Friday, October 21, 1977

TEN O'CLOCK A.M.

Prayers by the Rev. Dorothy Harris.

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

Order called for "Presenting Reports by Standing and Special Committees."

Pursuant to Order, the Hon. Grace McCarthy presented the following Reports:

REPORT No. 1

LEGISLATIVE COMMITTEE ROOM.

October 21, 1977

MR. SPEAKER:

Pursuant to Standing Order 72A (1), the Special Committee appointed on January 13 under Standing Order 68, reports that the following members have been appointed to the Committee on Crown Corporations: Messrs. Veitch (Convener), Cocke, Davidson, Gibson, Mrs. Jordan, Messrs. Kempf, Levi, Lloyd, Macdonald, Rogers, Schroeder, Strongman, and Stupich.

Respectfully submitted.

Grace McCarthy, Chairman.

REPORT No. 2

LEGISLATIVE COMMITTEE ROOM,

October 21, 1977

MR. SPEAKER:

Your Special Committee referred to in section 2 of the Ombudsman Act reports that the following members have been appointed to the Ombudsman Committee: Messrs. Schroeder (Convener), Calder, Davidson, Lloyd, Mussallem, the Hon. J. J. Hewitt, the Hon. R. H. McClelland, the Hon. L. A. Williams, Mrs. Dailly, Messrs. King, Lockstead, and Gibson.

Respectfully submitted.

Grace McCarthy, Chairman.

The reports were read and received.

By leave of the House, the Rules were suspended and the reports adopted.

The House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for the second reading of Bill (No. 92) intituled *Essential Services Disputes Act*.

On the motion of Mr. Lloyd, 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.

By leave, the Hon. Sam Bawlf (Minister of Recreation and Conservation) tabled the following:

A Review of the Fish and Wildlife Branch by W. Winston Mair, dated April 1977.

The Goal and Objectives of the Fish and Wildlife Branch: A Statement of Present and Future Objectives in Fish and Wildlife Management.

And then the House adjourned at 12.58 p.m.

Friday, October 21, 1977

Two o'clock P.M.

The Hon. Grace McCarthy (Provincial Secretary and Minister of Travel Industry) advised the House that in the report adopted by the House earlier today, establishing the Committee on Crown Corporations, the name of Mr. Mussallem was inadvertently omitted, and moved that, by leave, the report be amended to include the name of Mr. Mussallem, and accordingly adopted.

Motion agreed to.

The House proceeded to "Public Bills and Orders."

The House resumed the adjourned debate on the motion for the second reading of Bill (No. 92) intituled *Essential Services Disputes Act*.

During the debate, by leave, Mr. Cocke tabled a list of Order in Council appointments.

The debate continued.

The House divided.

Motion agreed to on the following division:

		YEAS—32	
Veitch Strongman Rogers Mussallem Loewen Wallace, G. S. Gibson	Jordan Shelford Fraser Curtis Chabot Wolfe Bennett	Phillips McCarthy Lloyd Kerster Kempf Kahl Haddad	Vander Zalm Nielsen Bawlf Williams McClelland Hewitt Davis
Wallace, B. Lockstead D'Arcy	Gardom Skelly Sanford Levi	Davidson NAYS—11 Nicolson Cocke Dailly	Waterland King Barrett

Bill read a second time and, by leave, Ordered to be placed on the Orders of the Day for committal at the next sitting.

Resolved, That the House, at its rising, do stand adjourned until 7 o'clock p.m. today.

And then the House adjourned at 6 p.m.

Friday, October 21, 1977

SEVEN O'CLOCK P.M.

The House proceeded to "Public Bills and Orders."

Bill (No. 92) intituled Essential Services Disputes Act was committed, reported complete with amendment.

