

Tuesday, April 27, 1982

TEN O'CLOCK A.M.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 27) intituled *Education (Interim) Finance Act*.

On the motion of Ms. *Brown*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. today.

Mr. Speaker delivered his reserved decisions as follows:

Honourable Members:

During debate on the Budget Address the Honourable Member for Coquitlam-Moody sought to raise a point of privilege alleging that the Minister of Industry and Small Business Development had misled the House in describing a document as protecting the taxpayers for a public investment. It is clear from the Member's statement in support of the application that he and the Minister have a difference of opinion as to the effect of the document in question. Such a difference of opinion is the very essence of Parliamentary debate and Hansard reveals that the Member discussed the matter in his subsequent speech in the Budget Debate.

As pointed out by Mr. Speaker Lamoureux, and as stated in Citation 113 of *Beauchesne's* 4th Edition: "A dispute arising between the members as to allegations of facts does not fulfill the conditions of Parliamentary privilege", and I must rule that no *prima facie* case of breach of privilege has been made.

H. W. SCHROEDER, *Speaker*

Honourable Members:

On Wednesday last the Member for Skeena sought the floor on a point of privilege. The gist of his complaint was that the Minister of Health had written a letter to the editor of the Vancouver Province which discussed the merits of an editorial in the paper while a notice of motion concerning the same subject matter appeared on the Order Paper. In *Parliamentary Practice in British Columbia*, at page 34, the categories of privilege claimed by the House are listed as follows:

Individual privileges:

- (a) freedom of speech or debate;
- (b) freedom from arrest.

Collective privileges:

- (a) access to the Crown;
- (b) the right to provide for its due composition;
- (c) to regulate its own proceedings;
- (d) the power to punish for contempt;
- (e) the power to summons witnesses;
- (f) those privileges enumerated in the *Legislative Assembly Privilege Act*, R.S.B.C. 1979.

The action complained of does not come within any of the aforesaid categories, nor can I find any precedent for the proposition that members of the House cannot discuss the proceedings of the House outside its environs. The actions of the Minister constitute an exercise of the first privilege.

At the time of the Member's application, the Order Paper contained seven notices of introduction of bills, 20 notices of motion, nine written questions and 29 bills slated for future consideration of the House. If the Member's argument were to apply, there could be no discussion of any of these matters outside the House by any of its members.

My perusal of Hansard reveals that in his application, the Member stated that "such action, if it were to continue, could easily tend to bring the position of Your Honour and the Chair into greater disrepute".

An attack on the Chair is an attack on the House itself and I must caution the Member that such an attack will necessitate the Chair's intervention.

H. W. SCHROEDER, *Speaker*

The Hon. *B. R. D. Smith* tabled the 1980-81 Annual Report for the Ministry of Education.

And then the House adjourned at 12.04 p.m.

Tuesday, April 27, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. *Alistair P. Petrie*.

Order called for "Oral Questions by Members."

Mr. *Cocke* asked leave, under Standing Order 35, to move adjournment of the House to discuss a matter of urgent public importance relating to health care in the Province.

Mr. Speaker stated he would reserve his decision.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 27) intituled *Education (Interim) Finance Act*.

Upon a point of order being raised, namely, that it is incumbent upon a Minister in charge of a Bill to be present in the House during debate on second reading of the Bill, the Speaker ruled to the contrary.

The Speaker's ruling was challenged.

The Speaker's ruling was sustained on the following division:

YEAS—29

<i>Brummet</i>	<i>McGeer</i>		<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—21

<i>Passarell</i>		<i>Hall</i>	<i>Lauk</i>
<i>Mitchell</i>		<i>Nicolson</i>	<i>Lea</i>
<i>Hanson</i>	<i>Skelly</i>	<i>Cocke</i>	<i>King</i>
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	<i>Howard</i>
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	<i>Barrett</i>
<i>Barnes</i>	<i>Leggatt</i>		<i>Macdonald</i>

On the motion of Mr. *Howard*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. tomorrow.

Mr. Speaker delivered his reserved decision as follows:

Honourable Members:

On Friday last, during the debate on second reading of Bill (No. 27), the Honourable Member for Nelson-Creston sought and obtained the floor on a matter of privilege.

The Honourable Member for Nelson-Creston, who has made a study of the rules of procedure over the years, will undoubtedly be aware that a difference of opinion between two honourable members relating to the interpretation of a statutory enactment does not constitute a proper foundation for a matter of privilege. All honourable members are given full opportunity for putting forward to this House their views of the effect of any bill or motion during debate, which views may vary considerably. In order to constitute a breach of privilege, the Honourable Member must demonstrate that a member's words or actions are, *prima facie*, a deliberate attempt to mislead the House.

In this regard, I refer the honourable members to May's Parliamentary Practice, 18th Edition, at page 138.

Precedents involving an accusation of members misleading the House are numerous and I refer the honourable members to a decision of this House, recorded in the Journals of June 11, 1975, and a further decision in the Saskatchewan Journals of March 25, 1976. The Speaker, in both cases, declined to find a *prima facie* case of privilege.

It is a serious matter for one honourable member of this House to charge another honourable member with deliberately misleading the House. The Bill in question is presently before the House for debate, and it seems to the Chair that members may place distinctly different interpretations on the effect of this and other enactments, but to suggest that one member's interpretation is a deliberate attempt to mislead the House, when such interpretation differs from another honourable member's, is to extend the law of privilege far beyond its parliamentary meaning. On these facts, I am unable to find a *prima facie* case of breach of privilege.

A further problem arises in relation to the proper time to bring a matter of privilege to the Chair's attention. In this instance, the Honourable Member for Nelson-Creston interrupted the debate on the second reading of Bill (No. 27), which interruption would have been in order had the matter of privilege been an urgent one requiring the immediate intervention of the House; see May's 18th Edition, at page 341.

As the motion tendered by the Honourable Member simply called for a referral of the matter to a Special Committee on Privileges, it seems that the nature of the alleged breach of privilege was not of sufficient urgency to justify interruption of the debate and the matter could have been raised, within the "first opportunity rule", after the Member speaking had concluded his remarks and before the next order of business had been entered upon. In short, our Standing Order 26 is to be read, bearing in mind the guidelines contained in May's Parliamentary Practice.

