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**DEBATES OF THE
LEGISLATIVE ASSEMBLY**
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THE HONOURABLE BILL BARISOFF, SPEAKER

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

FIRST SESSION, 39TH PARLIAMENT

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Honourable Bill Barisoff

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THURSDAY, OCTOBER 29, 2009

The House met at 1:35 p.m.

[Mr. Speaker in the chair.]

Routine Business

Introductions by Members

L. Reid: I would like the House to welcome a wonderful woman in the gallery today. Brenda Shewchuk is with us. She is originally from Wishart, Saskatchewan, and she has chosen to make Victoria her home. We're delighted to welcome her to this fine city, this fine capital, and to tell you that the Wolitski homestead today is 102 years old in Wishart, Saskatchewan. I would ask the House to please make her very welcome.

Hon. S. Thomson: Joining us today in the gallery are many of B.C.'s farmers, ranchers and food processors. They're here today to meet with their elected officials. I'd like to introduce the chair of the B.C. Agriculture Council, Garnet Etsell, the chair of the organization, and ask the House to make him and all the industry representatives, the leaders of our farm organizations, who are here today welcome.

C. James: I have a guest today in the gallery, someone who has done extraordinary work in my constituency office. Many of us have the privilege of having practicum students come and work in our constituency offices to help us out. We've had an exceptional social work student in our office for the last while who has done an amazing job, shared her energy and expertise and, most importantly, her passion for the community. So I'd like the House please to make Laurie Taylor very welcome today.

L. Popham: I would like to join with the Minister of Agriculture today and welcome all of the representatives from the agriculture industry in British Columbia. The reception they held last night was incredible, and it puts an amazing spotlight on an amazing industry. So thank you so much for the efforts you put in last night.

J. Thornthwaite: I would like to welcome all of the board members for the B.C. Principals and Vice-Principals Association. We were very, very honoured to be their guests at a luncheon today. Marilyn Merler, president; Ted Whiteland, executive director; Jameel Aziz, president-elect; Carl Repp, the director; Elaine McVie, who is from Victoria; Terry Honer; Tom Aerts; Bruce Frith; Roberta Kubik; and Bryan Johnson. I apologize if I've got some translation wrong, but welcome.

Can we please get everybody to welcome the principals and vice-principals.

B. Routley: Please join with me in welcoming my friend and brother Tom Harkins. Tom hammered in many a sign in the Cowichan Valley in helping me during my election campaign, and I know he did a whole lot of work. I really appreciate all that he has done. He's one of the few people who actually pay attention to what goes on in the Legislature, and he has comments from time to time on the radio. So please join me in welcoming none other than Tom Harkins.

Hon. M. Polak: I would like to introduce Melanie Filiatrault, president, and Heather Bayes, vice-president, of the B.C. Federation of Foster Parent Associations.

Later this afternoon they will be joining me to sign a Foster Parent Rights document that represents the principles and values that exist in partnership with the Ministry of Children and Family Development and foster parents around this province.

Would the House please make them very welcome.

S. Simpson: I'm pleased to introduce an old friend of many on this side, Don Jantzen, who is with us. Don had a long history of working in the labour movement, and for the last number of years until his recent retirement, he has worked as an assistant to the mayor of Burnaby, which we all know is ranked the best-managed city in Canada. Thank you very much.

D. Horne: It's, I guess, family week here. My father was here earlier in the week, and I'd like to introduce my daughter Liza Horne, who is joining us today. May the House make her truly welcome.

Tabling Documents

Mr. Speaker: Hon. Members, I have the honour to present the Auditor General's report No. 2, 2009-2010, *Follow-up Report: Updates on the Implementation of Recommendations from Recent Reports*; Auditor General's report No. 3, 2009-2010, *Observations on Financial Reporting: Audit Findings Report on 2008-2009 Summary Financial Statements*.

[1340]

Ministerial Statements

OLYMPIC TORCH RELAY AND HOSTING OF OLYMPIC GAMES IN B.C.

Hon. G. Campbell: I rise to make a ministerial statement.

Tomorrow the Olympic torch arrives here in Victoria, British Columbia, to begin a journey across our coun-

try to light the way for the 2010 Winter Olympic and Paralympic Games. It's a journey that will last 105 days, cover 45,000 kilometres and will directly pass through over a thousand communities across Canada.

It's a journey that will see 12,000 torchbearers carry the flame to all Canadians and for all Canadians, including 200 community celebrations in every region and corner of our country and our province. Ninety percent of Canada's population will be within an hour's drive of those community celebrations that all begin right here tomorrow in Victoria, British Columbia, Canada.

Hon. Speaker, as we reflect on the journey that it's taken to get us here, we have to think as far back as 1997, when a group of citizens said they thought it would be a powerful idea to try and attract an Olympic Games to Vancouver.

In January of 1998 Premier Clark and the government said that the province supported that quest to achieve those games. He was followed by Premier Miller and his government, by Premier Dosanjh and his government and finally by this government in saying that yes, this would be positive for British Columbia; it would be positive for Canada. It was something that British Columbians should strive for together.

It's a journey that Mayor Robertson and I had the honour of witnessing when the torch sparked to life last week, on Jack Poole's last day on earth. It is Jack Poole, the father of the 2010 Winter Olympic and Paralympic Games, and John Furlong, the best CEO in Olympic history, who will bring the torch to us here tomorrow in British Columbia.

On behalf of this assembly and all British Columbians, I want to thank those visionaries, their incredible team of dedicated Olympic organizers and the legions of community volunteers over the past decade who have successfully brought us the games. These games will forever stand as a tribute to those people and in fulfilment of Jack Poole's dream and selfless leadership.

The torch has now been transferred to our nation's hands, and it will touch down here tomorrow morning. It is a flame that will burn boldly for the next 121 days as a fitting symbol of all that Canada has come to represent in the world — peace, brotherhood, enlightenment — an Olympic flame that burns as a beacon for the highest ambitions and aspirations of humankind, for the spirit of human potential, for the magnificence of human achievement and for the seemingly impossible physical feats that showcase the potential that each of us have if we dare to live our dreams and strive for what is greatest within all of us.

Our athletes will reach for new heights, and for the first time, I am confident that a Canadian Olympic athlete will win an Olympic gold medal on Canadian soil.

Through our Olympic organizers and literally thousands of volunteers from every corner of the province, from across this country, we will all show the world a

gold-medal games that will set the new standard for Olympics everywhere.

Through this once-in-a-lifetime chance to host the Olympics, along with thousands of other British Columbians and Canadians, I will proudly showcase the best that British Columbia and Canada has to offer, not just to the world but to one another, to Canadians — to hold up our example as what can be accomplished when people work together.

Let that torch light all of our hearts with pride and confidence. Let us remember how fortunate we are to live in a country like Canada and a province like British Columbia. Let us take all the inspiration that that flame can have and carry it forward and carry it high as we strive to make the world a better place for our children and those who will follow them.

[1345]

When that flame travels across the country, it will be a golden thread that pulls together every part of our country — from the farthest northern community to the farthest south, from as far east as Cape Spear to the farthest western point at Old Crow in the Yukon. On February 12 that torch will arrive in Vancouver and B.C. Place Stadium and will start the 21st Winter Olympic and Paralympic Games right here in Canada.

As that torch burns, as that relay takes place from community to community, from hamlet to big city, it will light a spark in the eyes of all Canada's children. It will give them a sense of opportunity, of potential and of the power that each of them has in their hearts and in their communities. It will give them a sense of what we can accomplish in Canada.

So now, as we get ready to welcome the world, as we get ready to showcase our province and all the excellence that our province has to offer, I hope that all of us will join together in holding that torch high and remembering: this is British Columbia's time; this is Canada's time.

It is time for us to celebrate our great good fortune in living in this country, to invite the world and to make sure that when they come, we make new friends, find new ways of pursuing the goals that we all share — for peace, for harmony, for brotherhood — and make sure that we are always the community that held that Olympic torch highest and saw it burn brightest in the eyes of those who will follow.

C. James: I want to thank the Premier for his remarks and to add, on behalf of the opposition, that it will be an exciting day tomorrow, and it will be a proud day for all of us as British Columbians — a proud day to have an opportunity for the world to have their eyes on our extraordinary province, a place that we are very proud of.

I also have to say, as the MLA for the area, that I'm also a proud Victorian, and I'm thrilled that we will be kicking off the relay tomorrow right here in this community. I know that there's great excitement in the greater

Victoria area for people to be the start of the relay and that there are people who are making those plans. I want to express my appreciation to all of those volunteers.

I also know that there will be many families who will be getting ready for the excitement of seeing their family member being part of that torch relay. It will be an incredibly proud moment for many individuals in our province who will be carrying that torch — for children, for family members, for people who've been involved in their community and in sports. I know they'll be preparing, and I want to offer all of our support and all of our appreciation for those butterflies that they'll be feeling right now as they get ready for their turn to take part in this historic event.

I know we all join together, as I said, as proud British Columbians to be able to see this exciting journey start tomorrow and to know that the world will be getting a little taste of what all of us are so incredibly fortunate to have every single day as British Columbians. [Applause.]

**Statements
(Standing Order 25B)**

150th ANNIVERSARY OF
NEW WESTMINSTER

D. Black: I'm pleased to speak about New Westminster today, which is the first city in Canada west of the Lakehead. In 2009 we're celebrating our 150th anniversary, and it's been a year filled with community activities marking this significant milestone.

Our city was named by Queen Victoria herself back in 1859, and because of this royal lineage, it's often called the Royal City. New Westminster was the capital of British Columbia until a political decision was made to move the capital to Victoria.

Today New Westminster still has many attributes of a small town where people know each other and where tradition is enjoyed and celebrated. Traditions like May Day, the Hyack Anvil Battery salute, the Hyack Festival and FraserFest hold our city together.

[1350]

Traditions from other countries have also taken root in New Westminster, as we continue to welcome new citizens from around the world. Among the celebrations held this year were historical fashion shows, neighbourhood birthday parties, a Royal City Gala to salute our artistic achievements at the Massey Theatre and a heritage picnic on the grounds of city hall.

Recently I attended the City Stage New West production of *Stump City Stories*, an original musical based on the history of New Westminster. With songs and readings, the cast portrayed humorous and tragic vignettes of the city's early years, including the scandalous loss of the capital city status and the great fire of 1898.

New Westminster is a community with active and engaged citizens who are enthusiastic and passionate about their city. I ask all members of this House to join me in saluting New Westminster's first 150 years and in congratulating the mayor, the council and the 150 committee and everyone else who has made this year a very, very special celebration.

AGRICULTURE AND FOOD
INDUSTRIES IN B.C.

J. van Dongen: Today is Agriculture Day 2009, and I am pleased to welcome 50 farmers and ranchers from all over British Columbia. They are here to have a conversation with MLAs and government about the importance of farming, ranching and the whole agrifood industry.

The true economic impact of agriculture is often underestimated. The primary industry generates \$2½ billion in sales revenue at the farm gate, more than twice as much as the movie industry in British Columbia. But that is only a small part of the whole economic story of agriculture.

B.C. farmers and ranchers are the foundation for a diversified agrifood industry that includes not only production but also a service and supply sector, processing, distribution and sale of food, flowers and nursery products. This provincewide, dynamic industry generates over \$35 billion in total revenues and provides employment for 305,000 people — nearly double the construction industry.

While these numbers confirm a very significant overall contribution to the province, there are some farm sectors that are facing difficult times. The cattle and hog industries are facing the most difficult market and economic conditions that I have seen in my lifetime. But even in sectors where there have been financial losses, farmers and ranchers have continued to do what they do best. They have continued to invest in their farms and ranches and thereby in their communities.

Farmers and ranchers are by nature eternal optimists and always looking to the future. I'm proud to say that the organization that represents them, the B.C. Agriculture Council, sees and promotes a positive future for the agrifood industry in our province. I ask all members of this House to join me in a tribute to the farming and ranching families of British Columbia.

COWICHAN INTERNATIONAL ABORIGINAL
FESTIVAL OF FILM AND ART

B. Routley: Over the last six years the Cowichan Aboriginal Film and Art Festival has presented and promoted awareness of indigenous film and media artists, with works coming from local, national and international filmmakers. They also facilitate opportunities for the professional development and presentation of the works of these artists.

This is one of the few festivals in Canada and in the world that focuses on indigenous artists and one of the very few that operates outside of an urban centre. The work that they do and the positive impact that it has had on the community has generated international interest. Through outreach programs for youth of the region, they have worked with aboriginal education and with alternate schools and youth organizations to engage often at-risk youth in developing their voices through film and media arts.

This year over a hundred youth in the region will be working on this project. Many will be featured at the 2010 Cowichan Aboriginal Film Festival to be held April 15 through 19 of 2010. This group helps to create a greater awareness of Coast Salish artists, their work and the important role that they play in interpreting and preserving first nations heritage.

[1355]

Some of the direct benefits to the Cowichan Valley communities are the development of a creative hub of activity for indigenous film-makers with access to resources and community bridge-building through education and outreach. They are making films, teaching youth, providing economic stimulus through a growing arts, culture and heritage attraction. Please join with me in thanking this group for their outstanding work in the Cowichan Valley and in our region.

FOSTER PARENTS

H. Bloy: I rise today to speak in recognition of foster parent rights. It's my distinct pleasure to do so during Foster Parents Month in British Columbia. A Foster Parent Rights document will be signed later today by the Minister of Children and Family Development and Melanie Filiatrault of the B.C. Federation of Foster Parent Associations.

This document represents the principles and values that exist in relationship between the ministry and the foster parents that provide support for thousands of children and youth across British Columbia. This document recognizes the commitment, skills and contribution that foster parents make each and every day. This document recognizes the unique nature of the fostering community and the vital role a foster parent plays as a cornerstone in our services to children and youth across British Columbia.

Foster parents come from all walks of life. They are our neighbours and our colleagues, as is the member for Surrey-White Rock. They have diverse cultural, social and economic backgrounds, but what they all have in common is that they are ordinary people engaged in extraordinary acts of kindness.

There are almost 3,300 foster families in British Columbia. They give children a family and a safe, loving and stable environment when their own parents are not

able to look after them. There is always a need for more individuals and families to open their hearts and their homes and join the thousands of other foster families who contribute to the fabric of our communities.

I encourage British Columbians to consider becoming foster parents and to take the time to acknowledge those who have taken on this incredible role in our province.

MARY ELLEN SMITH

V. Huntington: I was recently reminded that Women's History Month was closing with an important acknowledgment unspoken. A woman calling herself an independent people's candidate made history by being elected to the British Columbia Legislature.

It was January, 1918, and that individual was Mary Ellen Smith. Smith ran in a by-election in Vancouver city. She was the first woman to run politically in B.C., in the first election in which women were allowed to vote, and she was the first woman elected as an MLA.

Smith also became the first woman in the British Empire to be appointed to cabinet and to sit as Speaker. I hesitate to add that she ran as a Liberal in subsequent elections. I hasten to say that she resigned from cabinet after disagreeing with the government.

Ms. Joan Sawicki, a former Speaker of this House, suggested I read *Seeking Balance: Conversations with B.C. Women in Politics*. The author, herself a former cabinet minister, interviewed women MLAs, several of whom currently sit in this House. These individuals offered thoughtful and provocative views on the challenges that have faced women in politics.

Mary Ellen Smith features largely in *Seeking Balance*. She was undaunted by road blocks, unintimidated by detractors and unyielding in her quest to forge a path for the women who followed.

The role of B.C. women in public office began in that single, bold by-election 91 years ago. Mary Ellen Smith is deserving of her place on the wall in this building. She is a historic figure, not only in B.C. and Canada but throughout the English-speaking world. We owe that lady a great deal.

OLYMPIC TORCH RELAY IN NANAIMO

R. Cantelon: On Saturday the Olympic excitement is going to arrive in Nanaimo big time, as the torch relay reaches Nanaimo. I have to tell you: is Nanaimo ever ready. They were the first city to embrace the concept of the Olympic Games. They recognized the economic and tourism opportunities as we showcase and host the world coming to our door.

[1400]

Well, it will happen in Maffeo-Sutton Park in the Spirit Square. There will be dance schools, rhythmic gymnastics displays, cultural dances from the Celtic, the

Ukrainian, the first nations and the Chinese. There will also be roving musicians, roving magicians and clowns throughout the crowd. Then it will start with an official welcome from the aboriginal Snuneymuxw First Nation, and The Kiltlifters band will perform — all family entertainment, I assure you, Mr. Speaker.

Then we'll be energized by the young Vibe Dance group, which will give us an energetic and dynamic approach. Then the big event: Michelle Stillwell, a double gold medallist and double Olympic record holder in the Paralympic Games from Beijing, will fly across Maffeo Sutton Park, or will seem to, on a zip line with the torch in hand to light the cauldron. It's going to be a wonderful event, and there will be music to follow.

That'll be the big event in Nanaimo, but that's not end of it. It'll then hit the rest of Oceanside. In the town of Lantzville they're ready to celebrate. Nanoose, Parksville, Qualicum Beach — all Oceanside areas are ready to embrace the Olympic spirit, to be excited and energized by it, and it's going to keep right on going through to February.

Oral Questions

GOVERNMENT SUPPORT FOR KITIMAT FOREST WORKERS

C. James: Today as we sit in this Legislature, a community is facing a crisis: 535 workers, their families and the entire community of Kitimat have lost their second-largest employer, the Eurocan pulp mill. It's a blow to a town that has already seen job loss after job loss — 535 jobs gone in a town of 9,500.

My question is to the Minister of Forests. He's heard the reports. He knows the kind of damage it's going to do. What is he going to do for these 535 workers and their families who are losing their jobs in January?

Hon. P. Bell: Thanks very much to the member opposite for the question. These are very trying times for those 535 people and also for the entire community. I can tell the member opposite that I have spoken with the mayor of Kitimat this morning, Joanne Monaghan. She is doing her best to deal with this. I can also tell the member opposite that the Premier has called Joanne and spoken with her, talked to her about some ideas about how we can move forward.

I've also taken the time to talk with Hank Ketcham, the CEO of West Fraser, so that we can consider all of our options going forward. It's a very difficult time. I don't want to underestimate the challenges that we're facing.

This isn't about partisanship. This is about a community. We all need to work collaboratively together to get through this very challenging period for the people of Kitimat.

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

C. James: It's critical that we see action and not simply words from this government for these workers and for the town of Kitimat. I'm afraid that we've heard these kinds of reassurances from this government and this minister before. We certainly saw it in the town of Mackenzie. Those workers are still struggling, and that community is still struggling.

Over 50 mills have closed under this government. Reassurances from this government have proved to be nothing but cold comfort for those communities and workers and families. The fact is that it was this government that gutted protections for forest workers. It's this government that only starts talking about action after the mill has closed down and the community is in crisis.

Again, my question is to the minister. I understand the reassurances, I understand the words, but I'd like to ask the minister: what specific actions are he and the government taking to help these workers and their families and their community?

Hon. P. Bell: Again, I hope the member opposite resists the temptation to lead into partisanship on this issue. I don't think that is the appropriate thing to do at this point.

As I said already, the Premier has already spoken with Joanne Monaghan, as have I. I've actually left messages for the union leadership, Mary Murphy and Adrian Welsh. I've not been able to speak with them yet today. My colleague the Minister of Children and Family Development has already been in touch with the community offering services, as has my colleague from Community Development.

[1405]

The member opposite brings up Mackenzie. I would like to remind the member opposite that two of those sawmills have reopened in Mackenzie.

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

C. James: This is not about partisanship. This is about getting action on behalf of forest workers and families and communities, making sure that something occurs that will improve things for that community.

It's important that we take a look at the record on forestry in this province. Let's take a look at tens of thousands of jobs that have been lost, 50 mills closed, gutting of the social contract, giveaway of our forest lands, a complete destruction of the value-added industry. I'm afraid, Mr. Speaker, that this is the B.C. Liberal record on forestry.

Again, my question is to the minister. The 535 workers in Kitimat, tens of thousands of forestry workers across

B.C., are hurting. Will this minister admit that the B.C. Liberal forest policy has failed those communities?

Hon. P. Bell: I'll let the public be the judge of whether that's partisan or not. It certainly sounded like that to me.

The member opposite knows that we've worked hard to develop new economic opportunities across the northwest part of the province, particularly the LNG plant, which I think is a very positive economic opportunity and something that the mayor of Kitimat, Joanne Monaghan, is very supportive of. It's going to be interesting to see what happens over the coming months — whether that sees the support of the opposition or not.

It is very early days in this situation. The announcement was made about 24 hours ago. We are working with West Fraser, we're working with the district of Kitimat, and we're going to work with the union folks. I'd actually offer to the local MLA, who is an opposition member, to work collaboratively with us to get through this. There are 535 people that could potentially lose their jobs. We want to help them, and we want to help that community.

N. Macdonald: The minister is talking about finding out yesterday. Well, there was a time in this province when a minister would have been informed well ahead of any announcement by a company, but in 2003 this government gave up all of the tools they had to help communities. What we have left is a minister that is spouting, essentially, false promises and false hope. What we have seen this minister tell us about supposed solutions in other communities like Mackenzie never materialized.

Last year this minister said: "I think the worst is over." Well, clearly that is not the case. He also said that there's good news out there, but there is not a shred of good news for the community of Kitimat today.

Let's be specific. What is he going to do for the 535 workers in Kitimat who are going to be losing their jobs at the beginning of 2010? Specifically, what is he going to be doing for those workers and their families?

Hon. P. Bell: I find it very unfortunate that the critic really stoops to a partisanship approach to this issue, because that's not what the workers in Kitimat want to hear. The workers in Kitimat want to hear that the opposition and the government are working collaboratively to help the community through what is an incredibly challenging time. The members opposite, if they choose, can go down this path of partisanship. This government is taking the high road. We're going to fix the problems in Kitimat.

Mr. Speaker: The member has a supplemental.

N. Macdonald: What a ridiculous supposition from this minister — that he has not consistently acted in a

partisan manner again and again and again. In 2005 my predecessor, as critic, made an offer to work collaboratively to set up an all-party committee that would go and try to do some of the work that would prevent this, and the government rejected it as they have rejected every sensible idea that has come forward on forestry.

Instead, what we have is a complete and absolute failure in forest policy in this province — complete and absolute. Now it is the workers in Kitimat that have to deal with that.

I have asked for a specific thing that this minister is going to do that is going to help the 535 workers, their families and the whole community in Kitimat and Terrace that are impacted by this. What specifically are this minister and this government going to do?

[1410]

Hon. P. Bell: The member opposite says: "What are you going to do?" Well, this government is in support of a liquefied natural gas plant in Kitimat, a new port in Kitimat to bring in that traffic and a new pipeline. So far the opposition has opposed that.

Interjection.

Mr. Speaker: Minister, just...
Member.

Interjections.

Mr. Speaker: Members.
Continue, Minister.

Hon. P. Bell: I've done my best to make this a non-partisan issue, and I hope that the opposition understands that and that they work collaboratively to try and get through this.

There are a number of initiatives already in place in the northwest that should revitalize the economy and start moving it forward, including the LNG plant. That's an opportunity for the opposition to stand up today and say: "We support that. We want that LNG plant to go ahead, and we want the thousands of jobs that will come with that construction."

I would remind the member opposite — although I've heard them say that nothing's happening in Mackenzie, one of my communities that I represent — that two of the sawmills have reopened in Mackenzie after having closed, that Conifex has purchased a sawmill in Fort St. James and reopened that one as well.

R. Austin: It's truly unfortunate that we're having this debate today, when the workers are in shock with yesterday's announcement. Before this government gutted the Forest Act, we used to have processes to plan for a just transition for communities and workers.

Let me read some words from Peter King, one of the workers who were impacted by the closure of Eurocan. "I've worked at Eurocan for 34 years. If I can't get an early retirement package, I'll be left struggling to pay the bank for a home that's lost its value. Many workers with mortgages and no hope of employment in the region will be forced to give their keys to the bank and walk away."

Workers like Peter are not interested in round tables that lead to nothing and rhetoric with no solutions. They want to see some action. My question is to the Minister of Community Development. Can Mr. King and the other workers at Eurocan apply for direct transition assistance from the community development trust?

Hon. P. Bell: I asked the opposition critic whether or not he supported the LNG pipeline and whether or not he sees that as an economic opportunity for the region. He didn't answer it, so I will ask the member who is the MLA for the area whether or not he supports that. That's a significant economic initiative...

Interjections.

Mr. Speaker: Members.

Hon. P. Bell: ...that could make a difference to the city of Kitimat.

But what I want to say to the member opposite and to Peter is that this government's going to be there for Peter. We're going to make sure that we manage through what is a very difficult time. It's very early days. We want to work collaboratively with West Fraser.