The Committee further reported that, in consideration of section 3, 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—31	
Strongman Rogers Mussallem Loewen Wallace, G. S. Gibson Bawtree	Shelford Fraser Curtis Chabot Wolfe Bennett Gardom	McCarthy Lloyd Kerster Kempf Kahl Haddad Davidson	Nielsen Bawlf Williams McClelland Hewitt Davis Waterland
Jordan	Phillips	Vander Zal m	
		Nays—8	
Wallace, B. Lockstead	D'Arcy Skelly	Sanford Levi	Cocke King

The Committee further reported that, in consideration of section 6, 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—41	
Veitch Strongman Wallace, B. Lockstead D'Arcy Skelly Sanford Levi Mussallem Loewen	Gibson Nicolson Cocke Dailly King Bawtree Jordan Shelford Fraser Curtis	Chabot Wolfe Bennett Gardom Phillips McCarthy Lloyd Kerster Kempf Kahl	Haddad Davidson Vander Zalm Nielsen Bawlf Williams McClelland Hewitt Davis Waterland
Wallace, G. S.			

The Committee further reported that, in consideration of section 8, 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. D. M. Phillips, the Rules were suspended and it was Ordered that the said division be recorded as follows:

YEAS-30

Veitch	Shelford	McCarthy	Nielsen
Strongman	Fraser	Lloyd	Bawlf
Mussallem	Curtis	Kempf	Williams
Loewen	Chabot	Kahl	McClelland
Wallace, G. S.	Wolfe	Haddad	Hewitt
Gibson	Bennett	Davidson	Davis
Bawtree	Gardom	Vander Zalm	Waterland
Jordan	Phillips		
		Nays—10	
Wallace B	Skelly	Nicolson	Dailly

Wallace, B. Skelly Nicolson Dailly
Lockstead Sanford Cocke King
D'Arcy Levi

The Committee further reported that, in consideration of section 9, 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. J. R. Chabot, the Rules were suspended and it was Ordered that the said division be recorded as follows:

YEAS-28

Strongman	Shelford	Phillips	Nielsen
Rogers	Fraser	McCarthy	Bawlf
Mussallem	Curtis	Kempf	Williams
Loewen	Chabot	Kahl	McClelland
Wallace, G. S.	Wolfe	Haddad	Hewitt
Bawtree	Bennett	Davidson	Davis
Jordan	Gardom	Vander Zalm	Waterland
		NT 11	

Nays—11

Wallace, B.	Skelly	Gibson	Dailly
Lockstead	Sanford	Nicolson	King
D'Arcy	Levi	Cocke	

The Committee further reported that, in consideration of section 14, 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:

T 7 -		-28
VE	V 6-	//

Strongman	Shelford	Phillips	Nielsen
Rogers	Fraser	McCarthy	Bawlf
Mussallem	Curtis	Kempf	Williams
Loewen	Chabot	Kahl	McClelland
Wallace, G. S.	Wolfe	Haddad	Hewitt
Bawtree	Bennett	Davidson	Davis
Jordan	Gardom	Vander Zalm	Waterland

Nays—11

Wallace, B.	Skelly	Gibson	Dailly
Lockstead	Sanford	Nicolson	King
D'Arcy	Levi	Cocke	

By leave, Bill as reported to be considered forthwith.

On the motion for the third reading of Bill (No. 92) the House divided.

Motion agreed to on the following division:

YEAS--29

Veitch	Shelford	Phillips	Nielsen
Strongman	Fraser	McCarthy	Bawlf
Mussallem	Curtis	Kempf	Williams
Loewen	Chabot	Kahl	McClelland
Wallace, G. S.	Wolfe	Ha d dad	Hewitt
Gibson	Bennett	Davidson	Davis
Bawtree	Gardom	Vander Zalm	Waterland
Iordan			

Nays—10

Wallace, B.	Skelly	Nicolson	Dailly
Lockstead	Sanford	Cocke	King
D'Arcv	Levi		

By leave, Bill read a third time and passed.

By leave, Mr. King tabled a copy affidavit of T. G. Ison, dated March 17, 1976.

On the motion of the Hon. G. B. Gardom, it was Resolved—

That the House, at its rising, do stand adjourned until it appears to the satisfaction of Mr. Speaker, after consultation with the Government, that the public interest requires that the House shall meet, or until Mr. Speaker may be advised by the Government that it is desired to prorogue the Second Session of the Thirty-first Parliament of the Province of British Columbia. Mr. Speaker may give notice that he is so satisfied or has been so advised and thereupon the House shall meet at the time stated in such notice and shall transact its business as if it had been duly adjourned to that time; and

That, in the event of Mr. Speaker being unable to act owing to illness or other cause, the Deputy Speaker shall act in his stead for the purpose of this order.