It is only in extraordinary circumstances that the debate should be interrupted on a point of privilege and it is the Chair's opinion that such extraordinary circumstances did not exist in the present case.

H. W. SCHROEDER, *Speaker*

And then the House adjourned at 5.56 p.m.

Wednesday, April 28, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. H. Emery.

On the motion of Mrs. Wallace, Bill (No. M 203) intituled *An Act to Regulate Smoking in Public Places* was introduced, read a first time, and *Ordered* to be placed on the Orders of the Day for second reading at the next sitting after today.

Order called for "Oral Questions by Members."

Mr. *Howard* asked leave, under Standing Order 35, to move adjournment of the House to discuss a matter of urgent public importance relating to Motion 21 on the Order Paper.

Mr. Speaker stated he would reserve his decision.

The Hon. *H. W. Schroeder* tabled the report by *E. George MacMinn* entitled *The Speaker and the Legislative Assembly of British Columbia*, pursuant to the *Legislative Procedure Review Act*, chapter 231, of the Revised Statutes 1979.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 27) intituled *Education (Interim) Finance Act*.

On the motion for second reading of Bill (No. 27), intituled *Education (Interim) Finance Act*, a debate arose.

The House divided.

Motion agreed to on the following division:

YEAS—29

<i>Brummet</i>	<i>McGeer</i>	<i>Davidson</i>	<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>		<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—25

<i>Passarell</i>	<i>Lockstead</i>	<i>Lorimer</i>	<i>Lauk</i>
<i>Mitchell</i>		<i>Hall</i>	<i>Lea</i>
<i>Hanson</i>	<i>Skelly</i>	<i>Nicolson</i>	<i>King</i>
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	<i>Barrett</i>
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	<i>Macdonald</i>
<i>Barnes</i>	<i>Leggatt</i>		

Bill (No. 27) read a second time and *Ordered* to be placed on the Orders of the Day for committal at the next sitting after today.

Resolved, That the House, at its rising, do stand adjourned until 10 o'clock a.m. tomorrow.

The Hon. *P. L. McGeer* tabled the following:

The Requests for Operating Funds for 1982–83 from the University of Victoria.

The Requests for Operating Funds for 1982–83 from The University of British Columbia.

The Requests for Operating Funds for 1982–83 from Simon Fraser University.

Universities Council of British Columbia Funding Recommendations for the fiscal year beginning April 1, 1982.

Mr. Speaker delivered his reserved decisions as follows:

Honourable Members:

Yesterday the Honourable Member for New Westminster sought leave of the House to move adjournment, pursuant to Standing Order 35, to discuss a definite matter of urgent public importance, namely, levels of funding for hospitals.

I note that debate on the Budget has been concluded and the House has appointed for its consideration, the estimates of expenditure in the Committee of Supply, thereby affording a normal parliamentary opportunity to discuss the matter; see page 365 of the 17th Edition of Sir Erskine May's Parliamentary Practice.

While the foregoing ground, in itself, would be sufficient to determine the matter, I note also that the subject matter of the motion would appear to be within the category referred to by May as being of a continuing nature and, therefore, it does not come within the confines of Standing Order 35.

H. W. SCHROEDER, *Speaker*

Honourable Members:

On Thursday, April 22, the Member for Prince Rupert rose, under the provisions of Standing Order 35, to move a motion to adjourn the House for the purpose of discussing a matter relating to federal subsidies for the operation of certain British Columbia ferry routes.

At the time the Honourable Member made his statement, I indicated that I had some reservations about the propriety of his motion, in view of the fact the House was then engaged in the Budget Debate and an early opportunity was then at hand to discuss the matter raised.

An examination of May's 17th Edition, at page 365, confirms my view as expressed, and it is accordingly my opinion, on the authority quoted, that the Honourable Member's motion does not qualify under the general restrictions relating to Standing Order 35.

H. W. SCHROEDER, *Speaker*

And then the House adjourned at 5.58 p.m.

Thursday, April 29, 1982

TEN O'CLOCK A.M.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

On the motion for second reading of Bill (No. 15) intituled *Revenue Sharing Amendment Act, 1982*, a debate arose.

On the motion of Ms. *Brown*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. today.

And then the House adjourned at 11.58 a.m.

Thursday, April 29, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. *B. Forsythe*.

Order called for "Oral Questions by Members."

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders".

Bill (No. 27) intituled *Education (Interim) Finance Act*, was committed, reported complete without amendment.

The Chairman further reported that in consideration of section 2, the Committee had divided, and recommended that the division be recorded in the Journals of the House.

By leave of the House, on the motion of Mr. *Lauk*, the Rules were suspended and it was *Ordered* that the said division be recorded as follows:

YEAS—28

<i>Brummet</i>	<i>McGeer</i>		<i>Heinrich</i>
	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—22

<i>Passarell</i>	<i>Lockstead</i>	<i>Lorimer</i>	<i>Lauk</i>
<i>Mitchell</i>		<i>Hall</i>	
<i>Hanson</i>	<i>Skelly</i>	<i>Nicolson</i>	<i>King</i>
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	<i>Macdonald</i>
<i>Barnes</i>			

The Chairman further reported that in consideration of section 4, the Committee had divided, and recommended that the division be recorded in the Journals of the House.

By leave of the House, on the motion of Mr. *Lauk*, the Rules were suspended and it was *Ordered* that the said division be recorded as follows:

YEAS—28

<i>Brummet</i>	<i>McGeer</i>		<i>Heinrich</i>
	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—21

<i>Passarell</i>	<i>Lockstead</i>	<i>Lorimer</i>	<i>Lauk</i>
<i>Mitchell</i>		<i>Hall</i>	
<i>Hanson</i>	<i>Skelly</i>	<i>Nicolson</i>	<i>King</i>
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	
<i>Barnes</i>			

The Chairman further reported that in consideration of section 12, the Committee had divided, and recommended that the division be recorded in the Journals of the House.