Hank Ketcham has said very specifically that he wants to treat all of his employees in a very respectful way. I'd remind the members opposite that Hank Ketcham, the CEO of West Fraser, took his time to fly all the way to Kitimat to talk to the employees personally. I think that's very respectful. I think we should all be treating the employees in exactly the same way.

R. Austin: You'd think, with all the people that the government has in PAB, that they would have seen on many occasions that both myself and the MP have been in support of the LNG plant in Kitimat.

But here's the problem. It's highly capital-intensive and not very labour-intensive. Once it is built, it'll be 35 jobs — 35 jobs that won't replace 535, maybe 700 jobs that have been lost in northwest B.C. The community development trust transition fund, unfortunately, is finished. Not one of the 535 Eurocan workers can get transition assistance from it because this government has consistently refused to match the federal dollars that have now run out.

The Eurocan workers, like all the tens of thousands of other forest workers who have lost their jobs under this Liberal government, have paid provincial taxes for dec-

ades, and they deserve to see some of that provincial tax money coming back to them in their time of need.

[1415]

Will the Minister of Community Development commit today to put together a provincial transition strategy for the Eurocan workers and for the community of Kitimat so they can get the opportunity to have a fair and just transition?

Hon. P. Bell: The member opposite, I think, points out something interesting when he says he supports the LNG plant and the port. The problem is that he opposes the pipeline that would actually connect it to something to get the natural gas to the port. That is a key link. Whether he supports that or not will be interesting, because he's consistently opposed it.

The Rural Secretariat is already on the ground, working hard to make sure that Peter and all of his colleagues in Kitimat are looked after. It's been 24 hours since the announcement.

We want to work in a collaborative way. It's become apparent to me over the last three series of questions that the opposition has little or no interest in being collaborative. I think that's a shame and, in fact, a disgrace for the member opposite, who should be supporting and finding constructive solutions to the challenges that we've faced in Kitimat.

B. Simpson: The Minister of Forests just offered one of the most partisan answers that you can ever offer in this House and attacked an individual MLA.

My question is to the Minister of Community Development — straight-up question. Can the workers at Eurocan apply for community development trust transition funds? Yes or no. Can they apply?

Hon. P. Bell: Again, the member is accusing people of partisanship. All he has to do is look in the mirror to understand where the partisanship really exists.

The Ministry of Community Development, through the Rural Secretariat, is already looking at what the options are for the Kitimat workers. It's been 24 hours since the decision by West Fraser to close the mill.

One of the members opposite said that there was a point in time when a minister would be informed. The member opposite should know what the security rules in British Columbia are. Maybe that's why they got in trouble with insider-trading allegations. Very clearly, this is a publicly traded company. It's not appropriate for there to be any announcements or any acknowledgment of that until the announcement is physically made.

We are going to work with the people of Kitimat. We are going to see what the opportunities and options are, but it's early days, and we need time to work through that.

Mr. Speaker: The member has a supplemental.

B. Simpson: Can the Minister of Community Development tell this House whether or not the workers at Eurocan that have lost their jobs can apply for transition funding through the community development trust? Yes or no.

Hon. P. Bell: It's been 24 hours since the decision by West Fraser on this mill. We're looking at all of our options. We want to understand the decision. We want to understand if there are opportunities to mitigate the decision, what other economic opportunities there are in the community.

It is very, very early to start asking questions like the member opposite is asking. Nor would it be appropriate to try and provide answers to that type of question.

ACCESS TO INFLUENZA VACCINES IN RIONDEL AND CRAWFORD BAY

M. Mungall: My question is to the Minister for Healthy Living. Providing isolated B.C. communities the H1N1 vaccine is identified as a priority, but a shortcoming in planning is leaving Riondel and Crawford Bay, isolated communities in my riding, without direct access to both the H1N1 vaccine and the seasonal flu shot. Very straightforward question: what will the minister do to rectify this?

Hon. I. Chong: I understand that there are people concerned about the H1N1 flu that is out there currently, but I also know that there is misinformation that is out there.

I want to assure all British Columbians that we are working to ensure that the priority groups that need the vaccination are going to have access to that. What we're also doing, working through our provincial health officer and all the health officers throughout the province.... We're relying on their expert advice as to how to deliver the vaccine.

[1420]

I want to again assure members of this House that we have ordered enough vaccine that all British Columbians who need and want the vaccine will have access to it.

Mr. Speaker: The member has a supplemental.

M. Mungall: For the past 15 years a flu shot clinic has been set up in both Riondel and Crawford Bay. They have been very successful. The clinics are highly attended, and they are a natural setting to administer the H1N1 vaccine. Not just because those flu clinics have always been there but because these are isolated communities, they are supposed to be a priority. But they're being cancelled. The clinics are being cancelled this year, a counterintuitive decision in the midst of an H1N1 outbreak.

Will the minister work to reinstate the flu clinics, which the communities have relied on for over a decade, so that they can receive the H1N1 vaccine and seasonal flu vaccine?

Hon. I. Chong: This is the largest mass immunization program that this province has ever undertaken. We have experts — health experts, medical experts, in particular our well-recognized chief provincial health officer, Dr. Perry Kendall — working in collaboration with all the medical health officers across the province. They are providing the advice as to how and where the vaccine needs to be delivered. I am not going to second-guess those health experts as to how that should take place.

Again, I want to assure British Columbians that we have ordered enough H1N1 vaccines for everyone, and I want to ask all members of this House, to remind them, that we also have a responsibility not to spread fear. We have a responsibility to be community leaders, to share information with our constituents, information that is readily available on our H1N1 website. I would ask all members to take that responsibility seriously.

RESPONSIBILITY FOR H1N1 INFLUENZA VACCINE PROGRAM

J. Brar: I want to remind the minister that you are accountable to the people of British Columbia. That's what we are asking from you, Minister.

The problem is very clear. There's no one person in charge of the H1N1 vaccine rollout plan. There is no one person — I'm going to repeat — in charge of the H1N1 vaccine rollout plan. Different plans in different locations are causing confusion, frustration and delays for the people of British Columbia.

For example, Vancouver Coastal Health is providing the vaccine through special drop-in clinics. But across the street Fraser Health won't do the same — just on the other side of the street.

Will the Minister of Healthy Living and Sport show some leadership by putting Dr. Perry Kendall, not the health authority, in charge of the H1N1 vaccine rollout for the remainder of the outbreak?

Hon. I. Chong: I will again reiterate the remarks I made earlier. Our provincial health officer, Dr. Perry Kendall, along with the medical health officers throughout the health authorities, have not taken their responsibilities lightly. They are treating this very seriously.

We know that the work of our health officials in the midst of the largest mass immunization program is being stretched to the limit. But they are working hard and diligently — and they have been over the last number of weeks — to ensure that our priority groups are vaccinated first.

[1425]

We are also asking those healthy individuals to wait, probably for a couple of weeks, until the supply is large enough for the general population to access it. Again, as MLAs, as community leaders, we have a responsibility not to spread fear, to provide information to our constituents, to give them that information on our H1N1 website, which is updated regularly — several times, in fact, in one day — and to leave the decision-making as to how this is to be administered to the health experts. We are not the health experts.

Mr. Speaker: The member has a supplemental.

J. Brar: This minister must understand that it is completely absurd that on one side of Boundary Road you can receive the H1N1 vaccine through a special clinic but on the other side you cannot.

It is not a medical question. It is an administrative question. It does not make any sense. Does this make sense to the minister? I would like to ask that. If not, what steps will the minister take to fix it?

Hon. I. Chong: I do understand that there is concern out in the general public, but what we need to also understand is that it is important that we listen to our health professionals, our medical health experts. I want to assure all members of this House and all British Columbians that we will be cared for. We will have enough vaccines to take care of all British Columbians.

BEAR REHABILITATION FACILITY PROPOSAL FOR NORTH SHORE

S. Fraser: Last week the Minister of Environment confirmed that the government is prepared to spend \$400,000 on a controversial bear high school on the North Shore, despite the fact that bear experts say it's a very bad idea.

Now we have an FOI which shows that one ministry expert compared this facility to Mordor. That's the home of the Dark Lord in the *Lord of the Rings* trilogy — hardly a good place for baby bears. This expert also said the proposal was "ethically and biologically wrong," and he said: "Bears will suffer the consequences if this project goes ahead."

I'll direct this question to the acting Premier or any minister that's willing to stand up on this. When did it become government policy to ignore scientific advice and make decisions based on the whims of the Premier?

Hon. M. de Jong: I'm greatly tempted, but I think I'll take the question on notice.

FUNDING FOR VICTORIA BRIDGE REPLACEMENT

J. Horgan: In keeping with the non-partisan tone, I'll direct my question to the Minister of Transportation and

Infrastructure. She will know that last week the federal government ponied up \$21 million to assist the city of Victoria in a regional project to replace the Blue Bridge, not 200 metres away from this place.

Will the minister today in this place stand and commit to the people of Vancouver Island that she and her government will fully fund one-third of this project to meet the transportation infrastructure needs of the people of Vancouver Island?

Hon. S. Bond: I can assure the member opposite that anytime our federal counterparts want to bring money to British Columbia, we celebrate that here on this side of the House.

Interjections.

Mr. Speaker: Members.

Hon. S. Bond: In fact, since October of 2008 this government has announced over \$4 billion worth of infrastructure projects. Those projects, and rightly so, are located all across the province of British Columbia.

Mr. Speaker: The member has a supplemental.

[1430]

J. Horgan: Reluctantly, I have to take off my non-partisan hat. I'm delighted that the minister wants to celebrate federal money. What we want on this side of the House is to match that federal money.

I'm also curious. If the government is so keen to celebrate, why was it that the minister from Sidney wasn't at the announcement? Why was it that the minister from Oak Bay wasn't at the announcement? And more importantly, of the 16 percent of the population of British Columbia that live on Vancouver Island, why is only 9 percent of the infrastructure money coming to this rock?

Again, to the minister: if the Prime Minister from 3,000 miles away gets it that this is a regional infrastructure program that deserves funding, why is it that the Liberals 200 metres away don't?

Interjections.

Mr. Speaker: Members.

Hon. S. Bond: In fact, we simply have to look at this government's record of investment in Victoria and the south Island. I know the member opposite knows that I'm going to start with a list.

In fact, one of those projects is over \$350 million for a brand-new Royal Jubilee Hospital. We can't forget the fact that we committed hundreds of millions of dollars to the construction of a sewage treatment in the capital region. We have underway the largest infrastructure

program in the history of British Columbia, investment right across this province, including Victoria.

[End of question period.]

Motions Without Notice

REFERRAL OF REPORTS TO COMMITTEES AND POWERS OF PUBLIC ACCOUNTS COMMITTEE

Hon. M. de Jong: With leave...

Interjections.

Mr. Speaker: Members.

Hon. M. de Jong: ...I move the following motion, which I'll abbreviate for the members. The reports are listed in the motion. I've provided a copy to my friend the Opposition House Leader. The motion otherwise corresponds with the standard motion that is moved in these circumstances.

[1. That the reports of the Auditor General of British Columbia deposited with the Speaker of the Legislative Assembly during the first session of the thirty-ninth parliament be deemed referred to the Select Standing Committee on Public Accounts, with the exception of the report referred to in section 22 of the Auditor General Act which is referred to the Select Standing Committee on Finance and Government Services; and in addition that the following reports of the Auditor General of British Columbia be referred to the Select Standing Committee on Public Accounts:

- Report No. 5, 2008/09: *Removing Private Land from Tree Farm Licences 6, 19 & 25: Protecting the Public Interest?*
- Report No. 7, 2008/09: *Home and Community Care Services: Meeting Needs and Preparing for the Future*
- Report No. 8, 2008/09: *Follow-up Report: Updates on the implementation of recommendations from recent reports*
- Report No. 9, 2008/09: *Observations on Financial Reporting: Audit Findings Report on the 2007/08 Summary Financial Statements*
- Report No. 10, 2008/09: *A Major Renovation: Trades Training in British Columbia*
- Report No. 12, 2008/09: *Planning for School Seismic Safety*
- Report No. 13, 2008/09: *Public Sector Governance and How Are We Doing?*
- Report No. 14, 2008/09: *Grant Administration of the BC Arts Council; 2010 Olympics and Paralympic Games*
- Report No. 15, 2008/09: *Wireless Networking Security in Victoria Government Offices: Gaps in the Defensive Line*
- Report No. 16, 2008/09: *Homelessness: Clear Focus Needed*
- Report No. 1, 2009/10: *Follow-up Report: Updates on the implementation of recommendations from recent reports.*

2. That the Select Standing Committee on Public Accounts be the committee referred to in sections 2, 6, 7, 10, 13 and 14 of the Auditor General Act.

In addition to the powers previously conferred upon the Select Standing Committee on Public Accounts, the Committee be empowered:

- (a) to appoint of their number, one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee;

- (b) to sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;

- (c) to adjourn from place to place as may be convenient; and

- (d) to retain personnel as required to assist the Committee, and shall report to the House as soon as possible, or following any adjournment, or at the next following Session, as the case may be; to deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.]

With leave, I move that motion.

Leave granted.

Motion approved.

Orders of the Day

Hon. M. de Jong: I call in Committee A, Committee of Supply, for the information of members, the ongoing estimates of the Ministry of Tourism, Culture and the Arts; and in this chamber, second reading debate on Bill 14, Housing and Social Development Statutes Amendment Act, 2009.

Second Reading of Bills

BILL 14 — HOUSING AND SOCIAL DEVELOPMENT STATUTES AMENDMENT ACT, 2009

Hon. R. Coleman: I move that Bill 14 be read for a second time now.

This government is committed to providing assistance to people in most need, but we do not tolerate abuse of the system.

The amendments we're doing to the act will restrict eligibility and access to income assistance and disability assistance for those who have outstanding warrants for indictable offences. These warrants can be arrest warrants for indictable offences from British Columbia and other provinces and arrest warrants under the Immigration and Refugee Protection Act.

The proposed legislation will allow exemptions, including those who are pregnant or who are in the final stages of life. The warrant must be for an adult in a family. Warrants for dependent children will have no impact on this act.

[1435]

If an adult in a family has a warrant, the other family members, including dependent children, are still eligible for assistance. But assistance will only be paid for family members who do not have a warrant. No assistance will be paid for the warrant holder.

The person with a warrant will remain as part of the family and, like other family members, their income and

assets will be taken into account when determining how much assistance a family is eligible for. Repayable assistance will also be available to help warrant holders with transportation expenses if they choose to return to the issuing jurisdiction in order to resolve the outstanding warrant.

Indictable offences are the most serious types of offences and include crimes such as assault, breaking and entering, drug trafficking, murder, assault with a weapon and causing bodily harm and sexual assault. These are defined in the Criminal Code of Canada. Our intention is to ensure that those charged with indictable offences take personal responsibility and resolve serious charges against them before they can be provided assistance in this province.

Applicants for assistance will be required to authorize a criminal background check when signing an application form. Applicants that refuse to provide consent will not be eligible for assistance. A signed application form authorizes the province to exercise its discretion and then disclose an individual's information for purposes of verifying whether they have an outstanding warrant. In cases where an applicant indicates they have an outstanding warrant, no assistance will be provided to that individual until the warrant is resolved.

Recipients of assistance will have to indicate whether they have any outstanding warrants as part of a monthly reporting requirement. Recipients of assistance will also be required to indicate whether they have outstanding warrants during their annual reviews. The province will also have the capacity to verify information provided by the applicant or recipients to determine whether they have any outstanding warrants. This could include requesting a criminal background check.

[L. Reid in the chair.]

Failing to disclose the existence of an outstanding warrant when required to do so may be considered welfare fraud and will be treated accordingly. It is important that the public knows we are taking action to preserve the public safety and protect taxpayers' money. Assistance should be provided to eligible, law-abiding citizens.

In conclusion, the proposed amendment will hold assistance clients who have outstanding warrants more accountable for their actions and protect B.C.'s taxpayers. I look forward to the comments of members of the opposition and to working through this bill through committee to discuss any of the issues and concerns we have with the implementation of the act.

I now await the other members' comments.

S. Simpson: I'm happy to stand and speak to Bill 14, the Housing and Social Development Statutes Amendment Act, 2009. What this legislation does, what this legislation proposes, is that the government has deemed that they will deny income assistance or disability assistance

to any person who has an outstanding warrant for their arrest for an indictable offence anywhere in Canada.

The problem with this legislation is that what the minister says and what the legislation says are two different things. The minister released a press release in regard to this, and in his comments in introducing the bill, he spoke about serious crimes. He spoke about murder. He spoke about sexual assault. He spoke about other serious crimes and said: "These are the crimes that Bill 14 is intended to address."

The challenge we have here is that that isn't, in fact, what the legislation says. The legislation speaks of an indictable offence under the Interpretation Act. The Interpretation Act says that the offence is deemed to be an indictable offence if the enactment provides that the offender may — and the operable word here is "may" — be prosecuted for the offence by indictment.

What we know — and a number of my colleagues who have legal training will speak to this later in the debate — is that is a broad array of offences. It is in no way restricted to the shortlist of serious offences that the minister talked about in his press release or spoke about earlier in introducing this bill.

[1440]

It does include the single mom who doesn't have any money, who goes out and shoplifts some groceries and gets caught. She, potentially, is captured by that indictable offence. Now, whether the courts decide to make that indictable versus summary is a whole other matter. The reality is that the prospect is still there.

Essentially, what we have here is not a case of a piece of legislation that, as the minister would like us to believe, deals with a narrow group of very serious offences. Rather, it is a much broader brush that captures a large, large number of people.

Let's be clear about what income assistance is truly all about. What we know with income assistance is that income assistance is about providing for the food and shelter needs of people as a last resort. We hear that, and I heard the minister speak of that in estimates over the last few days. The minister talked about how that's what income assistance was about. Well, if that's what income assistance is about, then let that be the service that it provides; let that be, in fact, what income assistance provides. What income assistance isn't about is... It isn't a tool for enforcing the law, and it shouldn't be seen to be that way.

What the minister has done with Bill 14 is create that kind of circumstance where it becomes one of the tools to help enforce the law by using it as a hammer in regard to people's potential for income assistance and any outstanding warrants that they may have.

The problem that we see... A number of people who have spoken to me about Bill 14, people who have interest in this area of public policy in the community, have raised concerns about whether this is a piece of legislation that's as much as anything about dealing with

managing eligibility questions for income assistance as it is about dealing with the matters that are raised in the legislation.

I would hope that that's not what the minister's intentions are. I would hope that the minister just got it wrong on this piece of legislation. What we know is that it is a piece of legislation that doesn't achieve the objective that the minister talks about in his press releases or in his comments here.

So then the question becomes: what about serious crimes and serious criminals? What about the murders or the sexual assaults or the violent assaults or the armed crimes? What about those kinds of crimes? What about those kinds of situations? Should we, in fact, be doing something in relation to those as it relates to this question of income assistance and the ability to collect income assistance?

Well, it would seem to me that if we find people in our province.... Whether they're British Columbians, whether they're people who have come to British Columbia from elsewhere, whether they are here for the purpose of and are making the effort in applying for and collecting income assistance, let's find out if they have warrants for those serious crimes that the minister spoke about in his comments, that his press release talks about.

Then it would seem to me that our responsibility isn't to be so concerned about whether they're on income assistance. Our responsibility is to do what we need to do to try to get them back to the jurisdiction where those warrants are outstanding so that they can face justice there. If they're wanted for serious crimes, it should be our intention to do that.

The minister has talked about having resources related to this, to assist in the costs of transporting people. We've heard about con air. We have a number of those discussions that we've heard about. The Solicitor General has talked about supports for the con air concept.

If we're talking about people who really are charged with those serious crimes, then let us do what it takes to get them to the jurisdiction where those charges are outstanding and have them face their day in court, and let the courts determine whether they are guilty or innocent. Then the question of whether they're collecting income assistance in British Columbia won't be an issue for anybody, because they will have gone through the due process of the law. That's truly what we should be looking for and attempting to do with people who, in fact, are in this situation.

[1445]

The other thing we know about the law is that people essentially are innocent until they're proven guilty. So the first thing that we have to do in relation to all of these folks who might be captured by this category is at the outset to deem them as innocent until they do have their day in court and until we do determine the level of guilt or until the courts determine their guilt.

That raises another question. If people are deemed to be innocent until proven guilty, and that's what our law says, then we need to raise the question for ourselves about whether it's appropriate to deny somebody income assistance when they are not guilty of a crime. And that becomes another challenge and another question that we need to deal with.

One of the other things that the bill talks about is.... It has a self-reporting nature to it. It asks for people to disclose. You apply for income assistance. It requests that you disclose whether, in fact, you have an outstanding warrant in British Columbia or in some other jurisdiction, and if you don't disclose that or if you're untruthful in that disclosure, then that, of course, becomes an offence unto itself.

The serious crimes the minister talks about that he says this bill is to address.... Well, I would anticipate that the vast majority of people who maybe have an outstanding warrant and maybe a warrant with some justification — for a murder, for a serious sexual assault, for another violent crime.... I wouldn't have a whole lot of faith that when they go to the income assistance office and they're asked about that warrant, the first thing they're going to say is: "Oh yes, I have an outstanding warrant for murder in Ontario, and can I have welfare?" I don't anticipate that a lot of people who have that outstanding warrant are going to disclose that.

So this question of self-reporting becomes a bit of a challenge. I just don't envision people self-reporting those serious crimes that the minister tells us this bill is meant to address.

I've heard the minister speak about this in comments that he's made in relation to this legislation — about the need for current recipients to declare any outstanding warrants. I heard musings about questions around criminal record checks and the ability to do criminal record checks. If, in fact, that is what is being presumed in what would be the regulations related to this bill — criminal record checks — well, then, that raises a whole lot of questions.

If it's the government's view now that people who are on income assistance, who apply for income assistance, need to go through a process of criminal record checks or that that possibility is there, well, then, what I would say to the government is that there is a whole array of other people and other entities that the government does business with where taxpayer dollars are involved. There's a whole array of those.

What we know.... To the best of my knowledge, not many of those contractors or those bidders or folks are asked to take criminal record checks in order to bid on or to apply for any of those resources that they want. And so the beneficiaries of other forms of benefit of the government — all good things — don't need to do the same.

So you need to ask yourself a question. If what you're saying is the poor — people who are collecting or who

are making application for an income assistance cheque — the poor in British Columbia, the hundreds and hundreds of thousands of poor in this province.... As the minister and everybody in this House knows, we have the highest levels of poverty in British Columbia of any province in this country. We have the highest levels of child poverty of any province in this country.

The minister knows this. Every member of that government knows this. Every member of this Legislature knows this. We are talking about a very large number of people.

[1450]

Is it the position of the government, is it the position of the minister, that those people who are poor, those people who are most vulnerable, those people who are poor and aren't living on a minimum wage that is below subsistence but are living on an income assistance cheque, should further be held under some suspicion that requires them to look at criminal record checks and such?

We all want to deal with questions related to serious crime. We all want to ensure that those people who participate in serious crime are identified and face justice in our courts. We all want to make sure that folks who get into that position are dealt with in the most expeditious way. This legislation doesn't do that. This legislation, even though the minister wants us to believe that this indictable offence is some narrow list of offences.... That isn't who this likely captures.

I can imagine the cases. We've heard this discussion before. As the minister and members of the House may recall, there was quite a controversy about a crackdown in the downtown Vancouver area. This crackdown involved the issuing of jaywalking tickets and loitering tickets and all of those kinds of things.

Now, all of those potentially lead, when people don't show up in court a month or two later — which often is the case — to bench warrants because of failure to appear. Now, do those people, where they have led to bench warrants, get captured by this legislation? Do they end up losing their welfare cheque? Well, we don't know that. We don't know what that situation is.

Hon. Speaker, this really is a very difficult piece of legislation. It's a piece of legislation that looks, as much as anything, like it is about managing eligibility lists at a time when our income assistance eligibility lists and our caseload lists are skyrocketing, largely because of the economic situation we're in, largely because of the number of employables who have lost their jobs, who have exhausted their EI, who have now found themselves in a place where they're looking at having to collect a welfare cheque.

Those numbers have grown by thousands and thousands, and every indication is that those numbers are not going to subside for the next couple of years, before those numbers start to ease off a little bit. We have to ask

ourselves: is it about managing that eligibility list? When we get to committee stage, we will have an opportunity to have a discussion about that.

We'll have an opportunity, also, to have a discussion around the question of an indictable offence and what an indictable offence is. We'll have an opportunity to discuss interpretations of what that means, particularly what it means under the Interpretation Act, which is what's referenced in the legislation. At that time, we will be talking about a specific list.