His Honour the Licutenant-Governor having entered the House, and being seated in the chair—

Ian D. Izard, Esq., Law Clerk and Clerk Assistant, read the titles to the following Bills:

(Pr 401) Vancouver Stock Exchange Act Amendment Act, 1977.

(Pr 403) Society of Industrial Accountants of British Columbia Amendment Act, 1977.

(Pr 405) Trinity Western College Amendment Act, 1977.

(No. 92) Essential Services Disputes Act.

His Honour was pleased in Her Majesty's name to give assent to the said Bills:

The said assent was announced by the Clerk of the House in the following words:

"In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to these Bills."

His Honour the Lieutenant-Governor was then pleased to retire.

And then the House adjourned at 10.53 p.m.

Wednesday, March 29, 1978

TEN O'CLOCK A.M.

Prayers by Pastor Robert Bentall.

Mr. King asked leave to suspend the Rules to make a statement relating to the Office of the Speaker.

Mr. Speaker stated that, as the House had been called together for the purpose of prorogation, other business ought not to be embarked upon.

Leave was not granted.

Mr. Speaker announced that His Honour the Lieutenant-Governor was about to enter the Chamber.

His Honour the Lieutenant-Governor having entered the House, and being seated in the chair, was pleased to deliver the following gracious speech:

Mr. Speaker and Members of the Legislative Assembly:

My pleasure at being here today is touched with sadness as it will likely be one of the final opportunities I have to address you.

During the session, 83 Bills were passed, many of them of great significance to the future of the Province. I wish to express my appreciation for the earnest attention and careful consideration you gave to the matters brought before you.

In 1978, I should perhaps mention first the Captain Cook Bi-Centennial Commemoration Act, which provides for the commemoration of the landing on our shores 200 years ago of the famed British navigator and explorer, Captain James Cook.

The Crown Corporation Reporting Act has already resulted in the establishment of a special committee of the Legislative Assembly to inquire into and examine Crown corporations. Another special committee of this Assembly will be making a recommendation on the appointment of an Ombudsman under the Ombudsman Act.

The Ombudsman will provide a direct service to the people of this Province by helping to ensure a more efficient and fair service to the public. Other legislation was also designed to protect the public.

The Travel Agents Registration Act will regulate sellers of travel services, and provide compensation to people who lose money through defalcation or insolvency of those registered under the Act.

The Ministry of Housing is assisting people over the age of 65 through the Shelter Aid for Elderly Renters Act. Many others are being assisted through new regulations under the Mobile Home Act.

All our residents will benefit through the preservation of our past under the Heritage Conservation Act.

The British Columbia Resources Investment Corporation Act will provide an opportunity to invest in, and benefit from, the development of Provincially controlled and managed companies.

In the field of labour legislation, the *Essential Services Disputes Act* provides methods of settling disputes in essential Government or Crown corporation services.

It is also anticipated that major benefits will develop as a result of the Copper Smelting and Refining Incentive Act.

There were many other Bills and amendments to a great number of existing Acts, relating to the responsibilities of all ministries.

At the close of this session, I wish to congratulate you on the legislative achievements you have made, and I trust that the blessing of Divine Providence will be with you as you shortly resume your duties.

Mr. Speaker made the following statement:

Honourable Members—I wish to take this opportunity to present my observations relating to a matter which has been of concern to me for some time. It is with respect to the position I presently occupy.

The position of Speaker affords the person elected a rare and unique opportunity to serve the Legislature. From the time of my election until the present day I have strived to the utmost of my ability to do just that—serve the Legislature; to serve according to the rules of this assembly on an impartial basis. It has not been an easy task.

In actual fact, on many occasions when strong partisan debates rocked this chamber, debates frequently laced with recrimination and personal attack, the wisdom of Solomon and the patience of Job would not have been adequate to the task before me.

Somehow I persevered and survived. I am convinced that a deep respect for the parliamentary process and a strong conviction that come what may, the parliamentary system would remain, helped me through some of my darkest hours. I have been called upon as frequently as any other Speaker of this assembly to rule or advance an opinion on some aspect of parliamentary procedure.