By leave of the House, on the motion of the Hon. *G. B. Gardom*, the Rules were suspended and it was *Ordered* that the said division be recorded as follows:

YEAS—28

<i>Brummet</i>	<i>McGeer</i>		<i>Heinrich</i>
	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—20

<i>Passarell</i>	<i>Lockstead</i>	<i>Lorimer</i>	<i>Lauk</i>
<i>Mitchell</i>		<i>Hall</i>	
<i>Hanson</i>	<i>Skelly</i>	<i>Nicolson</i>	<i>King</i>
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	
<i>Barnes</i>			

The Chairman further reported that in consideration of section 20, the Committee had divided, and recommended that the division be recorded in the Journals of the House.

By leave of the House, on the motion of Mr. *Lauk*, the Rules were suspended and it was *Ordered* that the said division be recorded as follows:

YEAS—29

<i>Brummet</i>	<i>McGeer</i>	<i>Davidson</i>	<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—23

<i>Passarell</i>	<i>Lockstead</i>	<i>Lorimer</i>	<i>Lauk</i>
<i>Mitchell</i>	<i>D'Arcy</i>	<i>Hall</i>	
<i>Hanson</i>	<i>Skelly</i>	<i>Nicolson</i>	<i>King</i>
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	<i>Barrett</i>
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	
<i>Barnes</i>			

The Chairman further reported that in consideration of section 58, the Committee had divided, and recommended that the division be recorded in the Journals of the House.

By leave of the House, on the motion of Mr. *Lauk*, the Rules were suspended and it was *Ordered* that the said division be recorded as follows:

YEAS—29

<i>Brummet</i>	<i>McGeer</i>	<i>Davidson</i>	<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—22

<i>Passarell</i>	<i>Lockstead</i>	<i>Lorimer</i>	<i>Lauk</i>
<i>Mitchell</i>	<i>D'Arcy</i>	<i>Hall</i>	
<i>Hanson</i>	<i>Skelly</i>	<i>Nicolson</i>	<i>King</i>
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	
<i>Barnes</i>			

On the motion for third reading of Bill (No. 27) a debate arose.

Mr. *Lauk* moved the following amendment:

That the word "now" be deleted and the following words added "six months hence".

The amendment was negated on the following division:

YEAS—20

<i>Passarell</i>	<i>Lockstead</i>	<i>Lorimer</i>	<i>Lauk</i>
<i>Mitchell</i>	<i>D'Arcy</i>	<i>Hall</i>	
<i>Hanson</i>	<i>Skelly</i>	<i>Nicolson</i>	<i>King</i>
<i>Wallace</i>		<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	

NAYS—29

<i>Brummet</i>	<i>McGeer</i>		<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

Motion agreed to.

Bill read a third time and passed.

The House resumed the adjourned debate on the motion for second reading of Bill (No. 15) intituled *Revenue Sharing Amendment Act, 1982*.

On the motion of Mr. *Levi*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 10 o'clock a.m. tomorrow.

Mr. Speaker made a statement relating to a matter taken under advisement on April 21 last, as follows:

Honourable Members:

On April 21 last, the Chair took under advisement the practice of the House to be followed when leave of the House is sought to move a motion or to read the content of an intended notice of motion, of which the House has no previous knowledge.

On April 15 the Minister of Intergovernmental Relations rose in his place and stated that as House Leader, and as notice to the House, he would be tabling a notice of motion and gave the text of the motion. No objection was taken by any honourable members and it appeared to the Chair that the House Leader did so on a supposed prerogative of the House Leader accompanied with the general assent of the House. In any event, no intervention was made, either by the Chair or any member on this occasion.

Some days later, on April 21, near the hour for adjournment, the Honourable Leader of the Opposition rose in his place and stated:

"Mr. Speaker, on the basis of the same action taken by the Minister of Intergovernmental Relations, (Hon. Mr. Gardom) last week, I move now that this House is of the opinion that the two conflicting statements of the Minister of Finance to this House regarding funding of the British Columbia Railway's Tumbler Ridge branch line . . ."

Upon hearing objections, the Chair called for order and stated there was no Standing Order enabling, without notice, the Honourable Leader of the Opposition to move a motion of a substantive nature and indicated that the matter might be treated as a notice of motion, to be placed on the Order Paper for consideration at an appropriate time. The Honourable Leader of the Opposition then stated that he was giving verbal notice of a motion to be placed on the Order Paper and the Chair again intervened upon hearing objection taken. The Honourable Leader of the Opposition then stated he was asking for "the same privilege" that had previously been afforded the House Leader on the earlier occasion to which I have referred. The Chair then observed that on the prior occasion, in the absence of objection, leave could be presumed, as has often been the practice of the House. On this occasion, however, objection was taken to proceeding in the manner attempted by the Honourable Leader of the Opposition. However, the Chair permitted the reading of the intended notice of motion by the Honourable Leader of the Opposition so that he was given, in his words, the "same privilege" as the House Leader, pending further consideration of the matter.

I should first like to observe that on many occasions, in a co-operative effort to advance the business of the House, procedures are allowed from time to time by general consent of the House, although they may not be in strict accordance with parliamentary practice or the letter of Standing Orders. This is as it should be, lest the House be unnecessarily impeded in conducting business with which the House clearly wishes to proceed. Legislative bodies generally resist becoming unduly impeded by their own technical rules of procedure and often set rules aside accordingly, but only, of course, when there is no dissenting voice. However, the difficulty which can later ensue occurs when precisely the same procedure is sought to be invoked but there is disagreement in the House and objection is taken. The Chair may then be confronted with complaints that the same privilege granted to one member is being denied to another. The difference, of course, is that on one occasion the Chair senses general approval of the House and on the other occasion hears objection.

Akin to this dilemma is the problem which arises when honourable members, at random times, rise in their place and seek "leave to move a motion", apparently based on the assumption that at any time they are so entitled to ask leave. This cannot be the case if the House is to proceed with its business in an orderly manner and, therefore, there are limitations in place on when such leave may properly be sought. Further, when leave is sought "to move a motion" without prior notice and without disclosing its content or subject matter, members are in the undesirable position of having to make a decision without knowing the nature of the motion sought to be moved.

Having outlined these problems confronting the Chair, and indeed the House, I make the following observations for future guidance unless, of course, the House is pleased to put other rules in place.