If the minister wants to proceed with this kind of legislation, and if the minister is serious that this truly should be about those serious offences, those offences that all of us find reprehensible in this House, that all of us are concerned about — violent, serious offences that take place, often by violent individuals — then let the minister be very clear about that.

I am sure that the Attorney General's department or the Solicitor General's department could assist the minister quite ably in identifying a list of offences that could be included in the legislation, which would say: "For this series of offences, if there are outstanding warrants, these are the consequences in relation to any application you have for income assistance. If you have an outstanding warrant on any of these offences, you don't get income assistance."

[1455]

I would hope that what it would ultimately do is say: "If we identify that you have outstanding warrants, we will, to the best of our efforts, see what we can do to ensure that you are returned to the jurisdiction where those allegations have been made, where that warrant is outstanding and where you, in fact, can begin to be called to task for the offences that you've been accused of." That isn't in the legislation. We don't see that anywhere in the legislation.

As I referenced earlier, we'll also be having a discussion with the minister about the question of self-reporting, and we'll be looking to have a discussion with the minister at that time about whether, in fact, self-reporting makes sense. Is there another way to do this? Is there another approach to take around how that reporting occurs?

We will look at those questions with the minister, and we will be looking quite closely with the minister during the committee stage of this bill at some of those questions about how current recipients of income assistance are dealt with and treated and whether, in fact, it makes any sense at all for us to be invoking, you could almost argue, in some retroactive way the intent of this legislation to deal with those people who are currently on assistance.

It is a matter that is of some concern. There is no doubt about that. What we know is that this approach is an approach that has been looked at in the past. It's an approach that was rejected in the past, mostly because

of how it was handled and how it was managed to be brought forward. The reality is that the rejection of it was probably the right thing to do. I find it difficult now to see a government bringing forward what is essentially the same approach that was rejected in the past.

What we need to do at this point is have a real discussion about what the intentions of this legislation are. We need to have a discussion about how we broach this legislation. We need to have a discussion with the minister about what he really looks to accomplish by moving ahead with this legislation. If the press release had been accurate in terms of what this is looking to do, then in fact we might be in a somewhat different place in terms of our particular concerns, our comments about the legislation and how it proceeds.

I've been talking to some people in the community about Bill 14, trying to get a sense from people who work with those who live in poverty, who work with those on assistance and people who are on assistance directly about this, about the sense of fairness and about whether they see a sense of fairness in this or whether they see this legislation being about them being identified in some way, being connected to those who are criminal in nature, about not being respected as people.

One of the things we clearly know is that one of the biggest challenges for people who are on assistance.... The minister and I just finished our estimates in the last few days, and we had a couple of discussions around poverty and around income assistance. We talked a fair amount during that about the challenges of breaking that cycle of poverty.

[1500]

We talked about what it takes to do that. We talked about the idea of poverty reduction and about what the components of that kind of an approach might be. We didn't entirely agree on this, but in a number of areas I think we did in fact come to some agreement. We did reach some agreement in terms of how we need to address these — both somewhat passionate, not entirely agreeing and a little bit of finger-wagging at each other. But that's the nature of this place sometimes.

I did think that we had reached some agreement about the need to show respect, the need for us to be able to treat people who find themselves on income assistance with respect, and about the need to not lose sight of what income assistance is all about, which is providing the essentials of food and shelter for people who find themselves in the most desperate situation.

What Bill 14 does is.... It doesn't accomplish that. What Bill 14 does is something very different.

What I would say in conclusion is that we have a couple of tasks here around Bill 14. First of all, the minister, in committee, is going to have to demonstrate in a way that has not occurred yet that he's right about what constitutes an indictable offence, a warrant out for an indictable offence.

Everything that we see — and the Interpretation Act says — is that it is much, much more than the short list of serious crimes that the minister put in his press release. If that's the case and if we are — as we are — confident that this in fact is a much broader net, then it's not acceptable to British Columbians to cast the net that way and exclude people from income assistance.

We have to be assured that this is not going to turn into what almost borders on a bit of a witch-hunt of existing income assistance recipients — if they're being asked about issues like criminal record checks and such for people who are on income assistance.

We're going to have to be confident and know that this bill, this legislation, isn't a backhanded way to deal with eligibility and reducing eligibility lists for people on welfare. We are going to have to know that the government actually has a strategy for how it does deal with people who are involved in serious crimes.

This bill is one of two things. It is either unduly intrusive upon people who are on assistance or applying for assistance who certainly don't fall into that category that the minister talked about, or it's a relatively inept piece of legislation in accomplishing the tasks that the minister has stated he wishes to accomplish.

Either way, it's not a piece of legislation that moves forward the social contract. It's not a piece of legislation that is beneficial to people who require income assistance. It's not a piece of legislation that does much in terms of catching folks who have warrants out for them around serious crimes and ensuring that they face their day in court.

So we have serious concern about this. We will have the opportunity to discuss this, no doubt, further and in some detail when we get to the committee stage. I look forward to that discussion.

With that, I will take my place.

Hon. K. Heed: I rise to talk about Bill 14 and to talk about it from the perspective of having spent many, many years in law enforcement dealing with people that take advantage of the systems that we have, the systems that were created for us to truly deal with people that were in need.

[1505]

You know, it's with pleasure that I rise today. I know there are two members opposite, one in particular, that I've had the opportunity to work with in the past to deal with some of the devastation that we see in our communities and deal with the people that take advantage of the system that we have here.

I have witnessed over the years firsthand and continue to hear the frustration from public servants, police officers that are sworn to protect our communities and that are out there each and every shift, working as hard as they can, truly trying to make a difference in society. I listen to their frustrations when they deal with

individuals in areas such as the Downtown Eastside of Vancouver and other communities across B.C. — the frustration of continually interacting with individuals that have escaped their jurisdiction.

These individuals will tell you that they actually left their jurisdiction knowing full well that they had a warrant out for their arrest. We're not talking about summary conviction offences; we're talking about indictable offences.

Jurisdictions throughout Canada, when we're talking about indictable offences, those serious offences, unfortunately know full well that if they put out a limit on the jurisdiction, these individuals will flee and not come back. Because of the processes that we have here in British Columbia and the fact that this is a beautiful province, people seem to gravitate towards British Columbia.

When these individuals come to British Columbia, they don't bring a set of skills, where they're going to contribute positively to society. They bring their crime skills with them. More often than not many of these individuals that have outstanding warrants, that are actually collecting social assistance, are carrying on committing crimes here in British Columbia.

When I was the commanding officer of the Vancouver police drug unit, in fact I did research around 600 street-level drug traffickers arrested in the Downtown Eastside of Vancouver. When we were looking at descriptives, I discovered that a large majority of these individuals were wanted on outstanding warrants, outstanding indictable warrants, not just in British Columbia but across Canada.

I discovered that the majority of these individuals were also collecting social assistance here in British Columbia. We have to remember that these are people that were actually arrested for trafficking drugs in a very confined area in the Downtown Eastside of Vancouver.

I absolutely agree with the member opposite that we need to treat people with dignity and respect. We need to respect their civil rights as individuals. But I must say that these people that escape other jurisdictions — that come here and are wanted on warrants; that come here for handouts, for money; that come here to carry on with their life of crime — are not welcome. They shouldn't be. They need to take responsibility and deal with their outstanding warrants that they have elsewhere.

I believe that Bill 14 will give us the tools. It'll give police officers tools. It'll give government officials tools. It'll give people that want to truly make a difference out there tools to ensure that the people that are most in need — that their families, their children and others that require social assistance — are the ones that we're focusing social assistance on, not the individuals that have escaped to our jurisdiction because of their warrants.

J. Kwan: I rise to speak to Bill 14, the Housing and Social Development Statutes Amendment Act, 2009.

Madam Speaker, before I get into the details of the bill, let me just outline for you a little bit about the constituency of Vancouver–Mount Pleasant. We are one of the poorest neighbourhoods in all of Canada, and as such, we have many, many challenges. It should come as no surprise to many of the members that in Vancouver–Mount Pleasant people struggle on a day-by-day basis to simply survive — people who are living in poverty, who are trying to find appropriate housing — and sometimes, in desperation, people engage in desperate acts.

Having said that, it does not take away the strength of the community, of course, and the talents and the caring that go with the people that are there. In fact, in my years of representing the community, having the honour of being able to represent Vancouver–Mount Pleasant, I've come across some of the people who are most giving and compassionate, even though they have very little to give in terms of material goods.

The community has worked very hard to ensure that there is respect and dignity in Vancouver–Mount Pleasant and, particularly, in the Downtown Eastside. The Downtown Eastside community has been referred to by a lot of people by all sorts of names, some extremely offensive. I won't use those words in this House because, frankly, it is unparliamentary.

I will say this: what we need to recognize, of course, is that Mount Pleasant is a neighbourhood. It is a neighbourhood of people who are working hard to ensure that people are taking care of each other and to ensure that they actually have the means to deal with their daily challenges.

Hence it brings us to Bill 14, the Housing and Social Development Statutes Amendment Act. What does this bill do that I am concerned about? This bill allows the government to deny income assistance or disability assistance to any person who has an outstanding warrant for their arrest for an indictable offence anywhere in Canada.

I get it when the government says that this is only meant for the most serious crimes, for people who've committed heinous crimes. I totally get that, Madam Speaker, but I think that we also need to focus in on the other issue, though.

I was just having a look at the Criminal Code of Canada with my good colleague the critic for Finance, who will be making comments later on today. We went through the Criminal Code, and virtually all offences could be indictable offences. The prosecution will get to choose whether or not to charge a particular offence as a summary offence or an indictable offence.

Take, for example, mischief. It could be charged as an indictable offence. In the case of mischief, there are a number of things that one could encounter with a mischief charge.

People may recall that in my own personal situation, I almost got charged with mischief. What did I do? I was in the Downtown Eastside protesting with the residents of the community over the Woodward's project. What were we doing that was so horrible that it warranted an investigation? I did not know about it until much later when it showed up on TV, when they said that I was being investigated. I went: "Wow. Okay."

This is what I was doing. I was in the Downtown Eastside in a protest. I was painting a daisy on the hoarding of the Woodward's building with water-soluble paint. That's what I was doing.

What we were engaging in as a community was an expression, in our belief, utilizing freedom of speech to voice an opinion about what that project meant to the community and what we had hoped for that project to become for the community. It is a signature building in the Downtown Eastside, and it meant a lot to a lot of the people, including myself as the local MLA representing the community.

I could have been charged with mischief — indictable or summarily, I don't know — but at the end, I'm happy to report, the charges were dropped. It was deemed by the special prosecutor that it would have been inappropriate to proceed with the charges against me because I'd been singled out as one individual recognized by the security guard.

[1515]

Following from that, the investigation ensued, and it would have been unfair and not in the interests of the public to single out one individual for a charge where over a hundred people, a couple of hundred people, participated in this event.

What does this have to do with Bill 14? My point about that is that a person — for example, like myself — could have been charged with mischief. With a turn in life, who knows what could happen to a person's life?

That's what happens to a lot of people who find themselves in a situation where they have to apply for income assistance. Then you may well, actually, have this noose around your neck and find yourself not eligible for income assistance.

In my case, only because I watched the television that night and happened to have caught it, I realized that I was being investigated. There could well be people who may have a warrant out for their arrest that they did not even know about. That is not actually uncommon. It happens. It happens quite regularly, particularly with the residents in my riding.

What might have been otherwise a fairly minor situation — I would even argue, protest in a form that exercises our democratic right should never have been deemed to be a Criminal Code violation — could result in a warrant for your arrest.

I would find that most unfortunate. Where's the safeguard to say that this will not happen in this bill, other

than the minister saying: "Trust us. It's all going to be dealt with by regulation"?

So far, I have to say — and I'm sad to say, and I'm very sorry to say — the track record on the government side on the notion of "trust us" has not been stellar. On many other files they have proven to be not exactly trustworthy in that regard. They say one thing, and then they do another.

The HST comes to mind. Prior to the election they said they weren't going to bring in the HST. After the election — guess what. They're bringing in the HST. That's just one example. So on the notion of "trust us," I am very sorry to say that it's not worth the paper it's written on when the government says: "Trust us."

I'm sorry to say that the children in Newfoundland found out the hard way. The choir found out the hard way when the Premier's word, that says: "Trust us...." When the Premier invited them over for the Olympics to perform, it turns out to be what the Premier now says is a misunderstanding. In reality, there are real issues of trust underneath that — aren't there? So I am concerned about it with respect to that.

Another charge that's also indictable, that could be indictable or a summary offence, aside from mischief, would be some minor theft issues. There are many people on a survival basis engaged in those kinds of activities.

It's not that I'm condoning it, Madam Speaker. Don't get me wrong. I don't think it's the right thing to do, but I also understand, though, that there are times when people are that desperate in life that they would do just about anything in order to survive. That's what it means, and we have to understand that as well.

This bill, again, does not clearly outline that those individuals who are faced with those kinds of circumstances would not be further penalized. You can rest assured that if a person cannot get access to income assistance, they will have to resort to the lower denominator in terms of a survival basis. Then I am very worried that we might end up pushing people into a place we do not want them to be in.

People who rely on income assistance.... I have to say that a lot of the people who rely on income assistance, really, are doing it as a last resort. They really, basically, have no other alternative. That's why they're there on that welfare line. Let us not kid ourselves. It is not fun to have to go through the rigour of the application and sometimes, frankly, the humiliation of that application process.

I see people in my community lined up outside on welfare day in the pouring rain waiting for that cheque so that they can put food on the table. I've spoken with some of these individuals. There are seniors there, people with families, who have children, single parents and the like, people with disability. All of them are deserving of some assistance, I would argue.

[1520]

The Charter of Rights, of which we ought to be very proud as Canadians.... Under section 7 of the Charter it actually stipulates that: "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

That's what the Charter protects. However, I would argue that this bill, Bill 14, undermines that very premise which the Charter has put forward — to say to a person that we will now have a way of depriving you of life, liberty and security of person. Actually, I wouldn't be surprised one bit if this bill is challenged in court and is struck down.

My office spoke with some of the folks in my riding. Ann Livingston at VANDU — here's what she has to say. She's concerned that there are many people in the Downtown Eastside who have minor infractions and have not appeared in court. They have then been cited for failure to appear and sometimes charged with contempt of court. People are then picked up and put in pretrial for a period of time. By the time they see the judge, they are released for the time already served. Some people are forced to plead guilty to be able to get out of the pretrial.

She said that some homeless people usually don't even go to collect their belongings and are released onto the street in their prison garb. She fears that people who have minor infractions like drug possession charges or even minor assault.... People do, by the way, get into scuffles all the time in the Downtown Eastside. Tension is high. People are desperate. Sometimes these kinds of situations happen. With that, they could very well be cut off of income assistance, which of course, in turn, will increase violence, crime and disorder in the streets.

So it's counterproductive, I would argue, if we bring in legislation like this that impacts, I would say, actually a lot of people, many of whom would not have been in the category of what the minister purports this bill is supposed to target — and that is very serious, heinous crimes. It could very well target people with minor offences. That happens to be up to the prosecutor to decide to charge as an indictable offence or as a summary offence. There are many, many offences which could go either way.

At the Vancouver Aboriginal Transformative Justice Society they also worry about the legislation disproportionately impacting the urban aboriginal community, who are very different from different parts of the province. If people, again, are denied access to social assistance, this too will have devastating impacts on them.

We have to remember, with the aboriginal community, the history in which they had to suffer. Colonialism comes to mind, of course, and then we have the situation where the residential schools have left scars for generations on the aboriginal people. They're still trying to figure out how to deal with this. Some of them have,

unfortunately, been deprived of parenting skills because they were taken away early in life into a residential school situation where they were disciplined for speaking their own language, practising their own culture and, frankly, just being themselves — just being an aboriginal person.

Imagine the damage for an individual when you come out of a situation like that, not to mention the kind of abuse — physical, emotional and sexual abuse — that took place in residential schools against the aboriginal community. The very fact that they survived this trauma is a miracle in and of itself, but it does not mean that they're not left with scars that have gone on from generation to generation, which the aboriginal community continues to try to overcome.

With that, we have a disproportionate number of aboriginal people in our communities who have some of the worst statistical results, whether it be around graduation, imprisonment or being in conflict with the law and so on. It doesn't mean that they're bad people, but it does mean that there's a lot of history behind what has happened to the aboriginal community, that there is a long road to reconciliation and that we must recognize that road.

We must not further penalize people who are already set back in life, who have had tremendous childhood traumas to deal with, traumas in life that I will never understand because I've never walked in their shoes.

[1525]

But it does mean, though, we as legislators better understand this history and this chapter of this history and better bring in laws that address these issues in a way that is compassionate, that is fair and just.

Penalizing people on income assistance because they're poor.... To say that if you have a warrant out for your arrest, you will no longer be eligible for the protection of the Charter — that is life, liberty and security of person — is simply wrong. I worry very much that it's just going to push people further into the corner, and more desperate acts will take place. Then where will that take us?

We could, in fact, in going down this approach, turn it around and say: "How can we turn it around to assist the people who are on income assistance, who are faced with challenges and conflicts with the law, to take a different path? What preventative actions can we take to change the course and the trajectory of that future for those individuals and their families?"

Maybe that's something that we should put our minds to. Maybe we can actually put our minds to an ending-poverty strategy. That would be something. Other jurisdictions have done it. We ourselves could do that too.

British Columbia has had the worst child poverty rate for five years under this government. I don't think that's an accident. I don't think that's a coincidence. I think it's because of the government's policies that have left this

legacy — a shameful legacy, I might add, but not a legacy that cannot be broken.

There is something that we could do about it. There is something we as legislators can come together on in a non-partisan way to say: "That is enough, and we will not let this happen anymore in our communities. It is time for us to put our minds and hearts together to say that it is time for an end to poverty."

Then we can perhaps change that history a little bit for the future. Maybe for those who are on income assistance there would be a different road and path for them in life. Wouldn't that be a novel idea — if we embarked on a journey like that in a non-partisan way, for government and opposition members and community members to come together and put our minds to it, to figure out what it is that we can do to end poverty in British Columbia and what it is that we can do to ensure that people's life, liberty and security of person are protected so that people can, in fact, live in honour and dignity?

[C. Trevena in the chair.]

I want to say this. There are some who believe — I think the Solicitor General unfortunately just said that — that people are sort of milking the system, and they're doing this. Perhaps some think that people enjoy being on income assistance. Well, in my years representing Vancouver–Mount Pleasant, I have yet to come across a person who will say: "Hooray, I'm on income assistance."

They are on income assistance because they desperately need that support, not because they want to be on income assistance, not because they want to do everything they can to collect welfare. If they had a choice, if they had other alternatives that were viable for them, they would choose those other alternatives.

Many people are on income assistance because they have no other choice. That's why they're there, and it is difficult going through that process. It is very difficult going through that process for these individuals and trying to make ends meet.

It is not like when you're on income assistance, you're rolling in the dough, because rents are high, particularly in the Lower Mainland. I know that the welfare rates set a set amount for people on income assistance for their shelter portion.

Well, as it happens, in the Downtown Eastside there are very few SROs — single-room-occupancy hotels — that are now at \$325 a month. Most of them have actually gone over that, particularly in the time period now in the lead-up to 2010 and the major medal events. Many of the owners of the SROs have increased the rent. What that means is that those individuals have to take the support portion of their income assistance cheque and pay it into their shelter portion.

[1530]

With that, they have less money to survive on, to buy basic things like food, and when the winter months come, to buy a pair of boots, a winter coat and, if you have children, to actually get enough food on the table and to pay for the increased costs in the education system — the field trips, the little tournaments that the children engage in, the soccer camps, the basketball camps. All those little extra costs and fees sometimes put it out of range for these families.

Christmas comes along, and many families cannot afford a Christmas present under the tree for their little one. We just celebrated Thanksgiving, and many people did not have a turkey dinner. Those are the realities of the people on income assistance.

I would argue this. Let us put our minds to coming forward with a poverty reduction strategy so that we can end poverty. Let us put our minds to bringing forward legislation that says: "No more, we will not tolerate having children live in poverty anymore." Let us say: "No more."

It is not acceptable for the seniors who are now living in poverty today. There are more seniors living in poverty today than there were five years ago. In fact, I believe, if memory serves me correctly, that we have the second-highest number of seniors living in poverty outside of Quebec. That's not a legacy that we want.

Let us understand that there may well be people who have outstanding warrants that might be of a very minor nature, and this legislation very potentially puts them out of reach in reaching for that last resort of assistance called income assistance. Then with that we may very well push them into a corner for further acts of violence and even more dramatic situations that none of us wants to see in our communities.

I have great reservations, a lot of concerns, about this piece of legislation. I am speaking on behalf of my riding, of the many people in my community who have shared their fears and concerns with me in my office. I want the minister and the government members to hear this and to understand it.

With that, I will take my place. I hope that we can find ourselves in a place where we can one day make commitments across the House that we will end poverty in British Columbia and strive towards making sure that everybody has the opportunity to flourish; to maximize their potential, like you and me; to do what we want and believe in; and to do it with passion for the better good of our community.

We can make that happen, if there is the political will to do that.

P. Pimm: I, too, would like to stand and talk about this bill today, the Housing and Social Development Statutes Amendment Act, 2009. I'll definitely be speaking in support of this bill. I think today is probably a good day for me to speak about it, and I'll talk about that in a little bit.

When you talk about income assistance, certainly, income assistance is designed to assist those that need income in times when they can't get income anywhere else. I think that's exactly what it was designed for, and that's what it should be used for. I think the current system does just that.

I heard the member for Vancouver–Mount Pleasant talking about some of the people that learn how to milk the system, and I think there's a lot of that that goes on. In fact, I've had some folks come up to me and brag about the fact that they know how to get around the system and milk the system and not have to do their work and do their commitments and that sort of thing.

That does bother me, when the vast majority of the folks that are out there on income assistance need the income assistance. What that does, when you have people that are out there abusing the system, is makes it that much harder for the ones who really need the income assistance to get on the system. They get scrutinized much harder because of the people who are doing that to our system.

When you look at the crime.... I heard my colleague from earlier on speaking about the frustrations of the police and the police department. I know that those frustrations exist. They do a good job. They go out, catch the criminals, bring them in, book them, put them through all the procedures, and then they let them go out. They go off to the judges, get a slap on the wrist, and then they get back out on the street so that they can go and do this again.

That frustration is not only frustrating for the police. It's frustrating for me, and it's frustrating for most people in the communities that are law-abiding citizens, who don't need to be put through that sort of thing.

[1535]

When you talk about the breaking and entering, the assaults, the murders and the high-level crimes being committed out there, for us not to approve this bill and to make it so that those kinds of people cannot be getting income assistance.... To me, I can't even believe it's coming forward as a bill. I just think it should be common sense that that should be the case. Obviously, I'm just too new to this government stuff, I guess.

To me, it seems like if we weren't going to allow this bill to pass through, we would be supporting and enabling the crime and allowing those people to continue to do what they're doing.

To import others from other provinces and import their crime level, I think, is a crime in itself. I would be the first one to say: "I'll give them a bus ticket back home." I don't want them here, quite frankly. For the rest of this side of the House that wants them here, well, fill your boots. I think it's the wrong thing.

We have a Charter of Rights. I've read through that document. It's a wonderful document. You can go through it, and it lists all the rights for each and every one of us. But do you know what? Who needs that Charter

of Rights in this room? It's the people who break the law who hide behind the Charter of Rights. Unfortunately, I'm going to get a lot of flak for saying that, but that's exactly how I feel.

To me, when you talk about a charter of rights, you should be talking about a charter of responsibility that goes along with that charter of rights. That responsibility is that when you commit crimes, all of a sudden, you shouldn't be able to hide behind a charter of rights. That's how I feel. Maybe some of the rest of you might feel that way, too, probably even on this side of the House might feel that way.

The good thing about this here is that....

Interjections.

P. Pimm: We can talk more about the Charter of Rights if you want. I don't mind going into that debate for a while, because with your Charter of Rights, anybody that wants to hide behind the Charter of Rights....

I just don't think it's a good document whatsoever myself. For 99 percent of the people out there, that document doesn't even need to exist, first off. It's only about 1 percent or 2 percent of the people that it's even developed for, and it's to keep the lawyers and the judges and everybody working to support the system.

Anyhow, we carry on here a little bit. This bill here still supports all of the families in the system that have their income assistance. It just doesn't support the ones creating all the crime. I don't think there should be any support for that person, and they should be going to jail, where they actually belong.

Last night was a really good night for me. A company that I was involved in before I came down here.... We just had somebody break into my compound last night, who stole a \$30,000 truck.

Interjections.

P. Pimm: Here we go. We'll support that guy. We'll endorse him. We want him to do that sort of stuff. I just don't understand that thinking at all. He may be on income assistance.