In terms of the parliamentary process, as it has been revealed to us by the Mother Parliament, the British Columbia Legislature is still an adolescent, experiencing all the growing pains of rebellious youth. This House has a long way to go to attain the stature and respect that is deservedly accorded to the Parliament at Westminster.

Of one fact I am sure—the events of recent weeks, including attacks on me personally, make it impossible for me to continue in the untrammelled manner that is a necessary prerequisite of this Office.

If this Legislature is to survive and mature, all honourable members must start by rededicating themselves to the principles and traditions of parliament that are inculcated in the system we have, by good fortune, inherited. I have too deep a respect for the chair and the tradition behind it to remain in office when some consider my presence an inhibiting factor.

I therefore stand before you for the final time. My resignation, as required by the *Constitution Act*, will be immediately delivered to His Honour the Lieutenant-Governor. Honourable members, I do now leave the chair.

D. E. SMITH, Speaker

The Hon. Grace McCarthy (Provincial Secretary) then said:

Mr. Speaker and Members of the Legislative Assembly:

It is His Honour the Lieutenant-Governor's will and pleasure that this Legislative Assembly be prorogued until 2 o'clock p.m. tomorrow, March 30, and this Provincial Legislative Assembly is hereby prorogued accordingly.

The House prorogued at 10.25 a.m.

- 26 Ms. Sanford asked the Hon. the Minister of Labour the following questions: With reference to Workers' Compensation Boards of Review—
- 1. How many cases were dealt with by the boards in (a) 1975 and (b) 1976?
- 2. How many decisions of the review boards were in favour of the claimants in (a) 1975 and (b) 1976?
- 3. Were any review board decisions made in favour of the claimants reversed by the Workers' Compensation Board in (a) 1975 and (b) 1976?
 - 4. If the answer to No. 3 is yes, how many in each year?
- 5. Is there a waiting list of cases to go before the boards of review, and if so, how many cases are involved?

The Hon. L. A. Williams replied as follows:

- "1. Boards of review dealt with (a) 1,421 cases in 1975 and (b) 1,196 cases in 1976.
- "2. Cases 'in favour of the claimants' were (a) 515 in 1975 and (b) 390 in 1976.
 - "3. Yes.
- "4. In answering question 4, it is necessary to distinguish two types of procedure. The first is an appeal of a board of review decision under section 76c of the Workers' Compensation Act; the second is a referral of the decision to the Workers' Compensation Board under section 76B (3) of the Act by a Claims Adjudicator or Disability Awards Officer on the ground that he thinks there is objection to a board of review decision which has reversed the decision previously made by him. As far as information is available, the answer to question 4 is as follows:
 - (a) In 1975 the Board reversed 12 board of review decisions favourable to claimants; one on an appeal under section 76c and 11 on referrals under section 76B (3).

(b) From January 1 to April 30, 1976, the Board reversed 20 board of review decisions favourable to claimants; three on appeals under section 76c and 17 on referrals under section 76B (3).

"From May 1 to November 30, 1976, the Board did not implement 33 board of review decisions referred to it under section 76B (3); all were favourable to claimants. The Board later revised their decisions in respect of two of these claims and referred two back to the Adjudicator, both of which were later accepted. Two others are undergoing further consideration.

"In December 1976 no board of review decisions were reversed on an appeal under section 76c; one board of review decision favourable to a claimant was not implemented under section 76B (3).

"5. As of December 31, 1976, there were 1,125 cases either scheduled to be heard by boards of review or requiring a decision."

69 Mr. Wallace asked the Hon. the Minister of Labour the following questions:

In regard to the Special Commission set up by Order in Council 439 of February 3, 1977, pursuant to the *Railway and Ferries Bargaining Assistance Act*, to study labour problems on the British Columbia Railway and British Columbia Ferries, and on which the commissioners are chairman, Kenneth Strand; vice-chairman, Clive McKee; and member, Albert Hilling—

- 1. Does the Commission have a time limit in which its inquiry is to be completed?
- 2. Will the inquiry involve travel by the commissioners beyond British Columbia?
- 3. During the period of the inquiry, will Dr. Kenneth Strand continue to receive his full salary of approximately \$35,000 as a professor in the Department of Economics and Commerce at Simon Fraser University, in addition to his Commission payment of \$250 per day?