1. Standing Order 48, requiring two days notice of motion, precluded the Honourable Leader of the Opposition from moving his motion without notice, as he sought to do on April 21 last.

2. Although the House Leader, by virtue of occupying that position, controls the arrangement of business in the House and moves, without notice, procedural and other motions relating to the business of the House (May, 16th Edition, at page 260), I find that neither he nor any other member has retained the right, as existed under more ancient practice, of giving an oral notice of motion.

3. Standing Order 49, which reads, "A motion may be made by unanimous consent of the House without previous notice having been given under Standing Order 48", contemplates motions of a substantive nature and should only be invoked when the House is then engaged in the business of "motions and adjourned debates on motions" as designated on the Order Paper under Standing Order 25.

Subject to the prerogatives of the House Leader arising from his responsibilities (May, 16th Edition, at page 260), when the House is engaged in any other order of business it is clearly not in order to seek to be recognized by the Chair to ask leave to move a substantive motion without notice. When, however, the Chair is advised that agreement to do so has been reached between the House Leaders, Standing Order 49 obviously may be invoked at any time for the reason that the general consent of the House may be implied from such agreement.

H. W. SCHROEDER, *Speaker*

3 Mr. Skelly asked the Hon. the Minister of Energy, Mines and Petroleum Resources the following questions:

With respect to the Guidelines for Coal Development Projects—

1. How many prospectuses have been filed with the Ministry of Energy, Mines and Petroleum Resources; by which companies; on what dates; and for what coal mining prospects?
2. How many Stage I Reports have been filed; by which companies; on what dates; and for what coal mining prospects?
3. How many Stage II Reports have been filed; by which companies; on what dates; and for what coal mining prospects?
4. How many public hearings have been held pursuant to the Guidelines for Coal Development Projects and for which projects?
5. How many coal mining projects have reached the Stage III (licensing phase) without public hearings?

The Hon. R. H. McClelland replied as follows:

"1. Seventeen (17) prospectuses have been filed.

Coal Project	Mining Company	Prospectus Filing Date
Coleman	Coleman Collieries Ltd.	Feb. 1977
Line Creek	Crows Nest Industries Ltd.	July 1976
Coal Mountain	Crows Nest Industries Ltd.	Mar. 1978
Elk River	Elco Mining Ltd.	Dec. 1976
Eagle Mountain	Fording Coal Ltd.	June 1981
Greenhills	B.C. Coal	July 1979
Sage Creek	Sage Creek Coal Ltd.	July 1975
Quintette	Denison Mines Ltd.	May 1976
Sukunka	B.P. Exploration (Canada) Ltd.	Aug. 1977
Monkman	Petro-Canada	Jan. 1978
Carbon Creek	Utah Mines Ltd.	Mar. 1976
Cinnabar	Cinnabar Peak Mines Ltd.	Feb. 1981
Burnt River	Teck Corporation	Nov. 1980
Willow Creek	David Minerals Ltd.	May 1981
Quinsam	Luscar (now Brinco)/Weldwood	Dec. 1977
Bowron River	Norco Resources Ltd.	Fall 1979
Tulameen	Cyprus Anvil Mining Corporation	Apr. 1979

“2. Nineteen (19) Stage I Reports have been filed.

Coal Project	Mining Company	Stage I Report Filing Date
Line Creek	Crows Nest Resources Ltd.	July 1976
Elk River	Elco Mining Ltd.	Feb. 1977
Eagle Mountain	Fording Coal Ltd.	Aug. 1981
J-Pit (Balmer)	B.C. Coal	Oct. 1981
Hosmer-Wheeler	B.C. Coal	Mar. 1976
Greenhills	B.C. Coal	Mar. 1980
Sage Creek	Sage Creek Coal Ltd.	July 1976
Quintette	Denison Mines Ltd.	Dec. 1976
Sukunka	B.P. Exploration (Canada) Ltd.	Nov. 1977
Bullmoose	Teck Corporation	Aug. 1979
Monkman	Petro-Canada	May 1979
Carbon Creek	Utah Mines Ltd.	Dec. 1976
Mount Spieker	Ranger Oil Ltd.	Feb. 1980
Cinnabar	Cinnabar Peak Mines Ltd.	Oct. 1981
Burnt River	Teck Corporation	Jan. 1981
Willow Creek	David Minerals Ltd.	Oct. 1981
Quinsam	Luscar (now Brinco)/Weldwood	Jan. 1979
Hat Creek	B.C. Hydro	Sept. 1975
Bowron River	Norco Resources Ltd.	Mar. 1981

“3. Nine (9) Stage II Reports have been filed.

Coal Project	Mining Company	Stage II Report Filing Date
Line Creek	Crows Nest Resources Ltd.	Aug. 1977*
Elk River	Elco Mining Ltd.	Oct. 1978*
Hosmer-Wheeler	B.C. Coal	Nov. 1976*
Greenhills	B.C. Coal	Jan. 1981*
Sage Creek	Sage Creek Coal Ltd.	Dec. 1979†
Quinette	Denison Mines Ltd.	Sept. 1980†
Sukunka	B.P. Exploration (Canada) Ltd.	Dec. 1979*
Quinsam	Luscar (now Brinco)/Weldwood	Jan. 1981†
Hat Creek	B.C. Hydro	May 1981‡

* Stage II Report accepted; Stage II approval-in-principle granted by ELUC; project has entered Stage III.

† Stage II Report not accepted.

‡ Environmental Impact Statement (equivalent to Stage II Report) being reviewed by Coal Guidelines Steering Committee; results to be referred to new Energy Project Review Process.

“4. No public hearings have been held pursuant to the Guidelines for Coal Development in a legal sense. Informal public meetings are held for all projects as a matter of course, sponsored either by the proponent or local interest groups (e.g., local councils, local environmental groups, local chambers of commerce, etc.). The ELUC has the power to hold legal public hearings pursuant to section 4 (a) of the *Environment and Land Use Act*, but has yet to find this necessary for a coal project going through the coal guidelines review process.

“Pursuant to both the *Pollution Control Act* and the *Water Act*, the Ministry of Environment may hold licence application hearings to hear objections, but has yet to find this necessary for a coal project going through the coal guidelines review process.