Anyhow, I thank you very much for letting me have the time to speak on this bill. I certainly support it, and I'll be more than happy to pay the bill to send that guy back to wherever he came from.

M. Mungall: When I first read about this bill in the newspaper, the Minister for Housing and Social Development was saying that we're going to be targeting people with serious offences, that we're going to be making sure they deal with their warrants and go through the justice system before they can apply for social assistance.

Putting aside my concerns around civil liberties in this province, I thought: "You know what? That's not necessarily a bad idea."

We have people in this country who commit serious crimes — murders, rapes, assaults, sexual assaults on children. Those people should be going to jail. We should be dealing with them through the justice system, and that's where we should be dealing with them first, not the social assistance system.

[1540]

However, what's very important to note with this bill and what the minister doesn't go out and tell the public and what the B.C. Liberals don't want to tell the public is that it isn't just people committing serious offences. It's anybody. It's anybody who has a warrant out for their arrest.

I'm very happy to see that the minister is in the House right now listening to the speeches.

Deputy Speaker: Member, one doesn't make a reference to who is in the House.

M. Mungall: My apologies, hon. Speaker. I'm a new rookie MLA, and the rules are just coming out as I go along. I apologize for that, and I'll be sure not to do it again.

Nevertheless, I'm glad that I get to speak here today, and I hope that people on the opposite side of the House are listening very clearly, because I'm going to tell them a story about a real person who would not have been able to access social assistance, simply because she was poor and desperate — not because she had committed a serious offence, not because she had murdered anybody or assaulted anybody. Not at all. Simply because she was a single mom with hungry children.

I had the benefit of running a food bank in my community, Nelson-Creston, for two years. I met many, many people — unfortunately, too many people — in those two years. One such person really struck me, and that's the story I'd like to tell today.

A single mom. The first place she went to when she had fallen on hard times was the food bank, because what did she need that very day? Food. She needs food to exist. So did her children. She needed to pack them a lunch, make them dinner, make them breakfast, and she had nowhere to go other than the food bank. So she comes to the food bank.

We loaded her up as much as we possibly could with the items that food banks typically have — macaroni and cheese; powdered cheese; rice; pasta; some bread; maybe some potatoes, if there are still some fresh potatoes there; soup; non-perishable items.

She didn't have any meat. She didn't have any salad — any lettuce, cucumbers, carrots. She didn't have any cheese. Nothing to go with basic staples to make sure that not only herself but most importantly, especially for her, her children had a well-balanced meal, a well-balanced diet, so that they could do well in school and go on to achieve great things.

She went to the grocery store. Her next stop after the food bank was the grocery store. She couldn't buy anything there, so what she ended up doing... It's not that I condone this, but this is a reality that the government needs to contend with when it starts to put forward legislation such as this. The reality is that she took some vegetables, put them in her pocket, walked out the door and got caught. She got caught. She was arrested for minor theft. All she wanted to do was feed her children.

Next step after this was looking for social assistance so that this situation didn't happen again, so that her desperation didn't lead her to commit a minor crime ever again. She went to social assistance, and she was able to get social assistance — a very, very meagre level of help that barely allowed her to pay the rent, much less buy decent groceries for her family, pay the household bills, buy new school clothes, some shoes for the kids to go to gym class. Very meagre is what she got on social assistance.

If this bill passes, a woman in that same situation in the next couple of months would not be so fortunate. She would not get social assistance. Here we have a situation where.... When a single mom doesn't get social assistance and is living in abject poverty, she is desperate. That's something that is contributing to child poverty. That's one of the things that contribute to child poverty in this province.

[1545]

After six years of having the worst rate of child poverty in the country, this government should be ashamed of creating any type of policy, any type of law that would further exacerbate that situation. Rather, they focus on the serious offenders. They lump everybody into that, rather than recognizing the very different realities for people throughout this province.

I want to remind the member for Peace River North, who spoke just prior to me. He talked about the abuse rate of social assistance. He said it was so common and that so many of the people that he talked to talked to him about how he could scam the social assistance system. Well, I ask that member of the House, member for Peace River North, to open up his mind and open up his understanding to what's going on in the social assistance system.

First and foremost, study after study has identified that the abuse rate is no more than 4 percent; 96 percent of people on social assistance are adhering to the laws around social assistance. So when he talks about the tremendous amount of people abusing the system, he is wrong. He does not have his facts straight.

More importantly, though, is that research studies of the current way in which social assistance is delivered in this province.... The rules put in by this government when they came into power, the rules that they put in 2002, have led people to manoeuvre throughout the system in a way that they don't necessarily feel good about.

They feel that they have to tell lies just so that they can get social assistance, an amount that doesn't even meet the rent that they have to pay on a meagre place, an amount that doesn't even meet their nutritional needs.

People on social assistance are told regularly by officers at social assistance offices to go to the food bank. That's where they're going to get their food. The officers know that \$610 a month is pretty much what they're paying for rent. They're paying their entire social assistance cheque on rent, so the officers say: "Go to the food bank for food. Social assistance isn't about to help you with that at all."

The two-year limit, the three-week wait and rule after rule around the welfare reforms that this government put in, in 2002 have put people in situations where they feel guilty about it. They feel like they're a criminal just for being poor. Now this government comes out very clearly that if you are poor and you do a minor offence such as theft, yeah, you are a criminal and you're not entitled to anything in our province.

As the member for Peace River North said, the Charter of Rights and Freedoms isn't needed in this country. Clearly, it seems like the entire government agrees with him, because somebody who has created a minor offence simply because they are poor and desperate, simply because they might want to feed their children, is no longer entitled to the basic necessities of life. Merely, they get nothing.

They get nothing from this government, and that's not okay. That's not okay for the children who are faced with poverty, the increasing number of children who are faced with poverty.

Interjection.

M. Mungall: I hear another member down the way say that my facts that I'm saying just aren't true. This side has not been the side accused of giving statements incongruent with the facts. It is that side, time and time again.

The people of British Columbia know that when this government says, "Trust us. Don't worry. Everything's going to be okay. Don't worry. It's just the people who have committed serious offences...." When this government says, "Trust us," the people of British Columbia go: "Yeah, right. We've been told that one before, and we're done with it."

[1550]

We don't believe them anymore, and we certainly don't believe them when it comes to Bill 14. The language is just too broad. We can not trust this government.

It targets what many people consider petty crimes — as I've mentioned, minor theft. The member for Vancouver–Mount Pleasant talked about many, many petty crimes. When I was a city councillor, the Nelson city police did presentations to the city council regularly. They talked about minor and petty theft, minor crimes,

and they were concerned about the number of people who were living in poverty who were committing those crimes out of desperation.

This bill doesn't recognize the real stories of people in this province — people who are living in desperate situations because they are poor. It's people like the single mother who found herself at a food bank asking for food, and who then, when she couldn't get everything she needed for a healthy meal, had to go to the grocery store and do something she never, ever, ever thought she would do, and that was steal to feed her children.

This government offers her absolutely no understanding, none at all. That's shown not through their words but through their actions. This bill is that action that speaks so much louder than their words.

Hon. Speaker, I will not be voting in support of this bill. As I've said, the language is much too broad. It's attacking people who deserve the basics of life, and this province has failed them already by giving them such a meagre amount to get those basics of life, and now we're failing them again. There is no way that I will be a part of that — no way.

With that, I'll take my seat, and I urge the government to consider the people of this province, to consider the single moms who find themselves in tough situations. Clean up the language of this bill, and make sure that they're not the targets of your attacks on the poor.

M. Karagianis: I'm happy to take my place here in the discussion, the second reading on Bill 14. I would like to focus this discussion on several particular aspects of Bill 14 and the ramifications it has on some larger issues that we face here in the province of British Columbia.

I want to talk in particular about the implications here on very specific individuals in British Columbia that will be the most affected, I believe, by this new amendment to the housing and social development statutes. In particular, I want to talk about the implications in a bill that targets some of the most vulnerable members of our society and, in fact, is going to further constrain and exacerbate existing problems here in the province of British Columbia.

I am talking about the poverty issue. In fact, statistics here show us that in the province of British Columbia right now the growing state of poverty has many layers. The implications for individuals who are seeking income assistance, or who are on income assistance from time to time, are considerable when we make the kind of rash changes to the act that we are here.

Recently the Representative for Children and Youth here in the province of British Columbia released a document called *Housing, Help, and Hope: A Better Path for Struggling Families*. I think it goes very strongly to the heart of the particular aspect of this bill that troubles me the most, and it gives me the most discomfort.

[1555]

In fact, this report is about a struggling young family who needed short-term housing assistance so that their child, their baby, could be safe. This particular family's only crime was being deeply poor, and their need for social assistance and a kinder and more user-friendly system was at the heart of a tragedy that took place with this family.

The reason I talk about it is because I see in Bill 14 that we are adding yet more layers for families like this young family to have to concern themselves with, be fearful of or grapple with in their need to try and find income assistance.

This story, tragically, is about a young family whose young baby was taken away from them not because they were unfit parents, not because they didn't love their child or would in any way harm their child. The baby was taken away because the parents needed income assistance and could not run the gauntlet of issues that faced them in trying to obtain income assistance. And that was before any of the changes that we see before us in Bill 14.

In fact, this young aboriginal family — very young parents with a very young, new baby — came back home to British Columbia and were unable to find housing and were unable to successfully obtain income assistance in a timely manner that would allow them to access housing.

So the Ministry of Children and Families came and said that the living situation they had found, which was with extended family members, was unsafe. The young family actually acknowledged that, but they had no other choice. There was nowhere else for them to turn other than perhaps homelessness, which seems to be one of the more abject choices that we are forcing many people into here in British Columbia.

The story of what happened to the family is that the baby eventually was taken away because the family couldn't find their way through the rather complex process of obtaining income assistance. They could not find adequate housing. They were helpless to try and find a way out of their situation, and so the baby was taken into care by the Children and Families Ministry.

Through a series of really unfortunate circumstances, the child was moved through several foster homes and was irreparably harmed in one of those situations. At the end of the day, the family did manage — the young parents did manage — to find adequate housing. It took them some time to do that, but once they managed to get some housing and shelter over their heads, the baby was returned to them — a baby who now requires lifelong care, who has been irreparably harmed and changed forever.

Now these young parents are faced with having to raise a significantly disabled child for the rest of their lives, and the problem that faced them was their inability to access income assistance — nothing else. No other

obstacle stood in their way other than their ability to access income assistance. It was too difficult for them to navigate their way through the system to find out the kind of information they needed, to advocate aggressively for themselves and find their way out of that.

It seems to me a very sharp, sharp example here of how the system is currently prohibitive for many fragile individuals, young families, people in need. Now in Bill 14 we are throwing yet another significant barrier up, and particularly for first nations, particularly for aboriginal people who are looking for help from within this government and this society.

The conclusion that the children's representative reaches in her report is that immediate income assistance support, short-term housing grants and a positive, supporting environment would have made all the difference to this family. It would have changed forever the outcome for this family to be a positive rather than a negative experience.

Poverty and the lack of affordable housing played a major role in this tragic situation. The system was not responsible in addressing the practical issue of short-term money for housing that would have allowed this family to create a safe home for their child. As a result, the baby was separated from his family, his community and his culture, and his future dramatically changed.

[1600]

The reason I bring this up at the beginning of this debate is that this report is about housing, help and hope. It is about finding ways for the government to make it easier for families in need to access the kind of support systems that they desperately need — income assistance being a cornerstone of that. Yet we have before us in Bill 14 significant changes that will unfortunately have the most prohibitive and dramatic effect on the poorest members of our society.

I want to talk a bit more about that — the deep kinds of poverty, the complex kinds of poverty, that face many individuals who need income assistance either from time to time or as a huge support system in their lives — and about whether or not prohibiting them from doing that, by changing this language to make it more difficult for some vulnerable members of our society, is a right and just way for us to institute legislation here. I will say that it is not — not at all.

I want to talk a little bit about this issue of poverty and its absolute direct connection to the kind of prohibitive nature of the actions that have been put into this bill. If you look at it realistically right now, of the children in care and needing assistance, 53.2 percent are aboriginal. In fact, if you look at poverty in British Columbia, it has disproportionately affected first nations families in this province. I'm going to restrain my remarks strictly to that and to that particular segment of society.

I know that other members of this side of the House will do a very able job of talking about the implications for

other segments of society. I know that previous members have talked about implications for the Downtown Eastside, and I know many members will talk about that. But I want to talk particularly about aboriginal poverty and its relationship to the changes in this bill, because I think it's an area that has not been thoroughly or appropriately examined by the government in putting this bill forward.

The reality for many of the poorest people in this province is that it has its roots in the kind of deep, chronic intergenerational poverty that we have seen in first nations families. It is, I believe, the reason we are seeing for the sixth year in a row that we have the highest rate of child poverty in the country, and I think a lot of that stems directly from first nations communities. This poverty has not been adequately addressed.

I don't think the terms of reference of this bill, and perhaps the ability of the government to examine the issue of poverty when they are looking at this bill to make sure that that lens of poverty has been placed over this, can ensure that this is not creating more hardship for individuals who already have come through the entire lifetime of poverty — they, their families and possibly even all those members of their community — that we see in first nations communities.

The reality is that Stats Canada says that B.C. again, for the sixth year, has the highest rate of child poverty in the country. Disproportionately, that poverty affects first nations families either on or off reserve.

[1605]

I think it goes without saying that when we begin to examine the access to income assistance through this policy change, it says that families and individuals can be denied income assistance based on past criminal records, behaviour, activities. That says to me that we are actually, again, disproportionately putting pressure onto aboriginal families to try and find their way through the complexities of accessing income assistance.

You know, if we have a young family who has been so completely and devastatingly affected by their inability to even access emergency income assistance to get emergency housing and have been left with a permanently disabled child as a result of the steps that government has taken against them for the crime of poverty.... Then what happens when we begin to apply this other lens here?

The language laid out in this bill is very clear with regard to employment and income assistance:

"...a provision requiring that no income assistance, hardship assistance or supplement be paid to a family unit on account of a person who is the subject of an unexecuted arrest warrant under the *Immigration and Refugee Protection Act* (Canada) or another enactment of Canada, stipulating that the property and assets of such a person be considered in determining the family unit's eligibility for income assistance, and authorizing the minister, subject to the regulations, to..."

Perhaps — and that word "may" — may provide income assistance to a family despite the activities of the aforementioned individuals....

It seems to me that what we are saying here is that for the individuals who have had perhaps a lifetime of poverty — a community in an environment of poverty — who are disproportionately likely to have some kind of minor or major criminal activity in their background, they now have to run the gauntlet of that fear in order to access income assistance.

I think it is the most harmful to aboriginal families. Of the children and families receiving income assistance in B.C., the statistics most recently for August 29.... The number of single-parent families in B.C. receiving income assistance has increased by 35.7 percent. Well, why is that? We know that is because of the current employment environment. We know it's because of the downturn in the economy.

Certainly, times are still incredibly fragile, and there is no security that the economy is picking up to the degree that would give confidence to individuals in the future that things are going to change rapidly for individuals like these single-parent families receiving income assistance.

The number of two-parent families in B.C. receiving income assistance has increased by 74 percent. Now we have two-parent families also joining the ranks in record numbers. There are now 19.8 percent more children living in families who receive income assistance compared to the same time last year — a 20 percent increase in the number of children living in families who receive income assistance.

At the end of the day, we are seeing huge exponential growth in the demands for income assistance. We are seeing dramatic changes in who is seeking income assistance, and I suspect we're going to see that for some time.

You have to say that now the government is putting in place some very particular language around who will be rejected in their attempt to access the income assistance program in British Columbia. It's based on past behaviour and perhaps outstanding warrants. To what degree and exactly how far-reaching the government will be in screening out those individuals is really unknown. I know the minister has said that it's for real hard-core criminals — murderers and real hard-core criminals.

The reality is that the language in the bill in no way protects all individuals with any criminal activity in their background, whether it be shoplifting or any of the other things that are often consequences of poverty — desperate, deep poverty.

[1610]

We are now saying that those individuals can be denied income assistance, the very lifeline that may in fact be what these individuals need.

There are numerous kinds of poverty. Unfortunately, it's a complex issue. There is transitional poverty, which I think we're seeing a lot more of right now in British Columbia. That is where people have lost their jobs and

may be having trouble even keeping shelter over their head. Frankly, I think all of us in this House have had some kind of experience with people who, through transitional poverty, have found themselves homeless — have found themselves at the very end of their rope.

Often these people do end up involved in illegal activities through desperation. When they try to pull themselves back out of that, seek income assistance and pull their lives together, they are now going to have face a bill that says, "No, you can't do that. You may have made a mistake along the way. You may in fact have had a series of tragedies in your life and made mistakes, but you will not be allowed income assistance because of that here in the province," which will continue to feed homelessness and poverty, as far as I can see. It's a pretty logical sequence of events.

But deeper than that is the intergenerational and deep chronic poverty that comes from many first nations communities. We see that in the number of people who are homeless that come from first nations communities. We see this in the number of children who are in care, disproportionately, within the Ministry of Children and Families.

I'm very fearful that a bill that immediately places more barriers against individuals who have often struggled their whole lives.... They are now going to have the added burden that they will be disallowed from accessing income assistance because of past wrongdoings. I think we have to be very careful with that. It does seem to me to be another impediment most certainly for fragile families like the young family I talked about, who were unable to even run the gauntlet of process to get emergency income assistance so that they could keep their baby and ended up with such a tragic outcome.

It does concern me greatly. There is no official poverty measure in Canada. Statistics Canada do their best to quantify poverty here, but we will contribute to more poverty if we make it more difficult for people to access income assistance when they desperately need it. Certainly, it will disproportionately hurt first nations people.

The second part of this, which gives me a great deal of concern, is section 2, employment and assistance for persons with disabilities, where very similar language is put in place around prohibitions to people receiving disability income. I am particularly concerned about that.

Again, if we talk about this issue of deep generational poverty within first nations communities, if we talk about the unfortunate disproportionately high number of children born with conditions like fetal alcohol syndrome....

It's interesting, because I have some really good friends who live up in Powell River — really amazing people. They have done a tremendous job of raising their family and contributing and being leaders in their community. But when they were young, growing up on a reserve,

both of them spent a great deal more time drinking and getting involved with alcohol than they should have. To their great heartbreaking distress, one of their children was born with fetal alcohol syndrome.

These individuals who are good friends of mine have spent their whole life dedicated to staying dry, clean and raising their family, but they have a child with fetal alcohol syndrome. There are, unfortunately, many of these children there, and I believe many of them will fall into this category — or other persons with other kinds of disabilities that also may have had a tendency in their past lives of having encounters with the law.

I think we can see that there's a disproportionate number of children with fetal alcohol syndrome in the juvenile justice system. There is a disproportionate number of people living homeless, who have been homeless for many years, with fetal alcohol syndrome. Instead of treating these individuals and their disability with respect and compassion, we are now throwing up another barrier to those individuals.

[1615]

It would seem to me that as much as the minister may want to categorize this as capturing big bad criminals who are perhaps trying to take advantage of the system in British Columbia by seeking income assistance, what's really happening here is that those who are going to be hurt the most by this are currently those who are most fragile in this province.

Let's be honest here. Big professional criminals are not going to be knocking on the door looking for income assistance. The people looking for income assistance are like this young aboriginal family, who needed some compassionate help. They needed barriers to be removed so that they could get housing and emergency money so they could keep their baby at home.

But we punished them here in the province of British Columbia. The government punished them by saying, "It's because you're poor and don't have any choices, and you can't find your way through the complex labyrinth that it takes to get income assistance" — especially for young innocent families like this family.

Instead they've got the rest of their life to raise a disabled child, because the government took their child away from them for being poor. The government took their child away because they couldn't find a way to access and get the information that they needed to get the government to give them income assistance.

That poor family or any other family in a similar situation that had an encounter with the law, or at some desperate point in their lives had broken the law, is going to have the same experience or worse. I just don't see where this particular Bill 14 and the language within this that, as the minister said, is meant to capture real bad guys....

The real unfortunate result of this bill — and the language left in this bill for others to interpret long after

the minister has finished giving his speech — is that it is going to be very difficult for many people who live in poverty and most definitely for aboriginal people who live in poverty, who by a series of unfortunate circumstances find themselves down on the eastside in Vancouver or leave their communities and find themselves in downtown Victoria and have no resources and few tools and skills for navigating the system.

If they have had an encounter with the law, they will not be forgiven. They will in fact be punished for that. They will continue to be homeless, or they will have to become homeless, or they'll have to give up their children or any of these other circumstances that are the real-life experience for people who have deep chronic poverty as their lifetime experience, which has provided all of the tools that they may or may not have for navigating the system.

I am very, very concerned about that. I am not entirely sure that I have any confidence that this government has even considered the ramifications, particularly to those living in poverty, on their inability to access income assistance because of minor or even less than minor transgressions in their past.

If we are not a just and caring society for the most poor in the province, then what are we doing? What are we doing with an income assistance act that becomes more difficult and more constrained rather than — as was recommended in the Representative for Children's report *Housing, Help, and Hope* — easier to navigate?

That's the direction we should be going — finding ways to make this income assistance ministry one of the solutions to poverty rather than one of the continuing barriers to poverty.

[1620]

I'm very concerned about this bill. I can't support a bill that is going to in fact cause more harm and damage to individuals who don't have the capacity or tools to navigate the current system, let alone if they've got criminal warrants or other infractions in their background.

I know it does say here that the minister, subject to the regulations, may provide income assistance or hardship assistance to families of the person with the warrant. But the reality is that the same choice was here in the *Housing, Help, and Hope* for that family. At any time the ministry could have made it so easy for that family to keep their child, but because they didn't have the sophistication to find their way through the income assistance process, they've been left with a whole lifetime of change and a very challenging life of raising their child.

Poverty is a subject that this government continues to either deny or refuse to acknowledge in writing new laws, and they have refused to in any way engage in the process of coming up with a poverty strategy. Any of these means of constraining what few resources could be available to some of these individuals and these families and young people is just fundamentally wrong.

Unless I hear from the government that they are going to reconsider their position on poverty and stop denying or deferring or trying to change the debate in some way around that, then I don't think they're doing the right thing in any way by making it more difficult for young people or families or the vulnerable to access income assistance.

I would hope that the minister has not just turned a blind eye to some of the comments on this side of the House and that he may take second consideration of this bill.

M. Sather: It's my pleasure to stand in second reading debate of Bill 14, the Housing and Social Development Statutes Amendment Act, 2009. This bill makes provisions such that if an individual has an outstanding warrant for his or her arrest, they may not receive income assistance or disability assistance.

I'd like to say a few words about income assistance in general, insofar as how we view it — individually, as a society, as a government caucus, as an opposition caucus. When you look at the simple facts of this bill, I dare say there are a lot of people that probably support it. That's not to say that in my comments that will follow, I think the bill has no merit, because I think it does have some merit.

I've observed over the years, both as an MLA and more particularly as a constituency assistant in the '90s, the interplay between public opinion and political opinion on the question and the issue of income assistance.

[1625]

There's no doubt in my mind that oftentimes there is a considerable degree.... This again, I think, applies to a fair number of individuals in the public. There is a considerable degree of punitive attitude towards people on income assistance. We've already heard some comments, I must say, in this House with regard to this bill that lead in that direction.

How do we balance the need to have a fair and equitable and just social assistance system? I hope that we all support the need to have a social assistance system, although there may be some who do not. I expect that is not the case. I expect that all members of this House support the need to have a system of alternate assistance for those people who are having difficulty — as we know, there's a whole variety of ways that people can run into financial difficulty — and that we would support those people, those individuals, and that that be part of a fair and just society.

I have to say I have observed a troubling trend over the last number of years, and I will say not just from 2001 on. I have seen a troubling trend towards scapegoating, if I may use that word, people who are on income assistance. I guess it's almost a human tendency. I think it could be seen more as a failing that we have as people. Sometimes there's a tendency to look for people

to criticize, particularly if we feel that people are getting something for nothing.

When it comes to income assistance, as the member for Vancouver–Mount Pleasant said, it doesn't really apply very well — not in most cases, anyway. The amount of money you get on income assistance is so low that I dare say no one in this House could begin to live on the small amount of money that a recipient of income assistance gets.

I think what really triggers my concern and underlies the concern that a number of opponents of this legislation and similar legislation or those that would question it have is this trend towards being more punitive. That's what I see.

I see that our society is moving toward being more punitive. I'm sure others view it entirely different. The member for Peace River North certainly espoused a very different view, one that essentially said that people are getting away with all sorts of acts that they should not be getting away with.

So how do we balance the need to have fairness and consequences? I like to think of it as consequences more than punishment. Others may like to think of it as punishment. How do we balance that need against the trend or the tendency to become a punitive society? This is no small matter.