The Hon. L. A. Williams replied as follows:

- "1. No.
- "2. Not known.
- "3. This is dependent on the policy of Simon Fraser University."
- **70** Mr. Wallace asked the Hon. the Minister of Labour the following questions: With regard to the Ross Report concerning the functioning of the Workers' Compensation Board—
- 1. On what date was the firm of P. S. Ross and Partners officially asked to undertake the study?
 - 2. On what date was the study completed?
 - 3. On what date was the study submitted to the Minister of Labour?
 - 4. What was the total cost of the study?
- 5. Were any instructions given by the Minister of Labour to the consultants at P. S. Ross and Partners that T. Ison, former Chairman of the Workers' Compensation Board. *not* be interviewed?
- 6. If the answer to No. 5 is no, did the firm of P. S. Ross and Partners ask the Minister of Labour for any opinion as to whether or not the former Chairman, T. Ison, should be interviewed?
- 7. Did P. S. Ross and Partners provide the Minister of Labour with an estimate of the cost of the study prior to undertaking the study?
 - 8. If the answer to No. 7 is yes, what was that figure?

- 9. Of the eight persons who serve on review boards, how many were interviewed by the consultants of P. S. Ross and Partners, who were conducting the study?
- 10. Of those members of review boards who were interviewed, was the interview by telephone or by personal interview, or both?

11. How long did each interview last?

12. What are the names of the "key personnel" stated in the report as having been interviewed by the consultants carrying out the study?

13. What was the total number of hours spent by the consultants in interviewing these "key personnel"?

The Hon. L. A. Williams replied as follows:

- "1. By Order in Council 252, approved and ordered January 27, 1976.
- "2. Research and development work was completed in August 1976.
- "3. A draft of the final report was submitted August 31, 1976. Final copies for distribution were made available December 8, 1976.

"4. \$50,450.99.

- "5. No.
- "6. No.
- "7. Yes.
- "8. Approximately \$45,000.
- "9. One.
- "10. Personal interview.

"11. Approximately two hours.

- "12. A list of 'key personnel' interviewed by the consultants carrying out the study was not maintained. Often, personnel were interviewed in group sessions and no listing of names was maintained.
- "13. No accurate record of interview hours was maintained, largely as a result of the above."
- 90 Mr. Wallace asked the Hon. the Attorney-General the following questions:

 With regard to criminal offences that have been brought to court trials in British Columbia—
- 1. How many individuals received compensation beyond witness fees in certain circumstances, for the year 1976?
- 2. What were the specific sums of money paid to these individuals as compensation beyond witness fees, for the year 1976?

3. Who is the authorizing official that approves such payments?

- 4. Is the money for these payments provided for by Federal budget or Provincial budget, or both?
- 5. What were the total amounts of such payments made in the years 1970, 1971, 1972, 1973, 1974, and 1975?

The Hon. G. B. Gardom replied as follows:

"Refer to Hansard, June 21, 1977, pages 2954 and 2955."

- 94 Mr. Gibson asked the Hon. the Attorney-General the following questions:
- 1. Since August 1, 1974, when section 124A of the Land Registry Act came into force, and broken down for each Land Registry office, how many applications for registration were accepted from (a) Canadian citizens, (b) landed immigrants, and (c) citizens of a foreign country or state?

2. For each foreign country or state, and for each Land Registry office, how many applications were accepted from persons who are neither Canadian citizens nor landed immigrants?

The Hon. G. B. Gardom replied as follows: "The information requested is not available."

D. E. SMITH, Speaker

SUMMARY

Number of sitting days	137
Number of sittings—	
Afternoon	108
Evening	60
Morning	31
	 199
Debates (number of sittings)—	
Address in Reply	8
Budget Motion	13
Estimates (resolutions, 32; progress, 63)	95
Number of Bills introduced (including 68 Message Bills)	115
Number of Bills passed—	
Public	83
Private and local	3
	86
Number of questions answered	
Divisions	170

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