“5. While no projects which have been subject to the Guidelines for Coal Development have reached production, the Line Creek Coal Project will begin production in 1982. In total, five coal projects have reached Stage III, the licensing stage:

Coal Project	Mining Company	Entered Stage III
Line Creek	Crows Nest Resources Ltd.	Dec. 1977
Elk River	Elco Mining Ltd.	Feb. 1979
Hosmer-Wheeler	B.C. Coal	Mar. 1977
Greenhills	B.C. Coal	Aug. 1981
Sukunka	B.P. Exploration (Canada) Ltd.	Mar. 1981

“None of these projects involved legal public hearings. However, all involved informal public meetings in the local region.”

8 Mr. *Skelly* asked the Hon. the Minister of Energy, Mines and Petroleum Resources the following questions:

With respect to habitat damage mitigation required of B.C. Hydro under its Water Licence for the W. A. C. Bennett Dam—

1. How much money has been spent on mitigation to date and for what specific projects?
2. Was a study done on the mitigation efforts and, if so, at what cost and has this study been made public?
3. What specific recommendations were made in the study?

The Hon. *R. H. McClelland* replied as follows:

“With Reference to the above questions, no information is available.

“The questions deal with events in the early 1960s and habitat mitigation was not accounted as a separate cost item in those days.”

And then the House adjourned at 5.50 p.m.

Friday, April 30, 1982

TEN O’CLOCK A.M.

Prayers by the Rev. *Garry Fricker*.

The Hon. *J. J. Hewitt* presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 31) intituled *Agriculture and Food Statutes Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
April 5, 1982.

By leave of the House, Bill introduced and read a first time.
Second reading at the next sitting after today.

On the motion of Mr. *Ritchie*, Bill (No. M 204) intituled *Employee Participation Enhancement Act* was introduced, read a first time, and *Ordered* to be placed on the Orders of the Day for second reading at the next sitting after today.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 15) intituled *Revenue Sharing Amendment Act, 1982*.

On the motion of Mr. *Mussallem*, the debate was adjourned to the next sitting of the House.

The Hon. *L. A. Williams* presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 2) intituled *Court of Appeal Act* and recommends the same to the Legislative Assembly.

Government House,
April 5, 1982.

By leave of the House, Bill introduced and read a first time.
Second reading at the next sitting after today.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. on Monday next.

Mr. Speaker delivered his reserved opinion as follows:

Honourable Members:

On Wednesday last, the Honourable Member for Skeena asked leave, under Standing Order 35, to move adjournment of the House to discuss a matter of urgent public importance relating to Motion 21 on the Order Paper.

It is stated, in the 16th Edition of Sir Erskine May's *Parliamentary Practice*, at page 368, under the heading of "General Restrictions on Motions for the Adjournment of the House":

"Members are precluded, under the rule of anticipation from discussing on an adjournment motion a notice of motion or an order of the day which already stands upon the notice paper or order book."

The matter raised by the Honourable Member offends this restriction and accordingly it is my opinion that the matter cannot be advanced under the provisions of Standing Order 35.

H. W. SCHROEDER, *Speaker*

His Honour the Lieutenant Governor having entered the House, and being seated in the Chair—

Ian D. Izard, Esq., Law Clerk and Clerk Assistant, read the title to the following Bill:

(No. 27) *Education (Interim) Finance Act*.

His Honour was pleased in Her Majesty's name to give assent to the said Bill.

The said assent was announced by *Ian M. Horne*, Q.C., Clerk of the House, in the following words:

“In Her Majesty's name, His Honour the Lieutenant Governor doth assent to this Bill.”

His Honour the Lieutenant Governor was then pleased to retire.

And then the House adjourned at 12.42 p.m.

Monday, May 3, 1982

TWO O'CLOCK P.M.

Prayers by Captain *N. Gillespie*.

Mr. *Kempf* tabled the Committee on Crown Corporations Report on the Inquiry into British Columbia Railway.

The Hon. *J. H. Heinrich* tabled the Annual Report for the year ended December 31, 1981, for the Ministry of Labour.

Order called for “Oral Questions by Members.”

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to “Public Bills and Orders.”

The House resumed the adjourned debate on the motion for second reading of Bill (No. 15) intituled *Revenue Sharing Amendment Act, 1982*.

On the motion for second reading of Bill (No. 15) intituled *Revenue Sharing Amendment Act, 1982*, a debate arose.

The House divided.

Motion agreed to on the following division:

YEAS—28

<i>Brummet</i>	<i>McGeer</i>	<i>Davidson</i>	<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>		<i>Richie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—22

<i>Passarell</i>	<i>Lockstead</i>	<i>Lorimer</i>	
<i>Mitchell</i>		<i>Hall</i>	
<i>Hanson</i>		<i>Nicolson</i>	<i>King</i>
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>	<i>Sanford</i>	<i>Dailly</i>	<i>Barrett</i>
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	<i>Macdonald</i>
<i>Barnes</i>	<i>Leggatt</i>		

Bill (No. 15) read a second time and *Ordered* to be placed on the Orders of the Day for Committal at the next sitting after today.

On the motion for second reading of Bill (No. 28) intituled *Compensation Stabilization Act*, a debate arose.

On the motion of Mr. *Barrett*, the debate was adjourned to the next sitting of the House.

12 Mr. *Skelly* asked the Hon. the Minister of Finance the following questions:

With respect to section 13 (r), *Taxation (Rural Area) Act* (RSBC 1979, chapter 400), and section 398 (q), *Municipal Act* (RSBC 1979, chapter 290)—

1. What properties are exempt from property tax in whole or in part because of their use in the control or abatement of water, land or air pollution?
2. What was the amount of tax revenue foregone for each property so exempted in the last year for which tax records are complete?
3. Which level of Government lost the revenue in each case and how much?
4. Who certifies that the property exempted is for the control or abatement of water, land or air pollution and how often?

The Hon. *H. A. Curtis* (Minister of Finance) stated that in his opinion the reply to Question 12 should be in the form of a Return and that he had no objection to laying such Return upon the table of the House and thereupon presented such Return.

Resolved, That the House, at its rising, do stand adjourned until 10 o'clock a.m. tomorrow.