[1630]

I want to refer again to some of the comments made by the member for Peace River North in debate on this bill. He said that people who break the law, who use the Charter of Rights to hide behind are reprehensible and should have the full weight of the law brought down upon them. As far as he was concerned, as I understood him to say, the upshot of the Charter was to keep lawyers and judges employed.

Well, let me read a couple of things from said Charter of Rights: "Everyone has...the freedom to conscience and religion...the freedom of thought, belief, opinion and expression...the freedom of peaceful assembly...the freedom of association...the right to life, liberty and security of the person." These are good things. These are not things to be fearful of. These are not things that we should ever, ever want to jeopardize.

When we take that punitive position, when we decide that there are measures in our legal justice system that we don't like because they favour criminals, in that view... We need to be very cautious of that, because in my view, that's a very dangerous road to go down. I have concern because I see elements in Bill 14 that are heading in that direction. That concerns me, and that's why I wanted to speak to this bill.

I have concern about where we're going as a society, in particular with regard to Bill 14. It's all about fear. It's about being afraid. That's what punitive is about. It's really about being afraid.

Whenever there's a group of people that we're fearful of, we should get to know them. We should talk to them.

We should find out who they are and what they're about. That's why I try to familiarize myself with people — I don't know if I fear them necessarily, but I don't know them very well sometimes — that have a very different lifestyle than I do. I'm not talking about people on income assistance; I'm talking about people that have plenty of money. I believe that we have to be cautious, and we have to be careful.

This legislation and some of the comments that have also been made — albeit not quite so definitive, shall we say, as the comments that the member for Peace River North made but nonetheless some of the other comments by the minister and others — have me concerned as well.

Franklin Delano Roosevelt said: "The only thing we have to fear is fear itself." That's so true, because if we go down that road, we're succumbing to our lower, base instincts, quite frankly. We're succumbing to the need to get people that we feel are getting away with something.

The irony of it is that when we in this House, as privileged as we are, talk about people getting away with murder, getting away with this, getting away with that, we really ought to think about it, because we are amongst the most privileged people in this province. Of course, many have suggested in the public that it's us that are getting away with a lot that we should be called to account for.

What happens when you deny income assistance to someone? Well, I think that from the perspective that I've tried to elucidate, which has predominated in this ministry for some time, the idea has been to correct a wrong. The idea has been to tighten up, get rid of the welfare bums.

[1635]

What happens when you turn somebody away who comes in for income assistance? What do they do when they walk out of that door? They don't have any money, most likely. Most times they don't, when they go in for income assistance. Yes, there are some people that are organized scammers that are getting income assistance from a variety of places.

I have a lot of experience. I've talked to thousands of people on income assistance, and the vast majority of them that I've met, anyway, do not fit into that category. The reasons they don't have money may not be justifiable in the minds of some, but the person walks in there typically without any money.

They get denied income assistance. They walk out the door. What happens? They're not going to willingly starve to death. They might panhandle. There are a lot of other things that they might do, such as break into your vehicle or your neighbour's vehicle, such as break into your home or your neighbour's home, such as rip the purse off the old lady down the street.

Similarly, with the person, in Bill 14, who comes in for income assistance and is denied because he or she has an

outstanding warrant for his or her arrest. Let's be clear that they don't just walk out the door and become model citizens. Those are just things we need to be aware of.

I'm not saying that we don't have to.... Again, I will get to comments about who I think should be responsible for acting on people that haven't gone back to face a warrant for their arrest.

Hon. R. Hawes: Oh, just forgive them. Forgive them.

M. Sather: The member says that we should just forgive them. Well, you know, forgiveness is not necessarily a bad thing. I know it's looked upon generally as being....

B. Ralston: It's part of Christianity.

M. Sather: I know. The member says it's part of the Christian faith. It's part of many faiths. It doesn't have to be a black-and-white perspective.

On the one hand, one forgives completely, as the member is fearful of, every crime that is committed and comes before the courts. That's what I was talking about. It's that kind of fear that results in us not being able to have an effective, fair and just system.

Many members before me have talked about it. The member for Abbotsford-Mission and I have had many good debates on subjects, so I do hope he gets up to debate this bill as well.

Now, under this Bill 14, it says that family members of the person who has a warrant out for their arrest will not be denied assistance. I think that what the minister said was that there will be no impact on dependent children. That's not right. If that person has a family and comes in for assistance and is denied, they don't typically just walk away from their family. They go back to their family, and that family has that much less income on which to survive, so of course it has an effect on their children — unintended consequences, for sure.

I know that the people I talk to and have worked with in the ministry know this stuff. They understand it, but I'm not sure if some of the members opposite do understand it. Maybe I'm wrong. Maybe I'm wrong and will be shortly proven to be thus.

Family members will not be denied assistance, and the minister says that exceptions to this bill or to the rules of this bill will be made. For example, a pregnant woman would not be caught in this net if she happens to have a warrant out for her arrest. But it doesn't say that in this bill. It doesn't say that she would be exempt from the provisions of this bill.

I don't know whether the minister was freelancing a little bit there or whether I've misquoted him and he will clarify this in his closing remarks and other things. We can only go by, really, when we're discussing a bill, what it says in the bill.

Another kind of interesting aspect to this bill is that the person who was denied income assistance.... His or her "assets must be included in the income and assets of the family unit" in order to determine eligibility.

So if you consider that person to be part of the family unit, which they are if they're eligible as a family unit, they get less money as a family unit because he or she is no longer eligible for their portion. But their assets, if they have any, have to be counted against their assessment for the amount of money that they get. I'm not sure that that's fair. It seems to me that it's a bit of double jeopardy there.

Interjection.

M. Sather: I know the member for Abbotsford-Mission is highly exercised by the subject. My hearing isn't great, but I think he suggested I go home. I mean, it's only 20 to five — not time to go home yet.

Interjection.

M. Sather: Oh, I see. He wants those people to go home. Well, let's talk about that for a minute. He wants those individuals to go home.

So the individual comes into the income assistance office. The income assistance worker determines, through a self-report.... I guess you ask the individual if they have a warrant out for their arrest, and they say yes, which seems, as another member has mentioned to me, rather unlikely. But supposing the person did. Then what?

Does the worker then phone the police immediately? So we have the police come down to the income assistance office. What, in effect, the member is asking income assistance workers do is to be agents of the criminal justice system. But it's not their role — it hasn't been previously — to carry out the apprehension of criminals. Apparently, that's what the member, at least, feels should be done.

The Solicitor General talked about the situation on the Downtown Eastside and the frustration that police officers feel in having to deal with individuals who are....

There's a warrant out for them. Actually, what he said, basically, is that they get convictions. Then they're let off, and they're just thrown out on the street again. And/or I think he was heading in the direction, as relevant to Bill 14, that there is a warrant out for their arrest and how frustrating this is for the police. He also mentioned that those individuals come here for handouts.

My son-in-law is a police officer on the Downtown Eastside, and I know that it's frustrating for police officers to deal with the crime, the poverty, the hopelessness of the area — very, very difficult work. Oftentimes members don't last there that long.

Again, what role does the Ministry for Housing and Social Development have in this? Are they supposed to

keep these folks who have a warrant out for them off the street? Is it their responsibility to do that? I don't think so. I think it is the responsibility, as frustrating as it may be, of our police detachments to do that work.

[1645]

It seems to me that the intention of this bill is mixed. The message is certainly mixed. It's not just about income assistance. In fact, I think another member mentioned whether it was about income assistance at all — if that's the primary intention of this bill or if it has other intentions.

I know the income assistance rolls have been going up quite considerably recently, and that's understandable. There are not many jobs. There are certainly far, far fewer jobs in my communities than there were a year or so ago, a year and a bit ago.

We have in Maple Ridge–Pitt Meadows exceedingly high usage rates at our food bank — 5,000 people registered. The average citizen has no idea. I've asked various people. They figure a couple of hundred, maybe 500 at the most. We have the highest EI, employment assistance, applicants in the region.

We have the Caring Place, which is part of the Salvation Army ministry, which is feeding — in the summer, even — more people than they ever have before. So we have need, and there's lots of need for income assistance right now. I would certainly hope that this bill has nothing to do with that factor.

I don't know the numbers. The Solicitor General or the Attorney General, I'm sure, can straighten me out on it. I don't know the number of people that are out there who are AWOL on a warrant for their arrest. Maybe it is that significant, but I don't think it's significant enough that it should make a huge difference to the rolls of those that are on income assistance.

The minister has said that we will have a good or a fulsome debate in or that he looked forward to — I don't know the words, exactly, that he used — committee stage. What I understood from his comments, though, is that he recognizes that there are some differences of opinion around this bill.

I admit that to many, it will seem self-evident as something that should be done. But again, I have great concerns about this and legislation like this that lead us down that road of being more punitive and that stigmatize people, too, that are on income assistance. It really does. The more the message is out there, "We've got to clamp down on you guys because you're a bunch of cheaters..."

That makes it really tough for the self-esteem of somebody who is on income assistance, and it affects their kids too. Their kids go to school. Thankfully, we have some schools in our area that are pretty responsive to kids who come to school hungry, kids who are raised in poverty.

That's the thing we should always remember too. No matter how much an individual, be it a politician or

anyone else, thinks that an individual on income assistance who has fallen afoul of the rules is a bad person, you can't say that of the kids. Their kids are born into a family that's in poverty. When we try to cut back again and again.... A whole lot of it has already been done. I know that the government has probably run up against that too.

[1650]

When they really started to look into how much opportunity there is to cut back on the income assistance rolls.... There isn't that much.

A lot of people who are on income assistance have other issues as well. Some of them are diagnosed; some are not. Some are recognized; some are not. But if you're going to assume that an individual is cut off assistance by reason of a warrant — they're not proven guilty yet, but they've been charged — and if you're going to assume that that person is a person of full capability, that would be a grave error in many cases.

One of my colleagues mentioned fetal alcohol syndrome. Of course, there are many, many folks on income assistance who suffer from that disorder, which they were born with. They were born with that, like any other congenital disorder that a person can be born with.

I look forward to the continuing debate. I know the members opposite are eager to speak, and I look forward to comments from my colleagues, should that not be the case. Thank you very much, and I'll take my seat.

L. Krog: I don't doubt for a moment that the Minister Responsible for Housing cares about housing people. I think he's a sincere man. He made an announcement in my constituency earlier this year. I think he genuinely cares about this issue. I think he cares about ensuring that the people who are homeless now actually get accommodation.

But at the same time, I think he is part of a government that understands what it is to do something that might be politically useful, and I'm afraid that that's what I see in this bill. This is about politics. This isn't about a real problem. It isn't about a real issue. It isn't about something that, candidly, is uppermost in the minds of British Columbians. This is about appealing to the somewhat darker instincts of many people when it comes to the poor.

In his opening remarks today when we commenced second reading on this bill, I would have hoped and expected — and, indeed, I'm astonished he didn't — that the minister would have provided statistics, information, evidence, numbers, studies, academic opinions, letters of request from policing authorities, letters of request from municipal governments or something that said this is a problem and an issue serious enough that, in a legislative session that has been pretty thin on legislation, this was of such importance that it required the passage of a bill. Because what the bill does, as we all know, is allow

the government to deny income assistance or disability assistance to any person who has an outstanding warrant for their arrest.

I come from a very small community initially. I understand the reaction of many British Columbians. You know what? They go to work. They try and raise their families. They pay their taxes. They don't break the law. They don't get a lot in return for it, and their expectation is that criminals won't be coddled, wrongdoers will be punished, the law will be enforced, their tax dollars will be spent wisely, their kids will get an education, their streets will be safe and they'll have health care when they need it.

When it's put out that there are people on the streets, so to speak, receiving social assistance, receiving government benefits, who are charged with offences, they're not giving that extra thought to whether or not these people are actually guilty of a crime. All they're thinking is: "Criminals are getting social assistance. I don't like that. That just seems wrong to me."

[1655]

For many people in their busy lives, doing all those things I talked about — raising their family, meeting their mortgage payments, looking after their homes, trying to get ahead — they don't have the time, as we do in this place, to turn their minds to some of the finer subtleties of things, to consider the bigger picture, to ask relevant questions, to delve into policy, to listen to policy makers, to take advice, to hear from the academic community, to hear from those who are out in the streets working with people, to hear from criminal justice advisers. They don't have that time.

What I suspect is that this bill is exactly what I said earlier. It is about politics. It is not about addressing a real problem. I have no idea, from what the minister said in his very short opening remarks, whether we're talking about one person or 20 or 200 or 2,000 or 20,000 or 200,000 people in British Columbia applying for assistance or in receipt of it who have outstanding warrants. I have no idea. No idea whatsoever.

I would have thought that if we're being asked to take this step — and I don't know that there's precedent for it in other parts of Canada or North America generally — that the minister would have had available for the illumination of the members of this chamber, whose responsibility it is to scrutinize the bills that come before it....

I would have thought that the minister would have had that information at his fingertips, and he would have happily shared it with everyone in this House, that he would — conscious of the fact that our proceedings are televised, that the press gallery is literally just up the staircase — have provided the information and the evidence that would have said to British Columbians: "This is a serious problem. The government is taking it seriously and has a serious response in this bill."

But I heard none of that. I didn't hear one number, not one statistic. I didn't hear anything along those lines. What I did hear the minister say, though, is that — and I think I've got it right; I tried to write it down — assistance "should be provided to eligible, law-abiding citizens."

Well, firstly, whether or not you're eligible is determined by the people in this place. It's determined by the government whether you're eligible for assistance, whether you meet criteria that lawmakers, MLAs have determined is appropriate. Whereas, I think, for the average British Columbian, they're not thinking eligibility requirements. They're thinking: "If someone has no income and they're poor, we support them."

It's not a big surprise. That's what a caring society does because, you know, none of us knows when it's going to happen to us. I remember shortly after I was elected this second time around, with that long interregnum in between, two young men — and by young, I mean young men in their 30s — came into my office. They didn't know each other. I never told one about the other.

It was essentially the same story: middle-class families that had had decent employment. For one reason or another — you know, job shifting.... They were citizens of Nanaimo, not strangers moving in. They ended up on social assistance. To their astonishment — and this was before the government raised it — as single, deemed employables, they were entitled to \$510 a month, as I recall. The minister will correct me if I'm wrong.

Hon. R. Coleman: No, I won't, because it was that way for the previous 14 years.

L. Krog: Yes. The minister has commented that it was that way for the previous 14 years, and he's quite right. You know what? The minister is right to point it out.

But the minister is going to miss my point if he doesn't listen carefully.

J. Les: That would be too bad.

L. Krog: That would be too bad, the member for Chilliwack quite wisely says.

The point is that these two individuals out there in the public, trying to make their way in the world, never having paid close attention to what goes on here and never having had any experience in their families whatsoever with the social assistance system couldn't understand that that was all you were given and expected to live on.

[1700]

The minister is right. It wasn't enough then. It wasn't enough 14 years ago. It isn't enough today. But my point is that their assumption was that in the civilized province of British Columbia, in their community in the city of Nanaimo.... Their expectation was that there would

be a greater allowance for them to survive until they found that job.

In half these cases they simply weren't eligible for EI. You know, a little job-shifting here, and the rules got tightened up by the federal government.

You know what? I understand the burdens placed on the province. Let's face it. The tightening of EI regulations has placed on social assistance thousands and thousands of people who formerly would have been able to collect EI, maintain a somewhat better standard of living, not be forced to sell off all their assets and be in a position to move back into the workforce that much more easily. But my point is this. That's the perspective of two citizens.

We in this chamber have the advantage of information provided to us by a number of sources. That's the expectation the public has of us; that is our responsibility. It is our responsibility on the basis of that evidence and information to come to decisions about what we think is appropriate.

There's an old line from the '60s. It was in a song — what is it? — by Janis Joplin: "Freedom's just another word for nothing left to lose."

J. Les: Why don't you sing it?

L. Krog: The member for Chilliwack insists I sing it, hon. Speaker, but I think it would be entirely inappropriate and probably even more grating on the member's ears than the speech I'm giving.

There is truth in that statement. Freedom can be just another word for nothing left to lose. The people to whom this bill will apply....

You know what? I don't know exactly who they are, because the minister never told me. I know that they've been charged with a crime in order to be denied assistance under this bill, but I don't know if it's the first time they've been charged. I don't know if they have criminal records. I don't know if they'll be convicted. I don't know who they are, yet I'm being asked as a legislator to say — before they've had the benefit of a trial, before they've had the benefit of a hearing — that they should be, in fact, denied assistance.

Now, what is the point of the legislation? Is it to get them to go back to where they came from — which might, in one case, be Nanaimo back to Vancouver, or is it Vancouver back to Canmore or Vancouver back to Regina? What's the offence? Are we going to discriminate?

Hon. R. Coleman: Or Toronto — particularly Toronto.

L. Krog: Or Toronto, the minister says — particularly Toronto. I'm sure he's speaking about his policing experience.

I don't know who they are, but as a member in a civilized society, as a member of this assembly, I'm being

asked to say: "You're not eligible for assistance." Now, I haven't got quite the exact phrase in the Bible, but the import of it is: judge not, lest ye be judged.

What leads someone to commit an offence that the minister describes as indictable, serious crimes is something I don't understand. I've never committed an indictable offence. I haven't committed an offence under summary conviction, for that matter. But what I do know is that if I've got a 19-year-old fetal alcohol spectrum disorder kid — and at 19, they often are — who has come from a horrible background and who, high on drugs, goes in and purports to rob a grocery store with a pretend gun, that would be an indictable offence. You know, it's a terrible thing — terrible thing.

[L. Reid in the chair.]

But I just don't know. Again, what's the point of this bill? By denying him social assistance, is it to encourage him to, I don't know, find his way back to the courthouse, go to the police station? Is it to reduce the social assistance budget?

[1705]

Is it to make him a better person, when he's already been victimized by his parents' irresponsibility, when he's already been given a disability that he will bear the rest of his life and for which he may never have received appropriate treatment because governments, in their wisdom, didn't think it was an appropriate thing to make a priority for spending? Are we to revictimize him again by denying him assistance?

The system is already, for many who approach it, heavily bureaucratic, difficult to manoeuvre. As I said earlier, none of us know when we're going to need it. None of us know when we're going to fall on it, so to speak. None of us know when we're going to suffer whatever changes in our lives reduce us to social assistance.

The other week we had a group of first-class teachers here in the Legislature, part of the parliamentary program. One of them I talked to at some length. Husband left, pregnant with her fourth child, was on social assistance for a couple of years. Went back, student loans, worked hard, put herself through school, successful teacher now coming to participate in a parliamentary education program.

Now, she didn't try and knock off the grocery store when things got tough, but one might have understood that she would have considered that in difficult times, trying to feed four children. But we provided social assistance to her without question.

I just don't know if I'm comfortable saying to someone for whom it may be a first offence, and an offence which may or may not end up being an indictable offence.... It may, in fact, be treated as a summary conviction matter. I don't know that I'm comfortable, as a citizen, saying to that person: "Pending a determination of your guilt,

if you haven't dealt with a warrant, or if you haven't returned to wherever you're supposed to go, you won't receive any assistance. You will essentially be...."

We understand how poor you have to be to apply for social assistance. You're essentially saying to them, "You will continue to live in the streets until you figure out how to deal with this," when many of these people clearly, if they could handle the rigours of life, probably wouldn't be in the social assistance office anyway.

This bill doesn't just deny income assistance to single employables. It is designed to deny disability assistance. I think the average British Columbian might have a problem with that, because they understand the complex social issues that can put someone in a situation that leads them to become eligible for social assistance, disability assistance. They understand that. They know what can often lead to that. So I'm not satisfied that what I've heard from this government is sufficient reason for me to support this bill.

As we all know, notwithstanding the chatter and the high theatre or low theatre, depending on your opinion, that characterizes question period, the fact is that much of the legislation that comes through this chamber is supported by both sides. There will be amendments proposed that are defeated — particularly if they come, obviously, from the opposition — but most of the legislation, if it makes sense, gets support.

We understand that it's necessary to do it. We know it may represent some progress, and, as I said earlier today in speaking to another bill, it's like *Oliver Twist*: "Please, sir, I want some more." But you know what? You'll take the bowl of gruel and ask for another one later.

But when it comes to this bill, I'm not convinced that we are actually dealing with some great mischief, some great issue in the community. Now, I happened to catch some of the remarks of the Solicitor General about police and the problems they face and the frustration when they see some drug dealer collecting assistance.

You know what? I understand that it's reprehensible. But surely the problem is not so much the collecting of social assistance, which is offensive — and that's the reason this bill is here. It is that we have people who are not appearing before the courts and dealing with the charges that are outstanding against them.

[1710]

Surely the appropriate approach is not to deny them social assistance. The appropriate approach is to ensure that we have police forces sufficient, and funded appropriately, to ensure that they get before the courts, that they are dealt with appropriately.

I think that's what most British Columbians want. They want the people who have contact with the criminal justice system to be dealt with. What I see in this bill is what I'll call perhaps one of the most circuitous routes to get to that end, which is a good end. No one would deny that people who have committed crimes or have

charges outstanding should be able to ignore them with impunity. That's not the way a just society, that's not the way an orderly society, survives.

After all, we Canadians in our constitution recite that we believe in peace, order and good government as opposed to life, liberty and the pursuit of happiness. We understand what it is to live in an orderly society. We like that. That's part of our nature. It's part of our makeup. But this bill attacks people who have been accused of crimes. It doesn't attack criminals, necessarily. Now, you can argue that someone who has had a previous offence is a criminal, and if they've got another charge, then this bill applies to them.

But there are people for whom this will be a first offence. I shouldn't even call it a first offence. It's a first charge. There is no guarantee that they're going to be convicted or plead guilty or be found guilty after a hearing. What we do know is that we're going to deny them, literally, the opportunity or the ability to house themselves and to feed themselves.

When I think of all of the great problems that face British Columbians, of all the ways in which government could turn its attention and its resources, of all the things that it could possibly do, I've got to step back as a member of the opposition and ask why, in October 2009, this bill is before the House instead of, for instance, what I was discussing just a few minutes ago with the agriculture representatives, a comprehensive agricultural plan for British Columbia.

Now, that's something that would benefit thousands and thousands of British Columbians, ensure the viability of a major industry. But I don't see any bill like that. There are literally hundreds of things we could be doing in this place that would be more important and more relevant and more socially useful.

Instead, we're here debating a bill that's going to deny social assistance — in some cases, yes, to the most undeserving individuals in our community. I have no doubt that there are people out there, and we know they exist, who are collecting social assistance, who are engaging in criminal behaviour and who need to be punished. No question about that.

But of all the things we could be doing — and I come back to my main point — why are we doing this, when I didn't hear a word in this chamber telling me that this was a real problem?

As I said earlier, what it tells me is that this is about politics. It's almost introducing back into public discussion something I had thought we'd gotten past several decades ago — perhaps we haven't, certainly from the government's perspective — and that is, the concept of the poor being divided into two classes: the deserving and the undeserving. If you're a member of the undeserving poor, then essentially we are saying: "You can starve in the streets." But if you're the deserving poor: "Of course we'll look after you."

Now, it doesn't matter that the services and social assistance we provide are, in the modern economy and with the rising cost of living, entirely inadequate. That's not even up for discussion.

[1715]

What this bill is introducing and emphasizing is a concept that I had thought and had hoped we would have abandoned a long time ago. People are entitled to the benefits of society by right of citizenship and their presence in this province. What this bill essentially asserts is that we will deny you assistance because you've got an outstanding charge. From a public cost perspective, it's kind of amusing. I would suggest to the minister that at a little over \$600 a month for a single employable, it's a lot cheaper to pay that than it is to house someone in a provincial jail.

If you want to talk about the cost to government, it's pretty clear to me. The statistics I heard last night from one of the country's leading criminologists is that it's about \$100,000 to build a federal cell and \$100,000 a year to maintain a prisoner in it. Seems like an awful lot of money to me.

I'm not suggesting, lest the government take my words the wrong way, for a moment that we should throw all the criminals out on the streets because it's expensive to house them. But I have to ask myself: "Are we going to save some money by denying assistance? Are we going to address some great social problem?" I suspect not.

This isn't really about priorities. This isn't about something that really needs addressing in this House. This is about politics. I just wish that this government had the courage, with its floundering polling numbers, to address some real problems that we know exist because there is evidence to support it.

Address those problems, but don't waste the time of this body dealing with an issue which to date I haven't heard anything from the minister to support exists as a real problem for British Columbians.

B. Ralston: I rise to address Bill 14, and I want to begin by referring to what the minister set out at the beginning of this debate as the purpose of this legislation. I'm going to quote: "The amendments we're doing to this act will restrict eligibility and access to income assistance and disability assistance for those who have outstanding warrants for indictable offences."

