows this private interest, an unelected body, to be able to exercise taxing authority — a remarkable decision by this government in this legislation. It essentially says to private interests: "You have significant taxing authority, and you have the right to shift taxes and to shift the tax base and where those taxes are collected from between property owners and business."

That's an incredible power to give to people who are not elected and who, quite frankly, don't represent anybody. There's certainly nobody who elected them or voted for them in the public. And you're giving them that authority around taxes.

Also, the government, with this piece of legislation, is giving that same unelected body.... It's an unaccountable body, a body that is put there by the Vancouver Board of Trade, a body that's put there by the chartered accountants, a body that's put there by the Gateway Council, made up of the major transportation interests in the province and a representative for the minister. Those are the people who will get to make the decision. Sure, the mayors have one vote of the five, but the reality is that those four votes will make the decision.

What did those interests...? They're legitimate interests to be part of this debate but absolutely not the interests that should dominate this debate. What do they do? They get to override municipal authority. They get to make decisions that rightly rest with our local governments and our local elected officials.

What we have are communities that are concerned about this legislation. We have local governments that are concerned about this, and they are concerned about its undemocratic process. They are concerned about the

arrogance that is inherent in this legislation and, I would suggest, about this sort of malicious attack on local government and local elected officials.

It does all of that. Then, at the same time that the B.C. Liberals are doing this, they don't even fix the funding problem, which of course is the problem that, in reality, underlies most of the challenges that TransLink has had. They've been starved by this government for funds for transit purposes — a government that throws billions of dollars at asphalt and pavement without blinking but seems to be hard-pressed to find any money to be able to fund transit.

[1820]

I must admit that this government in its wisdom has committed to 20 buses six or seven years from now. That's the commitment to funding, and it was remarkable. This one called on the Premier and the Minister of Transportation to both participate in a funding announcement that was 20 buses six or seven years from now. Look, that's pretty desperate when you're coming to transportation. But what we don't see in here under TransLink, or at all, is the kind of transit planning that we really require, the kind of transit planning that will be essential if we're going to get anywhere near the Premier's commitments around climate change that he's promised in the throne speech of earlier this year.

The other thing this does, which is just bad management no matter how you cut it, is it takes the people, the mayors and the councillors, who through their local councils and through the GVRD play the critical governance role in land use planning.... Anybody who knows anything about trying to deal with sustainable communities with smart-growth strategies knows you need to deal with land use planning and transportation planning in a more holistic way.

What this bill does is it divides those and says that the people who will deal with transportation planning have no necessary connection to the people who are dealing with land use planning...

Interjection.

S. Simpson: ...or interest, as my friend says. They have a very different agenda, and it has nothing to do with making communities more livable. It has to do with creating, enhancing and maximizing return on investment, and that's what it's all about.

The investment we should be trying to get the maximum return out of is the quality of life in our communities. That's what we should be looking at. But this does nothing to take us there at all.

If we're truly serious about wanting to deal with smart-growth issues and improve the quality of our communities, if we're really serious about wanting to build those compact, complete communities that we know need to be our future, if we're really serious about linking transportation and creating walkable communities and creating the kinds of critical mass around population mass and density mass in our communities that allow transportation to work, then we have to work in a much more coordinated way.

There's nothing in this legislation that says this will take us in that direction. So we look at those as pretty significant reasons to make the decision to move this hoist motion at this time, to try to put this bill back in the minister's lap, to ask the minister to think about it a little bit, to ask the minister to take some time, maybe consult with some people — maybe consult with some of the people who aren't necessarily on his list.

It's clear that the minister has consulted with the board of trade. It's clear that the minister has consulted with the Gateway Council. It's clear that the minister has consulted with the chartered accountants. It's not so clear that the minister has consulted meaningfully with transit users, the people who ride the buses or ride the SkyTrain.

I meet with those people. I talk to those people, and the last time I checked, they haven't received any phone calls from the minister saying: "What do you think?"

I know that there are significant environmental interests around transit and around transportation planning, and I don't think they've been consulted here. I don't think that they've got any phone calls from the minister saying: "What do you think? How do we do this better?"

Many of our local elected representatives, certainly ones who share my community in Vancouver — I've talked to a number of them, and they don't seem to have had calls from the minister saying: "What do you think? How do we do this better?" I've talked to elected representatives in the surrounding and adjoining communities throughout the regional district. Many of them certainly haven't gotten many calls from the minister asking for their opinions.

You talk to people who are expert in the field, people who are transportation experts, people who understand how transportation works and the linkage between transportation and sustainability and complete communities and dealing with climate change challenges, and most of those people — people who are recognized experts in our universities and elsewhere — are not getting calls from the minister either.

The kinds of people who the minister should be talking to about this legislation and about how we move forward to deal with some of the challenges

around transportation planning are not being talked to. Rather, the minister has chosen to talk to one segment.

[1825]

There are so many different groups and interests who are legitimate stakeholders and interests to this discussion about the future of transportation planning and transportation services in the lower mainland. The minister has chosen to talk to one group, one of those interests. A legitimate interest, absolutely, but there are many other legitimate interests whom we've not heard from in any way, shape or form.

That's one of the things that we believe needs to occur. We believe that the minister has to take the time to go and talk to those people. He hasn't done that, so we hope that this hoist motion might, among other things, provide the minister with the time to pick up the phone, call some of those people, sit down, talk to them and see what they think and how they feel about this.

Mr. Speaker: Noting the hour, Member.

S. Simpson: Thank you, hon. Speaker. Absolutely.

Just to recap slightly, and then I will finish here. What we need to accomplish here, as I've said, is to begin to get a second thought — as my colleague said, some sober second thought around this legislation. We hope the six months would do that, and we hope the government might see fit to do the right thing here around the six months.

Having said that, and noting the hour, I'm reserving my right to engage in debate when we come back on this bill.

S. Simpson moved adjournment of debate.

Motion approved.

Hon. B. Penner moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until 1:30 p.m. tomorrow.

The House adjourned at 6:27 p.m.

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