The Hon. *G. B. Gardom* tabled the Annual Report of the Ministry of Intergovernmental Relations, November 23, 1979 to March 31, 1981.

And then the House adjourned at 5.57 p.m.

Tuesday, May 4, 1982

TEN O'CLOCK A.M.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 28) intituled *Compensation Stabilization Act*.

On the motion of Mr. *Gabelmann*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. today.

And then the House adjourned at 12.01 p.m.

Tuesday, May 4, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. *T. Moore*.

Order called for "Oral Questions by Members."

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders".

The House resumed the adjourned debate on the motion for second reading of Bill (No. 28) intituled *Compensation Stabilization Act*.

On the motion of Ms. *Brown*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. tomorrow.

And then the House adjourned at 5.46 p.m.

Wednesday, May 5, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. *P. Hanley*.

The Hon. *P. S. Hyndman* tabled the following:

60th Annual Report of the Liquor Distribution Branch, April 1, 1980 to March 31, 1981.

Liquor Distribution Branch, Financial Statements, April 1, 1980 to March 31, 1981.

On the motion of Mr. *Barber*, Bill (No. M 205) intituled *Resource Investment Corporation Amendment Act (Voting Rights)* was introduced, read a first time, and *Ordered* to be placed on the Orders of the Day for second reading at the next sitting after today.

On the motion of Mr. *Howard*, Bill (No. M 206) intituled *Resource Investment Corporation Amendment Act (Subsidiaries Disclosure)* was introduced, read a first time, and *Ordered* to be placed on the Orders of the Day for second reading at the next sitting after today.

Order called for "Oral Questions by Members."

Mr. *Howard* rose on a matter of privilege relating to proceedings during Oral Question Period.

Mr. Speaker stated he would take the matter under advisement.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 28) intituled *Compensation Stabilization Act*.

On the motion of Mr. *Passarell*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 10 o'clock a.m. tomorrow.

And then the House adjourned at 5.50 p.m.

Thursday, May 6, 1982

TEN O'CLOCK A.M.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 28) intitled *Compensation Stabilization Act*.

On the motion of Mrs. *Wallace*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. today.

Mr. Speaker delivered his reserved decision as follows:

Honourable Members:

On Wednesday, May 5, the Member for Skeena rose on what he described as a matter of privilege and tendered a motion he proposed to move should a *prima facie* case of privilege be established.

The gist of the matter raised related to Question Period and specifically the Member alleged that the Minister of Environment refused to answer questions put to him and thereby impaired the House in the proper pursuit of its duties. One of the duties of the House, and each member thereof, is to conform to the rules relating to the proper form of questions during Question Period. I have examined the questions put to the Minister of Environment by the Member for Prince Rupert and I repeat my observations made at the time to the effect that the object of a question is to obtain (not give) information. (Parliamentary Practice in British Columbia, page 70.)

To take the matter one step further, even had the questions conformed to the rules, all honourable members will realize the Minister is not obliged to answer such questions. It seems to the Chair that the Member is attempting to base a matter of privilege on the failure of a Minister to respond to an out-of-order question and he would therefore fail on two counts.

The Chair is not making a specific finding in relation to the procedures adopted but it has often been stated that it is inappropriate to misuse the forms of the House. (May, 18th Edition, page 249.)

I find there is no *prima facie* case of privilege made out by the Member for Skeena.

H. W. SCHROEDER, *Speaker*

And then the House adjourned at 12.01 p.m.

Thursday, May 6, 1982

TWO O'CLOCK P.M.

Prayers by Father *R. C. Crawley*.

Order called for "Oral Questions by Members."

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 28) intituled *Compensation Stabilization Act*.

On the motion of Mr. *Mitchell*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 10 o'clock a.m. tomorrow.

And then the House adjourned at 5.32 p.m.

Friday, May 7, 1982

TEN O'CLOCK A.M.

The Clerk of the House informed the House of the unavoidable absence of Mr. Speaker, whereupon Mr. *Davidson*, Deputy Speaker, took the Chair, pursuant to Standing Order 12.

Prayers by the Rev. *W. J. Price*.

The Hon. *G. B. Gardom* moved, seconded by Mr. *Barnes*—

That this House offers its heartiest congratulations to the Vancouver Canucks on the victory over the Chicago Black Hawks, and extends to them all best wishes for their final battle with the New York Islanders to bring the Stanley Cup to British Columbia, from where it has been missing since the historic wins of the Vancouver Millionaires in the season of 1914-15 and by the Vancouver Maroons in the season of 1924.

A debate arose.

Motion agreed to *nemine contradicente*.

Ms. *Sanford* asked leave, under Standing Order 35, to move adjournment of the House to discuss a matter of urgent public importance relating to unemployment statistics.

Mr. Speaker stated he would reserve his opinion.

The Hon. *H. A. Curtis* presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 16) intituled *Resource Revenue Stabilization Fund Act* and recommends the same to the Legislative Assembly.

Government House,
April 5, 1982.

By leave of the House, Bill introduced and read a first time.
Second reading at the next sitting after today.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 28) intituled *Compensation Stabilization Act*.

On the motion of the Hon. *D. M. Phillips*, the debate was adjourned to the next sitting of the House.

The Hon. *G. B. Gardom* moved, that the House, at its rising, do stand adjourned until 2 o'clock p.m. on Monday next.

A debate arose.

Motion agreed to.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. on Monday next.

Mr. Speaker delivered his reserved opinion as follows:

Honourable Members:

This morning, the Honourable Member for Comox sought to move, pursuant to Standing Order 35, that the House adjourn to discuss a definite matter of urgent public importance, namely, the high unemployment rate.

I note that the Honourable Member rose on a similar matter on the 8th of April, at which time the Chair ruled that it did not qualify under Standing Order 35 for two reasons, namely, that an immediate parliamentary opportunity to discuss the matter was presented by the Budget Debate, and secondly, that the matter was of an on-going nature.

At this point in time, although the Budget Debate has been concluded, the Estimates are now before the House, consideration of which affords the same opportunity for debate. The second ground also applies in the case at hand, so that the matter does not come within the confines of Standing Order 35.

W. K. DAVIDSON, *Deputy Speaker*

And then the House adjourned at 12.50 p.m.