He goes on to say somewhat further down in his remarks:

"Indictable offences are the most serious types of offences, including crimes such as assault, breaking and entering, drug trafficking, murder, assault with a weapon, and causing bodily harm and sexual assault. These are defined in the Criminal Code of Canada. Our intention is to ensure that those charged with indictable offences take personal responsibility and resolve serious charges against them before they can be provided assistance in this province."

Now, that's the stated purpose. What the bill says, though, in section 15.2(4) is: "In this section, 'indict-

able offence' includes an offence that is deemed under section 34 (1) of the *Interpretation Act* (Canada) to be an indictable offence."

When one turns to section 34(1) of the Interpretation Act, what one discovers by my reading of the law is that... Although the minister has stated his focus is narrow in the sense of what he calls serious crimes — indictable offences — the definition in the Interpretation Act is much broader than that indeed.

I hope to be able to illustrate that point by referring to this section and then some sections of the Criminal Code. Section 34(1) reads: "Where an enactment creates an offence, (a) the offence is deemed to be an indictable offence if the enactment provides that the offender may be prosecuted for the offence by indictment."

So the stress is on the "may." Typically, most offences in the Criminal Code are what are described as Crown option offences. The Crown is given a choice of either proceeding by way of indictment or proceeding summarily. In most cases, the Crown will proceed summarily where there are Crown-option offences.

[1720]

But the option is provided in the legislation to proceed indictably, and by this definition, that makes them indictable offences.

If we look at assault, section 266: "Every one who commits an assault is guilty of (a) an indictable offence and...liable to imprisonment for a term not exceeding five years; or (b) an offence punishable on summary conviction." So assault, common assault, falls into the definition in section 34.1 of being an indictable offence because it may be prosecuted indictably.

Theft. Let me look next at theft. I'll flip through my Criminal Code. "Punishment for theft." This is section 334:

"...every one who commits theft (a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years, where the property stolen is a testamentary instrument or the value of what is stolen exceeds \$5,000 or (b) is guilty (i) of an indictable offence and...liable to punishment for a term not exceeding two years, or (ii) of an offence punishable on summary conviction, where the value of what is stolen does not exceed \$5,000."

Sometimes it's called, commonly, shoplifting. Theft of something under the value of \$5,000 — that's the division line. Even there, there is a discretion for the prosecutor to proceed indictably. By this definition in the Interpretation Act, even stealing a loaf of bread from the corner store is deemed to be an indictable offence. So we have assault as an indictable offence, theft as an indictable offence.

Another one that typically comes up is mischief. That's wilful damage to property. I'm looking at section 430(4) of the Criminal Code.

"Every one who commits mischief in relation to property, other than property described in subsection (3), (a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years; or (b) is guilty of an offence punishable on summary conviction."

Once again, that's a Crown-option offence. The Crown can choose to proceed summarily or indictably. Now, in all these offences, 99.9 percent of the time the Crown will elect to proceed summarily, but the definition in section 34(1), which the drafters of this legislation have chosen, deems that to be an indictable offence.

So there's mischief; there's theft; there's assault. I'm thinking of the fairly common offences.

Look at impaired driving, section 253. It similarly.... "Every one who commits an offence under section 253 or 254 is guilty of an indictable offence or an offence punishable on summary conviction and is liable...." It goes on to describe the offences. So once again that's a Crown-option offence. It's rare, indeed, that the Crown would proceed in that way, but it's deemed by the operation of the Interpretation Act included in this bill to be an indictable offence.

Another offence that one sometimes encounters fairly frequently is uttering threats. "Every one commits an offence who in any manner knowingly utters...or causes another person to receive a threat." Similarly, under section 264.1(2), it's a Crown-option offence. It can be proceeded with indictably, or it can be proceeded with summarily.

What this bill does, despite what the minister has said in his remarks to the Legislature, is it makes virtually every Criminal Code offence an indictable offence by the operation of the Interpretation Act and liable to these punishments.

That would appear to be completely contrary to what the minister has said in his remarks to the Legislature just hours ago here, where he talked about inviting people to take personal responsibility and resolve serious charges against them.

Now, I'm not suggesting that.... In my view, any criminal offence is serious in the sense that it involves an allegation of a crime, a breach of the Queen's peace, and should be treated in a court of law, but the minister has stressed.... I think it's a distinction that most people draw between very serious offences: murder, manslaughter, aggravated sexual assault, firearms offences — offences of that nature — and theft, assault, mischief, threatening and impaired driving.

[1725]

Certainly most people draw a distinction between those two types of offences, but the operation of the bill that the minister has put before the House will deem all of those to be indictable offences and subject to the provisions of this act.

So the legislation is flawed. The legislation is too broad. The legislation needs either to be withdrawn, or it needs a serious amendment. What I would invite the minister to consider is — since this is his stated purpose — rather than relying on section 34(1) of the Interpretation Act, an amendment that is to enumerate, is to set out the specific offences under the Criminal

Code that he deems to be serious. I would also likely encourage him to include offences under the Controlled Drugs and Substances Act as well.

Let's set those out so that it's clear that the purpose that the minister has stated is, in fact, what's in....

Interjection.

B. Ralston: I have the floor, Madam Speaker, do I? Thank you.

Now, the other problem that arises here is that the minister went on to say: "Failing to disclose the existence of an outstanding warrant where required to do so may be considered welfare fraud and will be treated accordingly." Certainly, making a false declaration to a public official can be considered to be a criminal offence under some statutes of the Criminal Code, but the difficulty here is that it ignores the practicalities of the criminal justice system.

Sometimes warrants are done — what are called warrants in the first instance — where the process is initiated by a justice of the peace issuing a warrant. The person, until they're actually arrested on the warrant, may not be aware of the warrant. They may suspect, as a result of something that's happened, that there is a warrant out for their arrest, but they may not know.

So if a person applies and genuinely says.... If there's a warrant in the first instance which they don't know about.... In years gone by, when I practised law, that did happen, where people were unaware and would be pulled over on a routine traffic violation and there would be a warrant that had been outstanding, sometimes even for years. Then, much to their surprise and embarrassment, they would be taken off to a police cell and sometimes held overnight or sometimes released by the officer in charge. So that does happen.

That person, if they went to make an application and didn't know about that and the criminal record check disclosed that, would be, according to this, subject to a prosecution for fraud — again, I think, creating some serious administrative problems.

The other problem that arises by the creation of the legislation, the very broad definition of indictable offence that the act appears to be taking here, contrary to what the minister's stated purpose is, is that where there are warrants from out of province and they may well be....

This has been the subject of what is called, I think, the con air program, where there are alleged offenders in British Columbia who have outstanding warrants in other provinces. Typically, say, in Toronto an alleged offender might have a number of warrants there. These might be for relatively minor offences. They would be deemed to be indictable, but they're what are called non-returnable warrants or local area warrants. The jurisdiction in Toronto is not willing to pay the air fare to bring those people back.

The person may have warrants then. They're unable for financial reasons to return to the jurisdiction or choose not to. The jurisdiction that holds the warrant in Ontario is not willing to pay to bring them back. That's where the con air program came into effect. It's that through a series of donations.... People with those kinds of outstanding warrants — there was money paid privately to ship them back to their province of origin to deal with the warrants.

[1730]

So this will create another class of people who, should they choose to apply and if they have outstanding warrants of this nature, would be ineligible for social assistance here in British Columbia.

That may be the purpose, but given the ambit that's chosen — this very, very broad ambit of deeming virtually every offence in the Controlled Drugs and Substances Act and the Criminal Code as an indictable offence, the way it works in section 34(1) — this will have a potentially very broad application.

I foresee some problems in a practical sense in this policy. It does then begin to make the social assistance authorities an arm of the criminal justice system. I suppose that's a role that, if you're an employee there, you'll have to accept. But that may not be good public policy and may not be, indeed, the purpose for which these kinds of programs were established.

The way in which this legislation will work may be.... Maybe this is the purpose of it. It will, I would think, over time — should it be passed in this form — certainly begin to reduce the statutory obligation of the ministry to pay social assistance to a number of people.

Perhaps there's some kind of cost saving there. I'm not sure. The member from Nanaimo pointed out that it's sometimes more expensive to house people in jail rather than give them the meagre sustenance that a single employable person receives here in the province of British Columbia.

At a time when welfare rolls are rising, particularly on what used to be called the single employable — that is, those people who are capable of working but.... Typically, their employment insurance benefits are exhausted. They can't, despite effort and job search, find a job, and they become eligible, sometimes much to their embarrassment, for social assistance benefits.

Those numbers, unfortunately, are rising sharply. So there's a substantial financial pressure on this particular ministry and its budget. I hope this legislation is not intended to, in an indirect way, provide a brake on the increase of those statutorily required government expenditures.

I don't propose to speak much longer. I know there are other members who wish to speak, and we're drawing close to the hour for adjournment. But I would encourage the minister to speak with the drafters of this legislation and find out whether, in fact, the interpreta-

tion I'm offering is correct. I'm prepared to accept that it may not be, but it seems to me, on a plain and close reading of the Interpretation Act and of the Criminal Code, that my interpretation is correct.

If that's so, I would invite him to consider making amendments that make the bill consistent with what he says its stated purpose is, which he set out very clearly and very straightforwardly just a couple of hours ago.

With those comments, I would conclude my speech.

H. Bains: I am also delighted to stand and speak in opposition to this bill. When I came here a little over four years ago, a number of bills and legislations have been brought in. Every time you look at the need for that legislation, the need has to be there. Need has to be demonstrated by way of consultation in the community, by way of our constituents reaching out to their elected officials, by way of their elected officials in other jurisdictions bringing those concerns to this House.

I think that based on those concerns, you have the legislation. Then we have a debate on whether that is the proper answer to deal with the issue that is brought to us in this House. I would say that most of the legislation that is brought in here.... There's always some form of demonstrated need to bring them here.

[1735]

But in here, I'm looking for some demonstrated need that exists for the government to draft this bill, and I can't find any.

As the member before me from Nanaimo has said, who is it that is complaining? I think that's the core of the issue we are speaking about here. There is no demonstrated need to have this bill. We don't know if there's actually a problem. If there's a problem, to what extent does that problem exist, and who is it hurting? And then, how are we trying to deal with that? I think that it is flawed right from the beginning. There's no need, as far as I could see, that has been demonstrated by the government to bring this legislation in.

The second part that I have, my two colleagues who have a legal background have very ably.... The member for Surrey-Whalley and the member from Nanaimo have actually brought to light the legal implications, the legal shortfalls of this bill. I will not get into that, but there are social implications in this.

The minister has said when he introduced it: "If an adult in a family has a warrant, the other family members, including dependent children, are still eligible for assistance." Madam Speaker, think about that. There's a family of four. One of them — the male? — could be in trouble somewhere. There's a warrant, so that person is not eligible. According to the minister, he still will be considered as a member of the family to determine the assistance level for the others.

Nonetheless, if you think about it, the income of that entire family is going down. They are on a shoe-

string budget to begin with, but now if you take that one person out, the rest of the family's income is down. Not only is their income down, they are now required to look after the other member of the family who is not eligible.

So my question to the minister is this. Why are we punishing the rest of the family — the children and their mother? Why are they being punished for the mistakes of one person in the family? That's where the problem is. That's why I can't think what this minister was thinking when he put this bill together. You are trying to punish those who are not guilty of anything, just because they're related to a person who is in trouble. That is a serious problem.

The second problem I have is this. The income assistance is there to provide basic food and shelter and should not be used as a tool to enforce the criminal justice system. That's exactly what we are doing here. We are moving away from the purpose of income assistance, and we're using it to enforce law and order. That's not the intent of income assistance.

I think that is another serious flaw in this bill — that we are punishing people who are not guilty, who have done nothing wrong. On the other hand, we are using that system to enforce law and order. There are remedies available if there are some folks who have outstanding warrants in other jurisdictions. They can be sent back. You can pick them up and send them back. That's what you should be doing rather than punishing the rest of the family.

I think that's where the problem is that I see with this bill. That's why I'm opposing this. Again: why is it here if there's no demonstrated need? It's not going to do anything to deal with the problem. First of all, there's no problem that has been identified. So I think: why are we talking about and using this House's time so much on this issue that may not be a problem?

[1740]

I think my colleague from Nanaimo has also said very ably — again I repeat: I think I agree with him — that this maybe is an attempt by the Liberal government to reach out to the darker instincts of human nature, hoping to cash in politically. I don't think the poor people who are on income assistance should be used to cash in for your political future. That is wrong. That's what is being used here, and I think it is a wrong approach.

[Mr. Speaker in the chair.]

It doesn't surprise me, because I've seen this government going the same route before. They will do anything. They will step on anybody, as long as it is going to be politically expedient for them. That's exactly what they are doing.

Interjection.

H. Bains: The minister from Kamloops, I believe, said it's garbage. That argument is garbage. But I tell you the intent is garbage here. You're using poor people, the children, to enforce the law. That's not the purpose of income assistance. That's not the purpose.

The purpose of that is to provide food and shelter to those who need help, who are less fortunate and are perhaps, no fault of their own, in the situation that they have to depend on that system. Now we're using them as a pawn for political expediency. That is garbage.

I say that we should have a really good look at this. There are a lot of speeches made here. Hopefully, the minister has listened to them. Hopefully, the other members who have some heart will stand up and tell the minister that this is a wrong approach to deal with a problem that may or may not be there. That's what you need to do.

Hopefully, the minister then, again, will have a second thought and probably think about withdrawing this or bringing it back with an amended version so that we don't have to punish the children and women, who through no fault of their own are being caught up in this thing.

Noting the time, I will not go on any further to speak on this. I've made my point, and many members have made their points.

H. Bains moved adjournment of debate.

Motion approved.

Committee of Supply (Section A), having reported progress, was granted leave to sit again.

Mr. Speaker: Hon. Members, if you would remain in your seats. The Lieutenant-Governor is in the precinct and will be here shortly.

[1745-1750]

His Honour the Lieutenant-Governor entered the chamber and took his seat on the throne.

[1755]

Royal Assent to Bills

Clerk Assistant:

Budget Measures Implementation Act (No. 2), 2009
 Wills, Estates and Succession Act
 Finance Statutes Amendment Act, 2009
 Insurance Amendment Act, 2009
 Police (Misconduct, Complaints, Investigations, Discipline and Proceedings) Amendment Act, 2009
 Strata Property Amendment Act, 2009
 Wood First Act
 Protected Areas of British Columbia Amendment Act, 2009
 Labour Mobility Act
 Ombudsman Amendment Act, 2009

Miscellaneous Statutes Amendment Act, 2009
 Motor Vehicle Amendment Act, 2009
 Body Armour Control Act
 Verigin Memorial Park Amendment Act, 2009
 Trustee Board of the Church of God, Richmond Municipality, B.C. (Corporate Restoration) Act, 2009
 Victoria Foundation Amendment Act, 2009.
 In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to these acts.

His Honour the Lieutenant-Governor retired from the chamber.

[Mr. Speaker in the chair.]

Hon. M. de Jong moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until Monday at 10 a.m.

The House adjourned at 5:58 p.m.

PROCEEDINGS IN THE DOUGLAS FIR ROOM

Committee of Supply

ESTIMATES: MINISTRY OF TOURISM, CULTURE AND THE ARTS (continued)

The House in Committee of Supply (Section A); H. Bloy in the chair.

The committee met at 2:38 p.m.

On Vote 41: ministry operations, \$104,454,000 (continued).

S. Herbert: It's good to be back. We were just finishing up talking about the total cost envelope for the B.C. Place roof and refurbishment project. As we were finishing it, just to make sure that I'm correct, the total envelope was \$563 million. What I wasn't clear on was where the costs were for the Empire Stadium — if that is the proposed location, as has been floated. I heard something about how that cost was in operating, or something like that. Maybe I can get some clarity on that.

[1440]

Hon. K. Krueger: That's correct. The temporary stadium will be funded from B.C. Place's operating budget, and that is separate from the \$458 million for the roof.

S. Herbert: Can the minister share with this committee, this estimates process, the cost of that temporary stadium?

Hon. K. Krueger: The temporary stadium will be going out for tender, and government never talks about the expected costs in hopes that an announcement of an expected cost won't inflate the tenders. So we can't put anything on the record about that.

S. Herbert: When will the government and PavCo have an idea of what that cost is, once they've seen those bids on the project?

Hon. K. Krueger: The tender is just about ready to go out, and we should have those numbers early in the new year.

S. Herbert: Will those numbers be available to the opposition at the time — or the final number? When will we know the final number?

Hon. K. Krueger: Those numbers will be disclosed in the service plan for the upcoming budget next February.

S. Herbert: I received a letter from a fellow who lives near Empire Stadium, or the former lands of Empire Stadium. I myself used to be a park commissioner in Vancouver, and we worked hard to upgrade that field there for the use and enjoyment of that community.

The fellow who got in touch with me was quite concerned. He saw the media reports and seemed to think that the decision had been made that that would be the site of the temporary stadium. I just wanted to hear from the minister if there have been any decisions made on location — when those decisions will likely be made. Is he right in thinking that it's Empire Stadium, or does it still remain to be seen?

Hon. K. Krueger: That is the preferred site for the temporary stadium, but we have to go through the city of Vancouver processes before a determination is made.

S. Herbert: I understand that there would be a consultation. I know the city of Vancouver processes. They would do some sort of a consultation on that idea, I'm assuming, with that community. It's a community that's very committed to consultation on anything that happens in those parks, as the minister may know, historically.

Hastings Park has been a source of pride for the community, but they always want more of it to be a park. How does it go? It goes: "A fair in a park rather than a park in a fair." That is always how they talk about that area. They're very focused on that field, amongst other areas there.

So if that is the place decided on as a preferred location, as I understand the minister is speaking about, there would be a community consultation process. I'm assuming that's what the minister is speaking about when he talks about the city of Vancouver processes?

[1445]

[N. Letnick in the chair.]

Hon. K. Krueger: Mr. Chair. It looks good on you. Welcome to the chair.

We will work through the process that the city wishes us to work through. It may involve the park board, but we'll certainly be partnering with them and trying to make sure that everybody's opinion is respected.

I'm sure people understand that in order to keep everyone safe we can't — in the opinion of the experts who run B.C. Place — use B.C. Place during the construction. But there are commitments to the B.C. Lions, and we need a temporary facility. We'll be working in close consultation with the city.

S. Herbert: Would the ministry or PavCo be compensating the city of Vancouver for use of that field at that time?

Hon. K. Krueger: No negotiations have happened on this matter to date. The city was and remains very enthused about the retractable roof — in fact, waived development cost charges and has gone out of its way to make sure that we can do a retractable roof — and we anticipate nothing but goodwill between the two governments.

S. Herbert: I ask because there's a real scarcity of good-quality playing fields in Vancouver, and that's always a challenge. That field, in particular, I know is used by a group, Moore sports, that works with underprivileged youth, children, to ensure that they get the same access to sports. I know the minister is from the Tournament Capital of Canada and so understands the need for engaging young people in sports activity.

That's why I asked the question about compensation. I guess the question it would really come down to would be: where would these people who have been displaced from that field go to at that time? I understand that's in negotiation with, I guess, the city, and hopefully — I think, necessarily — a consultation with that community, since it's their field that they've come to use and rely on. So the compensation there hasn't been decided on.

When are negotiations expected to finish on the decision of where the field would be, and when will those be publicly known — what those costs are and what those decisions are?

Hon. K. Krueger: The temporary stadium itself will be made available to the community. I want to thank

the member for flagging that to our attention. We'll look into other ways of seeing what we can do to make sure playing fields are provided to the public.

During the construction of the temporary stadium, presumably people wouldn't be able to use it. Other than that, when the B.C. Lions aren't using it, it will be available to the public, and that would be booked through the PNE.

The negotiations, again, should be concluded in time to cover the outcome in the service plan that will be published with the February budget.

S. Herbert: Thanks to the minister for that answer. I'm sure the folks at the Vancouver park board and folks at Vancouver city council, Hastings Community Centre, Hastings Park Conservancy — all the range of groups, sports groups, that use that field as well — will be interested to hear this. I know that the member for Vancouver-Hastings asked me to inquire about a number of these issues, so I'll ensure that he gets that as well.

[1450]

Returning to PavCo's budget, I see that next year and the following year, 2010-2011 and 2011-2012, transfers to PavCo are in the range of \$60 million to \$70 million. How is that broken down, and what is that money being used for in those two years?

Hon. K. Krueger: I'm going to defer to the Chair on the question of the out-years. Normally in estimates we only discuss the numbers for the current year, which is the 2009-10 budget year, during which the government will provide \$8.9 million for operations and \$15.9 million in deferred maintenance.

S. Herbert: That \$15.9 million in deferred maintenance — is that for B.C. Place or is that convention centre? Is that included in the \$563 million for B.C. Place that the minister quoted earlier?

Hon. K. Krueger: The \$15.9 million pertains to B.C. Place, not the convention centre. It's part of the \$40 million that we discussed earlier.

S. Herbert: The reason I asked about the out-years is because quite often the spending that we make this year relies on spending we make next year and the year after, as in any business or non-profit or even personal spending. I'm curious about that money in terms of: is that money for B.C. Place construction or a subsidy for B.C. Place or the convention centre? It helps me understand how far we're in and what the total envelope is for that.

[1455]

Hon. K. Krueger: PavCo has published in its service plan some forecasts, but those are not committed numbers from government. So I'll look for the ruling of the

Chair, because I believe that we are to confine ourselves to the budget at hand for this fiscal year.

The Chair: I just ask the member to keep your questions to Vote 41. Thank you.

S. Herbert: The question for the minister would be about when the original announcement for B.C. Place was made. Included in that announcement was the Vancouver Art Gallery and relocation down to the Plaza of Nations lands, I think we'd probably call them.

I'm curious if the minister could provide us with an update on that proposed project and if there are any budget allocations in his current budget which might reflect that. If not, just where is the project at this time?

Hon. K. Krueger: The decision as to the location of the new Vancouver Art Gallery has not been made yet. A \$50 million grant was provided in March 2008 to the Vancouver Art Gallery as seed money for the expansion and relocation. It sounds like a lot of seed money, doesn't it? The funding is intended to lever philanthropic donations and to support planning.

The relocation of the new Vancouver Art Gallery is the responsibility of the Vancouver Art Gallery's board and the city of Vancouver. We're looking forward to hearing their decision on the relocation, but we really don't know what they're going to decide.

S. Herbert: I will come back to the B.C. Place question a little bit later, but there are a number of other issues in the ministry that I want to tag on first.

One of them is a small question but important all the same. The PavCo financial statements from March 31, 2008, posted on the website, include a letter from Errol Price, the Deputy Auditor General at the time, saying that he had audited the balance sheet from March 2006, not 2008.

Can the minister explain this to me? The letter is from April 28, 2006, but it shows up in the statements from March 31, 2008.

Hon. K. Krueger: We need to refer the member to the Auditor General's office for that answer.

S. Herbert: Thank you. That's fine. That's helpful. I will go to the Auditor General on that question. It puzzled me, and it looked like it puzzled folks over there — what this is doing in that audited statement.

Can the minister share, in this estimates process, if PavCo continues to own land in Surrey? If so, why and where? Any discussion on that?

[1500]

Hon. K. Krueger: In the 1990s, in a previous reorganization, the B.C. Lions and PavCo had a mutual interest

in land in Surrey, but B.C. Place doesn't have any property in fee simple in Surrey at all.

S. Herbert: I understand, as well, that PavCo transferred land adjacent to B.C. Place to a developer for a future exchange of land of approximate size or \$150,000. That sounds like a tiny little piece of land there, but can the minister tell me what that land was and who the developer is?

Hon. K. Krueger: The property owners on that side of B.C. Place are developing an office tower, and they needed a sliver of land to facilitate that. That's why that land was sold.

There was also an agreement that some property would be provided to PavCo for the Smythe Street alignment project. It's an exchange.

S. Herbert: That helps me answer my questions around that land. I saw it in one of the budgets, or in one of the statements, and it just intrigued me.

I'd like to move to some discussion around the trade and convention centre. So I can take a moment. There will be some further discussion about B.C. Place later, but I will go to the trade and convention centre for now.

Hon. K. Krueger: I'd like to introduce Ken Cretney, the gentleman who just took a seat to my right. Mr. Cretney is the general manager of the convention centre.

[1505]

S. Herbert: Welcome, and thank you for coming on over here today.

In reading a couple of numbers of convention centres and exhibition centres in the past — before the new convention centre was created — I found a total delegate number of 314,553 in the fiscal year of '97-98. I'm told that at the time that was the peak of attendance. By 2003-04, I'm told, attendance had declined by about 43 percent, to 180,000 folks — 180,466 delegates.

I'm curious what the number of convention delegates was for '08-09, and then estimates for '09-10.

Hon. K. Krueger: The numbers that are considered the most significant financially are non-resident delegates, because they bring money into town that wasn't there before, obviously. That is what is tracked and reported now.

I wanted to give the member a comparison to the number he started out with, back when resident delegates were also included. There have been 350,000 delegate-days since April 1 in the convention centres. This year is going to be an anomaly, because for one thing, the new convention centre didn't open until relatively recently, and now it's tied up in preparations to be the media centre for the Olympics. Once it was constructed,

the first convention centre — Convention Centre East — was closed for renovations for a while.

To answer the member's last question, the predictions for the coming years are 452,000 non-resident delegates in 2010-11 and 522,000 in 2011-12, which will make those by far the best years for convention delegates to Vancouver, ever.

[1510]

S. Herbert: Just so that I'm understanding, 350,000 or so since April for '09-10. That's the non-resident delegate-days. If that's so....

Hon. K. Krueger: All included.

S. Herbert: All included, so all resident and non-resident. So that would include the folks from the grand opening and that kind of stuff. Is that correct?

Hon. K. Krueger: Yes.

S. Herbert: Yes, it is. Okay, thank you. That's helpful. What number, in terms of non-resident delegates, does the minister and the government believe we need to reach and maintain in order for the trade and convention centre to pay for itself?

Hon. K. Krueger: A KPMG study that was done suggested that a good occupancy of the convention centre would be 450,000 in a year. As I mentioned, PavCo believes that they'll have 522,000 in 2011-12. They're on track to triple the number of delegates that we had enjoyed previously by 2015.

When governments contemplate convention centres, the huge payback is in what non-resident delegates spend in the provincial economy while they're here for conventions. Another major payback is that a very high percentage of people who attend conventions come back later to visit the host city, particularly, we think, in a city as beautiful as Vancouver and a province as beautiful as ours.

Again, the tourism experts have very encouraging statistics of the return visits of people who come for conventions and come on cruises and come for a ride on the *Rocky Mountaineer*. They take an interest in British Columbia, and they keep coming back.

S. Herbert: Just so that I understand — because I'm relatively new to the convention business, and I'm trying to ask the questions — it seems that the convention centre in itself doesn't pay for itself, but it's the other stuff around it. I remember the Premier saying that the convention centre will pay for itself.

[1515]

Hon. K. Krueger: When the Premier says that, and I certainly believe the same thing.... We are saying that

the spending, the additional economic activity stimulated by a convention centre, causes the convention centre to more than pay for itself.

Just to give the member some very firm numbers, from April 1 of this year forward the Vancouver Convention Centre has 239 confirmed major events booked, actually booked, and 65 of those we could have never had without the new convention centre, because they're too large for anything we had until it was opened. That number, 65, was up until October 9. Hopefully, there have been even more booked since.

When I was at the B.C. Place announcement last week, there were negotiations going on for a huge convention that we would never have had without the convention centre, and actually, the retractable roof on B.C. Place Stadium will add to the mix — the capacity to host 41 gigantic conventions from around the world that we couldn't do without that roof.

Those 239 events that were booked as of April 1, 2009, for the future are expected to attract 1.8 million visitors — non-resident delegate-days, that is — and bring about \$1.1 billion of direct delegate and exhibitor spending into British Columbia.

S. Herbert: I've got two questions. The first one, I think, is pretty simple. The KPMG study that the minister mentioned — is it possible to get a copy?

Hon. K. Krueger: We will endeavour to make it available. We'll have to review it through the lens of cabinet confidentiality — if there's anything about it that causes concern in that regard — but otherwise, we'll try and make it available.

S. Herbert: I appreciate that the minister is not making me go through the FOI process to get the report. I would hope, if possible, that I could get it in a month's time — that seems reasonable, I hope — so that I can compare that to the numbers that the minister is talking about.

But just for now the KPMG study. I believe, because I've read some of the back story on this project, those numbers were based on the original budget for the convention centre, not the final budget. Is that correct?

[1520]

Hon. K. Krueger: We believe that KPMG would have been looking at the budget of the day, and that report probably isn't that relevant to the things we've just been talking about. But we will, as I said, release it to the member subject to any editing for those legal reasons of cabinet confidentiality.

S. Herbert: I appreciate that the report will be made available in approximately a month's time after the cabinet considerations are put forward.

It is interesting. The earlier figure that the minister provided around the 450,000 non-resident delegate-days in a year was a good number to reach for in that KPMG report, which I guess I understand was based on the earlier budget and the earlier iterations of how the convention centre was proposed at the time.

I'm curious. Given that those were for an earlier time.... Have there been any new projections reached on what's needed in terms of making the place pay for itself, given those KPMG figures were for the earlier budget?

Hon. K. Krueger: Well, PavCo's current estimates of non-resident delegate-days are 452,000 in 2010-11 and 522,000 in 2011-12. As we've covered a couple of times, our expectation is that the amount of economic activity that is drawn to British Columbia and the revenues that flow from that will far exceed the cost of the construction of the convention centre.

S. Herbert: Is the minister able to provide the math or the figures which show that it will pay for itself in the sense that the minister has been speaking of, and if so, by what year?

Hon. K. Krueger: We don't have any economic analysis piece of paper that we can produce today, but there is an expertise around convention centre planning and management. Within the convention industry there's a consensus that the buildings pay for themselves through economic activity. That is generally why governments and entrepreneurs go ahead with constructing convention centres — because of the activity that they bring to the host city and jurisdiction.

S. Herbert: I understand if the minister might not have a piece of paper with him today that explains exactly how the math works on this. But it's troubling to me that a government would continue to make the statements that it pays for itself if they don't have such projections. Maybe there's an economic model that the minister has worked from and that the government has worked from for their business case, for Treasury Board, to justify the spending. Certainly, I know the taxpayers would love to see that, as would the opposition.

If the minister is going to continue to say that it will pay for itself and then some, I would hope he's able to share with the committee what number he's basing it on. I know the minister is sincere in his efforts for his constituents. I'm just curious. Maybe by Monday, would it be possible to get that economic analysis?

[1525]

Hon. K. Krueger: The budget for the convention centre is \$883.2 million. It's not all spent yet. In fact, Mr. Podmore, the chair of PavCo, believes that there will

be \$42 million left of the contingency when all is said and done. But there is still some work being done on the linkage between the Vancouver Convention Centre's East and West, and so on.

We are certain that the \$883.2 million will not be exceeded. As I mentioned, already we have \$1.1 billion of anticipated direct delegate and exhibitor spending coming into the province with the conventions that are booked.

There is, as I said, an expertise around convention centre operations. There's a predicted number that the industry works with, something in excess of \$400 per non-resident delegate spending per day. We don't think we can produce a document by Monday that sets out details, but that is the consensus within the industry, and we certainly think it's realistic.

S. Herbert: Well, I'm going to do my best to keep away from speechifying, because we're both trying to get numbers out here. That can happen in the House and out on the street, and all that kind of thing. But it blows my mind that we do not have an analysis — a very simple, succinct document — that explains exactly when the convention centre will pay for itself, as the Premier and, I know, the minister says it will. It just troubles me that we're going forward, really, on faith. You can't build a budget on faith, as the minister well knows.

The expertise that the minister speaks about — I have no doubt there are people with expertise in the convention business. In any other business, as the minister will know, that expertise normally can be used to create a spreadsheet which explains the timeline that it needs to pay for itself.

[1530]

I would have thought it was an easy question. For the minister to make the statements that he has, he would have it backed up in writing in terms of being able to see the economic analysis in a way that was not reading a binder or reading 2,000 pages but made very simple. He could make his economic argument that it will pay off in this many years if we reach this level.

The minister could continue to watch it and watch those benchmarks to see, if we are meeting those levels by this year, how much do we have left to pay this off? In 40 years, maybe sooner, the minister would be able.... Well, probably a future minister, unless the minister....

Hon. K. Krueger: I'll still be with you.

S. Herbert: The minister will still be with us. Maybe he'll still be with us, and he'll be able to share with us exactly the day when you can break the bottle and say that it's completely paid for itself and there we're all done, and have a big celebration.

Maybe the minister is not understanding me correctly, or I'm not understanding him correctly. Would

by Wednesday be possible? I would think that this document, which proves that it pays for itself, would be very easily attainable.

[D. Hayer in the chair.]

Hon. K. Krueger: Mr. Chair, welcome to the chair. A pleasure to have you with us.

We believe that the KPMG business case will be what the member is looking for. We will also attempt to be of assistance by PavCo providing calculations based on that for the member. The PavCo executive believe that they can deliver that within a couple of weeks.

S. Herbert: Hon. Chair, welcome as well.

The KPMG study, which was based on the earlier cost of \$450 million or in that range, still applies when the cost has climbed to \$883 million — maybe less, as the minister has said. Is that correct and what the minister is asserting?

Hon. K. Krueger: The analysis we provide will show current economic projections and compare them to the actual budget that I just outlined to the member.

[1535]

S. Herbert: Will those numbers that PavCo and the minister offered to provide...? Will they tell me by what year and what the required target is over a period of time in order to make the convention centre pay for itself?

Hon. K. Krueger: The answer is yes. We'll do our best. Obviously, we're using the current economic situation status quo and the professionals' expectations, given the way convention centres are run and the way they provide benefits in local economies.

S. Herbert: The current number the minister mentioned for booked events at the combined convention centres was 239 booked events, and he said it might be higher. Over what period of years is that?

Hon. K. Krueger: Most of those 239 conventions happen by 2012 sometime. Normally conventions are three to seven years in the planning. We're just starting to book conventions in 2013 through 2015, but some have been booked in 2017 and '18, a few. There are expressions of interest well beyond that.

In the last two weeks there have been nine site visits to the convention centre by people doing the advance work for very major conventions. I'll give the member some examples. Starting in April 2010, we have the Pediatric Academic Societies in April, 7,000 delegates. The World Tunnel Congress in May, 2,000 delegates. The Million Dollar Round Table in June, 7,200 delegates. The American Statistical Association in August, 5,600 delegates. The

international hypertension convention in September, 5,800 delegates. That's just as a sample.

S. Herbert: A hypertension convention. I think some politicians could probably go to that one.

Interjection.

S. Herbert: "Just stage 1," says the member for Saanich North, I believe.

Anyways, the Liberals, I understand, brought in the ability for Tourism Vancouver to collect a so-called voluntary levy from tourist-related businesses to raise the \$90 million that Tourism Vancouver committed to raise for the convention centre.

Can the minister tell me where this new fee — or tax, as it may be — is at and when businesses in Vancouver can expect this? And if there's any further discussion, how will it be administered?

[1540]

Hon. K. Krueger: The \$90 million commitment that was made by Tourism Vancouver, they intend to meet by use of the additional hotel room tax, the AHRT, which is collected at the rate of 2 percent from hotel customers.

S. Herbert: I understand that \$90 million commitment will be met, or has already been met, through the AHRT.

This goes to the convention centre discussion. I understand that there were plans to develop water lots next to the new convention centre right in front of harbourfront park in Coal Harbour. Those plans, I was told, included a bar, places for large luxury cruisers. Can the minister tell me what those plans are and where they are at?

Hon. K. Krueger: The water lots are leased to a company named PCI — a 50-year lease. They have engaged Leducor, a construction company, who have already put the underwater platforms in place for the floatplane terminal.

[1545]

The arrangement was that construction would cease at that time until after the Olympics because of the international media occupying the convention centre through the Olympics. But the plans are for a new floatplane base and a marina at that site. That's correct.

S. Herbert: Just so that I understand, after 2010, after the Olympics, there will be further development and further movement on the water lot. I think the community knows about the floatplane terminal, and I think some of the community knows about the possibility of a marina of some kind.

I think what they don't know about is what it will entail and if they can be involved in the discussion around it. Is

it a place for party boats that come in and out of that marina? That causes a lot of late nights for some of the people who live in Coal Harbour, because they're woken up by some of these party boats. They're concerned that that kind of thing will be added to their community with this plan.

The marina — if the minister can give me some idea of what that looks like and how the fiscal arrangement was made so that area would be leased to PCI, and then through that to Ledcor. Where are the revenue benefits going? Will the community be involved in that discussion?

Hon. K. Krueger: My understanding has been, and I've been getting this input for some time, that the residents in the area are eager for the floatplane terminal to be constructed. It will move the floatplane activity to the north side of the convention centre, where the convention centre itself will buffer the community from the noise of the planes.

Many people love the floatplanes, and a lot of people, including me....

S. Herbert: Like us.

Hon. K. Krueger: Yes, like us. I feel the same way. They're part of the romance of the whole area. The residents are accustomed.... The floatplane base has been there for decades. People refer to it as the downtown airport.

[1550]

The marina also will be north of the convention centre. Again, there'll be a buffer. The projects only go ahead when approved by the city and the port authority, and there are processes to go through with regard to noise and all of those issues that the member raised. My impression is that people are eager to see the construction completed.

To answer the member's other questions, there are rental revenues to the convention centre which are going to be part of the revenues of the centre for, obviously, 50 years. There was an upfront payment.

For the decision as to who would develop the marina and the floatplane base, there was an RFP process, a request for proposals. As I recall — I was briefed on this some time ago — there were four respondents, and PCI was the successful proponent.

S. Herbert: Will those rental revenues the minister mentioned...? I'm assuming those will be in the economic model that he's developing to show me when the convention centre will pay for itself by.

Hon. K. Krueger: PavCo will ensure that that is a line in the document that we talked about earlier.

S. Herbert: Just a final question on that Coal Harbour discussion around floatplanes and marinas and all those kinds of things. The Coal Harbour Residents Association has been speaking with me about that issue for some time. Just so that I'm clear: the marina proposal is to the north, and there are no plans for an expanded marina to the west.

Hon. K. Krueger: What we were just discussing, then, is the angle of the water lot compared to the convention centre. My understanding is that all of this activity is on the north side of the convention centre.

S. Herbert: That will be good news, I think, for some of the residents of Coal Harbour who are concerned that a harbourfront park would have its view impeded by a large marina in front of it. A harbourfront park just.... I guess it would be to the northwest as opposed to the north or west, if you just want to take the funny angle of downtown.

Anyways, a final question on the convention centre issue, and we may come back to it later. As I mentioned earlier, I will let the minister know if it's going to come up again on Monday. Have there been any discussions within the ministry about the possibility of taking over Canada Place?

[1555]

Hon. K. Krueger: There have been discussions between the federal government and the provincial government, and the provincial government has not yet decided to approve that.

S. Herbert: That's very interesting for me to know and for the rest of B.C. to know, since Canada Place.... Then we'll talk about B.C. Place later.

I understand, and I was looking at some financial accounting for Canada Place, that Canada Place currently, as an entity, makes money. Can the minister tell me what kind of subsidy we're putting in to keep the convention centre going?

Hon. K. Krueger: PavCo's document, which is a public document, sets those numbers out on page 24. It shows the sales revenues; the operating costs; amortization, including depreciation — so total expenses. It shows a net deficit, considering all of those things, of \$39,000,638 this fiscal year.

S. Herbert: That \$39,000,638 — is that just for the convention centre, or is that including B.C. Place? If it is including B.C. Place, can I get a breakout on what the subsidy is for each location?

Hon. K. Krueger: This is the service plan for B.C. Place that I'm referring to. The breakout for B.C. Place

is separate. That's on page 25, and the corporate services budget is also on page 25.

S. Herbert: Just so that I'm clear which document, is this the B.C. Place service plan, or is this the *PavCo Service Plan 2009/2010 to 2011/2012*?

Hon. K. Krueger: It is the *PavCo Service Plan*.

S. Herbert: I'll just flip to that page here. Ah yes. I thought I'd seen that number somewhere. All right. So those are the annual subsidies there.

What led to the discussion about Canada Place and the potential of the B.C. government taking over Canada Place?

[1600]

Hon. K. Krueger: It's a policy discussion between governments. It's really not a matter of estimates. I've been seeking to oblige the member, but we're bordering on cabinet confidentiality, so I would like to leave the questions there, if we could.

S. Herbert: I'm intrigued, and I'll continue to look for some answers down the road.

In PavCo's service plan there's a discussion that PavCo provides the shareholder, the ministry, with, I guess, quarterly updates on how they're meeting expectations under the service plan. Would the minister be willing to make those quarterly updates available to the opposition?

Hon. K. Krueger: We will.

S. Herbert: Am I right in understanding that...? Would it be a week or two weeks after the minister gets the update, the report from PavCo, that the opposition would get that? What would those dates be over the next year?

Hon. K. Krueger: Yes, we think that two weeks is a reasonable timeline.

S. Herbert: Just so that I'm clear —and I'm excitedly waiting for those reports — what would those dates be approximately, so I can pencil it in my calendar and prepare my reading glasses?

Hon. K. Krueger: PavCo tries to have those to government within a month of the end of each quarter. When we have them, we'll try to make sure that the opposition receives them within two weeks of us receiving them.

S. Herbert: My colleague from Delta North is here as well. He'll follow up for the end-of-day session as I have an event I need to get to, to do some work here as an MLA.

I wanted to see if we can transition back to B.C. Place and that discussion. If you need to change up staff, thank you to the convention centre staff for their assistance so far.

[1605]

Hon. K. Krueger: We're ready to resume B.C. Place. I'd like to introduce Lori Wanamaker, our Deputy Minister for Tourism, Culture and the Arts, seated to my left.

S. Herbert: Welcome to Miss Wanamaker, the deputy minister.

Can the minister explain to me why PavCo has gone from planning to sell excess land around B.C. Place, to lease or sell, and now to lease excess land around B.C. Place to pay for the replacement roof?

Hon. K. Krueger: PavCo believes that it gets best value out of long-term leases. Of course, PavCo is able to control the use of the lands if it retains ownership and uses long-term leases.

S. Herbert: You know, I'm certainly a fan of public bodies retaining the land that they own. I think it's wise, because as we all know, you can't build more of it, although I know that with the convention centre, they tried and had some challenges. Anyway, I wanted to ask: how long are the leases that PavCo is considering for that land?

Hon. K. Krueger: The leases are presently being negotiated for the lands to the west of the convention centre, and we're not in a position of being able to disclose the negotiations because they're with private companies. But we expect to be able to conclude and announce an arrangement on the west lands within the next few weeks.

S. Herbert: How has the higher cost of \$563 million for the B.C. Place roof and interior refurbishment project...? How has that affected the business plan that the minister has said shows that it will pay for itself? The original business plan — what kinds of adjustments have been made to deal with the increase in costs?

[1610]

Hon. K. Krueger: Again, referring the member to the October 23 news release about the retractable roof — the final sentence of the first page: "In September of this year, the government asked PavCo to resubmit an updated business case taking into account the new economic and fiscal situation."

I've had a number of discussions with the PavCo executive since that. It is believed that there will be up to a hundred additional days per year that B.C. Place will be occupied because of a retractable roof.

Up until now, because of the lack of air conditioning with an inflatable roof, the building is deemed to be uncomfortably hot in summer by a lot of prospective clients. There's also a great deal of time taken up bringing materials and equipment in and out of the airlock system for the air-supported roof, and of course, that will all be eliminated with the retractable roof. It'll make the building a lot more efficient.

The U2 concert, which took place last night in Vancouver, was sold out. It attracted 16,000 out-of-town guests who spent more than \$14 million providing economic activity in the Metro Vancouver region. Between meals and accommodation alone, out-of-province visitors that came to Vancouver for the concert spent more than \$6 million in a single day.

So the increased activity at B.C. Place, the revenues that will flow from all of that activity to B.C. Place itself — let alone the economic paybacks to the province, the region and the city — will be very, very substantial.

S. Herbert: My colleague from Delta North asked me to ask the minister if U2 blew the roof off, but that happened earlier, as my colleague will well know.

Anyways, moving on to the next question. Based on what I've just heard from the minister and what I've read in that press release — I've got a copy as well, so I've seen those numbers and seen what the minister has asserted — I'm curious about the business case which shows when it will pay for itself — by what year? How many convention days would need to happen in order to get the project to pay for itself.

Hon. K. Krueger: As we said at the time of the announcement, the government is loaning the money to PavCo to build the retractable roof. PavCo's business plan is to fully repay that money within 40 years.

S. Herbert: I'm assuming that there was a similar report to the KPMG report that was done for the convention centre for this roof replacement project. I know that earlier we talked about the couple of million dollars that were spent on the discussion of the retractable roof. Would those documents be available to the opposition so that the minister can prove his case — that this stadium would pay for itself?

[1615]

Hon. K. Krueger: The documents that have been relied on include financial information with regard to private companies that are negotiating with PavCo. We will not be able to release those documents to the opposition. They are subject to cabinet confidentiality and also confidentiality with regard to the private company's interests.

S. Herbert: I understand that the negotiations will be finished in a couple of weeks for the land west, at which

point, I think, it'll become pretty clear — to anybody who watches the real estate market and watches what kind of announcements are made — what costs were involved and how much the bid was in terms of securing that land or the loans or the leased land for a period of time.

I guess I'm curious. Once that process is done, is it possible to show us what the business case is? I'm sure the minister wants to make it very clear to the public that this will pay for itself through actual evidence, rather than just assertions. As the minister knows, any time a government spends a lot of money, they need to be pretty rock-solid in being able to prove their case. Otherwise, people are left wanting for evidence that their money has been well spent.

Can the minister tell me when he will be able to provide the opposition and the general public with the information that proves his case that this will pay for itself?

Hon. K. Krueger: There will be information coming forward during the announcement.

Subsequently, there are a lot of opportunities around B.C. Place that really couldn't be explored or completed until the roof question was decided, because the land can't be occupied until the roof project is done. There's a lot of real estate needed for staging areas to lift the gigantic components of the retractable roof into place. One thing had to follow another.

There is a lot of exciting economic opportunity that's going to flow. I'll be delighted for the public to know the numbers as we're able to share them.

S. Herbert: I just want to be clear that the land around B.C. Place, which will be leased for a variety of purposes, of which we'll find out in the not-too-distant future....

Certainly, the roof question needed to be answered, but the land could be occupied independent of the roof. If the decision had been made for a standard roof, not a retractable, the land could still have been occupied, once that decision had been made, and leased out and developed, should that have been the decision of government. That money could be used for any purpose, I suppose, as it is public land.

I guess I'm curious. I know that the minister has said the stadium will pay for itself and then some, similar to the question around the convention centre.

Is there any number of — it's not delegate days, I guess — non-resident ticket-purchaser days that need to be met in order for the stadium to pay for itself? I don't agree — and I'm not sure if the minister is asserting it — that the sale of the land or the lease of the land around it is paying for the stadium, and that would mean it pays for itself. I think that they're two separate questions. So is there a certain number of those days, of non-resident visitors, that need to be met in terms to get the stadium to pay for itself?

[1620]

Hon. K. Krueger: The type of business that the stadium does is much more diversified than the business the convention centre does. I mentioned already that there are 41 major conventions worldwide that will now be interested in Vancouver that couldn't have been without the retractable roof. And that is convention centre business for all three operations: the east and west convention centres and B.C. Place.

In addition, of course, B.C. Place hosts things like the U2 concert. A PavCo executive has told me about a company that books major concerts up and down the west coast of North America only in open-roof stadia, and they'll now have an interest in us.

The Vancouver Whitecaps could not have had the MLS franchise without a stadium that can have an open roof, and that will be a very significant economic activity. Mr. Lenarduzzi has spoken publicly about the fact that Toronto soccer games are sold right out, and there are 15,000 people on the wait-list for season's tickets in Toronto. That's business that we wouldn't have had without a retractable roof.

The companies that we are negotiating with, and certainly the lead respondent to the request for proposal, made it very clear that the amount of rent they'd be willing to pay for a stadium without a retractable roof would be much lower. The city of Vancouver is so eager to have a retractable roof that the city waived development cost charges, but only if there'd be a retractable roof.

All things considered, both the revenues to B.C. Place and the economic activity that will flow from the decision that's been made are substantially higher with the retractable roof than they would have been with another inflatable roof.

And actually, no stadium in the world has had one of those inflatable roofs installed in the last 25 years, so it would have required special sourcing of materials and new engineering. It would also have been a major construction project, which would also have meant that we wouldn't proceed with development of the adjacent lands until it was done.

[1625]

S. Herbert: Just a quick question. The minister had said that the business case which had been created to show that this can pay for itself wasn't able to be released because it included information that might be sensitive to some negotiations, but he also said that in future there would be some numbers coming out down the road.

I guess I'm very curious. I don't need to see what X corporation paid for this parcel of land in the business case, because I'm sure that the business case does not include, you know, X corporation in that negotiation.