Monday, May 10, 1982

TWO O'CLOCK P.M.

Prayers by Brigadier V. *Underhill*.

Order called for "Oral Questions" by Members."

Ms. *Brown* asked leave, under Standing Order 35, to move adjournment of the House to discuss a matter of urgent public importance relating to the provision of Family Advocate services.

Mr. Speaker stated he would reserve his opinion.

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 28) intituled *Compensation Stabilization Act*.

On the motion of the Hon. *H. A. Curtis*, the debate was adjourned to the next sitting of the House.

The Hon. *G. B. Gardom* moved, that the House, at its rising, do stand adjourned until 10 o'clock a.m. tomorrow.

By leave, the Hon. *C. S. Rogers* tabled the Annual Report of the Columbia River Treaty, Permanent Engineering Board.

And then the House adjourned at 5.50 p.m.

Tuesday, May 11, 1982

TEN O'CLOCK A.M.

Order for Committee of Supply called.

By leave, on the motion of the Hon. G. B. Gardom, the House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for second reading of Bill (No. 28) intituled *Compensation Stabilization Act*.

On the motion for the second reading of Bill (No. 28) intituled *Compensation Stabilization Act*, a debate arose.

The House divided.

Motion agreed to on the following division:

YEAS—29

<i>Brummet</i>		<i>Davidson</i>	<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—18

<i>Passarell</i>	<i>Lockstead</i>		
<i>Mitchell</i>		<i>Hall</i>	<i>Lea</i>
<i>Hanson</i>	<i>Skelly</i>		
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>		<i>Dailly</i>	<i>Barrett</i>
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	<i>Macdonald</i>

Bill read a second time and *Ordered* to be placed on the Orders of the Day for committal at the next sitting after today.

Bill (No. 15) intituled *Revenue Sharing Amendment Act, 1982* was committed.

The Committee reported progress and asked leave to sit again later today.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. today.

And then the House adjourned at 11.57 a.m.

Tuesday, May 11, 1982

TWO O'CLOCK P.M.

Prayers by the Rev. *D. Huenefeld*.

The Hon. *T. M. Waterland* presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 42) intituled *Forest Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
May 7, 1982.

By leave of the House, Bill introduced and read a first time.
Second reading at the next sitting after today.

The Hon. *R. H. McClelland* presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 40) intituled *Hydro and Power Authority Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
May 5, 1982.

By leave of the House, Bill introduced and read a first time.
Second reading at the next sitting after today.

The Hon. *P. S. Hyndman* presented to Mr. Speaker a Message from His Honour the Lieutenant Governor, which read as follows:

HENRY P. BELL-IRVING
Lieutenant Governor

The Lieutenant Governor transmits herewith Bill (No. 45) intituled *Transpo 86 Corporation Amendment Act, 1982* and recommends the same to the Legislative Assembly.

Government House,
May 7, 1982.

By leave of the House, Bill introduced and read a first time.
Second reading at the next sitting after today.

Order called for "Oral Questions by Members."

Order for Committee of Supply called.

By leave, on the motion of the Hon. *G. B. Gardom*, the House proceeded to "Public Bills and Orders."

Bill (No. 15) intituled *Revenue Sharing Amendment Act, 1982* was again committed, reported complete with amendments. Bill as reported to be considered at the next sitting after today.

The Chairman further reported that in consideration of section 2, as amended, the Committee had divided and recommended that the division be recorded in the Journals of the House.

By leave of the House, on the motion of Mr. *Barber*, the Rules were suspended and it was *Ordered* that the said division be recorded as follows:

YEAS—29

<i>Brummet</i>	<i>McGeer</i>	<i>Ree</i>	<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Richmond</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Ritchie</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Vander Zalm</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Jordan</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Hewitt</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>		<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—19

<i>Passarell</i>	<i>Lockstead</i>	<i>Hall</i>	<i>Lea</i>
<i>Mitchell</i>		<i>Cocke</i>	<i>Howard</i>
<i>Hanson</i>	<i>Skelly</i>	<i>Dailly</i>	<i>Barrett</i>
<i>Wallace</i>	<i>Gabelmann</i>	<i>Stupich</i>	<i>Macdonald</i>
<i>Barber</i>			
<i>Brown</i>	<i>Levi</i>		
	<i>Leggatt</i>		

The Chairman further reported that in consideration of section 4 (as amended), the Committee had divided and recommended that the division be recorded in the Journals of the House.

By leave of the House on the motion of Mr. *Barber*, the Rules were suspended and it was *Ordered* that the said division be recorded as follows:

YEAS — 48

<i>Brummet</i>	<i>Mussallem</i>	<i>Segarty</i>	<i>Davidson</i>
<i>Passarell</i>	<i>Leggatt</i>	<i>Strachan</i>	<i>Ree</i>
<i>Mitchell</i>		<i>Davis</i>	<i>Richmond</i>
<i>Hanson</i>	<i>Hall</i>	<i>Kempf</i>	<i>Ritchie</i>
<i>Wallace</i>		<i>Nielsen</i>	<i>Vander Zalm</i>
<i>Barber</i>	<i>Cocke</i>	<i>Fraser</i>	<i>Jordan</i>
	<i>Dailly</i>	<i>McGeer</i>	<i>Hewitt</i>
<i>Barnes</i>	<i>Stupich</i>	<i>Phillips</i>	<i>Heinrich</i>
<i>Lockstead</i>		<i>Curtis</i>	<i>Smith</i>
	<i>Lea</i>	<i>Bennett</i>	<i>Rogers</i>
<i>Skelly</i>		<i>Gardom</i>	<i>McClelland</i>
<i>Gabelmann</i>	<i>Howard</i>	<i>Williams</i>	<i>Chabot</i>
		<i>McCarthy</i>	<i>Hyndman</i>
<i>Levi</i>	<i>Macdonald</i>	<i>Wolfe</i>	<i>Waterland</i>

Motion agreed to.

On the motion for second reading of Bill (No. 32) intituled *Municipal Expenditure Restraint Act*, a debate arose.

The House divided.