Once those negotiations are complete on the west land, which I understand is part of the business case to do that, is it possible for the minister to release publicly

— and I'm assuming sooner than later — a document which shows exactly what the business case is?

I don't need to see this amount of rent from this company, but I'm talking about how much money in general would be raised from rent, how much money in general would be raised from the kind of convention situations that the minister is mentioning, a couple of other things like that — and a number.

I know that PavCo is going to be, gracefully, writing up a bit of a letter and a plan on how the convention centre is doing that. I'm hoping they can do exactly the same thing for B.C. Place.

Hon. K. Krueger: Yes, PavCo will prepare a similar document to the one that we were discussing for the convention centre.

S. Herbert: I look forward to reading that, and I think we talked about a month's time or something like that, if it would take that long. Sooner, obviously, I'm more excited about, but maybe in a month's time it will be good holiday reading, or December reading, anyways, in the cold months.

I want to ask the final question that I've got on this before I hand it over to my colleague from Delta North. As I said earlier, if we're going to continue on the PavCo discussion on Monday, I'll let the minister and his staff know on Friday so that they can make those plans.

But just the final question. I know that naming rights for the new stadium were brought up in the discussion around how it would pay for itself. Am I right to understand that the minister and PavCo plan to sell the name of B.C. Place, as an example, to the highest bidder — so potentially it could be something like B.C.'s Coca-Cola Place, for example?

[1630]

Hon. K. Krueger: There are discussions about naming rights revenue, and PavCo is exploring that. If it's done, it'll be through request for proposal. I personally really like the name "B.C. Place," so I'm not all that warm to it. But it could generate substantial revenues, and that's a decision that hasn't been made yet.

S. Herbert: I, too, like the name "B.C. Place." I can tell the minister that I'd be quite upset if we decided to sell off the name of B.C. Place, especially given what a substantial investment the people of B.C. have put into that stadium over so many years. It really is B.C.'s place, in that context.

If it were to become B.C.'s Coca-Cola Place or B.C.'s Plutonic Place or whatever you wanted to call it, that would not be something that I think the people of B.C. — at least, my constituents, anyway — would support, since we have spent so much of our taxpayers dollars in that place, and it is B.C.'s place. I think that if we're

spending the majority of money, which certainly the taxpayers of B.C. will be, it should be named after the great province of British Columbia.

Finishing on that note for today, I will hand it over to my colleague from Delta North. I know there may be some others who have questions, which will take us to about the 5:30 mark, and we'll continue with this estimates discussion next Monday.

Thank you to the minister and the staff who have been waiting and working so diligently on this question. I look forward to all that reading material they're putting together for me. Much appreciated.

G. Gentner: I'd like to thank my colleague to the right and the minister and the staff for doing a great job and trying to be forthright for the people of British Columbia.

[H. Bloy in the chair.]

On the sign issue, I concur that there are some legacies in this province that stand out and should be preserved. I know that in the '80s we had this great debate, and I was on the side of "Terry Fox Stadium." I really believed at that time that Terry was.... It would have been a great legacy, to this day.

The government of the day, of course — I think it was the Bill Bennett years — decided to go with "B.C. Place." It is part of our cultural heritage now, and it would be a shame if we sell everything we have in the name of corporate entities.

I want to just follow up on some questions relative to development cost charges, first of all. When we're talking about development cost charges that could be defrayed or passed over, so to speak, my understanding is that we are not talking about the existing footprint but that we are talking about the development around the land itself.

Hon. K. Krueger: I've just been informed that the more accurate term is "community amenities contributions," which would have had a substantial cost. The city of Vancouver has waived that, and it was on condition that there be a new retractable roof.

[1635]

G. Gentner: So we're talking about these savings, if you will, from the amenity fund, if you will. Will it be passed on to the developer or on to PavCo?

Hon. K. Krueger: No, those would have been costs that PavCo would have had to incur in doing the development if the city hadn't agreed to waive them.

G. Gentner: Will the B.C. Lions or Whitecaps be picking up any of the capital costs for the stadium?

Hon. K. Krueger: The sports organizations mentioned do not make direct capital cost contributions, but they will be paying rent for use of the facilities when they're using them.

G. Gentner: Okay. Can the minister describe to me what the change is in the rent structure from the old bubble roof versus the new, expensive retractable?

Hon. K. Krueger: Those rents will be the subject of negotiations. The project is expected to be complete in time for the Grey Cup game in 2011, but there will be use of the stadium, we believe, before that by both organizations.

G. Gentner: So we made a decision on a retractable roof, not knowing what the rent structure is — correct?

Hon. K. Krueger: I have already mentioned that there will be negotiations with the two teams for rent, and I obviously can't discuss those negotiations. Before the member joined the debate, the critic had covered the ground of anticipated revenues and so on. We have made a commitment to provide a document. The stadium itself, of course, will be available for use 365 days a year, and much more attractive to a whole lot of potential users with the retractable roof than it was with simply a closed roof.

G. Gentner: My question now would be: if the minister doesn't have those numbers with us, does the ministry at least have, or PavCo have, an idea of what percentage of the total rent for complete use will go to offset the costs over four years?

[1640]

Hon. K. Krueger: I don't have any intention of going over all the same ground that the critic just covered. We have a lot of civil servants who have been waiting all day to take part in these estimates, and the critic and I have discussed, well in advance of today, being respectful of their time. I'm not going to cover the same ground because we've already not only discussed it; we've made a commitment to provide the critic with a document. So I have no intention of covering the same ground.

G. Gentner: I look forward to reading the document shared by my colleague to ascertain what the minister has said he will share with us. All that's in the document — the percentage of what the total rent will be that will be attributable over the years to pay off this incredible, perhaps wonderful, structure. I understand that's what the minister has just said — that those numbers are there. We will have the percentage.

This thing is filtered through Partnerships B.C. My question is: what role did Partnerships B.C. have in the decision of this expenditure on the retractable roof?

Hon. K. Krueger: Partnerships B.C. provided B.C. Place with a proposal, but it didn't go any further.

The Chair: If I could remind the member to direct all his questions towards the budget estimates for 2009-10. I struggled with the relationship of your last question to the budget estimates. Thank you, Member.

G. Gentner: It's government policy that in any major capital project, that's got to be filtered through Partnerships B.C. That's government policy.

My next question, therefore, would have to be relative to the budget, and we're talking about hundreds and hundreds of millions of dollars. It's: why is it that Partnerships B.C. would not take on this project?

Hon. K. Krueger: I didn't say that Partnerships B.C. wouldn't have been willing to participate. I said that beyond a proposal, Partnerships B.C.'s involvement was not deemed to be necessary.

G. Gentner: And why is that? Is it because this new plan is such that it was not to make money for a private partnership?

[1645]

Hon. K. Krueger: The role of Partnerships B.C. in the project is generally to determine whether or not a private sector partner is available, whether a public-private partnership would be the appropriate way to go.

B.C. Place and PavCo are led by David Podmore, the engineer who was responsible for the construction of B.C. Place in 1983. He's more familiar with the building than anyone else in the world. PavCo is managed by Warren Buckley, who is an expert manager of facilities such as this and has a long background of experience in this type of work.

A request-for-proposal process was used. A fixed-price contract was arrived at, and the expertise of Partnerships B.C. was not required.

G. Gentner: I'd like to know how the breakdown on the revenue stream is going to come about. Can the minister break down what is anticipated, the percentage of revenue from leases, profit, revenue from additional rent and, of course, weigh that against the percentage of what the loan will offset?

Hon. K. Krueger: The member should read the *Hansard* record. The critic has already discussed those questions.

G. Gentner: From estimates earlier, if I have it correct, the total cost for the B.C. Place roof will be \$621 million, including \$65 million for the interior, \$456 million for the roof and \$100 million for deferred mainten-

ance. Deferred maintenance — is that also including the present maintenance that's being conducted today?

Hon. K. Krueger: The information that the member is asking about has been covered. The numbers that he's quoting are not the numbers that were given.

I'm simply not repeating the process, when I have a lot of people who have waited all day to assist the opposition in answering their questions. They've answered these questions.

I think that the member should move on to other areas of the ministry's estimates because he is trying to repeat what was already covered with the official opposition critic.

G. Gentner: I'd like to know if the minister can explain to me which companies have received letters of intent from PavCo or PCL for the roof replacement and what value each element is for, to make it, you know, within a million dollars?

[1650]

Hon. K. Krueger: PCL is the successful respondent to the RFP for the construction. The bid was broken down into 40 different components. The sum of the successful bids was then the subject of negotiation between PavCo, and PCL. A fixed-price contract has been signed. PCL is corresponding with the subcontractors, and the government can't comment about the letters that are going back and forth between them. We have a contract with PCL.

G. Gentner: Well, it raises quite a lot of curiosity as to how we're going to build this thing. My understanding is that steel fabricator Canam Group Inc. has won the hundred-million-dollar contract to build the cable-supported roof. Is that correct?

Hon. K. Krueger: The member is asking me again about correspondence and negotiations between PCL and its subcontractors, and that's really not an appropriate subject for these estimates. I have said that we have a fixed-price contract with PCL. It's up to them to fulfil the contract, and we know that they're qualified to do that. The contract's been signed, and I don't intend to talk about negotiations between these companies that I'm not privy to.

G. Gentner: Well, my understanding is, having read the *Montreal Gazette*, that Canam said that the contracts will be handled by its heavy steel fabrication unit, Structural-Heavy Steel Construction.

[1655]

So I don't know. Maybe the press is very different back east than it is here. Canam Group Inc. is of the opinion that they're the ones.... I'm not saying they're a

bad company, but it would appear to me that Canam has the contract. Perhaps the minister can deny that.

Hon. K. Krueger: Mr. Chair, obviously, that is not an appropriate question for me, and I won't be rising to answer any more questions of this nature.

The Chair: Member, if I could have you direct your questions to the budget estimates for Tourism, Culture and the Arts as they relate to 2009-10.

G. Gentner: Absolutely, hon. Chair. Within that are PavCo and this large expenditure for a new roof for B.C. Place, which includes the costs of the roof. Part of the roof is the fabric itself. Can the minister and his people with him here from PavCo explain to the House what type of fabric will be used — I'm talking about the membrane — for this new, innovative roof?

Hon. K. Krueger: Two different types of fabric. Teflon-coated fibreglass — the same sort of material that the existing roof is made out of — will be used for the panels around the opening. For the retractable portion itself, it's a material called TENARA, and it is manufactured by Gore.

G. Gentner: Can the minister explain to the House what the warranty on that fabric is?

Hon. K. Krueger: Mr. Chair, 40 years is the life expectancy of this roof, once it's constructed. It's designed using steel-cable support, very different from the existing roof. From there, the member and I would be straying into matters of confidentiality between the supplier, the contractor and PavCo, and I won't be going into further detail on that subject.

G. Gentner: I'll ask the question again, because what I received was 40 years' life expectancy. I asked the question, hon. Chair: what is the warranty of the product?

The Chair: Shall Vote 41 pass?

Member, if you'd like to continue with a new line of questioning.

G. Gentner: Absolutely.

I've looked at many of the products and the one that is mentioned as well. Of course, Firestone has several interesting products, the same. PVC has been used. These are the three.... The Teflon, of course, was something that was used. It had a 25-year life-cycle replacement. Every one of these ones has a 30-year warranty.

[1700]

I've heard here from the minister that we have a guaranteed 40-year warranty on a product that will sustain itself over the 40-year loan period. I believe that is correct — yes?

Doesn't know. The minister doesn't want to answer that question, obviously.

The Chair: Please direct all questions through the Chair.

G. Gentner: Thank you, hon. Chair. It seems to me that the ministry doesn't know the answer as to whether or not the sustainability of the product that is now going to be....

And I understand that. I understand that we are into new technology, and technology changes. We don't know whether the new product will actually get us through to 40 years. We don't know that. Yet we will have a loan that will carry it for 40 years.

It's an interesting conundrum, in my estimation, when you look at what happened a couple years ago with the toupee flapping in the wind.

I won't get into the details on the chemical resistance, the UV resistance, the tear strength, the water damage, the hail and all of the other components here with this product. It is an interesting situation, and I have a question, therefore, and I'm going to be quite intrigued by that.

I have to tell you, hon. Chair, I'm a football buff. I've been all over North America, and I've actually gone to the Gator Bowl. Recently I've been down to Seattle. No retractable.... Yeah, I've been to Florida. I'm a football guy. I've been to Green Bay in the snow. No retractable roof.

We heard from the minister here that the Whitecaps are certainly looking for an open stadium and of how the rock concerts will be coming up the coast, etc. Did PavCo look thoroughly at an open stadium as a possibility?

Hon. K. Krueger: The member has given us his resumé and stated his expertise. He appears to be talking about purpose-built football stadia. What B.C. Place is, is a multipurpose stadium. An open-roof stadium wouldn't be suitable for a lot of the business that B.C. Place does.

It's already in use an average of 210 days a year. It may be able to have an additional 100 revenue days in a year. Since the member has, you know, outlined his expertise, I'd like to quote him from January 5, 2007, when he's quoted by *B.C. Almanac* as saying: "We can just do a quick replacement, I suppose, but is that what we really want to do? Or do we want to put a proper roof on that addresses the issues in the 21st century? I guess that's going to have to be an assessment done by PavCo."

I agree with the member on that, and that's what's been done.

G. Gentner: Well, a proper roof — this is what we're talking about here. We're wondering, with the capital expenditure, does it warrant this type of cost at this particular time?

And those are questions that we must, as opposition, ask. You know, we have got to be accountable to the taxpayer, and we would like to know, over the 40 years, whether or not this roof is going to wear through or if it's going to stand up to conditions. We want to know, of course, whether or not there's going to be the money to pay for it, in particular — that from user groups and that from the land deals that are being put forward today by this ministry.

At this time I believe I have a member to my left who has a few questions he'd like to pose.

[1705]

M. Sather: I wanted to talk a bit about arts grants and the effect that that's had in my community, which has been pretty disruptive. I know that the minister was there at the Arts Centre — the Act, as it's called in our town — not long ago and heard firsthand some of the issues that folks have.

It's an interrelated situation between arts groups, arts grants and gaming grants, which all get kind of confused, sometimes, in the discussion and the resolution or whatever. I remember when I was first listening to it I was a little bit disconcerted as to how they all fit together.

If I could speak for a minute about how it's affected my community. Our arts council had their gaming grant cut. I know that's not the minister's bailiwick, so I don't want to ask him specifically about that. I just want to talk about how it relates to the arts groups and the arts community in Maple Ridge and Pitt Meadows in particular.

Our arts groups have lost 30 to 40 percent of their funding between the gaming and the arts grants. That's a huge hit for them, and that's why when the minister came it was rather unusual. I know those people that are in the community, and to hear them get up and speak so forthrightly to the minister — respectfully, I believe, but forthrightly — showed to me the depth of their despair, almost, over the situation that they are facing. Of course, arts, as we know, is not just about money and not just about dollars, but it's about creativity. It's about a way of life. It's about beauty. It's very important to our culture, as the minister, I'm sure, would agree.

Losing this money has caused the arts groups, then, to go to their arts council to look for some help to get them through their difficulty in dealing with these financial issues. But then they found that the arts council's funding has been cut as well. The arts groups are then left to fend for themselves and to try to make up the additional dollars that they're lacking in order to.... They've got to either cut back on their performances, on their shows, or fold, as the case may be, neither of which are very desirable for them.

In the end it's the artists in the community and the students in the community who suffer. That's what's particularly difficult to comprehend with regard to the approach that this government has taken.

The Prime Minister of Canada, albeit rather belatedly, has come to understand the value of arts. I heard one of his ministers the other day on the radio talking about the economic value of arts and culture and how that is the way that it most effectively needs to be communicated to the general public. A lot of people, of course, are not immersed or even involved in any way in arts or culture, but to show them that it's an economic generator, a big economic generator....

Seeing the federal government's recent response, it's hard to.... They're dealing with, I suspect, just as large fiscal pressures as we are, and seeing it different than what's happening in British Columbia has been pretty disconcerting for our artists and students.

The Millennium Players is a group in Maple Ridge who lost \$3,500 from their arts grant and, like any other arts group — small community-based arts group — it's a difficult challenge for them. I'd just like to ask the minister: what message does he have for this arts group and the other arts groups in Maple Ridge–Pitt Meadows?

[1710]

Hon. K. Krueger: Before the critic was called away for other duties, he had said that he wanted these estimates to wrap up for the day at 5:30 and that he would let me know tomorrow if the representatives from PavCo would be needed for estimates on Monday. So I appreciate the member having turned to this issue, and I'm happy to deal with it.

I want to release the PavCo representative so they can be on their way — they're from Vancouver — and I just want to make sure that we're going to spend these last 17 minutes of the day on non-PavCo issues.

G. Gentner: Thanks, Minister, for bringing to my attention the discussion with our critic. I've got maybe another five minutes of PavCo, and maybe we can excuse them at that time. Perhaps you can address some of the concerns if that's all right.

Thank you for your indulgence, hon. Chair and Minister.

Very quickly, I have a question here....

Interjections.

The Chair: No, please continue with the PavCo question.

He'll get back to your question.

G. Gentner: What I'm interested to know is: how much money will the government or PavCo lose when the stadium is closed for construction?

Hon. K. Krueger: The critic and I covered the issue of revenues, which the member can find outlined on page

25 of B.C. Place's service plan. There's no question that there will be an impact on revenues.

The roof had to be replaced one way or the other. The member has referred to the accident that happened at B.C. Place, which wasn't, I'd like on record, a failure of the roof. There was human error involved at the time. Nevertheless, the inflatable roof had already lived long beyond its projected life expectancy.

It served us well, and it was time to replace the roof with one technology or another. So that revenue loss was going to be incurred either way. The use of the crane erected in the centre of the stadium was planned either way. In a way, the question is moot, but the member can see the revenue projections in the service plan.

G. Gentner: I have a list of questions here that the critic gave me that had not been asked, so that's why I asked it. If you're saying that he's received that information, I'll look forward to looking for it. If, for whatever reason.... I'm sure we can pose the questions in an open and friendly letter.

With this loss, therefore, I'm just wondering: how is it going to show on the books? Is it going to show as part of the capital costs, or is it going to be part of the operation costs, or is it just going to be a write-off?

Hon. K. Krueger: I would recommend that the member read the service plan, and it's a reduction in operating revenue. So obviously, it's reflected in the bottom line, which is also on page 25 of the service plan.

We now have 12 minutes, and the member's colleague asked me a question. I do have people who have been waiting all day to help me answer those sorts of questions, so I'd welcome the opportunity to move on.

[1715]

M. Sather: I look forward to the minister's response.

Hon. K. Krueger: Joining me to my right is Jeremy Long, the executive director for the B.C. Arts Council, and joining us shortly is Andrea Henning, who was introduced this morning. Andrea is the executive director of arts and culture with the ministry.

The member posed a question about his local arts council and members of the arts community and funding as it flows from government through the B.C. Arts Council and also as it flows from the gaming revenues to arts organizations. He quite correctly said that the latter is a matter to be covered with the Minister of Housing and Social Development, who presently has responsibility for gaming in the province of British Columbia.

The B.C. Arts Council administers money that is flowed from government. It uses a jury system where peers assess the various applications. Mr. Long, as I said, being the executive director of the B.C. Arts Council,

helps in the processes that the Arts Council follows to make apportionments.

This year, as the member knows and pretty much the whole world knows, we've had the recessionary experience that started just south of the border, between Canada and the U.S.A., and swept around the world — from my point of view, getting back to British Columbia just about last. Our financial plan, our fiscal performance, remained strong — and still does, actually — but as the member knows, this budget projects an overall deficit of \$2.775 billion.

Having made commitments to fund health care and education without any cuts — and we've never cut those budgets, and they're our two largest expenditures of government — a lot of other programs and ministries have experienced a substantial reduction in the money that government is able to provide us.

This year, through a number of means, we have managed, nevertheless, to flow a great deal of money through the B.C. Arts Council. In the last eight months we have flowed more money through the Arts Council than the member's party, when it was in government for ten years, ever provided the B.C. Arts Council in a full fiscal year.

But it's nowhere enough money to meet the sum of the applications, and the government is thankful that we have the expertise of the B.C. Arts Council and the people who make it up. They have very strong standing and credibility in the arts community.

One of the first things that I asked Jeremy Long when I first was briefed by him was what the complaint record is. The complaints from the groups that work with the B.C. Arts Council tend to average two complaints per year for the whole province. Most organizations would give their eye teeth for that sort of a customer service record. So our relationship with the B.C. Arts Council has been very long-term, and we expect it to continue very long-term.

Not all groups could have their hopes met, obviously, and there's been some disappointment. No one in this government fails to appreciate the arts and culture community — what they add to the social fabric of British Columbia, as well as the economic benefits of the arts and cultural community's activities.

[1720]

So we're all in this together. I have been having round tables with arts and culture groups. I intend to continue doing that. The member is right. I visited his constituency at their request. I expect I'll be doing so again. I've had a lot of meetings with groups, and groups of groups, that have passed through my office and that have asked to meet me in Vancouver. That'll continue.

We share the disappointment. People kidded me that I had been assigned the ministry of fun when I was appointed to be the Minister of Tourism, Culture and the Arts. It'll be a lot more fun when we're in the black again, and it doesn't feel like fun to a lot of people right

now. We share the dismay about what's happened to our revenues. I believe that it is a short-term problem.

The member is always welcome to raise the issues from his constituency with me — e-mail, letter, phone call, or however he'd like to do it.

M. Sather: Well, I know that the minister and his government want to go back into the last century, oftentimes, to talk about issues, but surely, we understand that since that time there should be more money spent on any file than there was at that time.

I wanted to ask the minister, though, a couple of questions. He says that he's feeling the pain of arts and culture groups. So I wanted to ask: will there be any more cuts to arts and culture in this fiscal year?

Hon. K. Krueger: The money that was in the February budget for the B.C. Arts Council.... That commitment has been met. Money was flowed from the gaming account, the proceeds of gaming, to the B.C. Arts Council. The full amount that was in the February budget statement has been provided. About half of that money has been spent by the B.C. Arts Council, and this is a usual process. They have two major tranches per year, so the second one is underway.

Last year the Maple Ridge Arts Council received \$18,649 from the B.C. Arts Council, and then in the supplemental estimates of last year's budget, in March 2009, a further \$11,700 was provided to the Maple Ridge Arts Council. They have a live application before the B.C. Arts Council now for this tranche of funding, and they will certainly be receiving a grant from that. I can't vouch for the amount at the moment, but there is some good news coming to them.

M. Sather: So if I understand the minister right, then, there will not be any cuts to arts groups for the rest of the fiscal year? Clearly, that's what he said.

[1725]

Hon. K. Krueger: I'd ask the member to read what I said, and it'll be black and white for him. Not every group is going to have its hopes satisfied. There is not enough money to go around. Some people refer to cuts when in fact they have been disappointed. Some groups have come to rely on what is called an annual grant for a reason, as something they can budget on for future years. As we've all painfully found out around the world, these things aren't always certain.

So that's not the terminology that I used. I answered the specific question about the Maple Ridge Arts Council and explained that we — government — did provide the

money to the B.C. Arts Council that was provided for in the February budget.

M. Sather: Yeah, well, according to the member, the groups can look forward to further disappointment, so that's too bad.

The last question I wanted to ask, then, quickly is.... Forgive me if this has been asked. Did the ministry do, or has the ministry done, an economic evaluation of the value of arts and culture in British Columbia and its contribution to the economy versus the effect of — well, call them disappointments or cutbacks, whatever you want, but — the withdrawn money?

In other words, what I'm trying to say is: is it paying? Is it helping you? Is it helping the government to do this financially? That's what the minister is saying — that they need to do this to protect other services. Or in fact, are you losing tax revenue as a result? Is it a net gain in terms of the economic picture for the government or not? Have you done that analysis?

The Chair: Minister, noting the hour.

Hon. K. Krueger: Yes, I'll make it brief and be glad to continue with the member on Monday if he wishes.

The government certainly believes that there is an economic benefit to funding arts and cultural organizations and their activities — no doubt about it — as well as a tremendous social benefit. We talked about some of those things in the opening questions and answers with the critic. We certainly didn't get to specifically talking about arts and cultural funding.

Regrettably, I've taken all day of Jeremy and Andrea's time, waiting to get to that, but I think they're going to grace us with their presence again on Monday. At least, I'll certainly be here, Lord willing, and we'll deal with those questions.

Government embraces the arts and culture community. Government believes that there is a significant economic payback. The arts and culture groups that are speaking with me at my round tables make a very persuasive case that they actually help government in the delivery of health care, the delivery of education, the delivery of social services. I talked about that a bit this morning.

Noting the hour and knowing that we'll be able to canvass this further on Monday, I move that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 5:29 p.m.

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