Motion agreed to on the following division:

YEAS—29

<i>Brummet</i>	<i>McGeer</i>		<i>Heinrich</i>
<i>Mussallem</i>	<i>Phillips</i>	<i>Ree</i>	<i>Smith</i>
<i>Segarty</i>	<i>Curtis</i>	<i>Richmond</i>	<i>Rogers</i>
<i>Strachan</i>	<i>Bennett</i>	<i>Ritchie</i>	<i>McClelland</i>
<i>Davis</i>	<i>Gardom</i>	<i>Vander Zalm</i>	<i>Chabot</i>
<i>Kempf</i>	<i>Williams</i>	<i>Jordan</i>	<i>Hyndman</i>
<i>Nielsen</i>	<i>McCarthy</i>	<i>Hewitt</i>	<i>Waterland</i>
<i>Fraser</i>	<i>Wolfe</i>		

NAYS—19

<i>Passarell</i>	<i>Lockstead</i>		
<i>Mitchell</i>		<i>Hall</i>	<i>Lea</i>
<i>Hanson</i>	<i>Skelly</i>		
<i>Wallace</i>	<i>Gabelmann</i>	<i>Cocke</i>	<i>Howard</i>
<i>Barber</i>		<i>Dailly</i>	<i>Barrett</i>
<i>Brown</i>	<i>Levi</i>	<i>Stupich</i>	<i>Macdonald</i>
	<i>Leggatt</i>		

Bill (No. 32) read a second time and *Ordered* to be placed on the Orders of the Day for committal at the next sitting after today.

Bill (No. 18) intituled *System Amendment Act, 1982* read a second time and *Ordered* to be placed on the Orders of the Day for committal at the next sitting after today.

On the motion for second reading of Bill (No. 20) intituled *Income Tax Amendment Act, 1982*, a debate arose.

On the motion of Mr. *Cocke*, the debate was adjourned to the next sitting of the House.

On the motion for second reading of Bill (No. 21) intituled *Taxation (Rural Area) Amendment Act, 1982*, a debate arose.

On the motion of the Hon. *H. A. Curtis*, the debate was adjourned to the next sitting of the House.

Resolved, That the House, at its rising, do stand adjourned until 2 o'clock p.m. tomorrow.

The Hon. *J. A. Nielsen* made a ministerial statement relating to hospital facilities in Mackenzie.

Mr. *Cocke* made a statement relating to the same matter.

Mr. Speaker delivered his reserved opinion as follows:

Honourable Members:

Yesterday, the Honourable Member for Burnaby-Edmonds sought to move, pursuant to Standing Order 35, that the House adjourn in order to discuss a definite matter of urgent public importance, namely, the provision of Family Advocate services to the children of British Columbia.

The general restrictions on motions for adjournment of the House are set out in the 16th Edition of Sir Erskine May's Parliamentary Practice, pages 368-374. At page 371, it is stated that motions may be refused when the matter could be raised on the Estimates and as this ordinary parliamentary opportunity will occur shortly, or in time, it is my opinion on the authority cited that the matter raised by the Honourable Member does not come within the ambit of Standing Order 35.

H. W. SCHROEDER, *Speaker*

11 Mr. *Skelly* asked the Hon. the Minister of Environment the following questions:
For each year from 1971 to 1981—

1. How many pollution control permits were applied for in each permit category?
2. How many applications were objected to by letter or other representations from the public?
3. How many permits were issued (a) unchanged, (b) modified and (c) refused?
4. How many hearings were held and for which permit applications?
5. After hearings were held, how many permits were (a) issued unchanged in form, (b) issued in modified form and (c) withdrawn?

The Hon. *C. S. Rogers* replied as follows:

"1.

	Permits Applied For			
	Air	Effluent	Refuse	Total
Up to 1971	15	47	29	91
1972	84	152	129	365
1973	221	356	207	784
1974	86	177	115	378
1975	95	192	106	393
1976	94	160	92	346
1977	59	131	116	306
1978	72	169	127	368
1979	80	182	112	374
1980	84	190	114	388
1981	50	194	118	362
	940	1,950	1,265	4,155

"2. Except by a complete perusal of the 4,155 permit files, which would require in excess of 2,000 man-hours of staff time, this information is not available.

"3. It is not clear what is meant by 'unchanged.' Applications received are checked for administrative content before directions on publication are given. Some types of

permits do not require publication under the Act. See clauses 2.05, 2.08 and 2.09 of the Regulations. The numbers of permits shown in these figures are permits that were issued after considering comments and input from the various involved agencies, the public and Waste Management staff investigations and analyses. Again a complete perusal of files is required to obtain this information.

	Permits Issued			
	Air	Effluent	Refuse	Total
1971	0	454	27	481
1972	32	76	60	168
1973	128	175	129	432
1974	209	190	145	544
1975	115	93	85	293
1976	87	115	89	291
1977	82	89	69	240
1978	68	133	87	288
1979	62	133	88	283
1980	63	118	51	232
1981	57	104	85	246
	<u>903</u>	<u>1,680</u>	<u>915</u>	<u>3,498</u>

	Amended Permits Issued *	Refusals Issued	
	1971	20	Prior to 1975
1972	40	1975	16
1973	87	1976	12
1974	108	1977	10
1975	129	1978	18
1976	159	1979	15
1977	170	1980	15
1978	202	1981	9
1979	223		
1980	159	<u>Total</u>	<u>67</u>
1981	196		
<u>Total</u>	<u>1,493</u>		

* Records unavailable.

"In addition to the above categories of applications and permits a number of applications are being processed by staff both in Victoria and in our eight regional offices. On January 1, 1982, there were 302 of these applications being processed. Some applications do not reach a decision making stage by being withdrawn and in other cases becoming dormant due to abandonment. Record keeping particularly prior to 1975 does not cover such detail.

"4. Again the answer to this question can only be found from a complete review of individual files. However, I am informed that hearings by the Director are infrequent and have seldom exceeded five or six per year and indeed in recent years such hearings were replaced by public information meetings held by other staff members who were directly involved in the assessments and evaluations.

"5. Hearings by the Director or his staff are held prior to final decisions on permits being made and therefore No. 5 is not applicable. Modifications may then have been made to an application and an appropriate permit issued."

And then the House adjourned at 5.56 p.m.